

**FORMAT FOR ITIS**

From

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Hyderabad,

Dated:

To

The Pr. Chief Commissioner of Income tax, (CCA)  
Andhra Pradesh & Telangana States, 10<sup>th</sup> floor, Income tax Towers, A.C. Guards,  
Hyderabad -500 004, Telangana.

Respected Sir,

Sub:-Request for implementation of Hon'ble CAT, Mumbai  
Bench decision in OA No.86/2008 in my case – Reg.  
Ref:- Decision of Hon'ble, Mumbai Bench in OA.86/2008,  
Dt.17-01-2012.

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Kindly refer to the above.

2. The Fifth Pay Commission had placed the cadre of Inspectors of Income tax in the Pay scale of Rs.5500-175-9000. On representation by the Service Associations, the pay scale Inspectors of Income tax were revised to Rs. 6500-200-10000 with effect from 21-04-2004 (Vide, CBDT, Dept., of Revenue, Min. of Fin.GOI F.No.A-11016/50/2002/Ad.VII, dated 22-4-2004). However, the effect to this pay up-gradation was given from the date of the order i.e., from 21-04-2004. The benefit of pay up-gradation should have been given from 01-01-1996, the date of implementation of Fifth Pay Commission, which was denied. Against this, the Income Tax Gazetted Officers Association, Pune had filed OA No.86 of 2008 in Mumbai bench of Central Administrative Tribunal, Mumbai.

3. The Hon'ble CAT, Mumbai Bench has decided the petition by making an order on 17<sup>th</sup> January, 2012, allowing the petition of the Association which is filed on behalf of all the members concerned and directed the Government to grant the pay up-gradation of Rs. 6500-200-10000 to the cadre of Inspectors of Income tax **with effect from 01-01-1996** on par with other comparable services.

4. In this connection, it is submitted that the decision of the Hon'ble CAT, Mumbai is also applicable to the Inspectors of Income Tax as their pay scale was upwardly revised from 21.04.2004.

5. Although, an appeal has been filed by the Department against this order, there is no stay on implementation of the CAT order. Therefore, it has to be implemented in my case, as the facts and circumstances of my case are identical to the facts of the case in the Mumbai CAT's decision.

6. It is therefore requested that I may be granted the pay scale of Rs. 6500-200-10000 with effect from 01-01-1996 and refix my Pension accordingly. Further, the resultant arrears of pay and allowances may please be paid in my case. I undertake to repay the excess payment, if any, to me in case the appeal is decided by the Hon'ble High Court against the Association.

Thanking you Sir,

Yours faithfully,

