

F.No.35034/1/97-Estt(D)(Vol.IV)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

New Delhi 110001
July 18, 2001

OFFICE MEMORANDUM

Subject: - ASSURED CAREER PROGRESSION SCHEME FOR THE CENTRAL GOVERNMENT CIVILIAN EMPLOYEES - CLARIFICATIONS - REGARDING

The undersigned is directed to invite reference to the Department of Personnel and Training Office Memorandum of even number dated August 9, 1999 regarding the Assured Career Progression Scheme (ACPS) and subsequent Office Memorandum dated February 10, 2000 clarifying the various points of doubt received from various quarters.

2. Some more situations in which a doubt persists in various organizations in regard to applicability/implementation of ACP Scheme have been brought to the notice of this Department. These have been duly examined and appropriate advice has been conveyed in individual cases. However, as it is observed that similar doubts are being received from various other Ministries/Departments/Organizations, it has been considered appropriate to issue a second set of clarificatory orders containing point-wise clarification to the additional points of doubt.

3. *Cases where the ACP Scheme has already been implemented shall be reviewed/rectified if the same are not found to be in accordance with the scheme/clarifications.*

3. All Ministries/Departments may give wide circulation to these clarificatory instructions for general guidance and appropriate action in the matter.

4. Hindi version would follow.

(R.K. GOEL)

DEPUTY SECRETARY TO THE GOVT OF INDIA

To

All Ministries/Departments of the Government of India

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2. All attached/subordinate offices of the Ministry of Personnel, Public Grievances and Pensions.
3. Secretary, National Commission for Minorities, New Delhi.
4. Secretary, National Commission for Scheduled Castes/Scheduled Tribes.
5. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi.
6. All Staff Side Members of the National Council (JCM).
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ANNEXURE

[Reference: Office Memorandum No. 35034/1/97-Estt(D)(Vol.IV) dated 18.7.2001]

S.No.	Point of doubt	Clarification
33.	An employee was promoted from Grade 'A' to Grade 'C'. Grade 'B' was introduced in the hierarchy in between Grade 'A' and Grade 'C' subsequent to such promotion. Will he be entitled to any more financial upgradation under the ACP Scheme (ACPS) considering that he is already placed in the third level of the hierarchy?	The reply is in the affirmative. The employee has got only one promotion in his career as per the hierarchy existing at the time of his promotion. The subsequent creation of the post in Grade 'B' will not, therefore, make any material difference in the situation in relation to the case of this employee for the purpose of grant of second financial upgradation under ACPS. The newly created Grade 'B' would, as such, need to be ignored in his case. However, persons in Grade 'A', who become entitled to financial upgradation only after introduction of Grade 'B' in the hierarchy, will be entitled for grant of financial upgradation only in Grade 'B' subject to fulfillment of the other stipulations and conditions specified in the ACP Scheme introduced on 9.8.1999
34.	An employee has superannuated after 9.8.1999, i.e. the date from which ACPS was introduced. He had completed the required eligibility service as on 9.8.1999 for grant of financial upgradation but he retired on superannuation	In terms of condition no. 3 of the ACP Scheme introduced <i>vide</i> O.M. dated 9.8.1999, the financial benefit under the ACPS shall be granted from the date of completion of the eligibility period prescribed under the ACPS or from the date of issue of the

