



BHARATIYA PRATIRAKSHA MAZDOOR SANGH

(AN ALL INDIA FEDERATION OF DEFENCE WORKERS)

(AN INDUSTRIAL UNIT OF B.M.S.)

(RECOGNISED BY MINISTRY OF DEFENCE, GOVT. OF INDIA)

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Dated: 31.03.2014

To,
The Secretary,
Govt of India, Min of Defence,
South Block, DHQ PO,
New Delhi - 110011

Subject: Grant of MACP benefit to the eligible employees in the hierarchy of promotional grade: Compliance of CAT Principal Bench Directive on 12.03.2014 in OA No. 864/2014.

Respected Sir,

With due regards, I would like to draw your kind attention on the subject wherein the issue of grant of MACP benefit in the hierarchy of promotional grade instead of hierarchy of grade pay is being demanded & discussed by this Federation at every forum.

It has now been brought to our notice that an affected employee had challenged the Government's decision on grant of MACP benefit in the hierarchy of promotional grade vide his O.A. No. 1038/CH/2010 in CAT Chandigarh and that the Hon'ble CAT Chandigarh vide its order dated 31.05.2011 granted the prayer of the petitioner and directed the authorities to grant MACP benefit in the hierarchy of promotional grade. Thereafter, the Union of India represented by the Secretary, DoP&T appealed to the Hon'ble High Court of Punjab and Haryana vide CWP No. 19387 of 2011. This appeal of the DoP&T was subsequently dismissed vide order dated 19.10.2011. The Government thereafter approached the Hon'ble Supreme Court vide SLP No. 7467/2013, the Hon'ble Supreme Court dismissed the said SLP.

Recently, CAT Principal Bench has issued direction on 12.03.2014 in OA No. 864/2014 that once an order has been passed by this tribunal and it has also been upheld at the level of the Supreme Court, there is no question of waiting for an approval from any Govt. department for implementation of the same.

In view of the above, the issue now stands settled that eligible employee needs to be given MACP benefits in the promotional hierarchy only.

As such, you are requested to kindly issue necessary directives to all units under your jurisdiction to implement the same immediately.

Thanking you.

Sincerely yours

(MUKESH SINGH)

Secretary