

**Central Administrative Tribunal
Principal Bench**

**OA No.3848/2018
MA No.4300/2018**

New Delhi, this the 10th day of October, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

1. All India Association of Central Excise
Gazetted Executive Officers
Through its Secretary General
Mr. Ravi Malik having its office at
240, Razapur, Ghaziabad.
2. Mr. Ravi Malik
S/o Sh. Mahabir Singh
Aged about 56 years,
R/o 240, Razapur, Ghaziabad,
Presently holding the post of Assistant Commissioner
Of Central Excise/CGST posted at
CGST Commissionerate,
Ghaziabad.
3. Mr. Harpal Singh
S/o Sh. Pratap Singh
Aged about 49 years,
R/o Flat No.6, SE-11,
Shastri Nagar,
Ghaziabad, UP 201 002.
Presently holding the post of Superintendent,
CGST, Ghaziabad.
4. Mr. D. S. Srivastava
S/o Sh. Ramji Saran Srivastava
Aged about 59 years,
R/o H. No. C-26, Pocket 7,
Kendriya Vihar 2, Sector 82,
Noida 201 304,
Presently holding the post of Assistant
Commissioner of CGST Audit commissionerate,
NOIDA.
5. Mr. C. S. Sharma
S/o Sh. M. R. Sharma
Aged about 54 years,
R/o 9/768, Lodhi Colony,

Delhi 110 003.

Presently holding the post of Superintendent of Customs, posted at Customs Preventive Commissionerate, New Customs House, New Delhi. Applicants.

(By Advocate : Ms. Jasvinder Kaur)

Versus

1. Union of India through Revenue Secretary, Ministry of Finance, North Block, New Delhi.
2. Chairman, CBIC, North Block, New Delhi.
3. DGHRD, CBIC, Bhai Vir Singh Sahitya Sadan, New Delhi.
4. Department of Personnel & Training Through its Secretary, North Block, New Delhi. Respondents.

(By Advocate : Shri Y. P. Singh)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman:

This OA is filed with a prayer to direct the respondents to consider the feasibility of extending the benefit of Non-Functional Financial Upgradation (for short NFU) to the Group 'B' Officers of Central Board of Indirect Tax & Customs/CGST, to avoid stagnation, and to grant them financial parity with the counter parts in Central Secretariat Services.

2. It is pleaded that on a demand being made by the Association of Officers, the Central Board of Indirect Tax & Customs has accepted the proposal through their letter dated 16.01.2014, and forwarded to the 7th Central Pay Commission, but the benefit has not been extended to them.

3. We heard Ms. Jasvinder Kaur, learned counsel for the applicants and Shri Y. P. Singh, learned counsel for the respondents

4. The relief sought in this OA is in the form of a direction to the respondents to extend the benefit of NFU. As of now, the Scheme of NFU is extended only to Group-A Officers of the Government of India establishments. The question as to whether the Scheme needs to be extended to any other category of employees is purely on the realm of Government and the Tribunal cannot issue any directions on that behalf.

5. We, therefore, dismiss the OA. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/