



ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

Central Headquarters

Registered under Societies Registration Act XXI of 1860 vide Govt. of NCT Delhi No. S/RS/SW/1161/2014

[Registered under Pensioners Portal vide DoP&PW letter No. 4(4)/2021-P&PW(H)7311 dated 04.01.2024]

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No. AIBSNLREA/CHQ/2025/71

Date: 30th October 2025

To

Shri Narendra Modi,
Hon'ble Prime Minister of India,
South Block, Raisina Hill,
New Delhi – 110011

Subject: Request for Equitable Implementation of CAT and High Court Orders for All Similarly Placed Pensioners – Implementation of decision regarding higher scales for Organised Accounts

Respected Sir,

We are constrained to draw your kind attention to the grave concern of organized accounts cadre of BSNL, by the recent decision of the Department of Expenditure (DoE), conveyed through the Department of Telecommunications (DoT) OM vide F.No.37-18/2023-SEA-(Legal) dated 07.10.2025 [Annexure – A], to restrict the implementation of judicial orders, which have attained finality, strictly to the 14 applicants in OA No. 2544/2015 before Principal CAT, Delhi.

2. Government had approved grant of higher scales for the Accounts staff of Railways on notional basis w.e.f.1.1.1996 with actual payment made prospectively. DoE vide its **OM vide F.No6/82/E.III(B)/91 dated 28th February 2003** extended this to the corresponding categories in all the organised Accounts cadres with actual payment to be made from 19.2.2003, the date on which the decision was approved by the Government.

3. Since then, many individuals from the Organised Accounts cadres have approached different courts seeking the benefit of actual grant of the upgraded pay scales from 01.01.1996,

instead of granting notional benefit. And decisions of many courts have been in favour of granting actual benefits from 01.01.1996. The Apex court too had dismissed an SLP by the Government against decision of Kerala High Court favouring grant of actual benefits from 01.01.1996. These court orders have been implemented along with arrears w.e.f. 01.01.1996, in respect of the applicants only, resulting in filing of cases by other organised accounts cadres.

4. Principal Bench of CAT New Delhi, in its orders dated 21st March 2023 in OA No.2544/2015, had held that "all the applicants are held to be entitled to the benefit of replacement/upgraded scale of pay on actual basis w.e.f. 01.01.1996 as against 19.02.2003. Pursuant to this they are also held to be entitled to the payment of arrears which would have accrued in their favour from this date." PCAT New Delhi had further observed that "Before parting we would also express a hope that the competent authority shall on its own extend the benefit of upgraded pay scales to all eligible employees w.e.r.01.01.1996 irrespective of the fact whether they have approached an appropriate judicial forum for the same or not, so that unnecessary litigation is avoided.**" But the Government filed a writ petition in Delhi High Court against the orders of PCAT New Delhi, which was dismissed. Supreme Court too dismissed the SLP filed by Union of India vide Diary No. 51350/2024.**

5. While dismissing the Writ Petition 15760/2023 filed by the UoI, the Delhi High Court had observed that "Furthermore, once the benefits of the higher replacement scale being extended to similarly placed employees was not only covered by the decision of the Ernakulum Bench in 2006, but also by the Patna High Court and by the Principal Bench of the Tribunal in O.A. No. 527/2015, we are of the view that the respondents are also entitled to receive the same benefits. **In fact, after the series of these decisions by different Courts, the petitioners were expected to itself extend the benefits to all similarly placed employees including the respondents herein."**

6. It is therefore quite disappointing that DoE has decided to extend the benefits only to the 14 applicants before PCAT Delhi, instead of extending the benefit to all similarly placed persons, as has been repeatedly represented by this Association. This decision stands in stark contrast to the spirit and intent of the judgments delivered by both the Principal Bench of the Central Administrative Tribunal (CAT), Delhi, and the Hon'ble Delhi High Court in WP (C) No. 15760/2023.

7. The Supreme Court has repeatedly emphasized that once relief is granted to a set of employees or litigants, all other identically situated persons should be treated alike to uphold Article 14 of the Constitution and avoid unnecessary litigation.

In ***Lal Bihari Singh Yadav & Anr v. Union of India (2023)***, the Court observed that "**The normal rule is that when a particular set of employees is given relief by the court, all other identically situated persons need to be treated alike by extending that benefit. Not doing so would amount to discrimination...**".

