	<p align="center">ALL INDIA CIVIL ACCOUNTS OFFICERS (Senior Accounts Officers and Pay & Accounts Officers) ASSOCIATION (Recognised by Govt. of India as per CCS (RSA) Rules, 1993 vide O/o CGA, Min. of Finance's letter No. 23003/1/2020-NGE-CGA /270 dated: 29th August, 2022) House No: H-405, Street No. 4, RAJ NAGAR, PART-2, PALAM COLONY, NEW DELHI- 110077. nebaicaoa@gmail.com </p>
President Geetanjali 9810639937	<div> <div> Secretary General Kaushal Mishra 9818880211 </div> <div> Finance Secretary Rajeev Kumar 8968452837 </div> </div>

<p><u>Vice-Presidents</u></p> <p>Anita Rawat 9911539190</p> <p>P Mahesh Kumar 9440305567</p> <p><u>Addl. Secretary General</u></p> <p>SreematiBhowmik 9810869034</p> <p><u>Jt. Secretary Generals</u></p> <p>Rajeev Kumar 9873815175</p> <p>Avinash Kumar 8851049471</p> <p><u>Asst. Finance Secretary</u> Santosh Kumar</p> <p><u>Asst. Secy. Generals</u></p> <p>Subhash Chand</p> <p>BiswajitMondal</p> <p>Asha Pal</p> <p>RekhaDahiya</p> <p>SumitraGoganio</p> <p>Ajay Sood</p> <p>Virender Sharma</p> <p>Rajeev Chandra</p>	<p align="center">No. AICAOA/NEC Meeting/2025-26/202</p> <p align="right">Date: 18.02.2026</p> <p align="center"><u>MINUTES OF NEC MEETING</u></p> <p>An online meeting of the National Executive Committee of AICAOA held on 26th January' 2026 at 8:00 PM on Google Meet. Agenda-wise deliberations/decisions of NEC are as below:</p> <p>Agenda 1: Discussion on Minutes of Meeting issued by O/o CGA vide letter dated 23.01.2026:</p> <p>Deliberations:At the outset, Secretary General, AICAOA welcomed all the NEC Members. Para-wise discussions on O/o CGA's letter dated 23.01.2026 and decisions taken by NEC, AICAOA is as below:</p> <p>Para 4.1: Provision of induction of Sr. AOs to STS Level on their promotion:</p> <p>AICAOA shall request the CGA Office to re-examine the matter on merits and to re-pursue the issue accordingly.</p> <p>Para 4.2: Treatment of AAOs as Direct Entry:</p> <p>AICAOA shall request the CGA Office to furnish information as to whether any proposal on the subject matter was forwarded to the Department of Expenditure (DoE) after July, 2017. If so, a copy of the relevant correspondence may be provided.</p> <p>Para 4.3: Grant of NFU to Sr. AOs:</p> <p>The NEC members who participated in the meeting held with the CGA Office on 14.01.2026 raised serious concerns regarding the record of proceedings as reflected in the Minutes of Meeting issued by the CGA Office, as the same did not correctly capture the deliberations held therein. The members placed on record their categorical disagreement with the Minutes of Meeting issued by CGA Office vide letter dated 23.01.2026.</p> <p>Accordingly, it was decided unanimously that AICAOA shall write to the CGA Office requesting copies of records relating to the proposal dated 19.08.2005 and the disapproval conveyed by the DoE vide ID Note dated 29.09.2025 as mentioned in Minutes of Meeting dated 23.01.2026 concerning the grant of NFU to Senior AOs.</p> <p>Para 4.4: Grant of STS, JAG Level to Sr. AOs counting their services w.e.f. 09.04.2009:</p> <p>All members who attended the meeting dated 14.01.2026 unanimously expressed serious concern over the Minutes of Meeting, stating that they were not in conformity with the actual deliberations held, and placed on record their disagreement.</p>
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Auditor
Rahul Butola

Points of Disagreement:

(i) The discussions have been misrepresented and misconstrued while issuing the Minutes of Meeting dated 14.01.2026. The agenda item has been incorrectly understood and mentioned in Minutes of Meeting as Grant of STS to Sr. AOs whereas the complete nomenclature of the agenda item was "Grant of STS, JAG level to Sr. AOs counting their services w.e.f. 09.04.2009." (**Copy of Agenda Items dated 17.12.2025 enclosed -page no. 5).**

(ii) AICAOA had already taken up the matter with the CGA Office vide its letters dated 22.04.2025 and 23.10.2025 (**copies enclosed -page no. 6 & 7**), seeking grant of STS, JAG level to Sr. AOs by counting their services w.e.f. 09.04.2009.

(iii) In support of its legitimate demand, AICAOA has enclosed two OMs of DoPT dated 01.09.1998 and 03.09.1998, the recommendations of the 6th Central Pay Commission dated 24.03.2009 and a judgment of the Hon'ble Supreme Court of India dated 06.05.2004 in a similar matter {**copies are attached with letters discussed in point 4.4. (ii) above - page no. 10, 15 and page no. 22**}.

(iv) The alleged pendency of any related matter in any court of law, as mentioned in the first paragraph of point 4.4 of the Minutes of Meeting dated 23.01.2026, is not within the knowledge of AICAOA and was never discussed under this agenda item. AICAOA, therefore, registers its strong disagreement with the observations recorded in para 4.4 of the said Minutes of Meeting.

(v) As regards the case filed by Defence Accounts personnel and its pendency before the Hon'ble High Court is concerned, it is clarified that the said matter pertains to agenda item 4.3 i.e. Grant of NFU to Sr. AOs and does not fall under agenda item 4.4 i.e. Grant of STS, JAG level to Sr. AOs by counting their services w.e.f. 09.04.2009.

(vi) With regard to the prayers sought by the petitioners and the request for a copy of the petition, it is submitted that the prayers in any court case invariably form part of the final judicial determination and are, therefore, clearly reflected in the judgment itself. Further, AICAOA is neither a petitioner nor a party in the said court case (**Judgement copy of O.A. No. 2922/2021 attached - page no. 27**). It is pertinent to note that the O/o the CGA is itself impleaded as Party No. 4 in the said O.A. (**Please refer Page No. 48**). Consequently, seeking a copy of the petition from representatives of AICAOA is wholly irrelevant, illogical and unwarranted especially when the same is already available with the CGA as a party to the proceedings.

(vii) AICAOA has been advised vide the second paragraph of point 4.4 "to be prepared when they come for discussing items at their own behest." In this regard, AICAOA draws the attention of the CGA Office to para 7.4 of its own Minutes of Meeting dated 03.06.2025 (**copy enclosed**), wherein it was assured that "The matter will be examined and necessary action will be taken accordingly." (**Copy enclosed - - Page no. 60**).

The NEC unanimously recorded that the CGA Office, without duly examining its own commitments and prior correspondence, issued the Minutes of Meeting in a manner that is inconsistent with and indeed contrary to the documentary record, which explicitly reflects a different position.

Para 4.5: Consultation of Disciplinary Appointing Authority (President/ FM) for Vigilance Clearance Matters of Sr. AOs:

During the meeting, the CGA assured that necessary clarifications would be obtained; however, the said assurance finds no mention in the Minutes of Meeting. NEC, AICAOA decided unanimously to refer the matter to LC, AICAOA for examination of the matter and recommendations thereof.

Para 4.6: Periodical Review Meeting:

It was decided that meetings would be held once every six months and as and when required, with Joint CGA (HR-II) and ACGA (HR-II). However, the periodicity has been unilaterally altered to an Annual meeting.

Para 4.6: Circulation of Minutes of Meeting to all Pr.CCAs/CCAs/ CAs (Independent charge) and uploading on website of CGA Office:

No comments

Para 4.7: Reimbursement of Mobile Charges:

AICAOA decided to raise the issue again with additional and more justifiable grounds.

Para 4.8: Incorporation of agreed points on transfer related issues in the transfer policy:

AICAOA reiterates that the readiness list issued vide CGA Office's letter dated 11.11.2025 is not conformity with para 5.2.5 of Minutes of Meeting dated 03.06.2025. Names of officials who had completed only one tenure at a particular station and were supposed for Intra-station transfer have been included in the readiness list, whereas officials who had completed two or three tenures at a station and were supposed to Out-Station transfer were excluded.

Accordingly, a partial readiness list has been issued excluding names of officials who had completed two or three tenures and have been transferred without affording any opportunity, contrary to the explicit agreement recorded in para 5.2.5 of the Minutes of Meeting dated 03.06.2025. This defeats the very purpose of the demand raised in the meeting dated 30.04.2025 and its acceptance as a welfare measure by the then CGA.

Further, all NEC members present in the meeting dated 14.01.2026 categorically stated that the Secretary General of AICAOA never asked for stopping the issuance of the readiness list; rather, he repeatedly requested issuance of a complete readiness list in place of a partial one, which was not agreed to by the CGA.

Issuance of a partial readiness list, contrary to para 5.2.5 of the Minutes of Meeting dated 03.06.2025, cannot be camouflaged as generosity and is legally untenable. AICAOA strongly condemns the attempt to misrepresent the views of the Secretary General and to question his authority. Casting aspersions on the elected representatives views by official side did not augur well with Sr.AO fraternity in general and association in particular.

NEC, AICAOA decided unanimously to raise the matter before Secretary (Exp.) for issuance of complete readiness list. Further, it was also decided to refer the matter to LC, AICAOA for examination and suggestions in the matter of Transfer Policy.

Para 4.9: PFMS & e-Bill related issues: No Comments

Para 4.10: Work Load assessment of Sr. AOs: No comments.

After due deliberations, it was decided unanimously that AICAOA will send a dissent note to O/o CGA highlighting the disagreements as discussed above.

Decisions: After deliberations at length, it was decided unanimously that AICAOA will send a Dissent Note on Minutes of Meeting dated 23.01.2026.

Agenda 2: Status of Court Cases: Grant of NFU to AAOs w.e.f. 2006 matter which is sub-judice in CAT, Pr. Bench, Delhi was deliberated and it was decided that AICAOA will explore the possibilities to join the case as party.

Further, status of all on-going court cases of AICAOA as well as cases connected with betterment of Sr. AOs were deliberated and it was decided that AICAOA will keep pursuing for early disposal of the cases.

Agenda 3: Any other issue with the permission of Chair:

- (1) It was informed to all present NEC members that AICAOA is in receipt of an email from one of member Sr. AO regarding his physical, mental and emotional harassment and silence of his Hqrs. in the matter. NEC, AICAOA decided unanimously to refer the matter to LC, AICAOA to examine and suggest further action in the matter.
- (2) AICAOA requested Secretary, Department of Expenditure, Ministry of Finance for a meeting vide letter no. AICAOA/NEC/2025-26/194 dated 15.11.2025. Matter was raised during the meeting and after due deliberations it was decided that AICAOA will request again for appointment of Secretary, Department of Expenditure, Ministry of Finance to raise the pressing issues of Sr. AOs of cadre.

The meeting was attended by the following NEC members:

- (1) Ms. Geetanjali, President
- (2) Sh. P. Mahesh Kumar, Vice-President
- (3) Ms. Anita Rawat, Vice President
- (4) Sh. Kaushal Mishra, Secretary General
- (5) Ms. SreematiBhowmik, Addl. Secretary General
- (6) Sh. Rajiv Kumar, Finance Secretary
- (7) Sh. Rajiv Kumar, Jt. Secretary General
- (8) Sh. Avinash Kumar, Jt. Secretary General
- (9) Sh. Santosh Kumar, Asstt. Finance Secretary
- (10) Sh. Subhash Chand, Asstt. Secretary General
- (11) Sh. Biswajit Mondal, Asstt. Secretary General
- (12) Ms. RekhaDahiya, Asstt. Secretary General
- (13) Sh. Rajiv Chandra, Asstt. Secretary General
- (14) Ms. Asha Pal, Asstt. Secretary General
- (15) Sh. Virender Sharma, Asstt. Secretary General
- (16) Sh. A. K. Chaurasia, Asstt. Secretary General
- (17) Sh. U. C. Joshi, Chairman, LC, AICAOA

Meeting ended with Vote of Thanks.


(Kaushal Mishra)
Secretary General (AICAOA)



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[**nebaicaoa@gmail.com**](mailto:nebaicaoa@gmail.com)

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Anita Rawat
9911539190

P Mahesh Kumar
9440305567

Addl. Secretary General

Sreemati Bhowmik
9810869034

Jt. Secretary Generals

Rajeev Kumar
9873815175

Avinash Kumar
8851049471

Asst. Finance Secretary
Santosh Kumar

Asst. Secy. Generals

Subhash Chand

Biswajit Mondal

Asha Pal

Rekha Dahiya

Sumitra Goganio

Ajay Sood

Virender Sharma

Rajeev Chandra

A. K. Chaurasia

Auditor

Rahul Butola

No. AICAOA/NEC Meeting/2025-26/197

Date: 17.12.2025

Following agenda points have been decided by NEC, AICAOA in its meeting dated 13th December' 2025 for discussion with CGA:

A. Agenda Items for meeting with CGA Office:

I. Review of Old Agenda Items :

- (i) Provision for induction of Sr. AOs to STS level on their promotion
- (ii) Treatment of AAOs as Direct Entry in line of provisions in C&AG
- (iii) Grant of NFU to Sr. AOs
- (iv) Grant of STS, JAG level to Sr. AOs counting their services w.e.f. 09.04.2009
- (v) Consultation of Disciplinary/ Appointing Authority (President/ FM) for Vigilance Clearance Matters of Sr. AOs
- (vi) Periodical Review Meeting
- (vii) Circulation of Minutes of Meetings to all Pr. CCAs/ CCAs/ CAs (Independent Charge) and uploading on website of CGA Office
- (viii) Reimbursement of Mobile Charges to all Sr. AOs making payment through PFMS and handling PFMS/GeM/ EIS related work.

