

**Government of India
Ministry of Water Resources, RD & GR
Establishment-I Section
(ISO 9001:2008)**

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**Shram Shakti Bhavan, Rafi Marg,
New Delhi, dated the 31st March, 2016**

To

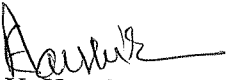
**The Director,
NIC
M/o WR, RD & GR
Shram Shakti Bhawan,
New Delhi**

Subject: Uploading of clarifications received from DoP&T on grant of NFU.

Sir,

I am to say that JS(A) in the monthly meeting dated 16th March, 2016 has desired to upload the clarification/views of DoPT/Ministry of Finance on the intranet of this Ministry. Therefore, you are requested to upload the clarification of DoPT (copy enclosed) in respect of grant of NFU.

Yours Faithfully


A.K. Kaushik)

**Under Secretary to the Govt. of India
Tel: 23716928**



जल बचत - जल संयय

From Pre-page

Department of Personnel & Training
Estt. (RR) Division

Dy.No. 1117099/2015-CR

F.No. 19/38/2013-Estt .I

This is regarding a proposal from M/o Water Resources seeking advice of DoPT for grant of NFU to Joint Secretary Level (SAG) to the CWE (Gr.A) Service of 1983 and earlier batches w.e.f. 1.1.2006 instead of 3.1.2006.

2. MoWR in their note on page 20-22/n has stated that one Shri R S Ram, Chief Engineer, NBP Unit, Central Water has represented for grant of NFU to similarly placed CWE(Gr.A) Officers to Joint Secretary level (SAG) w.e.f. 1.1.2006 instead of 3.1.2006. Shri R S Ram has represented that the CWE (Gr.A) Service officers of 1983 and earlier batches were granted NFU w.e.f. 3.1.2006. However, similarly placed officers of IES Cadre have been granted NFU w.e.f. 1.1.2006 instead of 3.1.2006 consequent upon the order dated 23.10.2013 of the Hon'ble CAT in OA No. 761/2012 in the matter of Shri Badri Singh Bhandari and Anr.

3. In view of above, MoWR has sought clarification from DoPT on the issue raised by Shri R. S. Ram.

4. In this context it is stated that this Department vide OM dated 25.9.2009 has issued clarification that the scheme of Non-functional upgradation of officers of Organized Group 'A' Services in PB-3 and PB-4 is based on the recommendations of the 6th CPC. These recommendations have been implemented only from 1.1.2006. As such, any upgradation can be only with reference to the officers of IAS posted to the Centre after 1.1.2006. Therefore, the request for granting NFU w.e.f. 1.1.2006 is not permissible.

5. As regards the implementation of CAT, Principal Bench, New Delhi judgement dated 23.10.2013 in OA No. 761/2012 by the Department of Economic Affairs in respect of the Indian Economic Service officers by granting the benefit of NFU to SAG w.e.f. 1.1.2006 is concerned, it is stated that the judgement has been implemented by DEA without consulting DoPT. It is further stated that in a meeting of Secretary, DoPT, Secretary, D/o Economic Affairs and JS, M/o Law was held on 11.02.2015 wherein it was decided that the order in the OA No. 761/2012 dated 23.10.2013 would be challenged in the High Court and the order issued by the Department of Economic Affairs for grant of benefit of NFU to SAG with effect from 01.01.2006 is to be withdrawn.

6. In view of above, M/o Water Resources may be advised that benefit of NFU is to be extended w.e.f. 3.1.2006 only.

[Signature]
(Jitendra R. Gaikwad)
Under Secretary (RR)
16.11.2015

Dir/(E-I)

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