

**MACP IS ELIGIBLE FROM 1.1.2006 ON COMPLETION OF 10/20/30
YEARS REITERATES DELHI HIGH COURT IN ITS RECENT JUDGMENT
DATED 13.9.2019**

The Delhi HC has re-iterated its earlier judgment dated 1.5.2019 passed in Sunil Kumar Tyagi, BSF Vs Union of India (WP No. 3549/2018) in its recent judgment dated 13.09.2019 in Prahlad Vs UOI + 59 connected cases, filed by 60 pensioners of BSF.

The present judgment in Prahlad Vs UOI (WP No. 8203/2019 + 59 other Writ petitions) has rejected the contention of the DoPT and the BSF department that MACP is available only from 1.9.2008.

The Hon'ble Court, in its judgement dated 13.9.2019 had categorically states that "After the decision of the Supreme Court in Balbir Singh Turn, the distinction sought to be drawn

by the Respondents (UOI) between civilian and defence personnel in the matter of grant of the MACP benefit from 1st January 2006 is untenable. Again, the mere fact that there may be other service conditions that are applied from a prospective date is not an answer to not implementing the benefit of the above decision in the matter of MACP to all CAPFs uniformly

The dismissal of SLP in SC in Tyagi's case is also reflected in para 19 of the present judgment.

Click the link for judgment:

http://lobis.nic.in/d_dir/dhc/SMD/judgement/16-09-2019/SMD13092019CW82032019.pdf

Hope the GOI will not file another SLP in SC in a routine manner.....