II. New Agenda Items :

- (i) Incorporation of agreed points on transfer related issues in Transfer Policy
- (ii) PFMS and E-Bill related issues :
 - (a) Direct landing of SNA SPARSH sanctions at Sr. AOs login in Pr. AO Office for preparation of Bill without involvement of DDO of Ministry and further pushing of SNA SPARSH Bill directly at Sr. AO level in PAO Office for payment
 - (b) Non-availability of provision of landing of Review of sanctions Bills on the login ids of Competent Authorities directly in PFMS
 - (c) Non-availability of provision of landing of Bills on the login ids of Competent Authorities on return at 2nd time
 - (d) Non-appearance of available Budget Balance /appearance of wrong available Budget Balance at DH and AAO level in PFMS.
- (iii) Assessment of Workload of Sr. AOs as per SIU Norms

(Kaushal Mishra)
Secretary General (AICAOA)

Copy to the Sr. AO (HR-II), O/o CGA, DoE, MoF, New Delhi w.r.t. email dated 08.12.2025.



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Rajeev Chandra

A.K. Chaurasia

Auditor

Rahul Butola

No. AICAOA/NEC/2025-26/189

Date: 23.10.2025

To,

The Controller General of Accounts
Mahalekha Niyantrak Bhawan,
E-Block, GPO Complex, INA,
New Delhi-110023.

Sub.: Promotion to STS, JAG level of ICAS in respect of officers from CCAS - Reg.

Respected Madam,

I am writing on behalf of the All India Civil Accounts Officers (Sr. AOs & PAOs) Association (AICAOA) to draw your kind attention to the decision taken by the National Executive Committee of AICAOA in its meeting dated 14.09.2025.

Your attention is also invited to AICAOA's letter No. AICAOA/NEC/2025-26/167 dated 22.04.2025 (copy enclosed) on the above subject. In the said letter, the Association requested (i) to count the services rendered by Senior Accounts Officer w.e.f. 09.04.2009 for considering promotion to senior scale of ICAS i.e. STS, JAG, SAG (ii) to allow Senior Accounts Officers the benefits of Non Functional Up-gradation by counting services in terms of clarification issued by DOPT vide OM dated 01.08.2012 and confer the benefit of higher pay scale OR Appoint Senior Accounts officer with requisite length of service on deputation to the vacant post of JAG/STS in PFMS by counting the services as Sr.AO and amending the terms of conditions of appointment in terms of DOPT OM dated 24.03.2009 and allowing service rendered in GP-5400/- in PB-3.

However, the matter has not been acted upon so far, and no reply has been communicated to the Association.


You are, therefore, once again requested to kindly consider these legitimate demands at the earliest.

With high regards,

Encl: as above.

Yours sincerely,

(Kaushal Mishra)
Secretary General (AICAOA)

	<p align="center">ALL INDIA CIVIL ACCOUNTS OFFICERS (Senior Accounts Officers and Pay & Accounts Officers) ASSOCIATION (Recognised by Govt. of India as per CCS (RSA) Rules, 1993 vide O/o CGA, Min. of Finance's letter No. 23003/1/2020-NGE-CGA /270 dated: 29th August, 2022) House No: H-405, Street No. 4, RAJ NAGAR, PART-2, PALAM COLONY, NEW DELHI- 110077. nebaicaoa@gmail.com </p>
<p>President Geetanjali 9810639937</p>	<p>Secretary General Kaushal Mishra 9818880211</p> <p>Finance Secretary Rajeev Kumar 8968452837</p>

<p><u>Vice-Presidents</u></p> <p>Anita Rawat 9911539190</p> <p>P Mahesh Kumar 9440305567</p> <p><u>Addl. Secretary General</u></p> <p>Sreemati Bhowmik 9810869034</p> <p><u>Jt. Secretary Generals</u></p> <p>Rajeev Kumar 9873815175</p> <p>Avinash Kumar 8851049471</p> <p><u>Asst. Finance Secretary</u> Santosh Kumar</p> <p><u>Asst. Secy. Generals</u></p> <p>Subhash Chand</p> <p>Biswajit Mondal</p> <p>Asha Pal</p> <p>Rekha Dahiya</p> <p>Sumitra Goganio</p> <p>Ajay Sood</p> <p>Virender Sharma</p> <p>Rajeev Chandra</p> <p>A.K. Chaurasia</p> <p><u>Auditor</u></p> <p>Rahul Butola</p>	<p align="right">No. AICAOA/NEC/2025-26/167</p> <p align="right">Date: 22.04.2025</p> <p>To,</p> <p>The Controller General of Accounts Mahalekha Niyantarak Bhawan, E-Block, GPO Complex, INA, New Delhi-110023.</p> <p>Sub : Promotion to STS, JAG, SAG level of ICAS in respect of officers from CCAS - Reg.</p> <p>Respected Sir,</p> <p>I have been directed by NEC in its meeting held on 20.04.2025 to bring following facts for your kind consideration on the subject cited above :-</p> <p>(i) The Controller General of Accounts Vide OM No.A-32014/1/2009/Misc./MF.CGA(A)/Gr.B/343 dated 31.10.2019 classified the post of Senior Accounts Officers of Central Civil Accounts Services as Group A post w.e.f. 09.04.2009.</p> <p>(ii) That the above said OM was issued consequent to the direction of Hon'ble Supreme Court in SLP No.29186/2014 dated 21.08.2018 whereby the Hon'ble Supreme Court has upheld the directions of Hon'ble High Court of Delhi in WP No. 2698/2013 dated 17.09.2013 as under :-</p> <p><i>"19. Accordingly, the impugned order of the CAT dated 10.12.2012, as also the Office Memoranda of the Central Government dated 11.4.2011, 17.6.2011 and 7.7.2011, which deny the petitioners classification as Group A officers alongwith the attendant benefits, are liable to be set aside as unreasonable and arbitrary given the clear textual mandate of the relevant rules..."</i></p> <p>(iii) While issuing the OM dated 31.10.2019, issues such as counting of Group A service for promotion in higher grade or fixation of seniority and promotion or other attended benefits were NOT addressed to.</p> <p>(iv) In this connection, it is submitted that DOPT vide OM No. AB-14017/10/86-Estt.(RR) dated 01.09.1998 has issued guidelines for counting of past Gr. A service for promotion to higher grades.</p>
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- (v) That the Senior Accounts Officers of CCAS has been granted Gr. A w.e.f. 09.04.2009 and hence their past service will count for the purposes of promotion to the higher grade in ICAS.
- (vi) That further DOPT vide Point No.17 of OM No. AB-14017/47/2011-Est.(RR) dated 01.08.2012 has clarified that such Gr. A service will count towards conferring Non Functional Up-gradation (NFU) to Central Group A service officers.
- (vii) That none of the benefits of DOPT's OM dated 01.09.1998 has been given to officers of CCAS inducted into ICAS which is against the provisions of DOPT's OM No.A-11019/2/98-AT dated 03.09.1998. The OM dated 03.09.1998 mandates the departments to implement the directions of CAT/High Court/SC to mitigate the problem of stagnation.
- (viii) That consequent to the issue of OM dated 31.10.2019, no officer from Central Civil Accounts Service (CCAS) was inducted into ICAS nor the service of the officers were counted for promotion to higher grade in ICAS despite having sufficient number of vacancies.
- (ix) That while disposing the OA No.192/2023 in CAT(PB), it was categorically stated by the official side that henceforth they are not going to change the status of Sr.AO to Group B.
- (x) That even your office has not recognised Sr. AOs as Group 'A' officers as they do not find mention in your office order No.A-24012/1/2020-Admin-CGA/296-306 dated 14.07.2020.
- (xi) It is pertinent to mention here that as per Sr. No.3 of Schedule -II of Indian Civil Accounts Service Recruitment Rules,2006 as notified vide GSR No.694(E) and as amended from time to time provides that Officers in the Senior Time Scale (Rs.10000-325-15200) with 5 years regular service in the Grade ***or nine years of service in Group 'A' are entitled for consideration for promotion to Junior Administrative Grade (JAG) of the ICAS.***
- (xii) That Sr. No.2 of Schedule-II of ICAS Recruitment Rules, 2006 further provides that ***the Officers in the Junior Time Scale (Rs.8000-275-13500) with 4 years regular service in the grade*** are eligible for promotion to Senior Time Scale (STS) of ICAS.
- (xiii) That there are more than 50 posts are vacant upto JAG/NFSG in ICAS as on 01.01.2025
- (xiv) That DOPT vide OM No.AB.14017/61/2008-Estt.(R) dated 24.03.2009 has prescribed the qualifying service for appointment/promotion to various posts which inter-alia provides that for appointment/promotion to the post having grade of Rs.6600/- persons having rendered 5 years of service in Grade Pay of Rs.5400/- are also eligible for appointment. However, no such service condition is mentioned in Circular dated 01.09.1998.

- (xv) That it was held by Hon'ble SC in the case of State of Mizoram vs Mizoram Engg. Services vide judgment dated 06.05.2004 in Civil Appeal no.793/1998 has held that there is no distinction between organised group A Service and other Group A Service.

I, therefore, request you to kindly:-

- (i) Count the services rendered by Senior Accounts Officer w.e.f. 09.04.2009 for considering promotion to senior scale of ICAS i.e. STS, JAG, SAG.
- (ii) Allow Senior Accounts Officers the benefits of Non Functional Up-gradation by counting services in terms of clarification issued by DOPT vide OM dated 01.08.2012 and confer the benefit of higher pay scale.

OR

- (iii) Appoint Senior Accounts officer with requisite length of service on deputation to the vacant post of JAG/STS in PFMS by counting the services as Sr.AO and amending the terms of conditions of appointment in terms of DOPT OM dated 24.03.2009 and allowing service rendered in GP-5400/- in PB-3.

Encl: As above.

Yours sincerely,



(Kaushal Mishra)
Secretary General (AICAOA)

(14)

No.AB-14017/10/86-Estt(RR)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

North Block, New Delhi 110001
September 1, 1998

OFFICE MEMORANDUM

28/1 (✓)

Subject:- Counting of past service at the time of lateral entry on direct recruitment basis for promotion to the higher grades -

The undersigned is directed to say that the question of counting of previous Group 'A' service to meet the condition of minimum eligibility service prescribed in the Recruitment/Service Rules at the time of lateral entry on direct recruitment as qualifying service for promotion to the higher grades has been considered by the Government and it has been decided that since all appointments by the method of direct recruitment are in the public interest, the benefit of counting of previous Group 'A' service to meet the condition of minimum eligibility prescribed in the Recruitment/Service Rules at the time of lateral entry on direct recruitment as qualifying service for promotion to the higher grades will be admissible to an employee provided he/she has completed the prescribed eligibility service in the immediate feeder grade. However, the past service will not count for seniority in the new organisation, as upheld in the Supreme Court's judgement dated November 19, 1993 in the case of Renu Mullick vs Union of India [JT 1993 (b) SC 527].

2. Ministries/Departments etc. are requested to process the cases of direct recruit employees in the light of the foregoing instructions.


(K.K. JHA)

Director(Establishment)

To

All Ministries/Departments of the Government of India

Copy to:-

1. The Secretary, Union Public Service Commission, Dholpur House, Shahjehan Road, New Delhi.
2. The Comptroller and Auditor General of India, 10, Bahadurshah Zafar Marg, New Delhi.
3. The Registrar General, The Supreme Court of India, New Delhi.
4. The Election Commission of India, Ashore Road, New Delhi.
5. The Secretary General, Rajya Sabha Secretariat, New Delhi.
6. The Secretary General, Lok Sabha Secretariat, New Delhi.
7. The Secretary, Central Vigilance Commission, New Delhi.
8. The President's Secretariat, New Delhi
9. The Vice-President's Secretariat, New Delhi.
10. The Prime Minister's Office, South Block, New Delhi.
11. The Cabinet Secretariat, New Delhi.
12. The Planning Commission, New Delhi.
13. The Controller General of Accounts, New Delhi.
14. Establishment(RR), Dept. of Personnel and Training - 100 copies

**DEPARTMENT OF PERSONNEL AND TRAINING
ESTT. (RR) DIVISION**

FREQUENTLY ASKED QUESTIONS ON NON-FUNCTIONAL UPGRADATION (NFU)

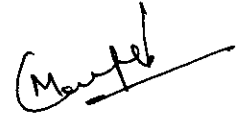
S.No.	Point of doubt	Clarification
1.	What are the recommendations of 6 th CPC for grant of Non-Functional Upgradation to for Officers of Organized Group 'A' Services?	The Government should, consider batch-wise parity while empanelling and /or posting at Centre between respective batches of IAS and other organized Group A services with the gap being restricted to two years. Whenever any IAS officer of a particular batch is posted in the Centre to a particular grade carrying a specific grade pay in pay bands PB-3 or PB-4, grant of higher pay scale on non-functional basis to the officers belonging to batches of organized Group A services that are senior by two years or more should be given by the Government.
2.	Whether the recommendations of 6 th CPC have been accepted by the Government?	Yes. This will also be applicable to the Indian Police Service and the Indian Forest Service in their respective State Cadres for which the relevant cadre controlling authorities will issue the orders. (Ministry of Finance, Department of Expenditure Notification dated 29 th August, 2008 refers)
3.	When were the guidelines on NFU issued by DOPT?	DOPT have issued detailed instructions on grant of NFU to the officers of Organized Group A Services in OM No. AB 14017/64/2008-Estt.(RR) dated 24 th April, 2009.
4.	To whom the instructions are applicable?	NFU is applicable to the officers of Organized Group A services in PB-3, PB-4 and in HAG scale also where there is such a Grade in the Service