	<p>before the Screening Committee could meet to assess his suitability for grant of benefits under ACPS. Will he be entitled for financial upgradation under ACPS?</p>	<p>instructions whichever is later. Therefore, in respect of employees who had completed eligibility service as on 9.8.1999 but retired prior to meeting of the first Screening Committee meeting, if the assessment to decide grant of financial upgradation is based on ACRs and other service records, the employees who retired after 9.8.1999 may also be considered by the Screening Committee and, if recommended for grant of financial upgradation, such employees may be allowed the benefit of ACPS from the due date. If, however, the assessment also includes passing of a trade test/skill test/written examination (as prescribed for regular promotion) under ACPS and the employee had not qualified in such tests already, then it may not be possible to consider the retired persons, as assessment based on such tests is not possible after the date of superannuation.</p>
<p>35.</p>	<p>Whether placement/appointment in higher scales of pay based on the recommendations of the Pay Commissions or Committees set up to rationalise the cadres is to be reckoned as promotion/financial upgradation and offset against the two financial upgradations applicable under the ACP Scheme?</p>	<p>Where all the posts are placed in a higher scale of pay, with or without a change in the designation; without requirement of any new qualification for holding the post in the higher grade, not specified in the Recruitment Rules for the existing post, and without involving any change in responsibilities and duties, then placement of all the incumbents against such upgraded posts is not be treated as promotion/upgradation. Where, however, rationalisation/restructuring involves creation of a number of new hierarchical grades in the rationalised set up and some of the incumbents in the pre-rationalised set up are placed in the hierarchy of the restructured set up in a grade higher than the normal corresponding level taking into consideration their length of service in existing pre-structured/pre-rationalised grade, then this will be taken as</p>

promotion/upgradation.

If the rationalised/restructured grades require possession of a specific nature of qualification and experience, not specified for the existing posts in pre-rationalised set up, and existing incumbents in pre-rationalised scales/pre-structured grades, who are in possession of the required qualification/ experience are placed directly in the rationalised upgraded post, such placement will also not be viewed as promotion/upgradation. However, if existing incumbents in the pre-rationalised grades who do not possess the said qualification/ experience are considered for placement in the corresponding rationalised grade only after completion of specified length of service in the existing grade, then such a placement will be taken as promotion/upgradation.

Where placement in a higher grade involves assumption of higher responsibilities and duties, then such upgradation will be viewed as promotion/upgradation.

Where only a part of the posts are placed in a higher scale and rest are retained in the existing grade, thereby involving redistribution of posts, then it involves creation of another grade in the hierarchy requiring framing of separate recruitment rules for the upgraded posts. Placement of existing incumbents to the extent of upgradations involved, in the upgraded post will also be treated as promotion/upgradation and offset against entitlements under the ACPS.

For any doubts in this regard, matter should be referred to the Department of Personnel and Training (Establishment 'D' Section) giving all

		relevant details.
36.	An employee was initially appointed on deputation in a grade higher than the grade of the post held on regular basis and was subsequently absorbed against the ex-cadre post. Will such initial period of deputation in the higher grade prior to date of absorption be counted towards residency period/ 'regular service' for purposes of ACPS?	<p>In reply to points of doubt No. 4 to 6 in DoP&T O.M. dated 10.2.2000, it has been stated that where a person is appointed on direct recruitment/transfer basis from another post in the same grade, then past regular service as well as past promotions, in the earlier post, will be counted for computing regular service for the purpose of ACPS in the new hierarchy. The reason being that so long as service is in the same scale during the period in question, it is immaterial whether he has been holding different posts in the same scale. However, if the appointment is made to a post in a higher grade, then such appointment, whether by direct recruitment or by transfer or initially on deputation followed by absorption, will be treated as direct recruitment and past service/promotion (which was in a different scale) will not be counted</p> <p>In the case where a person is appointed to an ex-cadre post in higher scale initially on deputation followed by absorption, while the service rendered in the earlier post, which was in a lower scale can not be counted, there is no objection to the period spent initially on deputation in the ex-cadre post prior to absorption being counted towards regular service for the purposes of grant of financial upgradation under ACPS as it is in the same scale of pay and same post.</p>
37.	Whether it is necessary to have SC/ST members in the Screening Committees set up for grant of ACPS?	As clarified <i>vide</i> condition no. 12 of ACP Scheme (<i>vide</i> DoP&T O.M. dated 9.8.1999), reservation orders/roster shall not apply to the ACP Scheme. Consequently, it is not necessary to have an officer from SC/ST communities on the Screening Committee constituted for deciding the suitability of the employee for