Similarly, in *K.C. Sharma v. Union of India*, the Court clarified that, “**the obligation is cast upon the authorities to itself extend the benefit thereof to all similarly situated persons, whether they approached the court or not**”.

Reinforcing this, the Court in *Naresh Singhal v. State of Rajasthan* held that judgments affecting the rights of the public at large must be treated as judgments in rem, and benefits should be extended automatically to avoid “**multiplicity of litigation, financial strain on departments, and undue hardship to citizens**”. These rulings underscore the judiciary’s concern over the burden of repetitive litigation and the imperative for administrative efficiency and fairness.

8. DoE’s restrictive stance has caused widespread disappointment among affected pensioners, many of whom are advanced in age. Forcing each individual to seek legal remedy afresh, despite settled law, places undue emotional, financial, and logistical burdens on senior citizens. It also leads to avoidable litigation, consuming public resources and judicial time unnecessarily.

9. We earnestly appeal to your esteemed office to intervene and to advise the Department of Expenditure to re-examine the matter and to implement the above judgment for all similarly placed pensioners of BSNL.

With kind regards,

Yours sincerely,


30/10/25

(R.R. Balasubramanian)
General Secretary

Encl: As stated

Copy to: 1. Ms. Nirmala Sitharman,
Hon’ble Minister of Finance, UOI
2. Shri V. Vualnam,
Secretary, Expenditure, DoE
3. Dr. Neeraj Mittal,
Secretary, Telecom, DoT

F. No. 37-18/2023- SEA-(Legal)
Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi-110 001

Dated: 07.10.2025

OFFICE MEMORANDUM

Subject: Disposal of Representations / PG cases received in reference to the Order dated 21.03.2023 passed by the Hon'ble CAT, Principal Bench, New Delhi in OA No. 2544/2015 'N. K. Mishra Case' - regarding.

The Department of Expenditure vide Office Memorandum No. 6/82/E.III(B)/91 dated 28.02.2003, extended the benefit of upgraded pay scales to the Accounts staff of the Organized Accounts Cadre, on notional basis w.e.f. 01.01.1996 with actual payments being made from 19.02.2003.

2. An OA No. 2544/2015 was filed by N. K. Mishra & 13 Ors. Vs. UoI & Ors. before the Hon'ble CAT, Principal Bench, New Delhi seeking grant of upgraded pay scales on actual basis w.e.f. 01.01.1996 till the date of decision of the Government i.e. 18.02.2023. The Hon'ble Tribunal, vide its Order dated 21.03.2023, allowed the aforementioned OA. Thereafter, the same was contested before the Hon'ble High Court of Delhi by way of WP and further before the Hon'ble Supreme Court of India by way of an SLP and a Review Petition. However, both the Hon'ble High Court and the Hon'ble Supreme Court of India upheld the order dated 21.03.2023 passed by the Hon'ble Tribunal.

3. The matter was referred to the Nodal Department i.e. DoE, for examination and advise in the matter. DoE vide it's Note ID No. 6(4)/E.III(B)/2016 dated 18.09.2025 after examining the matter has agreed to implement the Order dated 21.03.2023 of the Hon'ble Tribunal in OA No.2544/2015, **strictly in respect of the 14 applicants (i.e. Sh. N. K. Mishra & 13 others) named in the OA only.**

4. This office has been receiving several representations / PG cases for extending the benefit as granted to the applicants, in OA No. 2544/2015 N. K. Mishra & Ors., to all similarly situated officers / ex-officers.

5. **In accordance with the advice of the DoE, the Competent Authority has accorded approval for disposing of all the pending representations and PG Cases of employees/ex-employees on the subject matter, as the Hon'ble Tribunal Order dated 21.03.2023 is applicable/implemented in respect of the 14 applicants named in the OA No. 2544/2015 only.**

This issues with the approval of the Competent Authority.

Digitally signed by

Jyoti Negi

Date: 07-10-2025

16:22:53

(Jyoti Negi)

Under Secretary (SEA)

Tel. No. 011-23036537

To:

All concerned employees / Ex-employees (Through e-Office Notice Board / Website, DoT)