.No.AB.14017/47/2011-Estt. (RR) dated 1st August, 2012

5.	From which date the grant of NFU to officers of Organized group A services is to be made?	The benefit is based on the recommendations of 6 th CPC and will be available w.e.f the date of posting of IAS officers in various grades on/after 01.01. 2006.
6	What are the eligibility conditions to be met for grant of NFU?	The terms and conditions for grant of NFU are prescribed in the Annexure to the OM dated 24.4.2009. As per the same all the eligibility criteria and promotional norms including 'benchmark' for upgradation to a particular grade pay would have to be met at the time of screening for grant of higher pay scale under these orders.
7.	What is the definition of the term 'Batch'?	For the purpose of grant of NFU the 'Batch' for direct recruit officers in the induction grade shall be the year following the year in which competitive exam was held. In subsequent grades the 'Batch' would remain the same provided the officer is not superseded due to any reason. In case an officer is superseded the officer would be considered along with the 'Batch' with which his seniority is fixed.
8.	Where the entry of officers in Organized Group A Service by DR is at STS, JAG level, how the 'Batch' shall be reckoned?	In respect of officers entering Organized Group A service by DR at STS, JAG level, they shall be assigned the benefit of 'Batch' corresponding to the 'Batch' of the officers with whom the seniority is clubbed
9.	Whether the benefit is available to Group B officers inducted into the Organized Group A service?	Yes. Such officers shall be assigned the benefit of 'Batch' corresponding to the batch of the 'direct recruit' officers with whom their seniority is clubbed.
10.	Whether the officers can exercise option regarding date of fixation in the higher scale as provided in CCS(RP) Rules?	Provisions of CCS(RP) Rules, 2008 will apply.
11	Whether retired employees are eligible for the benefit of NFU?	Retired officers who are otherwise eligible as on due date shall be considered for the benefit of pay

		upgradation.
12	Whether the scheme is applicable to Scientists, Doctors, etc. who are covered by their own in-situ promotion schemes?	Non-Functional Upgradation and other in situ promotion schemes are separate schemes and it would not be desirable to mix one with the other. The benefit of NFU to Organized Group A Services shall not be applicable to the 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.
13.	Whether DOPT OM dated 13.4.2010 on communication of ACR prior to 2008-09 is applicable while considering cases for NFU ?	The instructions issued in this Department's OM dated 13.4.2010 on communication of ACRs prior to 2008-09 shall be applicable for considering cases of NFU also.
14.	What is the due date of upgradation if found unfit on the date assigned to a batch?	If an officer is not found eligible during a vacancy year and is found fit in the next vacancy year, NFU may be granted from the 1 st April, i.e. the 1 st day of the next vacancy year.
15.	How to consider cases where the officers do not meet the qualifying service in the vacancy year in which the batch is covered for non-functional up gradation?	If an officer does not meet the eligibility requirement as on the 1 st January of the corresponding vacancy year then such officer is to be considered for grant of NFU in subsequent vacancy year on completion of qualifying service w.e.f. 1 st April, i.e. 1 st day of the next vacancy year.
16	How the NFU shall be given in respect of officers given penalty?	The NFU becoming due after the expiry of the penalty period may be granted w.e.f. the due date as per DOPT instructions. In respect of officers for whom NFU becomes due before the expiry of the penalty period, the same may be granted from the day next to the date on which penalty gets over.
17.	Whether the instructions regarding counting of past Group A service at	In view of the provisions on meeting the prescribed eligibility criteria and

	the time of la/teral entry on DR basis to higher grades as per DOPT OM dated 1.9.98 shall be applicable for grant of NFU also?	promotional norms in DOPT OM dated 24.4.09, these instructions shall be applicable for the purpose of grant of NFU also.
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(Mukta Goel)
Director (E.I).

.No.AB.14017/47/2011-Estt. (RR) dated 1st August, 2012

98
No.A 11019/2/98-AT
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi-110001
dated the 3rd September, 1998

OFFICE MEMORANDUM

Subject:- Compliance with the judgement of High Court/ Supreme Court and to streamline and improve the Rules and Conditions of service matters cases.

The undersigned is directed to say that while considering the demands for grants of this Ministry for the year 1998-99 the Parliamentary Standing Committee on Home Affairs in its 44th Report has, inter-alia, stressed the need to act upon the pronouncements of CAT, High Courts and the Supreme Court in service matters and to streamline and improve the service rules and conditions so as to reduce the litigation in service matters.

2. The above observations speak for themselves and are self-explanatory. It may be recalled that this Ministry has, from time to time, issued instructions impressing upon the Ministries and Departments of the Govt. of India and Union Territories the need for complying with and acting upon the judgements of the CAT etc., for proper and effective handling of the service matter cases before the Tribunal and other legal forums and also for adherence to and implementation of the prescribed procedure, rules, orders, etc. on service matters so that litigation on such matters is considerably brought down. In this connection your kind attention is invited to this Department's O.M.Nos. A.11019/37/85-AT dated 13.8.85, A 11019/69/87-AT dated 14.8.87, F.11013/6/84-AT dt. May, 94 and Cabinet Secretary's D.O.letter No.F 26012/2/94-AT dt.19.1.94 (Copies enclosed).

3. It is, however, found that the number of cases of the Central Govt. employees in the courts, especially in the Central Administrative Tribunal, continue to increase from year to year. It is, therefore, requested that appropriate steps be taken by all the Ministries/Departments of the Govt. of India/Union Territories for timely redressal of the genuine grievances of the employees so that minimum of these employees take recourse to CAT/Courts. It will also need to be ensured that matters relating to improvements in service Rules and Conditions as may become necessary due to various pronouncements of courts, wherever necessary, receive priority attention.


(R.K.Tandon)

Joint Secretary to the Govt. of India
Tele.3015010

Encl: As above

To

All Ministries/Departments of the Govt. of India
and the Union Territories.

Internal: 1. Establishment Officer 2. AS(S&V) 3. AS(Pensions)
4. AS(AR&PG) 5. JS(Trg.) 6. Dir.(A)

Government of India

Ministry of Personnel, Public Grievances and Pensions

Department of Personnel and Training

New Delhi

Dated the 24th March, 2009

OFFICE MEMORANDUM

Subject:- Sixth Central Pay Commission's recommendations –
revision of pay scales- amendment of Service
Rules/Recruitment Rules

The recommendations of 6th CPC have been considered by the Government and the CCS (Revised Pay) Rules 2008 have since been notified on 29th August, 2008. Consequently, in place of the pre-revised pay scales, the revised pay structure comprising the Pay Band and Grade Pay/Pay Scale has come into effect. Some of the pre-revised pay scales have been merged and some others are upgraded/likely to be upgraded. In the light of these, it has been decided that the following consequential steps to amend the existing Service Rules/Recruitment Rules shall be undertaken on a priority basis:

- (i) Substituting the existing scales by the Grade Pay alongwith the Pay Band

The existing pay scales have to be substituted by the new pay structure (Pay Band and Grade Pay/Pay Scale) straightaway without making a reference to the Department of Personnel and Training (DOP&T)/Union Public Service Commission (UPSC). The heading of column No.4 of the Schedule on RRs may be modified to "Pay Band and Grade Pay/Pay Scale". In cases where deputation is also one of the methods of recruitment, the field of selection for deputation, which might include various grades, should also reflect the corresponding Grade Pay alongwith the Pay Band/Pay Scale, and the minimum eligibility service as per the revised guidelines, as enclosed in Annexure.

(ii) Where there is an upgradation of posts

The instructions issued by Department of Expenditure under OM No. 1/1/2008-IC dated 13th September, 2008 and DoPT O.M. No. AB-14017/66/08-Estt (RR) dated 9th March, 2009 may be applied in such cases.

However, for each of the merged grades, a single set of Recruitment Rules may be formulated and notified.

(iii) Consequential changes

It is necessary to make consequential changes in the Recruitment Rules/Service Rules so as to prescribe eligibility conditions with reference to the revised Grade Pay/Pay scale. It is also necessary to review other columns of the Recruitment Rules /Service Rules, where some minimum service in a particular scale/grade is prescribed for consideration for appointment on deputation/absorption etc., keeping in view particularly the merger of a number of pre-revised scales, upgradation of some scales and the consequential changes in the minimum eligibility service in a grade.

(iv) Department Promotion Committee (DPC)

Where two or more scales have been merged, the existing DPC for the higher/highest grade will be the DPC for the merged grade.

(v) Regulation of regular service rendered in the pre-revised scales

The revised pay structure approved includes a number of 'merged grades' with a common grade pay and the concept of pay bands with grade pay introduced effective from 1.1.2006. Insofar as the issue of regulation of service rendered prior to 1.1.2006 is concerned, while the general rule may be that such regular service be deemed to be service rendered in the corresponding grade pay/pay scale approved effective from 1.1.2006 or from a subsequent date, as the case may be, this formulation cannot apply in cases where there has been merger of more than one grade into one with a single grade pay/pay scale. Since the merger is effective from 1.1.06 only, even notional benefits of the merger cannot be extended for periods falling prior to 1.1.06. A Note to the following effect may, therefore, be inserted under col.12 of the Schedule on RRs, and under relevant provisions in Service Rules, to take care of the requirements:

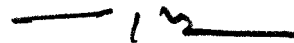
Note:

For the purpose of computing minimum qualifying service for promotion, the service rendered on a regular basis by an officer prior to 1.1.2006/the date from which the revised pay structure based on the 6th CPC recommendations has been extended, shall be deemed to be service rendered in the corresponding grade pay/pay scale extended based on the recommendations of the Commission. For purposes of appointment on deputation/absorption basis, the service rendered on a regular basis by an officer prior to 1.1.2006/the date from which the revised pay structure based on the 6th CPC recommendations has been extended, shall be deemed to be service rendered in the corresponding grade pay/pay scale extended based on the recommendations of the Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay/pay scale, and where this benefit will extend only for the post(s) for which that grade pay/pay scale is the normal replacement grade without any upgradation.

2. The Recruitment Rules/Service Rules are of statutory nature. Therefore, the changes brought out by other relevant instructions have to be incorporated in the Recruitment Rules/Service Rules by suitable amendments so that the necessary steps like holding of DPC etc. are taken to fill the post carrying the revised Grade Pay/Pay Scale on regular basis. All the Ministries/Departments are, therefore, requested to effect necessary amendments to the Recruitment Rules/Service Rules notified by them after following the normal procedure of furnishing proposals to the Department of Personnel and Training and the UPSC in the format prescribed in the general guidelines on Recruitment Rules circulated by the DOPT OM No. 14017/12/87-Estt. (RR) dated 18.3.1988, and also in consultation with the Legislative Department.

3. Ministries/Departments may initiate action to complete the review in this regard and furnish necessary amendment proposals to the DOPT and the UPSC in the case of Group A and Group B posts within six months from the date of issue of this Office Memorandum. They may also, simultaneously, take similar action in respect of Recruitment Rules for Group C and D posts, which are within their delegated powers. Appropriate action to update the Service Rules for organized Group A, B Services, etc. shall also be taken up with DOPT/UPSC within a period of six months.

4. Hindi version will follow.



(S.J.Kumar)

Deputy Secretary to the Government of India

To

All Ministries/ Departments of Government of India, etc.,
(as per standard mailing list)

Copy to:

1. The President's Secretariat, New Delhi.
2. The Prime Minister's Office, New Delhi.
3. The Cabinet Secretariat, New Delhi.
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5. The Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Union Public Service Commission, New Delhi. (20 copies)
8. The Staff Selection Commission, New Delhi.
9. All Attached Offices under the Ministry of Personnel, Public Grievances and Pensions.
10. Establishment Officer and Secretary, ACC (10 copies).
11. All Officers and Sections in the Department of Personnel & Training
12. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
13. All Staff Members of National Council (JCM)
14. All Staff Members of the Departmental Council (JCM), Ministry of Personnel, PG and Pensions
15. Establishment (RR Division) (200 copies)

Annexure

Sl.No.	Grade Pay		Minimum qualifying service for promotion
	From	To	
1	1800	1900	Placement as per 6 th CPC recommendations
2	1900	2000	3 years
3	1900	2400	8 years
4	2000	2400	5 years
5	2400	2800	5 years
6	2400	4200	10 years
7	2800	4200	6 years
8	4200	4600	5 years
9	4200	4800	6 years
10	4200	5400	8 years
11	4200	6600	10 years
12	4600	4800	2 years
13	4600	5400	3 years
14	4600	6600	7 years
15	4800	5400	2 years
16	4800	6600	6 years
17	5400	6600	5 years
18	6600	7600	5 years
19	6600	8700	10 years
20	7600	8700	5 years
21	7600	8900	6 years
22	8700	8900	2 years
23	8700	10000	3 years
24	8900	10000	2 years
25	10000	12000	3 years
26	12000	HAG+ Scale	1 year
27	12000	Apex scale	2 years
28	HAG+ Scale	Apex scale	1 year

CASE NO.:
Appeal (civil) 793 of 1998

PETITIONER:
State of Mizoram & Another

RESPONDENT:
Mizoram Engineering Service Association & Anr.

DATE OF JUDGMENT: 06/05/2004

BENCH:
Brijesh Kumar & Arun Kumar.

JUDGMENT:
JUDGMENT

ARUN KUMAR, J.

