

**No. 315-04/2017-STG-III**  
**Government of India**  
**Ministry of Communications**  
**Department of Telecommunications**

Sanchar Bhawan, 20 Ashoka Road  
New Delhi-110001  
Dated:08.05.2024

**ORDER**

The President is pleased to grant Non-Functional Up-gradation (NFU) to Shri Kunj Bihari Sharma (Staff No.20957) an officer of Junior Administrative Grade (JAG) of ITS Group-A in the level 14 of the Pay Matrix of 7<sup>th</sup> CPC (Rs.144200 – 218200/-) w.e.f. 18.09.2017 on provisional basis and until further order.

2. On Non -functional up-gradation there will be no change in the place of posting of the above mentioned officer and he will continue to remain in his present place of posting.

3. In accordance with DoP&T O.M No. AB 14017/64/2008 -Estt. (RR) dated 24.4.2009:

I. The up-gradation granted under this order is purely non-functional up-gradation, personal to the officer and it does not bestow any right on the officer to claim promotion or deputation benefits based on non-functional upgradation in such a manner.

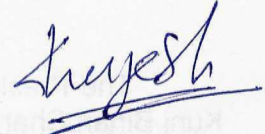
II. Pay fixation on grant of Non-Functional up-gradation under this order has to be done as per the provisions of CCS (RP) Rules, 2008. At the time of regular promotion to this grade, the pay need not be fixed again for the officer who has been granted up-gradation under this order. The officer may exercise his option for fixation of pay under relevant provision of FR22(l)(a)(l) within one month from the date of issuance of this order.

4. As per DOPT vide OM No.11012/6/20160-Estt.A.III dated 19.1.2017 the granting of NFU is provisional subject to the outcome of appeal that may be filed against, the acquittal of the Government servant. The promotion thus will be without prejudice to the action that may be taken if the judgement of the trial court acquitting the Government servant is set-aside. In case on appeal the Government servant stands convicted, the provisional promotion shall be deemed *non est*, and the Government servant shall stand reverted. In case of the Government servant being sentenced to imprisonment exceeding 48 hours, he will be deemed to be under suspension in terms of rule 10(2)(b) from the date of conviction. This order is also subjected to other provisions contained in DOPT OM No.11012/6/20160-Estt.A.III dated 19.1.2017.



5. The NFU Order is purely provisional and subject to final outcome of the SLP filed by CBI in the Hon'ble Supreme Court against the order dated 18.12.2023 of Hon'ble High Court of J&K and Ladakh in respect of Shri Kunj Bihari Sharma (Staff No.20957).

6. This issues with the approval of competent authority.



(Khagesh Garg)

Director (Staff)

Copy to:

1. PS to MoS (IC), MoC/ PS to MoS(C)
2. PS to Secretary (T).
3. PS to Member (S)/Member (T), Advisor (T)/Advisor(O), DoT
4. O/O DG(T)
5. Officers concerned (Shri Kunj Bihari Sharma (Staff No.20957)).
6. US (Vig. II)/ AO (STG- I), US(STG-I), DoT /Order bundle.
7. Director (IT) for uploading on DoT website