		upgradations under ACPS.
38.	<p>A person has refused a vacancy-based promotion offered to him prior to his becoming eligible for financial upgradation under ACPS, on personal grounds. Will he be eligible for financial upgradation under ACPS?</p> <p>A person had refused a regular promotion for personal reasons. He has since completed 24 years' of service. Will he be entitled for 2nd financial upgradation?</p>	<p>The ACP Scheme has been introduced to provide relief in cases of acute stagnation where the employees, despite being eligible for promotion in all respects, are deprived of regular promotion for long periods due to non-availability of vacancies in the higher grade. Cases of holders of isolated posts have also been covered under ACPS, as they do not have any promotional avenues. However, where a promotion has been offered before the employee could be considered for grant of benefit under ACPS but he refuses to accept such promotion, then he cannot be said to be stagnating as he has opted to remain in the existing grade on his own volition. As such, there is no case for grant of ACPS in such cases. The official can be considered for regular promotion again after the necessary debarment period.</p> <p>In the second case also, since in terms of condition No. 10 of the ACPS, on grant of ACPS, the employee shall be deemed to have given his unqualified acceptance for regular promotion on occurrence of vacancy, the officer will have to give in writing his acceptance of the regular promotion when offered again after the debarment period before he can be considered for grant of second financial upgradation under ACPS.</p>
39.	<p>An employee is appointed to a lower grade as a result of unilateral transfer on personal request in terms of FR 15(2). Will the period of service rendered in the higher post count for the purposes of ACPS?</p>	<p>Condition no. 14 of the ACPS (DoP&T O.M. dated 9.8.1999), inter-alia, states that in case of transfer including unilateral transfer on request, regular service rendered in previous organisation shall be counted along with regular service in the new organisation for the purposes of getting financial upgradation under the Scheme. This condition covers cases where a unilateral transfer is to a lower</p>

		<p>post. However, financial upgradations under the ACPS shall be allowed in the hierarchy of the new post.</p>
<p>40.</p>	<p>An employee drawing pay in the scale of Rs.800-1150 (pre-revised) was declared surplus and was re-deployed as Peon in a Ministry through the Surplus Cell in the scale of Rs.750-940 (pre-revised). However, he was allowed to draw pay in the scale of Rs.800-1150 as personal to him even after redeployment in the lower grade. What shall be his entitlements under ACPS?</p>	<p>As the employee has remained in the scale of Rs.800-1150 all along and has not availed any promotion, he is entitled to two financial upgradations in a scale higher than Rs.800-1150 (pre-revised) irrespective of the post actually held after redeployment. Since in the Ministry, a Group 'D' employee is eligible for promotion to the grade of LDC provided he is a matriculate and as a post in the scale of Rs.825-1200 (S-4) is not in the normal hierarchy in the Secretariat, such an employee can be considered for two financial upgradations in the grades of LDC and UDC provided he is a matriculate. Otherwise he will get only one financial upgradation in the revised scale of Rs.825-1200 (Rs.2750-4400 revised). Cases of other persons re-deployed to lower posts through the Surplus Cell may also be regulated accordingly.</p>
<p>41.</p>	<p>A cadre consists of 4 Grades - 'A', 'B', 'C' and 'D' (in ascending order). Upon restructuring of a cadre, Grade 'B' is abolished from a date subsequent to 9.8.1999. Employees recruited in Grade 'A', who are eligible for financial upgradation on or after 9.8.1999 but before the date of effect of restructuring, get first/second financial upgradation in Grade 'B' and Grade 'C' respectively but those who become eligible for financial upgradation after the restructuring has been effected are entitled to first financial upgradation in Grade 'C' and second financial upgradation in Grade 'D'. This is anomalous. The cases of earlier set of employees should be reviewed and they may be allowed financial upgradations</p>	<p>The benefit of ACP Scheme is to be allowed as per the hierarchy existing, as on the date the employees become eligible for financial upgradation under ACPS. . Cadres/hierarchical structures are never static and are always subject to review based on recommendations of Pay Commissions/Expert Committees or otherwise and it is not possible to review the entitlements under ACPS already earned every time a cadre is reviewed. ACPS is only a temporary solution to provide relief to stagnating employees and the lasting solution for stagnation lies in review of cadre structures, as regular promotions will be earned in such restructured grades. All the employees will benefit from such cadre restructuring.</p>

