

**Central Administrative Tribunal  
Principal Bench**  
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**OA No. 2819/2015**

**New Delhi, this is 08<sup>th</sup> March of 2016**

**Hon'ble Mr. V. Ajay Kumar, Member (J)  
Hon'ble Mr. P.K. Basu, Member (A)**

M. Suryaprakasa Rao  
Aged about 59 years, S/o M.V. Ramna Murti.  
Scientist-F  
Presently Posted At:  
National Informatics Centre  
A-Block, CGO Complex  
Lodhi Road, New Delhi-110003

... Applicant

(By Advocate: Mr. R.K. Kapoor with Ms. Khayali Sarkar)

**Versus**

1. Union of India, through the Secretary,  
Department of Electronics and Information  
Technology (DeitY), Ministry of Communications &  
Information Technology, Govt. of India,  
Electronics Niketan, 6, CGO Complex,  
Lodhi Road, New Delhi
2. The Director General  
National Informatics Centre  
A-Block, CGO Complex  
Lodhi Road, New Delhi-110003
3. The Secretary, Ministry of Personnel,  
Public Grievances & Pensions  
(Department of Personnel & Training),  
Govt. of India, New Delhi

... Respondents

(By Advocate : Mr. Ashok Kumar)

## **O R D E R (Oral)**

By Hon'ble Mr. V. Ajay Kumar, Member (J):-

Heard both sides.

2. The applicant, who is working as Scientist-F filed the present OA seeking the following reliefs:-

(a) *allow the present O.A. and direct the respondents to grant upgradation of Scientist grade (in Grade G) under Modified Assured Career Progression Scheme(MACPS) with effect from 11<sup>th</sup> March, 2013 as per O.M. No. AB-14017/37/2008-Estt(RR) dated 10<sup>th</sup> September, 2010 of DOPT, Govt. of India as claimed in the OA.*

(b) *Direct the respondents to grant up-gradation to the Applicant to Scientist Grade G with effect from 11<sup>th</sup> March, 2013 alongwith all consequential benefits, including grant of interest.*

(c) *Direct the respondents to consider and grant the benefit of Modified Assured Career Progression Scheme (MACPS) to the applicant, with all consequential benefits including monetary benefits, in the subsequent grades as well.*

(d) *Direct the respondents to compensate the applicant for the financial loss, loss of reputation, frustration, mental agony for depriving him in an arbitrary manner the benefits to which he was entitled to as set out in the OA;*

(e) *any other relief/order which this Hon'ble Tribunal deems fit and proper in the facts and circumstances of the case may also be passed in favour of the applicant and against the respondents.*

(h) *Award costs of the proceedings in favour of the applicant."*

3. It is the case of the applicant that in terms of the Modified Flexible Complementing Scheme (FCS) he is also entitled for Assured Career Progression Scheme benefits. If the same is made available, he is entitled for upgradation w.e.f. 11.03.2013 with all consequential benefits. However, the respondents while drawing attention to their counter and Annexure R-6 dated 18.01.2016 submits that the issue is pending with the respondent No. 3 i.e. Ministry of Personnel, Public Grievances & Pensions (DOPT) for taking a final decision.

4. In the circumstances, the OA is disposed of, without going into the merits of the case, by directing the respondents to take a final decision in the matter and to pass appropriate orders as early as possible preferably within six months. No costs.

(P.K. Basu)  
Member (A)

(V. Ajay Kumar)  
Member (J)

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