This appeal is directed against the judgment dated 28th February, 1997 passed by a Division Bench of the Gauhati High Court. By the Impugned judgment the Division Bench dismissed the appeal against the judgment dated 17th May, 1996 passed by the learned Single Judge. The learned Single Judge had allowed a writ petition filed by respondent herein challenging a notification No.G.12011/3/87 F.Est dated 3rd February, 1989 whereby certain categories of engineers in the State Engineering Service had been excluded for purposes of revision of pay scales accepted by the State vide Notification No.G.12011/3/87F.Est dated 19th January, 1989. The Mizoram Engineering Service Association (respondent) has been demanding higher pay scales for its members. The background is that prior to 1971 what is now known as the State of Mizoram was a district called the Lushai Hills District within the State of Assam. From 1971 to 1986 Mizoram was a Union Territory under the North Eastern Areas Reorganisation Act, 1971. It attained full state-hood on 20th February, 1987. In 1974 when the State was a Union Territory, the Government of India constituted a Departmental Pay Committee to suggest scales of pay and allowances for employees of Mizoram on the pattern of Central Government employees vide Ministry of Home Affairs letter No.1.3.1973.MP dated 4th November, 1974. On the recommendation of the said Departmental Pay Committee, the Government of India revised the scales of pay and allowances for the employees of the State of Mizoram w.e.f. 1.1.1973. On a demand made by Superintending and Executive Engineers of the respondent Association for equalizing their respective scales of pay with their counterparts in the Central Public Works Department, the Government of India vide letter dated 16.10.1983 intimated to the Secretary to the Mizoram Administration, Public Works Department conveying the sanction of President of India for revision of pay scales of the Engineers (Group 'A' posts) in tune with the pay scales enjoyed by the engineers in the CPWD. The Government of India accepted the Fourth Central Pay Commission Report regarding revision of pay scales for Group A, B, C, D & E posts in the Central Civil Services w.e.f. 1.1.1986. The recommendations of the Fourth Central Pay Commission accepted by the Government of India became applicable for the civil services in Mizoram also. The Central Civil Services (Revised Pay) Rules, 1986 came into force w.e.f. 1.1.1986 and they were made applicable to the employees forming part of the civil services in Mizoram. Certain representations were made on behalf of employees for removal of anomalies resulting from the Fourth Central Pay Commission Report. In 1987 an Anomalies

Committee was appointed to look into the alleged anomalies and make suitable recommendations. The recommendations of the Anomalies Committee created further anomalies rather than resolving them. On 7th November, 1988 another Anomalies Committee was appointed. The report of the Anomalies Committee was accepted by the Government of the State of Mizoram. A notification No. G 12011/3/87F.Est. dated 19th January, 1989 accepting the recommendations was issued. Soon thereafter the State Government issued another notification dated 3rd February, 1989 (the impugned notification) to the effect that the scales of pay for Group 'A' officers as mentioned in paras 28 of Schedule A and Schedule B did not include pay scales for MCS officers/MPS officers whose pay scales were governed by their respective service rules. The notification further excluded engineering officers of the rank of Executive Engineer and Superintending Engineer from the benefits of the notification dated 19th January, 1989. This notification was challenged by the respondent Association by filing a Writ Petition in the Gauhati High Court. In the Writ Petition the first prayer was with regard to quashing the notification dated 3rd February, 1989 which excluded the Executive Engineers and the Superintending Engineers from getting the benefit of revised pay scales under the notification of the State Government dated 19th January, 1989. The second prayer was with respect to the Chief Engineers and Additional Chief Engineers seeking directions that they should get the conversion scale of pay of Rs.5900-6700 and Rs.4500-5700 respectively instead of the revised scales of pay prescribed for them by the State Government. The scale of Rs.5900-6700 for the Chief Engineer and Rs.4500-5700 for Additional Chief Engineer demanded by the respondent Association was as per the recommendations of the 4th Central Pay Commission and was the same as was being allowed to incumbents holding equivalent posts in the Central Public Works Department. The learned Single judge allowed the Writ Petition granting both the prayers of the Writ Petitioner. The appeal against the judgment of the learned Single Judge was dismissed by the Division Bench. The present appeal is directed against the said judgment of the Division Bench.

We have heard the learned counsel for the parties at length. At the outset we may note that the learned counsel for the appellant has not seriously challenged the impugned judgment so far as it grants relief to the Executive Engineers and Superintending Engineers by quashing the Notification dated 3rd February, 1989. The challenge in the appeal is mainly directed against the scale of pay granted to the Chief Engineers and Additional Chief Engineers i.e. Rs.5900-6700 and Rs.4500-5700 respectively. In this connection following points have been raised:

1. The base year for purposes of revision of pay scales of Chief Engineer and Additional Chief Engineer should be taken as 1973 and not 1983 even though the revision was being taken into consideration w.e.f. 1.1.1986 as per the Fourth Central Pay Commission Report which had been accepted by the State Government.

2. In respect of Chief Engineer, the recommendation of the Pay Anomalies Committee which was accepted vide Notification dated 19th January, 1989 was to the effect that only the existing incumbent would get the scale of Rs.5900-6700 and future entrants would be entitled to pay scales of Rs.4500-5700 only. This scale is the scale for all heads of departments in the State of Mizoram while the scale of Rs.5900-6700 was for next higher post. It was not disputed that the then incumbent of the post of Chief Engineer namely, Mr. Robula was given the scale of Rs.5900-6700. It was submitted that the said scale was specially allowed to him since he was holding the post on

1.1.1986 i.e. the date from which Fourth Central Pay Commission recommendations were made applicable. Subsequent entrants to the service were not to be given that scale. (Per letter dated 13th January, 1989 from Secretary, PWD to Director Accounts & Treasury, Mizoram).

3. It was vehemently argued that scale of Rs.5900-6700 was being allowed by the Government of India for senior level posts in the corresponding cadres. Engineering Service in the State of Mizoram was not an organized service. There were no Recruitment Rules for the service. Therefore, there were no senior level posts which would entitle the incumbents to get the grade of Rs.5900-6700.

So far as the question as to which base year should be taken into consideration for purposes of revision of pay i.e. 1973 or 1983, we may recall that Mizoram became a Union Territory in the year 1973. The Government of India had accepted the fact that the persons employed in Engineering Services within the State of Mizoram should get pay scale at par with those working in the Central Public Works Department. This decision was also implemented. The scales of pay for Engineers working in the Mizoram State were revised w.e.f. 1973. The next crucial event in this connection is the recommendations of the Fourth Central Pay Commission which were accepted by the State of Mizoram as well. These recommendations take 1983 as the base year for the purpose of revision of pay scales. Apart from this the Central Civil Services (Revised Pay) Amendment Rules, 1987 also take the year 1983 as the base year. These rules came into force on 1st January, 1986. At that time Mizoram was a Union Territory. The Government of India accepted the Rules. They were made applicable in Mizoram as well. The schedule annexed to the Rules refers to present scales and revised scales of pay. The present scales mean the scales which were in force at that time. For the relevant category of posts the existing scale given in the Schedule is Rs.2250-125/2-2750 and the revised pay scale is Rs.5900-200-6700. In this background there does not appear to be any good reason for taking 1973 as the base year for the purposes of pay revision in Mizoram. No reason is forthcoming. Mr. L. Nageshwara Rao, the learned Additional Solicitor General appearing for the appellant relied on a Notification dated 1st February, 1989 to submit that it was the decision of the State Government to treat the year 1973 as the base year for the purpose of pay revision and that has to be accepted. We are unable to accept this submission made on behalf of the appellants in view of the fact that recommendations of the Fourth Central Pay Commission have been duly accepted by the State Government. Additional factor which impels us to take this view is that the State Government itself accepted the scale of Rs.5900-6700 and allowed the same to the then incumbent Mr. Robula w.e.f. 1.1.1986. The State linked up revision of pay scale of Mr. Robula with the date of revision of pay scales as per recommendations of the Fourth Central Pay Commission. A different reasoning cannot be applied in case of other officers in the service. In this connection it is also worth noting that in para 4 of the counter affidavit filed on behalf of the State Government before the learned Single Judge in response to the Writ Petition it is admitted that the existing pay scale for the post of Chief Engineer was Rs.2250-2500 prior to enforcement of recommendations of the Fourth Central Pay Commission. This is also admitted that the conversion scale for the scale of Rs.2250-2500 is Rs.5100-5700 and 5900-6700 as per the Fourth Pay Commission Report. However, it is submitted that grade of Rs.5900-6700 was applicable only in respect of organized Medical, Engineering and other Central Services as per specific recommendations of the Fourth Central Pay Commission. In view

of this stand of the State Government it is difficult to accept that the Chief Engineers will not be allowed the grade of Rs.5900-6700.

Coming to the argument that the scale of pay of Rs.5900-6700 was confined to only the then Chief Engineer Mr. Robula and was not be allowed to future entrants in the service, we find no justification for this. The fact that the revised pay scale was being allowed to Mr. Robula in tune with the recommendations of the Fourth Central Pay Commission, shows that the State Government had duly accepted the recommendations of the Fourth Central Pay Commission. Having done so, it cannot be permitted to discriminate between individuals and not allow the same to the rest. In this context the learned counsel for the appellant submitted that it is not unusual that sometimes special pay is granted to an individual and the same does not become a precedent for others. As a proposition it may not be disputed. But there has to be special reason for this. In the facts of the present case we do not find any justification for confining the higher scale to a particular individual and deny the same to others. There may be special reasons for instance special merit, expertise or the like, for giving special pay to a particular individual. In the present case no such reason is forthcoming. On the other hand the reason given is that since he was holding the post on 1.1.1986, the date from which Fourth Central Pay Commission recommendations were given effect to, he was being allowed the higher pay scale. This reason rather supports the case of respondent. It shows an admission on the part of the appellant that the revised pay scales for the post of Chief Engineer as per the recommendations of the Fourth Central Pay Commission was Rs.5900-6700 and was allowed to a Chief Engineer. The State Government cannot be permitted to discriminate between similarly placed individuals in this behalf between those holding the post at the time of revision of pay scales and future incumbents of the post. The argument has no merit.

Great stress was laid on the fact that Engineering Service in the State was not an organized service and therefore, it did not have categorisation by way of entrance level and senior level posts and for that reason the higher scale of Rs.5900-6700 which was admissible for senior level posts could not be given in the Engineering Service. The main reason for dubbing Engineering Service as an unorganized service in the State is absence of recruitment rules for the service. Who is responsible for not framing the recruitment rules? Are the members of the Engineering Service responsible for it? The answer is clearly 'No'. For failure of the State Government to frame recruitment rules and bring Engineering Service within the framework of organized service, the engineers cannot be made to suffer. Apart from the reason of absence of recruitment rules for the Engineering Service, we see hardly any difference in organized and unorganized service so far as Government service is concerned. In Government service such a distinction does not appear to have any relevance. Civil Service is not trade unionism. We fail to appreciate what is sought to be conveyed by use of the words 'organised service' and 'unorganised service'. Nothing has been pointed out in this behalf. The argument is wholly misconceived.

The learned counsel for the appellant also argued that if the scale of Rs.5900-6700 is to be allowed to the Chief Engineers, the State Government will have to allow the same scale to other heads of departments in the service of the State Government which will be a heavy burden on the financial resources of the State Government and for that reason we should restrict the scale for post of Chief Engineer and Additional Chief Engineer to Rs.4500-5700 and Rs.4100-5300 respectively. In our view this is hardly any

ground to interfere with the decision of the High Court. It has been found that the claim of the respondents is fully justified by the facts on record. The Central Government as well as the State Government accepted the recommendations of the Fourth Central Pay Commission and the scales being allowed to the members of the respondent Association are based on those recommendations.

Thus we do not find any merit in the present appeal. The impugned judgment does not call for interference. The appeal is dismissed leaving the parties to bear their respective costs.

JUDIS



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

O.A. No.2922/2021

This the 12th day of March, 2025



Hon'ble Mr. Manish Garg, Member (J)
Hon'ble Dr. Anand S Khati, Member (A)

1. Sh. Laxman Singh S/o Sh. Shiv Ram Singh,
Senior Accounts Officer, Age -63, R/o H. No-
174, Sector-12'A', GURUGRAM (HRY)-
122001

2. Sh. BALBIR SINGH S/o Sh. Late Shri S. R.
Panwar, Senior Accounts Officer, Age-60, R/o
RZF-358, Gali no. 23, Shad Nagar, Palam
Colony, New Delhi

3. Sh. Anil Kumar Gupta S/o Sh. Late Sh.
Rajendra Prasad, Senior Accounts Officer,
Age - 56, R/o 6C/176, Vrindavan Yojna,
Phase I, Lucknow-226002.

4. Sh. Hukam Singh S/o Sh. Shri Govinda
Singh, Senior Accounts Officer, Age -65, R/o
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IGNOU Road, New Delhi-11068

5. Sh. Mangal Singh Negi S/o Sh. Late
Sh.Chhawan Singh Negi, Senior Accounts
Officer, Age - 59, R/o Plot No.86, Pocket -B7,
Sector-17, Rohini Delhi-110089

6. Sh. H C Verma S/o Sh. R K Verma, Senior
Accounts Officer, Age 61, R/o B-100, Type 4
Qtrs, Motibagh, Nanakpura, New Delhi



7. Sh. V. SRINIVASAN S/o Sh. K. VENKATACHALAM, Senior Accounts Officer, Age 57, R/o 9-C, DDA MIG FLATS, SECTOR-7 POCKET-2, DWARKA, NEW DELHI-110075

8. Sh. K K Jha S/o Sh. RV Jha, Senior Accounts Officer, Age - 50, R/o Qtr No. 736, R.K. Puram, New Delhi 110 022.

9. Sh. Rakesh Kumar S/o Sh. Sh. BHAG MAL, Senior Accounts Officer, Age -56, R/o N-148, SECTOR -8, R K PURAM, DELHI

10. Sh. Ramesh Kumar Bhandula S/o Sh. Sh. Narsingh Dass Bhandula, Senior Accounts Officer, Age-63, R/o Flat No. 634, DDA MIG Pink Flats, Vikaspuri, New Delhi

11. Sh. Ashwani Kumar Dhar S/o Sh. Sh O.N. Dhar, Senior Accounts Officer, Age -55, R/o 1062, GH-5&7, Paschim Vihar, New Delhi 110087

12. Sh. Ravinder Bhan S/o Sh. ShB.L.Bhan, Senior Accounts Officer, Age - 55, R/o 99. GH-9, Paschim Vihar, New Delhi 110087

13. Sh. Subhash Jarwal S/o Sh. Late Roshan Lal Jarwal, Senior Accounts Officer, Age-48, R/o A-41, Sector 6, Rohini, Delhi-110085

14. Sh. Rajeev Saxena S/o Sh. B.B.Saxena, Senior Accounts Officer, Age - 58, R/o 863, Ramnagar Shastri Nagar Jalpur 302016

15. Sh. R.S.Gusain S/o Sh. P.S.Gusain, Senior Accounts Officer, Age - 55, R/o 305, Golden Shelter Rau Indore (M.P) 453331



16. Sh. S.KUMARASAMY S/o Sh.
B.R.SUBRAMANIAM, Senior Accounts
Officer, Age-56, R/o 11/1, Nehru Nagar,
Karamadal Road, Mettupalayam 641301

17. Sh. SHAM SINGH JAMWAL S/o Sh.
Dhanwanter Singh Jamwal, Senior Accounts
Officer, Age 68, R/o 196 F Lane No
1(Opposite Billoo Wine Shop New Plots
Jammu-180004

18. Sh. Pratap Prasad S/o Sh. Vishwanath
Prasad, Senior Accounts Officer, Age -55, R/o
141-D/5-F Rajrooppur Allahabad

19. Sh. Vinayak Vartak S/o Sh. Moreshwar
Waman Vartak, Senior Accounts Officer, Age
57, R/o S-5, 2nd floor, Shivsut Apt, Mata
Mandir Road, Dharampeth, Nagpur-440010

20. Sh. N.C.Pandey S/o Sh. K.D.Pandey,
Senior Accounts Officer, Age 64, R/o 8,
Anandipuram, R.K Tent Road,
KusumkharaHaldwani, Nainital U.K 263139

21. Sh. Mahendra B Govekar S/o Sh. Late Shri
Babu Govekar, Senior Accounts Officer, Age
56, R/o 1/204, MAYURESH SRISHTI, LBS
ROAD, BHANDUP WEST, MUMBAI
400078

22. Sh. Kamlendu Kumar S/o Sh. Late
Abinash Kumar, Senior Accounts Officer,
Age-49, R/o Sec 4 D, 3052, Bokaro Steel City
Jharkhand 827004

23. Sh. Pradeep Kumar S/o Sh. Late
Sh.Chander Mani Sharma, Senior Accounts
Officer, Age 62, R/o VIII.MADHWAHAN
PO TALYHAR TEH &DISTT MANDI(HP),

PIN 175001.