	as applicable to the latter category of employees.	
42.	An employee in Grade 'A' is eligible for promotion simultaneously to Grades 'B', 'C' and 'D' (in ascending order) with varying requirements of length of service in the present grade. In other words, he has multiple channels of promotion. What shall be his eligibility under the ACP?	Provisions in the existing Recruitment Rules in various organisations providing for multiple channels for promotion are not consistent with the guidelines on framing of the Recruitment Rules. All such Rules should be reviewed immediately so as to provide only a single channel of promotion. However, till such a review is undertaken, the first financial upgradation in such cases shall be allowed with reference to the lowest promotional Grade which is Grade 'B' If he does not earn any promotion in 24 years, his second financial upgradation will be as per the hierarchy of Grade 'B'. However, if he has already earned one regular promotion, then his second financial upgradation shall be as per the hierarchy of the Grade to which he has been promoted.
43.	Whether service rendered in an autonomous body/statutory body/ State Government prior to appointment in Central Government as a direct recruit prior to appointment in the Central Government will be counted while computing regular service for the purpose of grant of financial upgradations under the ACP Scheme?	ACP Scheme is applicable to Central Government Civilian employees and for the purpose of financial upgradations under the ACP Scheme, only the regular service rendered after regular appointment in a Central Government civilian post is to be counted. Therefore, service rendered in an autonomous body/statutory body/State Government is not to be counted for the purpose. Correspondingly, promotions earned in these bodies prior to appointment in the Central Government are also to be ignored. The clarification in reply to point of doubt no. 4 to 6 in DoP&T O.M. dated 10.2.2000 providing for counting of past service in another organisation in the same grade is only in relation to past service in a civilian post held in the Central Government.
44.	On the basis of recommendations of the Fifth Central Pay	In reply to point of doubt No. 10 in DoP&T O.M. dated 10.2.2000, it has

Commission, a uniform pay structure has been introduced for Stenographers in the non-Secretariat organisations whereby the posts have been distributed in the ratio of 40:40:20 in the grades of Stenographer Grade-III (Rs.4000-6000), Stenographer Grade-II (Rs.5000-8000) and Stenographers Grade-I (Rs.5500-9000) However, in a particular non-Secretariat organisation, there is only an isolated post of Stenographer in the scale of Rs.4000-6000. Will he be entitled to financial upgradations in the scale of Rs.4500-7000 and Rs.5000-8000 as per Annexure II to O.M. dated 9.8.1999 or can he be allowed financial upgradations in the grades of Stenographer Grade-II and Stenographer Grade-I ?

been stated that the scales of pay for ACPS for isolated posts shall be same as those applicable for similar posts in the same Ministry/Department/Cadre except where the Pay Commission has recommended specific pay scales for mobility under ACPS. Such cases may be specifically examined by respective Ministries/Departments in consultation with the Department of Personnel and Training. In the case of remaining isolated posts, the pay scales contained in Annexure-II of O.M. dated August 9, 1999 shall apply. Thus, hierarchy in Annexure-II of O.M. dated August, 9, 1999 applies where Pay Commission has not made any specific recommendation regarding scales to be allowed under the ACPS and where it is not possible to identify similar posts in same organisation. In the case of stenographers in non-Secretariat organisations, which is a common category post, the Pay Commission has recommended a uniform grade structure for which has been accepted by the Government. Since the isolated post of Stenographer in scale of Rs.4000-6000 in a subordinate office is comparable to corresponding posts of Stenographer Grade-III in other non-Secretariat organisations under the same Ministry, the uniform pay (grade) structure for Stenographers may be adopted for the purpose of allowing financial upgradations to the said isolated post. In the instant case of an isolated post of Stenographer (Rs.4000-6000) in a non-Sect organisation, first and the second financial upgradations may be allowed in the scales of Rs.5000-8000 (Steno Grade-II) and Rs.5500-9000 (Stenographer Grade-I) respectively provided he is otherwise eligible. A similar approach can be adopted in respect of all other isolated posts belonging to common categories for which Pay Commission has similarly

