

F. No. CS-14017/1/2018-Estt. (RR)(Pt.1)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi, Dated the 25th April, 2018

Office Memorandum

3rd May

Sub: Declaring DoPT's OM No. AB.14017/39/2009-Estt(RR) dated 2.4.2012 as non est

The undersigned is directed to state that Hon'ble Delhi High Court in WP (C) No. 4067/2014 and WP(C) No. 4073/2014 vide order dated 13.10.2014 quashed the DoPT's OM dated 02.04.2012 which clarified that the benefit of NFU to Organized Group 'A' Services is not applicable to officers in those organized services where FCS and DACP schemes are already operating and where officers are already separately covered by their own in-situ career progression schemes. Since the said judgment of Hon'ble High Court attained finality as Hon'ble Supreme Court dismissed the SLP and Review in the case, it has been decided, with the approval of the Competent Authority, to declare the DoPT's OM No. AB-14017/39/2009-Estt.(RR) dated 02.04.2012 as non-est. A copy of the OM dated 2-4-2012 is enclosed.



(K. Prakasham)

Under Secretary to the Govt. of India

Tel. No. 23094254

To

All Ministries/Departments of the Government of India.

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1. President's Secretariat, New Delhi
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15. Secretary, National Council (JCM), 13, Ferozeshah Road, New Delhi.
16. Establishment Officer & A.S.
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18. Facilitation Center, DOP&T (20 copies)
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No. AB.14017/39/2009-Estt.(RR)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi, the 2nd April, 2012

Office Memorandum

Subject:- Non-Functional upgradation for Officers of Organised Group 'A' Services – applicability for Services covered under other promotion schemes

Attention is invited to instructions of this Department issued in OM No. AB.14017/64/2008-Estt. (RR) dated 24.4.09 for Non-functional Upgradation to officers of Organised Group A Services in PB-3 and PB-4 as per 6th CPC recommendations and accepted by the Government. The instructions on NFU are applicable at HAG level where such a scale exists in the Service.

2. The issue of wide spread stagnation in various Organised Group A Services where the promotion is vacancy based was considered by the 6th CPC which recommended NFU linked to empanelment/ appointment of IAS officers at the Centre. References for extending the benefit of NFU to officers included in Organised Group 'A' Services and who are covered by their own promotions schemes like DACP, FCS etc. continue to be received by this Department. The issue has been examined in consultation with Department of Expenditure. The 6th CPC has specifically recommended separate schemes at various levels after detailed deliberations and the same are required to be followed 'in toto'. The attributes of one scheme cannot be transposed on another and two schemes cannot run concurrently for a cadre as it would be against the spirit of 6th CPC recommendations.

3. Keeping in view that it would not be desirable to mix the provisions of one scheme with the other at different levels, it is clarified that the benefit of NFU to Organised Group A Services shall not be applicable to the officers in those Organised Services where FCS and

DACP Schemes are already operating and where officers are already separately covered by their own in-situ Career Progression Schemes.

4. The Cadre Controlling Authorities of various Services in the Ministries/Departments may accordingly take necessary action.

5. Hindi version will follow.



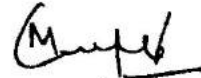
(Mukta Goel)
Director(E-I)
Tel. 2309 2479

To

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3. The Vice-President's Secretariat, New Delhi
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5. All Officers and Sections in the Department of Personnel & Training.
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8. All Staff Members of the Departmental Council (JCM), Ministry of Personnel, PG and Pensions
9. Establishment (RR Division) (50 copies)
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