24. Sh. A Madvariya S/o Sh. Late V C Madvarlya, Senior Accounts Officer, Age 64, R/o 28, Navneet Enclave, Main Road, Ranjhi, Jabalpur



25. Sh. Sunil Tutu S/o Sh. Late Sh.Chaman Lal Tutu, Senior Accounts Officer, Age 57, R/o 17/2, Pandoka Colony, Paloura, Jammu

26. Ms B. SHAILAJA RAO d/o Sh. R. MURALIDHAR, Senior Accounts Officer, Age 56, R/o 16-1-24/13,14,14A 303 SIRI CONSTRUCTIONS, SAIDABAD COLONY, HYDERABAD. 500059

27. Ms V Padmanabha d/o Sh. Venkatachallalah, Senior Accounts Officer, Age -57, R/o No. 407, Vasundra Helghts, 4th cross, Nagarabhavi 2nd stage, Bengaluru 560072

28. Sh. Vinod K RS/o Sh. P Kochugopalan, Senior Accounts Officer, Age - 46, R/o C1 Nirmal Avenue, Nila Nagar, Yakkara Post, Palakkad, Kerala

29. Sh. A Francis Xavier S/o Sh. Arokiyasamy, Senior Accounts Officer, Age 63, R/o 2/710 A, Vivekanandar 10th Street, SR Nagar South, Andipalayam, Tirupur 641687, Tamil Nadu

30. Sh. P.Vasugi S/o Sh. C Ramu, Senior Accounts Officer, Age 56, R/o 1/780E, Muthukrishnan Layout, SeerapaayamPuthur, Eachanari, Madukkaral (Tk), Coimbatore, TN

31. Sh. RAJENDER KUMAR KHARTA S/o Sh. Sh. C.R. Kharta, Senior Accounts Officer,

Age-61, R/o House no. 1025, Sector-26,
PANCHKULA (Haryana)



32. Sh. M.RAVICHANDRAN S/o Sh.
A.MARIAPPAN, Senior Accounts Officer,
Age - 57, R/o S-1, MITHUN RATNA
APARTMENTS,

33. Sh. S.M.DESHPANDE S/o Sh. Madhukar
J.Deshpande, Senior Accounts Officer, Age
59, R/o Plot ASL 34, F 5 Rajani Prabhat,
Ashwin Nagar, Nasik 422 009

34. Sh. C.K.MISHRA S/o Sh. Haladhar
Mishra, Senior Accounts Officer, Age - 50,
R/o At & Post Mantapada, Post Baradia, Tq.
Raj Kanika Distt. Kendrapada

35. Sr. R.P.SAWANT S/o Sh. Pandurang
B.Sawant, Senior Accounts Officer, Age - 56,
R/o At & Post Kupavade, Tq. Kudal Distt.
Sindhudurg.

36. Sh. PSV Nagendra kumar S/o Sh. P
Satyanarayana rao, Senior Accounts Officer,
Age 51, R/o Plot no 25 Venkatramnagar
colony behind karkhana transport road
secunderabad-9.

37. Sh. NL Sahu S/o Sh. Late Shri KL Sahu,
Senior Accounts Officer, Age - 59, R/o B108,
Patel Nagar, Raisen Road, Bhopal 462022

38. Sh. D.E.BAVISKAR S/o Sh. Late Eknath
D Baviskar, Senior Accounts Officer, Age-60,
R/o A 403 Nature Pride, West wind Meadows,
Makhamalabad Road Nasik

39. Sh. D N Joshi S/o Sh. Late K D Joshi,
Senior Accounts Officer, Age 62, R/o 666

Lane-13, Viay Park Extn, Dehradun

40. Sh. Manoj Kumar Sinha S/o Sh. Late Ramakant Sinha, Senior Accounts Officer, Age 57, R/o C-504, Ganga Erika, Kadnagar, Undri, Pune



41. Sh. Rakesh Kumar S/o Sh. ghanshyam, Senior Accounts Officer, Age 55, R/o ward no 8 sambaj&k

42. Sh. Sujesh Kumar Sinha S/o Sh. A.C.Sinha, Senior Accounts Officer, Age -58, R/o C-1 Surajban, Aundh, Pune

43. Sh. Raj Kumar S/o Sh. lalchand, Senior Accounts Officer, Age - 55, R/o VPO Bamial Pathankot Punjab

44. Sh. Vikas Manohar Moharir S/o Sh. Late Shri Manohar Moharir, Senior Accounts Officer, Age 56, R/o 2. Neev Rajani Appt. J.B.Thakkar Marg Giripeth Nagpur 440010

45. Sh. C.P ANILKUMAR S/o Sh. N.P NARAYANAN, Senior Accounts Officer, Age - 60, R/o DEEPTHI, ALAVIL PO, KANNUR, Kerala 670008

46. Sh. Ashok Kumar S/o Sh. Late M.G.Singh, Senior Accounts Officer, Age - 64, R/o 294/122, Bazar Khala, Lucknow, UP226003

47. Sh. INDER MOHAN S/o Sh. GOKAL CHAND, Senior Accounts Officer, Age 57, R/o 198, Near Bansal Hospital Hira Mahal Colony, NABHA-147201 Distt. Patiala Punjab

48. Sh. SYED MOHAMMAD FAROOQ S/o Sh. SM ISMAIL, Senior Accounts Officer,

Age 58, R/o 65/2, Bhawartal Garden, BK Ashram, Napier Town, Jabalpur.

49. Sh. Ghanshyam Dwivedi Dwivedi S/o Sh. Ramesh Chandra Dubey Chandra Dubey, Senior Accounts Officer, Age 52, R/o Rewa Muzaffarpur.



50. Sh. S N Kulkarni S/o Sh. Sh. Narhari, Senior Accounts Officer, Age-63, R/o 1402 A, Shukrawar Peth, Woman Smruti Appptt. Flat No. 5, Third Floor, Badami HaudChauk, Pune-411002

51. Sh. Bhushan Singh Jamwal S/o Sh. G.S. Jamwal, Senior Accounts Officer, Age 56, R/o 401/D Sainik, Colony Jammu

52. Sh. Dev Raj Barna S/o Sh. Basakhi Ram, Senior Accounts Officer, Age - 57, R/o VPO Badyal Brahmana, Tehsil R.S.Pura, Jammu

53. Sh. Brij Kishore S/o Sh. Shri Mahabir Singh, Senior Accounts Officer, Age -51, R/o C-233 CGS Colony, Wadala Mumbal

54. Sh. MURALIDHARAN.K.V S/o Sh. GOVINDAN.V.V, Senior Accounts Officer, Age 60, R/o Harigeetham KOTTAPPALAM PAPPINISSERY WEST KANNUR 670561

55. Sh. Shanti Swarup Khare S/o Sh. Lt A Swarup, Senior Accounts Officer, Age -61, R/o M-877, Ashiyana, Near Nageshwar Temple, Lucknow, PIN-226012

56. Sh. P S Davkare S/o Sh. S.P.Davkare, Senior Accounts Officer, Age-65, R/o Room No. 18, Plot 156, Shrinivas CHS, Sector 18 A, Nerul West, Navi Mumbai-400706



57. Sh. B H Wani S/o Sh. Hari Vishnu Wani,
Senior Accounts Officer, Age - 65, R/o Flat no
1 Atharva Park, Vinay Nagar Near
Siddhivinayak Mandir, Wadala Pathardi Road
Nashik-422006

58. Sh. PP Bhardwaj S/o Sh. Sh. SS Bhardwaj,
Senior Accounts Officer, Age -57, R/o 40/56
Swarn Path, Mansarovar, Jaipur-20

59. Sh. R R CHHETRI S/o Sh. LATE L B
CHHETRI, Senior Accounts Officer, Age -65,
R/o 238 KISHAN NAGAR EXTN SIR
MOUR MARG DEHRADUN

60. Sh. Shanti Prasad Bhatt S/o Sh. Late R K
Bhatt, Senior Accounts Officer, Age - 63, R/o
H no 567, THDC Colony, Bangarwala,
Dehradun

61. Ms. Vandana Vasudevan d/o Sh. B
Krishnamurthy Naidu, Senior Accounts
Officer, Age 59, R/o 42, RBI Colony,
Anandnagar, Hebbal Post, Bengaluru 560024

62. Sh. AS Dabral S/o Sh. Late Sh. DP Dabral,
Senior Accounts Officer, Age -62, R/o Vill. &
Post- Nathuwala, Dehradun.

63. Sh. Sanjay peshin S/o Sh. Shamboo Nath
Peshin, Senior Accounts Officer, Age 56, R/o
78/2, Rajinder Nagar, Bantalab, Jammu
181123

64. Sh. K.J. Varghese S/o Sh. Joseph K,
Senior Accounts Officer, Age 57, R/o Flat A-
005, Ground Floor, DS MAX Sherwood,
GunjurPalaya Road, Bengaluru, 560087,
Karnataka

65. Sh. A.K.Rana S/o Sh. Malkiat Singh,
Senior Accounts Officer, Age 35, R/o Vill
Raipur PO Marwari The.Amb Distt Una

66. Sh. Partap Chand S/o Sh. Mast Ram,
Senior Accounts Officer, Age - 60, R/o VIII
LOHAR BALHI PO- THANA, TEHSIL-
SUJANPUR DISTT-HAMIRPUR (HP)

67. Sh. Ajay Kumar Aggarwal S/o Sh. Late
Shri J.P.Gupta, Senior Accounts Officer, Age-
53, R/o Saharanpur



68. Sh. MOHINDER SINGH SAMBYAL S/O
Sh. LT SH MUNSHI SINGH, Senior
Accounts Officer, Age 60, R/o VILL. KATLI,
Samba J&K

69. Sh. MANOHAR LAL S/O Sh. LT RAM
RAKHA, Senior Accounts Officer, Age -61,
R/o WARD NO 56, SECTOR 2 GANGYAL
GARDEN, JAMMU

70. Sh. B S Chakravarthy S/o Sh. B Ananda
Krishnan, Senior Accounts Officer, Age 55,
R/o Srinivasa Nilayam, 20/16, Second Street,
Elango Nagar, Virugambakkam, Chennai 600
092

71. Sh. Jasbir Singh S/o Sh. Mehar Singh,
Senior Accounts Officer, Age - 58, R/o Green
View Colony Alluchi Bagh, Srinagar Kashmir

72. Sh. V K Kerni S/o Sh. Lt. Sh Kaka RAM,
Senior Accounts Officer, Age 60, R/o 26-C,
Sector 7 Extension, Channi Himmat Jammu

73. Sh. B C Pandey S/o Sh. Late D D Pandey,
Senior Accounts Officer, Age - 62, R/o 29 B,

Shatabdi Enclave, Jogiwala, Dehradun

74. Sh. Dinesh Kumar Jain S/o Sh. Shri Harak Chand Jain, Senior Accounts Officer, Age-57, R/o 187, gayatri Nagar B, Maharani Farm Durga Pura, Jalpur - 342010

75. Sh. A VENKATA RAMANA S/o Sh. LATE. A.R.K.V.B. SUBBA RAO, Senior Accounts Officer, Age 55, R/o F.NO. G/001, DIVYA SAI APTS, VIDYANAGAR , HYDERABAD, TELANGANA-500044



76. Sh. S.B.GHAG S/o Sh. Balaram A. Ghag, Senior Accounts Officer, Age - 56, R/o 14-D/42, Vrindavan Society Thane (W) 400 601.

77. MsS.V.Kudva d/o Sh. S Ramnath Bhat, Senior Accounts Officer, Age - 50, R/o F-2/5, DAD Residential Complex, Huma Talkies, Kanjur Marg Mumbai 78

78. Sh. Shivkumar Ramnathan S/o Sh. N. Ramnathan, Senior Accounts Officer, Age 59, R/o 9,Navarachana CHS LTD. Gandhi Nagar, Dombiwali (E) 421 201

79. Sh. SAMIR KUMAR S/o Sh. Shri V M Srivastava, Senior Accounts Officer, Age -54, R/o 162/6, Manas City, Indira Nagar, Lucknow-226015

80. Sh. Viveka Ji Koul S/o Sh. Lt ShB.N.Koul, Senior Accounts Officer, Age - 59, R/o H.No 32/3A Roop Nagar Enclave Jammu

81. Sh. TULA RAM DWIVEDI S/o Sh. SALIK PRASAD, Senior Accounts Officer, Age 49, R/o 135, BILHARI, JABALPUR(M.P.)482020 MAA NARMADE

NAGAR, PHASE-1;

82. Sh. SANJAY APTE S/o Sh. L.V.APTE,
Senior Accounts Officer, Age 58, R/o 109A,
RAMESHWARAM COLONY, BADI
UKHRI, JABALPUR

83. Sh. ALEXANDER J. S/o Sh. JOSEPH
P.O., Senior Accounts Officer, Age - 60, R/o
147, PHASE-1, MAA NARMADE NAGAR,
BILHARI JABALPUR, 482020



84. Ms. SUVARNA JYOTHY KUMUD d/o
Sh. C.K. KUTTAN, Senior Accounts Officer,
Age 56, R/o B 503, Patels Golf Links, Yaprul,
Secunderabad

85. Sh. Om Prakash S/o Sh. Late Hanuman,
Senior Accounts Officer, Age - 58, R/o VPO
Goriwala, TehDabwall District Sirsa, Haryana
-125103

86. MS SEEMA R. MURUGESHAN d/o Sh.
LATE V.K.SINGH, Senior Accounts Officer,
Age 55, R/o DUP.NO. A-9, AJAY SATYA
PRAKASH COLONY TILHARI, JABALPUE

87. Sh. Shashi Bhushan Goswami S/o Sh. late
S D Goswami, Senior Accounts Officer, Age-
66, R/o 54/19 Rajpur Road Dehradun

88. Sh. CHANDRAKANT KISANRAO
BHONDE S/o Sh. KISANRAO DAMODAR
BHONDE, Senior Accounts Officer, Age-63,
R/o 3, KAPILA PARK-2, DEEPALI NAGAR,
NASHIK-422009, MAHARASHTRA

89. Sh. ARUN SHANKARRAO MANDWE
S/o Sh. SHANKARRAO GANPATRAO
MANDWE, Senior Accounts Officer, Age 66,

R/o PLAT NO. 11, VANDE MATARAM,
NEAR SARAF LAWNS, INDIRA NAGAR,
NASHIK-422009, MAHARASHTRA.