		<p>recommended a uniform grade structure which has been accepted and notified in part 'B' of the Ministry of Finance notification dated September 30, 1997 or agreed to by the Government subsequently. If such an isolated post is in a Central Ministry/Department, then the structure as recommended and accepted for similar common category posts in the Central Ministry/ Department may be adopted. If the isolated post is in a non-Secretariat organisation, then the uniform hierarchy as recommended for similar posts in the non-Secretariat organisations may be followed.</p>
45.	<p>In certain organisations, an employee after his selection on direct recruitment basis or even on promotion is required to undergo an induction training before he is given a functional post. Whether such induction training shall count towards the eligibility service for ACPS?</p>	<p>If under the relevant Recruitment/Service Rules, the induction training counts towards eligibility service for regular promotion, the same will also be counted towards the 12-years/24 years residency period/regular service required for financial upgradations under ACP Scheme.</p>
46.	<p>A person is working in the immediate promotional grade on ad-hoc basis. Is he eligible for financial upgradation under the ACP Scheme? Will his pay be refixed.?</p>	<p>An ad-hoc promotion is made only in an exigency of work where the post cannot be kept vacant and such appointment is to be discontinued as soon as a regular incumbent is appointed. In terms of existing guidelines, continuation of such arrangement beyond one year is also subject to prior concurrence of DoP&T. Thus such an employee can be reverted to the original regular post at any moment. Therefore, case of an employee holding the higher promotional grade/any other post on ad-hoc basis, for grant of financial upgradation under ACPS cannot be ignored. Upon being recommended for grant of financial upgradation in the higher grade, his pay may be refixed with reference to the pay drawn in the</p>

		<p>post held on regular basis under FR 22 (I)(a)(i) subject to a minimum benefit of Rs. 100 as per the provisions of the ACPS. If, on pay fixation under ACPS, the pay gets fixed at a stage higher than the pay already drawn on ad-hoc basis, he may be allowed such higher pay.</p>
47.	<p>An employee was allowed promotion in a higher grade in terms of the Ministry of Finance O.M No. 10(1)/E.III/88 dated September 13, 1991. However, on introduction of ACPS, the benefit of the said O.M. is to be withdrawn so as to allow the benefits under the ACPS in terms of the stipulation that no time bound promotion/insitu promotion scheme can run concurrently with the ACPS. Will the benefit of higher grade drawn prior to 9.8.1999 will also be withdrawn?</p>	<p>No. It will only be a switchover from the existing scheme to the ACP Scheme as on 9.8.1999. While determining his entitlements under ACPS on or after 9.8.1999, pay benefits already drawn upto 9.8.1999 in the higher grade allowed under the Scheme of September 13, 1991 are not to be recovered.</p>
48.	<p>Whether sealed cover procedure as laid down <i>vide</i> DoP&T O.M. No. 22011/4/91-Estt (A) dated 14.9.1992 is to be followed in cases relating to ACP also?</p>	<p>Yes. Condition no. 11 of the ACP Scheme issued <i>vide</i> DoP&T O.M. dated 9.8.1999 clearly states that in the matter of disciplinary/penalty proceedings, grant of benefits under the ACP Scheme shall be subject to rules governing normal promotion. Therefore, when the employee is exonerated, the recommendations of the Screening Committee placed in a sealed cover will be opened and its recommendations acted upon. If he has been recommended for grant of financial upgradation, the benefit of the same will be allowed from 9.8.1999 or from the date of completion of 12/24 years regular service, whichever is later. If, however, the employee is not exonerated and a formal penalty is imposed, sealed cover will not be opened and the case of employee will be considered only in the next meeting of the Screening Committee. If such Screening Committee, having regard to</p>

