

No.C-17/21/2019/Confid-NG/BSF/ 28858 - 29158
Government of India
Ministry of Home Affairs
Directorate General Border Security Force
(Confid/Vig Dte - NG Section)

Block 10th, 5th Floor, CGO Complex,
Lodhi Road, New Delhi-03

Dated, the 13 Aug' 2019

To

HQ Spl DG (Eastern/Western Command)
All Ftr HQrs BSF
All Sector HQrs BSF (Including I S Duty)/DIG (HQ) FHQ/
All BSF BNs (Tac & Bn HQrs)
01/02 & 09 Bn NDRF/
BSF Academy Tekanpur/TC&S H/Bagh/
CSWT BSF Indore/All STCs BSF/
CENWOSTO/TSU/CSMT/NTCD/BIDR BSF Tekanpur/
Arty HQ BSF FDK/All Arty Regt/OC ATS FDK/
STS BSF Bangalore/New Delhi
PAD BSF/SRO/SIW/DG MT Pool/Signal Regt
WW Bhuj(Guj)/WW(West) Madhopur/WW Rajarhat

All Dtes FHQ BSF/ HQ DG NDRF/
Command HQ (Spl Ops) Raipur(New)/
Air Wing FHQ/DIG(Estt/Staff/Pers) FHQ/
Comdt (Pers/Pers-II)

By Hand

Sub:- DISPOSAL OF NOTICE FOR GRANT OF MACP FROM
01.01.2006 INSTEAD OF 01.09.2008

1. In this connection, it is to inform that various Writ Petitions have been filed by Ex-BSF personnel before the Hon'ble High Court of Delhi for grant of MACP benefits w.e.f. 01.01.2006 instead of 01.09.2008, in accordance with the judgment passed on 08.12.2017 by the Hon'ble Supreme Court in UOI V/S Balbir Singh Turn (Civil Appeal No. 3744 of 2016). The Writ Petitions, were listed before the Hon'ble High Court of Delhi and during the hearing, the Hon'ble High Court has directed to withdraw these petitions with liberty to first approach the respondents with proper notice setting out the full particulars of each of the petitioners separately as stated by the Learned Counsel for the respondents.

2. In this regard, various representations dated 15.03.2019 were served by Shri O P Agarwal, Advocate, Supreme Court and High Court of Delhi, on behalf of the Ex-BSF personnel for considering their cases for grant of MACP from 01.01.2006 instead of 01.09.2008.


13/8/2019

3. In this regard, it is intimated that, earlier in a similar case, in compliance to the Hon'ble High Court of Delhi vide order dated 21.08.2018 in WP(C) No.3549 of 2018 filed by Sunil Kumar Tyagi V/s UOI & Ors before Hon'ble High Court of Delhi, case was taken up with DoP&T through MHA to consider grant of MACP w.e.f. 01.01.2006 instead of 01.09.2008 in accordance with the decision dated 08.12.2017 of the Hon'ble Supreme Court of India in the case of Balbir Singh Turn & Anr. However, after detailed consideration of the case, DoP&T did **not accede to the proposal for grant of MACP w.e.f. 01.01.2006.**

4. The details of representations along with reply sent to concerned individual with info to Shri O P Agarwal, Advocate, Supreme Court and High Court of Delhi, have been shared with concerned unit/HQ of personnel details attached as **Appendix – "A"** with this letter.

5. It is requested to down load the same for record and take necessary action in further, if required.

Please ack receipt.

Encl : **As above**


(Sanjay Tandan)
Commandant (Confd)

13 Aug 2019

Copy to :-

1. FHQ BSF (D&L Branch) : for info w.r.t. their UO Note No. 6/LN/2019/ CLO(D&L)BSF/1322 dated 08th April 2019.