90. Sh. Kuldip Kumar Vij S/o Sh. Late Shri J
M VIJ, Senior Accounts Officer, Age 66, R/o
10 Cement Road DBS College Chowk
Dehradun



91. Sh. Chandrakant Ranpise S/o Sh.
BabanraoRanpise, Senior Accounts Officer,
Age 62, R/o Plot no 14, Mathuranagar society,
Kharadi road, Chandannagar, Pune 14

92. Sh. S K Sharma S/o Sh. P L Sharma,
Senior Accounts Officer, Age 58, R/o 3/150
Housing board, Sawai Madhopur, Rajasthan

93. Sh. MN Azeezur Rahaman S/o Sh. late
MH Nazeer Ahmed, Senior Accounts Officer,
Age 54, R/o No. 12, 1st Floor, 5th A Cross,
Abbalah Reddy Layout, Bangalore 560093

94. Sh. O.P.Sulkhan S/o Sh. L. Chander Singh,
Senior Accounts Officer, Age -64, R/o 317,
Sector 4, Rohtak 124 001

95. Sh. A.L.BHAGAT S/o Sh. LAXMAN S.
BHAGAT, Senior Accounts Officer, Age 57,
R/o J-102, HARI OM PARK; 'B' CABIN
ROAD, BHAWANI CHOWK,
AMBERNATH(EAST) DISTT-
THANE(MH)-421501

96. Sh. MANOJ KUMAR CHOUKSEY S/o
Sh. M.L.CHOUKSEY, Senior Accounts
Officer, Age 51, R/o 508, MADAN MAHAL,
JABALPUR(MP)

97. Sh. J.B.UPADHYAY S/O Sh. LATE



B.B.UPADHYAY, Senior Accounts Officer,
Age-60, R/o FLAT NO.201, AMAY
MANORBASANT VIHAR, GWALIOR(MP)

98. Sh. Rajendra Kumar Gupta S/o Sh. Lt Shri
R.B. Gupta, Senior Accounts Officer, Age 58,
R/o 1465 Ankur Colony Extension, Makronia
Sagar M.P.

99. Sh. H K RAINA S/o Sh. SHAM LAL
RAINA, Senior Accounts Officer, Age 57, R/o
SHITAL NATH LANE, SRINAGAR, J&K

100.Sh. VIPAN KUMAR S/o Sh. LATE SH.
ROOP LAL, Senior Accounts Officer, Age 56,
R/o Plot No. 179 (H.N. B-XXXII E-IX 1045),
Anandpuri Colony, Noorwala Road, Ludhiana

101.Sh. SANJEEV MALHOTRA S/o Sh. Late
SH. JANAK RAJ, Senior Accounts Officer,
Age 52, R/o NEHRU NAGAR, GALI NO. 1,
PATHANKO

102. Sh. Ashok Kumar Yadav S/o Sh. Hira Lal
Yadav, Senior Accounts Officer, Age -58, R/o
Qr. No. 01 Sector-2 N.V. 1 Vidhyadhar Nagar
Jaipur (Raj)

103. Ms. Sonila Rao d/o Sh. Narendra Keshav
Athalye, Senior Accounts Officer, Age 55, R/o
Plot No 11, Omkar Colony, Rajiv Nagar,
Nashil- 422009.

104. Sh. Rakesh Bhandari S/o Sh. Dharampal
Bhandari, Senior Accounts Officer, Age 59,
R/o P 1/2, Gwalior Road, Agra Cantt 282001

105.Sh. Manoj S. Korde S/o Sh.
Sharadchandra S. Korde, Senior Accounts
Officer, Age 55, R/o 25, Public Co-op

Housing Society, Sahakranagar, Nagpur-440025



106.Sh. Sunil Kumar B. Gupta S/o Sh. Babulal Gupta, Senior Accounts Officer, Age 56, R/o H.No. 18, Opp. Sut Market, Gandhibag, Nagpur- 440 002

107.Sh. Sunil V Shrivane S/o Sh. Virendra Y. Shrivane, Senior Accounts Officer, Age-59, R/o 141, First Floor Rishi Bhagirath Apt New Verma Layout Nagpur-440033

108. Ms.Nasim Qureshi d/o Sh. M.W. Khan, Senior Accounts Officer, Age -57, R/o 21, Anantnagar Nagpur

109.Sh. Sunil Deshmukh S/o Sh. Purushotam, Senior Accounts Officer, Age - 60, R/o PLOT NO 204 MORESHWAR PLAZA CENTRAL RLY SOC OMKAR NAGAR RD NAGPUR 440027

110.Sh. Chandrashekhar K Nalge S/o Sh. Keshavrao, Senior Accounts Officer, Age 60, R/o Saraswati 4/5, Opp. Post Office, Gokulpeth, Nagpur

111.Sh. S.K.Jain S/o Sh. Late Sh.R.K.Jain, Senior Accounts Officer, Age - 63, R/o H-401, 4th Floor, Ajnara Enclave, Chander Nagar, Ghaziabad

112.Sh. RAJEEV KUMAR GARG S/o Sh. LATE SHADI RAM GARG, Senior Accounts Officer, Age 50, R/o FLAT NO 179 FIRST FLOOR, TOWER NO. 04, SHRI RADHA CITY, MATHURA

113.Sh. ANUP KUMAR BANERJEE S/o Sh.

N.K. BANERJEE, Senior Accounts Officer,
Age-62, R/o 85/16/1-A, NESHVILLA ROAD,
DEHRADUN

114.Sh. JM Labhane S/o Sh. Mahadeorao,
Senior Accounts Officer, Age-47, R/o 38,
nalandanagar post
bhagwannagarnagpurmaharashtra



115.Ms. Kanchan Bhagtani d/o Sh. Sh.
Gobindram D Peswani, Senior Accounts
Officer, Age-59, R/o 1503, Hiranandani Estate
Patlipadaghodhbunder road Thane West
Maharashtra.

116.Sh. Gautam Das Gupta S/o Sh. BR Das
Gupta, Senior Accounts Officer, Age - 58, R/o
15 ASN Marg Flat No. 604 Shailaim Heights
Allahabad.

117.Sh. SUDHIR DHAR S/o Sh. Late shCL
DHAR, Senior Accounts Officer, Age -57, R/o
SATWARI Jammu

118.Sh. Narinder Kumar Dhiman S/o Sh. Late
Shri Ram Kishan, Senior Accounts Officer,
Age 63, R/o House No.3008, Sector 27-D,
Chandigarh

119.Sh. ANIL RAWAT S/o Sh. Sh K.S.
RAWAT, Senior Accounts Officer, Age - 54,
R/o 154/1, ARYANAGAR, BLOCK-II,
DEHRADUN

120.Sh. M J Razdan S/o Sh. Late Sh. Nila
kanth Razdan, Senior Accounts Officer, Age
65, R/o C-103/C-4 Paryavaran Complex,
IGNOU Road, New Delhi -110030

121.Sh. Ishwar Singh S/o Sh. Nobat Singh,

Senior Accounts Officer, Age - 64, R/o V&PO
Subhri, Dist, Karnal PIN 132023

122.Sh. I S Gadhwal S/o Sh. Kirpa Ram,
Senior Accounts Officer, Age - 61, R/o H.
NO. 88. Village Ladawas PO KakrollSardara.
Distt Charkhi Dadri (Haryana) Pin 127308

123.Ms Usha Koul d/o Sh. Late Sh T N Kaul,
Senior Accounts Officer, Age 59, R/o Flat No.
64 Block B Tivoli Court 1-C, Ballygunge
Circular Road, Kolkata -700019



124.Sh. SANJIV KUMAR S/o Sh. Late
Kamaleshwari Prasad, Senior Accounts
Officer, Age 57, R/o E 53, Red Building,
Armapur Estate, Kanpur 208009

125.Sh. JAGDISH CHANDER S/o Sh. LATE
JIWAN DASS VYAS, Senior Accounts
Officer, Age 61, R/o D-2 PAINCHWATI
DELHI CANTT-110010

126.Sh. AWADHESH KUMANIGAM S/o Sh.
R.K. NIGAM, Senior Accounts Officer, Age-
57, R/o 87/176, ACHARYA NAGAR,
KANPUR

127.Sh. Anil Kumar Gupta, Jammu S/o Sh.
Dev Raj Gupta, Senior Accounts Officer, Age
- 54, R/o H. No. 84 Sec-2 JDA Colony
Rajinder Nagar, Bantalab, Jammu (J&K)

128.Sh. Subhash Prasad Shaw S/o Sh. Ram
Chandra Shaw, Senior Accounts Officer, Age-
45, R/o 15 Moulana Abdul Kalam Azad Road
Howrah 711101

129.Sh. Joginder Singh S/o Sh. Sh. Ranjit
Singh, Senior Accounts Officer, Age -61, R/o

2356, pushpac first, sector -48-c, Chandigarh-160047

130.Sh. Manohar Lal S/o Sh. Sh. Shaunku Ram, Senior Accounts Officer, Age -59, R/o Vill- Babowal, Jail Road, Gurdaspur, Punjab.



131.Sh. Madan Lal Choudhary S/o Sh. Late Sh. Inder Singh Choudhary, Senior Accounts Officer, Age 56, R/o VPO Pindi Charka Kalan Tehsil Arnia Distt Jammu

132.Sh. N.S.N.SHAIKH S/o Sh. NURODDIN SHAIKH, Senior Accounts Officer, Age 58, R/o Flat No. 525, "NAEEM" Bldg, KAUSARBAUG, KONDHWA KHURD, PUNE 411048

133.Sh. A.K.PATHAK S/o Sh. LATE JANARDAN PATHAK, Senior Accounts Officer, Age 62, R/o B/73, ROAD, JABALPUR(M.P.)-482021 RAJUL TOWNSHIP, TILHARI, MANDLA

134.Sh. M.K.PANIGRAHI S/o Sh. SHRI CHINTAMANI PANIGRAHI, Senior Accounts Officer, Age 54, R/o BHIMA BHOI NAGAR, DANI PALI P.O.BUDHARAJA DISTT-SAMBALPUR(OR)

135.Sh. S P SINHA S/o Sh. LATE K PRASAD, Senior Accounts Officer, Age - 58, R/O 9 SHIV SHAMBHU NAGAR KHAJEPURA PATNA 14

136.Sh. BASKAR NATH DASS S/o Sh. PT. PREM NATH DASS, Senior Accounts Officer, Age 58, R/o D-4, NIDEESH ENCLAVE, Opp. KIA Motors Bypass Road,, CHANNI HIMMAT, JAMMU-180015



137.Sh. Inder Fotedar S/o Sh. late Shri
P.N.Fotedar, Senior Accounts Officer, Age -
56, R/o 4/367, Vaishall, Ghaziabad

138.Sh. Amar Singh S/o Sh. Sh. Sawran
Singh, Senior Accounts Officer, Age -57, R/o
H. No. 113, Narsi Village, Part-1, Sec-32,
Karnal

139.Sh. Balwinder Singh S/o Sh. Late Sh.
Hazara Singh, Senior Accounts Officer, Age
54, R/o Vill- AdowalGarhi, PO Haryana, Distt
Hoshiarpur (Pb)

140.Sh. SURENDRA KUMAR MAHAJAN
S/O Sh. Late Jal Das Mahajan, Senior
Accounts Officer, Age 66, R/o H.No.1, Ward
5, Awkash Nagar, Chopan 231205

141.Sh. PANDHARINATH GUJEBTA TALE
S/o Sh. Sh. Gujeba Tulshiram Tale, Senior
Accounts Officer, Age 61, R/o H. NO. 50,
KADAMBARI NAGARI PHASE- 2,
PIPELINE ROAD, SAVEDI,
AHMEDNAGAR, 414003

142.Ms B LAKSHMI MURALI KRISHNA
d/o Sh. Late T.Venkata Ratnam, Senior
Accounts Officer, Age 49, R/o Plot No. 27/1,
Flat No.302 Seshasal Nilayam, AOC Centre
Secunderabad 500015.