		<p>all relevant facts, recommends grant of financial upgradation, then such upgradation shall be allowed only on expiry of the period of penalty and not during the currency of the penalty. If penalty imposed is Censure or recovery of loss to the Government, then such upgradation shall be allowed from the date of meeting of the Screening Committee which met to consider his case subsequent to imposition of penalty. The next financial upgradation shall be allowed only on completion of 12 years regular service from the date from which the first upgradation under the ACP is allowed and not necessarily on completion of 24 years of service.</p>
<p>49.</p>	<p>Whether any period(s) of break-in-service under FR 17A declared during the career of an employee will have any adverse effect on his getting financial upgradation under the ACP Scheme?</p>	<p>Break in service under FR 17A incurs only 3 specific disabilities as specified in the relevant FR. It does not affect the normal regular promotions. Consequently, it will have no effect on financial upgradation under the ACP Scheme.</p>
<p>50.</p>	<p>Whether temporary service in respect of a person who was declared surplus and redeployed through the Surplus Cell will be counted with the subsequent regular service in the new Organisation for purposes of the ACP Scheme. What will be the position in respect of those temporary employees who at the time of retrenchment did not possess the required service to be taken on the rolls of Surplus cell and were terminated but were offered fresh appointment in a new organisation through the efforts of the parent Ministry/Department.</p>	<p>If the redeployment through the Surplus Cell is in the same/lower scale, such temporary service (and not an ad-hoc service) rendered prior to retrenchment may count towards regular service for purposes of ACPS in the new organisation. If the redeployment is in a higher grade, regular service will count only from the date of appointment in the new Organisation. However, this will not cover cases of those temporary employees who had put in less than the required length of service for being taken on the strength of the Surplus Cell and whose temporary service was terminated but were given preference in fresh appointment in the Government in terms of DoP&T O.M. dated 27.3.1976/29.6.78 read with DoP&T O.M. dated 22.1.1993. In their case, the past temporary service</p>

		before retrenchment shall not count towards residency period for grant of ACPS
51.	Whether work charged staff is eligible to be covered under the ACPS?	If, in the matter of service conditions, work charged staff is comparable with the staff of regular establishment, there is no objection in extending the ACP Scheme to the work charged staff.
52.	Following the recommendations of the Pay Commission, feeder and promotional posts have been placed in the same scale. Consequently, hierarchy of a post comprises of Grades 'A', 'A' and 'C' i.e. the entry level and the first promotional grade are in the same scale. What shall be his entitlements under ACPS.	Normally, it is incorrect to have a feeder grade and a promotional grade in the same scale of pay. In such cases, appropriate course of action is to review the cadre structure. If as a restructuring, feeder and promotional posts are merged to constitute one single level in the hierarchy, then in such a case, next financial upgradation will be in the next hierarchical grade above the merged levels and if any promotion has been allowed in the past in grades which stand merged, it will have to be ignored as already clarified in reply to point of doubt No. 1 of O.M. dated 10.2.2000. However, if for certain reasons, it is inescapable to retain both feeder and promotional grades as two distinct levels in the hierarchy though in the same scale of pay, thereby making a provision for allowing promotion to a higher post in the same grade, it is inevitable that benefit of financial upgradation under ACPS has also to be allowed in the same scale. This is for the reason that under the ACPS, financial upgradation has to be allowed as per the 'existing hierarchy'. Financial upgradation cannot be allowed in a scale higher than the next promotional grade. However, as specified in condition No 9 of the ACP Scheme (vide DoP&T O.M. dated 10.2.2000, pay in such cases shall be fixed under the provisions of FR 22 (I)(a) (I) subject to a minimum benefit of Rs.100.
53.	If for promotion on regular basis,	In terms of condition No. 6 of,

