

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.951/2019

Monday, this the 25th day of March 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Mr. Prem Chandra & others ...Applicants
(Mr. Sachin Chauhan, Advocate)

Versus

Union of India & others ...Respondents
(Mr. S M Arif and Ms. Shabnam Perween, Advocates for
Respondent Nos. 2, 3 & 4)

O R D E R (ORAL)

Justice L. Narasimha Reddy:

The applicants state that they are Group 'A' officers in the Senior Time Scale, working in All India Radio and that in terms of the Department of Personnel & Training (DoPT) Office Memorandum (O.M.) dated 24.04.2009, they became eligible to be extended the benefits of Non-Functional Upgradation (NFU) with Grade Pay of ₹7600/-. It is stated that on 14.09.2017, the DoPT issued an O.M. indicating that if an IAS officers of a particular batch is appointed to the posts of Director, Deputy Director, Additional Secretary, etc., all the Group 'A' officers, who are two years senior to such IAS officers, became eligible to be put in the NFU and that they made representations in the month

of January 2019 claiming such benefit, but no action has been taken thereon.

2. We heard Mr. Sachin Chauhan, learned counsel for applicants and Mr. S M Arif, learned counsel for respondent Nos. 2, 3 & 4 at the stage of admission.

3. The Government framed a scheme for extension of benefits of NFU in favour of Group 'A' officers in various Government services. According to that, whenever an officer of IAS of a particular batch is appointed to the post of Director or above, the Group 'A' officers in the Central Government, who are senior to such IAS officer by two years, would become entitled to the benefit of NFU. This, of course, is subject to verification of APARs and other eligibility criteria.

4. The question as to whether the applicants became eligible to be extended the benefit of NFU, needs to be examined by the respondents with reference to the individual cases. As of now, it cannot be said that there was any undue delay on the part of the respondents. At the same time, the representations made by the applicant cannot be kept pending for long.

5. We, therefore, dispose of the O.A. directing the respondents herein to examine the representations made by the applicants for extension of benefit of NFU, in terms of O.M. dated 24.04.2009, duly verifying their individual records, and to pass

appropriate orders, within two months from the date of receipt of a copy of this order.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

March 25, 2019
/sunil/