143.Sh. M S Kashyap S/o Sh. Sh. Asha Ram,
Senior Accounts Officer, Age-56, R/o H. No.
1461, Sector 50 B, Chandigarh

144.Sh. Suku Mathai S/o Sh. Late VT Mathai,
Senior Accounts Officer, Age - 53, R/o C-
1/2703, Runwal MyCity Mumbal



145. Ms Jalaja Venugopal d/o Sh. Late Neelakandan Nair, Senior Accounts Officer, Age 58, R/o No-14, Devaki Nandanam, 4th cross, V.R.Layout, Marathahalli post, Bangalore - 560037

146.Sh. Rajesh Kumar S/o Sh. Gian Chand Gupta, Senior Accounts Officer, Age - 56, R/o House No185 Sector 9 Nanak Nagar Jammu

147.Sh. Pankaj Raina S/o Sh. J N Raina, Senior Accounts Officer, Age 58, R/o H. No-42, Shastri Nagar, Bemina, Srinagar

148.Sh. KULDEEP LAL S/o Sh. SH BACHAN LAL, Senior Accounts Officer, Age -55, R/o C-1,CHANDER NAGAR, BATALA-143505 PUNJAB

149.Sh. Ram Vilash Prasad S/o Sh. Late R. B. Prasad, Senior Accounts Officer, Age 58, R/o Dhamaur Parshuram Village, Pipra Chandrabhan Post Office, Deoria District, UP-274 001

150. Ms. Nita Nitin Bapat d/o Sh. Salil Kumar Mukherjee, Senior Accounts Officer, Age 52, R/o 44/45 ShubharambhaHsg society, Near Katol Road Bypass, Dabha, Nagpur-440023

151. Ms Veena Sharad Inamdar d/o Sh. Deochand Roy, Senior Accounts Officer, Age 57, R/o/501, Sumangal Vihar, Isasani Road, Nagpur 440019

152.Sh. Mohinder Singh Yadav S/o Sh. Late Shri Kurda Ram, Senior Accounts Officer, Age-63, R/o 91 P SECTOR 3 REWARI



153.Sh. M.S. BOHRA S/o Sh. Late U.S. BOHRA, Senior Accounts Officer, Age -53, R/o New Garhwal Colony, Balawala, Dehradun

154.Sh. RAJINDER KUMAR GUPTA S/o Sh. B.R GUPTA, Senior Accounts Officer, Age-55, R/o H.No. 764/A, Gandhi Nagar Jammu - 180004

155.Sh. Rajinder Sadhu S/o Sh. Pushkar Nath Sadhu, Senior Accounts Officer, Age 58, R/o 52 Lane 6 B Block Roop Nagar Enclave Jammu J&K

156.Sh. M. Premnath S/o Sh. N Sivasankar, Senior Accounts Officer, Age 59, R/o Pavithram, Kavalpad, Palakkad, Kerala 678012.

157.Sh. Kuldip Raj S/o Sh. Sh. Ram Kishan, Senior Accounts Officer, Age - 57, R/o Vill. Trehaty, P.O. Shahpur Kandi, Tehsil Pathankot (PB) Dhar Kallan, Distt. -

158. Ms Sharada Balchandra d/o Sh. Late Sh. ShankaranarayanaMayya, Senior Accounts Officer, Age 58, R/o No. 5, 2A cross, 1st Main Road, Srinidhi Layout, Konanakunte, Bangalore-560062

159.Sh. P Sreenath S/o Sh. Late Sh. S PattabhiRamalah, Senior Accounts Officer, Age 62, R/o Sri Sumukha, I Main BEML, 3rd Stage, Rajarashwari Nagar, Bangalore-560098

160.Sh. Raman Bamzai S/o Sh. Sh. Chaman Lal Bamzai, Senior Accounts Officer, Age-34, R/o H. No. 185 A, Shanti Nagar, Toph Sherkhanian, Jammu-181121



161.Ms. B K Radha d/o Sh. N S Rangnathan,
Senior Accounts Officer, Age - 55, R/o 11-3-
392/2/5 Srinivas Nagar, Secunderabad-500001

162.Sh. M.P.SOMA SUNDARAN S/o Sh.
LATE PRABHAKARAN NAIR, Senior
Accounts Officer, Age 59, R/o 102-D
BLOCK, APSARA APARTMENT, SOUTH
CIVIL LINES, JABALPUR

163.Sh. NARENDRA KUMAR DUBEY S/o
Sh. SRI S P DWIVEDI, Senior Accounts
Officer, Age 58, R/o A-1, D/107, SHYAM
NAGAR, KANPUR-208013

164.Sh. N P Singh S/o Sh. Late Sh RKS
VERMA, Senior Accounts Officer, Age -63,
R/o 1214, SHEELKUNJ-II, ROORKEE
ROAD, MEERUT

165.Sh. MUKESH CHAWLA S/o Sh. LATE
L.L.CHAWLA, Senior Accounts Officer, Age
53, R/o 83 B-1 NARMADA NAGAR,
GWARIGHAT ROAD, JABALPUR.

166.Sh. Ramji Prasad Verma S/o Sh.
S.N.Varma, Senior Accounts Officer, Age -59,
R/o H. N. 37, Shanti Enclave, Jarauli Phase II,
Kanpur-27

167.Sh. Rajendra Kumar Srivastava S/o Sh.
Bhagwati Prasad Srivastava, Senior Accounts
Officer, Age 54, R/o 69/81, Damodar Nagar
Kanpur - 208027 (U.P.)

168.Sh. SURENDRA KUMAR MAHAJAN
S/o Sh. Late Jal Das Mahajan, Senior
Accounts Officer, Age 66, R/o H.No.1, Ward
5, Awkash Nagar, SonebhadraDist, CHOPAN

231205.

...Applicants

(By Advocate: Mr. B K Berara)

Versus

1.Union of India, Through Secretary,
Ministry of Defence, South Block, New
Delhi.

2. The Secretary, Ministry of Finance,
Department of Expenditure, North Block,
New Delhi.



3. The Secretary, Ministry of Personnel,
Public Grievance and Pensions, North Block,
New Delhi.

4. The Controller General Of Accounts,
Department of Expenditure, Ministry of
Finance, MahalekhaNiyantak Bhawan, 'E'
Block, GPOA Complex, INA, New Delhi.

5. The Assistant Financial Advisor,
Ministry of Defence (Finance), DAD Coord,
R.No. 24-A, South Block, New Delhi.

6 The Controller General OfDefence
Accounts, Ulan Batar Road, Palam, Delhi
Cantt-110010.

...Respondents

(By Advocate: Mr. Sanjay Kumar)

ORDER (ORAL)**Hon'ble Mr. Manish Garg, Member (J):-**

In the present Original Application, filed under Section 19 of the Administrative Tribunals Act, 1985, the applicants have prayed for the following relief(s):

“(a) Direction to respondents to classify the post of Senior Accounts Officer (Applicants) as Group 'A' officer w.e.f 09-04-2009 as per the Notification and Rules instead of 20-11-2019 with all consequential benefits to the Applicants.

(b) Direction to respondents to grant Non Functional upgradations as per DOPT OM dt24.04.2009, 25.09.2009 and 01.08.2012 as applicable to Group "A" officers together with other consequential benefits.

(c) Any other order/ relief as this Hon'ble Tribunal may deem fit under the present facts and circumstances of the case.”

2. Highlighting the facts of the case, learned counsel for the applicants submits that the applicants herein are Senior Accounts Officer in Defence Accounts Department “Organized Accounts Cadres”. The applicants are seeking a direction to the respondents to classify their post, i.e., Senior Accounts Officer as Group ‘A’ Officer w.e.f. 09.04.2009 instead of 20.11.2019 as per the Notification and Rules and to grant Non-Functional Upgradations as applicable to them with all consequential benefits.

3. Learned counsel for the applicants draws a reference to an OM dated 09.04.2009 (Annexure A-4) where the Ministry of Personnel, Public Grievances and Pension notified that “President hereby directs that with effect from the date of publication of this Order in the

Official Gazette, all civil posts under the Union shall be classified as follows:



1(b) A Central Civil post carrying the following grade pays:- Rs.12000/-, Rs.10000/-, Rs.8900/- and Rs.8700/- in the scale of pay of Rs.37400-67000 in Pay Band-4, and Rs.7600., Rs.6600 and Rs.5400 in the scale of pay of Rs.15600-39100 n Pay Band-3 Classified as Group 'A' posts.

4. He further submits that the applicants are seeking antedating of the grant of classification of the post, i.e., Senior Accounts Officer as Group 'A' Officer w.e.f. 09.04.2009 instead of 20.11.2019. He further draws our attention to the decision rendered by the Hon'ble High Court of Delhi dated 17.09.2013 in W.P. (C) No.2698/2013 in the matter of **All India Audit And Accounts vs. Union of India And Ors.**, wherein the Hon'ble High Court held as under:

"18. Finally, on the question of the mandatory consultation with the UPSC for the upgradation of the officers in question from Group B to Group A, the CAT order does not mention the particulars of any rule that requires such consultation. Neither has the learned counsel for the Central Government -despite an opportunity granted by this Court through its order dated 10.9.2013

- placed on record any circular/memorandum that such requires such consultation.

19. Accordingly, the impugned order of the CAT dated 10.12.2012, as also the Office Memoranda of the Central Government dated 11.4.2011, 17.6.2011 and 7.7.2011, which deny the petitioners classification as Group A officers along with the attendant benefits, are liable to be set aside as unreasonable and arbitrary given the clear textual mandate of the relevant rules. Thus, the classification of Senior Audit and Senior Accounts officers as Group A officers is mandated under the applicable rules. A direction in terms of the claims made by the petitioners is given; effect shall be given by the respondents, to these directions within six

weeks. The writ petition is allowed in these terms, without any order as to costs."

5. Learned counsel for the applicants also draws attention to the fact that it is not disputed in the counter affidavit itself that it is agreed that the applicants are similarly situated, but no blanket sanction was issued in this regard. Hence, the applicability of the decision given by DoPT in response to one department can't be construed to the applicable for others.



6. He further draws attention to an Office Memorandum of the Ministry of Personnel, Public Grievances and Pension, DoPT dated 17.04.2009, which reads as under:

"2. As per clause (4) of the Central Civil Services (Revised Pay) Rules, 2008 notified vide notification No G.S.R. 622(E) dated 29.8.2008, the pay band and grade pay or the pay scales, as applicable, of every post/grade specified in column 2 of the First Schedule thereto shall be as specified against it in columns 5 and 6 thereof. Consequent upon the notification of the said rules, it has become necessary to prescribe revised norms for categorization of posts into the abovementioned four categories based on the pay band and grade pay or the pay scales as applicable, as approved by the Government. Accordingly, an Order classifying the various Central Civil Services posts into Group "A", "B", "C" and "D" based on the revised norms of pay has been notified in the Gazette of India Extraordinary vide S.O. 946 (E) dated 09.04.2009. A copy of the Order is enclosed. All posts in the Central Civil Services would now stand classified strictly in accordance with the norms of pay band and grade pay or pay scales as prescribed in the said Order."

7. He also draws our attention to an Office Memorandum of the Ministry of Finance, Department of Expenditure, dated 12.06.1987, with the subject Restructuring of Accounts Staff in Organised Accounts Cadres. Based on the recommendation of the Fourth Central Pay Commission the scales of pay for Auditors and Section

Officers in Audit stream of India Audit & Accounts Department (IA&AD), which read as under:



"2. The Fourth Central Pay commission vide para 11.38 of Part-I of Part-1 of its Report have observed that the Audit & Accounts functions complementary to each other and are generally performed in many Government offices in an integrated manner which is necessary for their effective functioning. Accordingly, the Pay commission have recommended that there should be broad parity in the pay scales - of the staff in IA & AD and other Accounts organisations. It has further recommended that the proposed scales of pay of Ts. 1400-2600 and Rs.2000-3200 may be treated as functional grades in future and that there will be no selection grade for any of these posts. As regards the number of posts in the higher functional scales, the Commission left this matter for the Government to decide.

3. The revised scales of pay for the Accounts staff in organised Accounts cadres under the Controller General of Defence Accounts, Controller General of Accounts, Department of Posts & Telecommunications and also in Indian Audit & Accounts Department at par with Audit stream have already been notified vide this Ministry's Notifications No.F.15(1)/IC/86 dated 13.9.86 and 22.9.86 respectively. In accordance with these Notifications contain persons have already been allowed the higher revised scales of pay subject to the conditions laid down therein."

8. Opposing the grant of relief, the learned counsel for the respondents relies upon the averments contained in the counter affidavit. He submits that the Government of India, Ministry of Finance, Department of Expenditure, vide OM dated 16.05.2019, (CR-3) passed the order "Incompliance with the directions of the Hon'ble High Court of Delhi order dated 17.09.2013 (CR-4) in WP 2698/2013 filed by the All India Audit and Accounts Officers Association, the post of Sr. Audit Officer & Sr. Accounts Officer in Indian Audit and Accounts Department in Pay level-10, earlier classified as a Group B post, is classified as Group A without any change in pay scale." He further submits that the Joint Controller General of Accounts vide OM dated 31.10.2019 (CR-5) informed -



"In pursuance of the Ministry of Finance, Department of Expenditure ID Note No. A-12034/7/2017-Ads. I dated 25.10.2019 issued with the approval of Hon'ble Finance Minister, the post of the Senior Accounts officer in Central Civil Accounts Service is classified as Group A post w.e.f 09.04.2009 without any change in the Pay scale."

9. Learned counsel for the respondents further submits that most of the applicants have made representations to classify the post of the SAO as Group A post w.e.f. 09.04.2009 and allow the benefits of the NFU as applicable to the Group A officers. The representations were rejected on the ground that w "It may be recalled that consequent upon implementation of the 6th CPC and after classification of the posts by the DoPT vide OM dated 09.04.2009 (wherein the post carrying PB-3 grade Pay Rs 5400/- was classified as Group "A" applicable to the post of Sr. AO also) proposal was initiated by CGDA office on January 2011, for classifying post of SAO as Group "B" as hitherto fore and maintain status quo in treating them as feeder grade for promotion to JTS. This proposal was taken up with DoPT by the Ministry. In turn. DoPT agreed to, maintain status quo in treating the post of Sr. AO (PB-3,GP-5400) in DAD as Gp "B" and feeder grade to JTS of IDAS.