	<p>an employee has to possess a higher/ additional qualification, will it be necessary to insist on possession of these qualifications even while considering grant of financial upgradation under the ACPS?</p>	<p>Annexure-I to DoP&T O.M. dated 9.8.1999, only those employees who fulfill all promotional norms are eligible to be considered for benefit under ACPS. Therefore, various stipulations and conditions specified in the recruitment rules for promotion to the next higher grade, including the higher/additional educational qualification, if prescribed, would need to be met even for consideration under ACPS.</p>
54.	<p>Whether EOL without medical certificate will count for computing regular service under ACPS</p>	<p>Unless the counting of such leave or any other kind of leave is specifically excluded under relevant rules governing promotions for being counted towards regular service for promotion (e.g. in some cases of promotions under Flexible Complementing Scheme), all kinds of leave including EOL without medical grounds normally counts towards regular service for promotion. EOL without medical grounds will be similarly treated while computing regular service for purposes of grant of financial upgradation under ACPS.</p>
55.	<p>A cadre has been restructured with proper sanction but the recruitment rules for the restructured grades are still to be framed. Whether the individuals be granted financial upgradation in the existing hierarchical order or in the revised hierarchical order introduced subsequently</p>	<p>Financial upgradation under ACP Scheme is to be allowed under the hierarchy existing as on 9.8.1999 or at the time one becomes eligible, which ever is later. Since a new hierarchy has come into being, financial upgradations may be allowed only in the restructured hierarchy. If model Recruitment Rules exist for such restructured grades, then Screening Committee may review cases on the basis of such model Rules? Otherwise, ACPS may be allowed after finalisation of Recruitment Rules but the benefit may be allowed from the due date.</p>
56.	<p>The Fifth Central Pay Commission has identified a number of common category posts spread across various Ministries/</p>	<p>Financial upgradations under ACPS are to be allowed in the 'existing hierarchy'. However, in reply to point of doubt No. 2, it has already been</p>

Departments as well as in Offices outside the Secretariat as discussed in chapter 55 of its report and also in other Chapters and has made recommendations for adoption of uniform grade/cadre structure subject to functional needs of an individual organisation. In a large organisation, all the hierarchical levels as per uniform cadre/grade structure may be created while in a smaller office, a few levels of the uniform hierarchical structure may not be introduced keeping in view the functional needs of the organisation. Consequently, while in a larger organisation/cadre, promotions are allowed in consecutive hierarchical grades, in a smaller cadre, promotions involve substantial jumps though in such cases, the requirement of period of regular service in the feeder grade as specified in the Recruitment Rules may be longer. Since, under ACPS, the requirement of longer regular service in the feeder grade for promotion to such higher levels is not reckoned while considering financial upgradations, it results in a situation where persons belonging to common category and recruited at same time in same entry grades are entitled to financial upgradations in vastly different grades under ACPS. Is it not anomalous?

clarified that existing hierarchy in relation to a cadre would mean the restructured grades recommended by the Fifth Central Pay Commission. Further, as an example, in reply to point of doubt no. 19, it has been stated that in order to secure upward mobility of library staff under the ACPS, it has been decided to adopt the pay structure as notified by the Ministry of Finance vide O.M. dated July 24, 1990 subject to the terms and conditions specified by them. Therefore, the ACPS already envisages that in respect of common category posts, if the Government has accepted a uniform standard hierarchical structure, then 'existing hierarchy' in relation to such common categories shall be the standard hierarchy as approved by the Government and not the hierarchy in a particular office, which, for functional considerations may not have all the grades. If such financial upgradations are allowed keeping purely such local hierarchy in view, it will result in vast disparities in entitlements under ACPS for identical category of posts which cannot be justified. It has the potential of generating huge disquiet and unrest, which will not be in public interest.