10. He further submits that now the Sr. Accounts Officer of the Defence Accounts Department who carry the grade pay of Rs 5400 in the scale of Pay of Rs 15600-39100 in Pay Band -3 (Under sixth



CPC) and pay in the Pay Matrix at the level-10 (under Seventh CPC) together with their counterparts of other Organized Accounts Department have demanded that they should be classified suo moto as Group A wef 09.4.2009, the date of initial order of the DoPT and have filed this OA. It is further contended by the learned counsel for the respondents that the approval regarding classification of SAO as Group A was conveyed vide MoDF. No. 4(1)/DAD/C/2019 dated 19.11.2019 (CR-7) & accordingly this office vide File No AN/VIII/8210/SAO/Classification dated 20.11.2019 (CR-1) has notified the classification of the post of SAO as Group-'A' with immediate effect. Further, reference is invited to DOPT O.M. No. AB.14017/64/2008-Estt. (RR) dated 24 April 2009(CR-8) wherein under para (1) It has been stated that:"Whenever an Indian Administrative Services Officer of the State of joint cadre in posted at the Centre to a particular grade carrying a specific grade pay in Pay Band 3 or Pay Band 4, the officers belong to batches of Organised Group A services that are senior by two years or more and have not so far been promoted to that particular grade would be granted the same grade on non-functional basis from the date of posting of the Indian Administrative Service Officers in that particular grade at the centre." Since the SAO does not fall under Group A Central Services, therefore the applicants are not eligible for NFU.



11. Having heard counsel for the respective parties and perusing the pleadings available on record, we observed that the issue to be determined is what would be the crucial date of implementation of the OM dated 09.04.2009 and determining the grant of classification of the post of the applicants, i.e., Senior Accounts Officer as Group 'A' Officer in the Defence Accounts Department "Organized Accounts Cadres". It is not in dispute that as apparent from the records and highlighted herein above vide Office Memorandum of Ministry of Finance, Department of Expenditure dated 12.06.1987, wherein para '3' is relevant for the present purpose. We also draw strength from the fact that in an identical situation in ***All India Audit And Accounts***(supra), the Hon'ble High Court accorded the relief. Therefore, we cannot take a divergent view in the present matter.

12. The issue has to do with the date of applicability, which is the crucial date for determining and arriving at a conclusion qua the qualification of the applicants herein vis-à-vis Group 'A', We draw reference to the decision rendered by the Hon'ble High Court dated 18.12.2019 in the matter of ***All India Railway Accounts Staff vs. Union of India***, where the Hon'ble High Court held as under:

"15. In the written submissions, it is sought to be urged that the attempt by the Petitioners to equate themselves with Artisan Staff, Master Cooks, and Primary School Teachers, for all of whom the revised pay scale was effectively granted from 1st January, 1996 is misconceived. While again, the job profile for the aforesaid categories would be different, the fact here remains that the differential pay scale is sought to be given to members of the same Accounts cadre. The Railways have accepted the decision of the Ernakulam and Patna Benches of the CAT granting the



benefit from 1st January, 1996 onwards in view of the fact that both the respective High Courts and the Supreme Court have confirmed the decision. Once that decision has been taken, there is no purpose served in denying the same benefit to other staff of the same Accounts cadre. The comparison drawn with Artisans, Cooks, and Primary School Teachers, all of whom have been granted the enhanced pay scale from 1st January, 1996, is not relevant in the context of the case on hand.

16. Recently, this Court in its order dated 2nd December, 2019 in W.P. (C) 3945/2017 (Shailendra Singh v. Union of India) accepted the plea of the Petitioners therein that once the Government had in principle accepted the recommendations of the 5th CPC, the effective date from which the benefits of such revised pay would accrue would be from when such benefits became available, and not from the date on which their applicability was notified by the particular Ministry or Department. 20. Thus, the proposal of the Ministry of Railways itself was for grant of the relief retrospectively from 1st January, 1996. The proposal was then sent to the Department of Personnel and Training („DoPT“). It appears that at the stage of consideration of the Ministry of Finance, Department of Expenditure, it was decided to limit the actual effective implementation of the revised pay scale by granting it from 19th February, 2003. The Court has perused the minutes of the meeting of the Cabinet which took the above decision on 19th February, 2003. There is no indication why the effective date of implementation was postponed except on the ground of financial burden to the Railways.

21. Between Accounts cadre employees, to deny some of them the benefit of the revised pay scale from 1st January, 1996, and to grant the others the same relief would result in discrimination between equally placed employees. This is not contemplated or permissible in law. It cannot possibly be a policy of the Railways that its employees in the Accounts cadre in different zones get the benefit of the revised pay scales from different dates.

22. For all of the aforementioned reasons, the Court finds the impugned orders of the CAT dated 15th September, 2015 and 11th December, 2015 to be unsustainable in law. They are accordingly set aside.

23. The prayers in the present petition are allowed and a direction is issued to the Respondents to grant them the revised pay scale in question from 1st January, 1996 when the recommendations of the 5th CPC became operational. The order dated 7th March, 2003 of the Railway Board, to the extent that it limits the actual benefit of the revised pay scale by granting the same from 2nd February, 2003, and not from 1st January, 1996, is hereby set aside.

24. The arrears now be granted to each of the Petitioners within 12 weeks failing which the Respondents will be liable to pay simple interest at 6% per annum thereon till the date of payment. The petition is disposed of in the above terms.”



13. In view of the same, we hereby are allowing the present Original Application by quashing and setting aside the impugned order in so far as fixing the crucial date of determination as on 20.11.2019 and the crucial date for clarification ought to be from the date of the Notification, i.e., 09.04.2009, when the office memorandum became operational. Consequently, the applicants shall be entitled to the benefits with effect from the date of order. The aforesaid exercise shall be carried out within a period of three months from the date of receipt of a certified copy of this order. All pending applications, if any, shall also stand disposed of. No costs.

(Dr. Anand S Khati)
Member (A)

(Manish Garg)
Member (J)

/sb/

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF EXPENDITURE
CONTROLLER GENERAL OF ACCOUNTS

MAHALEKHA NIYANTRAK BHAWAN
E-BLOCK, GPO COMPLEX, INA
New Delhi-110023

MINUTES OF THE MEETING HELD ON 30.04.2025 WITH NATIONAL
EXECUTIVE MEMBERS OF ALL INDIA CIVIL ACCOUNTS OFFICER
(Sr.AOs/PAOs) ASSOCIATION

A meeting under the Chairmanship of the Controller General of Accounts was held with the National Executive members of All India Civil Accounts Officers (Sr.AOs/PAOs) Association on 30.04.2025 at 02.30 PM in SWASTI, O/o CGA, New Delhi, to review the status of the agenda items discussed during the last meeting held on 24.10.2024 and action taken thereon by O/o the CGA.

2. At the outset, the Controller General of Accounts (CGA) in his introductory comments welcomed all the members of the Association. After formal introduction, CGA shared the HR related developments undertaken by O/o the CGA since the last meeting with the Association. He highlighted the progress made and challenges faced with regard to Recruitment Rules for the post of Senior Accounts Officer, given the dependency on various stakeholders i.e DoP&T/DoE/ UPSC/DoLA involved in the subject matter.

3. The Jt. Controller General of Accounts (HR) also welcomed the members of Association and through a presentation highlighted the tasks accomplished by HR Division in detail supported by data. The new HR initiative for capacity building by imparting Induction Training, Mid-career, Mandatory Training for promotion, NIFM training was highlighted. The start of weekly open hours being conducted where issues are presented by the officials.

4. Thereafter, in opening remarks, the Secretary General of the Association thanked the Controller General of Accounts for conducting the meeting and appreciated the efforts made by the CGA and HR division in accomplishing the long pending work in his tenure in a transparent manner.

5. Further, the Association was apprised point wise action taken by O/o the CGA on the agenda item(s) discussed during the last meeting held on 24.10.2024, which are as under:-

5.1 Provision for induction of Sr.AOs to STS Level on their promotion:- Proposal for induction of SrAOs as STS level of ICAS, and for creation of the post of Assistant Director/Dy. Director parallel to ICAS was not acceded to by DoE. However, a

proposal has again been submitted by this office to DoE for induction of Sr.AOs into ICAS at STS Level (Level 11). Reference has been drawn from the RRs of IFS (Gr.B) and CPWD.

5.2. Incorporation of suggestions of AICAOA in transfer policy:- During the last meeting, the Association submitted some suggestions w.r.t. to transfer policy of Sr.AOs, which were discussed and further Association were informed about the official side on the same. Details are as under:-

5.2.1 IMT within the zone for those who had completed 3 tenures in a particular station. In this context, Association was informed that rotational transfers would be done as per para 8 of the transfer policy within the station as far as feasible. The provisions of para 2.3 would be acted upon only in case of administrative requirement or to accommodate the request of officers desirous to be posted to that station. Hence no action was required.

5.2.2 IMT within the zone in the absence of eligible officer for IMT after completing only one tenure. In this context, Association was informed that in case of non-availability of any other officer for IMT in the current round then the officer would be retained at that station till the next round of IMT, if an officer is due to become eligible in the next round. But in case if there is no eligible officer in the next round, then he/she may be transferred out to the zone in the IMT under consideration without waiting for the next round.

5.2.3 Exemption from Outstation transfer on IMT/promotion within 2 years of superannuation. Association was informed that suggestion of the Association had already been considered and being implemented.

5.2.4 Association had sought that one-time relaxation for transfer to the choice station on completion of half of the tenure before filling up the vacancies by promotion may be allowed. Association was informed that the suggestion of the Association was not considered by the Cadre Controlling Authority.

5.2.5 Issue of readiness list before IMT as well as issue of effective vacancy position before IMT. Suggestions of the Association was considered and it was informed that readiness list and vacancy position have been uploaded on the CGA's website on 27.02.2025.

6. Promotion of eligible Sr.AOs to the post of ACA as per existing Recruitment Rules:- The Association was apprised that the revised Recruitment Rules of ICAS has since been approved and likely to be notified shortly. On notification, proposal for induction of Sr.AOs as ICAS (JTS) level will be submitted to UPSC for convening DPC.

7. At the end of the meeting Association requested to discuss some additional agenda item(s) related to Sr.AOs of CCAS Cadre in brief, with the approval of the

chair, which was acceded by CGA and further Association was assured that all the additional issues will be looked into, if required/feasible.

7.1 Arbitrary attachment/surrender orders of Sr.AOs in violation of transfer policy: It has been discussed that in isolated cases where the attachment has been made as per administrative requirements for a short period, is not violation of the transfer policy as the concerned Pr.CCAs/CCAs has to manage the work with available resources.

7.2 Ad-hoc promotion of AAOs to the post of Sr.AOs till notification of RRs of Sr.AOs:- Ad-hoc promotion in existing circumstances is not feasible as per DoP&T guidelines. Moreover, the RRs of Sr.AOs is expected to be notified shortly and the promotion would be done accordingly.

7.3 Grant of NFU to Sr.AOs in light of Hon'ble CAT, PB, Delhi decision in O.A. No.2922/2021 dated 12.03.2025:- In this connection it is mentioned that the CAT order dated 12.03.2025 pertains to the Sr.AOs of CGDA and not to the Sr.AOs of this organisation. As such, there is no action called for in this office. There is no Government order available extending such benefit. The Association has also not produced any such Government order extending NFU to the Sr.AOs of Defence Accounts.

7.4 Consideration of letter No. 167 dated 22.04.2024 of AICAOA regarding grant of STS, SAG to Sr.AOs after counting service w.e.f 09.04.2009:- The matter will be examined and necessary action will be taken accordingly.

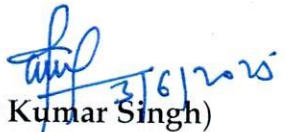
7.5 Introduction of Training Programme/Certification Course for grant of additional increment as being done in C&AG office:- The matter will be examined and necessary action will be taken accordingly.

7.6 Reimbursement of Mobile charges to all Sr.AOs making payment through PFMS/handling PFMS related work:- On this subject matter O.M issued by DoE may be followed for reimbursement of mobile charges. Ministries may be asked to take action accordingly.

7.7 Lifting of provisions of non-forwarding of deputation applications and allowing extension of deputation to deputationists:- The Association was apprised that keeping in view, the large number of vacancies at Sr.AOs level, it is not possible to forward deputation application in the grade of Sr.AOs in the existing scenario. Once the situation improves, decision would be reviewed.

7.8 Circulation of Minutes of Meeting to all Pr.CCAs/CCAs/CAs (independent charge)-The Association requested to circulate the minutes of the meeting to all Pr.CCAs/CCAs/CAs of the Ministries/Departments. As the respective Ministries/Departments were not part of the meeting, therefore it would not be appropriate to circulate the minutes to them.

7.9 Workspace for the Association:- Due to space crunch in O/o CGA it is not possible to provide work space to the Association.


(Nirbhay Kumar Singh)
Sr. Accounts Officer, HR-4

F No.A-23011/1/2020-NGE-CGA/ 162

Dated: 3rd June, 2025

Copy to:-

1. PPS to CGA.
2. PS to Addl. CGA.
3. PS to Joint CGA (HR).
4. Dy.CGA (HR-1&2).
5. ACGA (HR-3&4).
6. The Secretary General, All India Civil Accounts Officers (Sr.AOs/PAOs)
Association, House No.405, Street No.4, Raj Nagar, Part-2, Palam Colony,
New Delhi-110077. (mail ID - nebaicaoa@gmail.com)

Annexure 'A'

OFFICIAL SIDE			STAFF SIDE		
1	Sh Shyam S Dubey	CGA (In chair)	1	Ms Geetanjali	President
2	Sh Alok Ranjan	Additional CGA	2	Sh Kaushal Mishra	Secretary General
3	Ms Tripti Patra Ghosh	Joint CGA	3	Ms Sreemati Bhowmik	Addl. Secretary General
4	Ms Stuti Ghildiyal	Dy.CGA	4	Sh Santosh Kumar	Asst. Finance Secretary
5	Ms Abirami	ACGA	5	Ms Rekha Dahiya	Asst. Secretary General
6	Sh Vikal Raj	Sr.AO	6	Ms Sumitra Goganio	Asst. Secretary General
7	Ms O Geeta Lakshmi Nair	Sr.AO	7	Ms Asha Pal	Asst. Secretary General
8	Sh Nirbhay Kumar Singh	Sr.AO			
9	Ms Rashmi Chaudhary	AAO			
10	Sh Tapas Panja	AAO			
11	Sh Vijay Kumar	AAO			
12	Sh Suman Kumar	AAO			