If, however, the Fifth Central Pay Commission has recommended a specific pay structure/ACP grades for a particular category in an organisation, which may seemingly belong to a common category, then the mobility under ACPS in respect of such specific posts in that organisation shall be through the grade structure/ACPS grades recommended for that organisation, if the same has been approved by the Government, and not the standard grade/hierarchical structure recommended for such

		common category.
57.	Whether an employee who has not been recommended for grant of financial upgradation under ACPS by a Screening Committee can be considered by the next Screening Committee to be held in the other half of the year or one held only on expiry of one year?	<p>In para 6 of DoP&T O.M. dated 10.2.2000, it has been provided that the Screening Committee shall meet twice in a financial year – preferably in the first week of January and July for advance processing of the cases maturing in the respective half of the financial year concerned. Normally, a case, once considered, should be reviewed only in the Screening Committee to be held after one year. However, if an additional ACR report has become available in respect of such an employee before cases are processed for placing the other cases before the Screening Committee to be held in the second half, or if there is any other development which makes a material change in the matter of assessment from the position obtaining when the case was considered earlier by the Screening Committee, there is no objection to the case of such employee being considered in the subsequent Screening Committee to be held in the other half of the year. As regards date of effect for grant of ACPS in such cases, it is clarified that ACPS is applicable on 9.8.1999 or from date of completion of 12/24 years of regular service only in those cases where the employee is found fit for grant of ACPS at the first opportunity. If, however, he is found suitable only by a subsequent Screening Committee, the benefit of ACPS will be allowed to him only from the date of meeting of the Screening Committee in which he is recommended for grant of ACP. If the first financial upgradation is deferred in this manner, the second financial upgradation shall be allowed only after completion of 12 years of regular service from the date of first financial upgradation subject to fulfillment of the prescribed conditions. In this regard condition no. 4 of the</p>

		Scheme is relevant.
58.	<p>(i) An Inspector in a CPO in the pay scale of Rs.6500-10500 is entitled to benefits like Ration Allowance, Washing Allowance, Leave encashment for working on holidays, bonus etc. Some of these benefits are not admissible to incumbents of posts in the grade of Assistant Commandant (Rs.8000-13,500). Will the Inspector continue to get these benefits upon grant of financial upgradation in the grade of Assistant Commandant.</p> <p>(ii) Officers in the higher promotional grade are entitled to facilities like telephone at residence, reimbursement of cost of newspaper/magazines, which are not admissible to feeder grade post holder. Which such facilities are available when feeder grade holder is allowed financial upgradation under Caps in the grade of higher promotional post.</p>	<p>ACPS only allows financial upgradation and cannot be equated with regular promotion though normal promotion norms are insisted for grant of this financial upgradation. Even after grant of financial upgradation which is allowed as personal to the employee, he continues to hold the original post on regular basis, with same designation, classification, duties and responsibilities etc. In other words, except being allowed to draw pay in a higher grade the employee continues to be regular incumbent of the post to which he has been selected on regular basis as per the Recruitment Rules.</p> <p>Therefore, if there are certain perks and benefits, which are applicable to an employee as a result of his holding a particular post, the same will continue to be available to him, notwithstanding the fact that he may be placed in a higher grade on personal basis under ACPS. On the same analogy in the second case, except the entitlements like higher advance, HBA etc. which are linked to pay scale rather than status of the higher post, no privileges related to status of the higher post will be applicable in the event of grant of financial upgradation in the grade of the higher post. This has been clarified in condition No. 6 of the ACP Scheme introduced <i>vide</i> O.M. dated 9.8.1999 also.</p>
59.	Where the Strength of Staff Car Drivers is not sufficient to introduce the Staff Car Driver Scheme notified by DoP&T, or where the organisation consciously decides to opt for the ACPS, how is the ACP to be regulated in case of such Staff Car Drivers.	As in the case of Stenographers discussed in point of doubt No. 44 above, Staff Car Drivers in such organisations may be allowed financial upgradations in the scales as applicable under the Staff Car Driver Scheme on completion of 12/24 years of regular service subject to passing of the trade tests as specified in the Scheme. However, where the Staff Car

		Driver Scheme is applicable, ACPS is not applicable.
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