

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
February 10, 2000

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). Consequent upon introduction of the Scheme, clarifications have been sought by various Ministries/Departments about certain issues in connection with implementation of the ACPS. The doubts raised by various quarters have been duly examined and point-wise clarifications have accordingly been indicated in the Annexure.

2. The ACP scheme should strictly be implemented in keeping with the Department of Personnel and Training Office Memorandum of even number dated August 9, 1999 read with the aforesaid clarifications (Annexure). ***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.

(K.K. JHA)
Director(Establishment)

To

1. All Ministries/Departments of the Government of India
2. President's Secretariat / Vice President's Secretariat / Prime Minister's Office / Supreme Court / Rajya Sabha Secretariat / Lok Sabha Secretariat / Cabinet Secretariat / UPSC / CVC / C&AG / Central Administrative Tribunal (Principal Bench), New Delhi
3. All attached/subordinate offices of the Ministry of Personnel, Public Grievances and Pensions
4. Secretary, National Commission for Minorities
5. Secretary, National Commission for Scheduled Castes/Scheduled Tribes
6. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
7. All Staff Side Members of the National Council (JCM)
8. Establishment (D) Section - **1000 copies**

ANNEXURE

[Reference:-Office Memorandum No.35034/1/97-Estt(D)(Vol.IV) dated 10.2.2000]

S.No.	Point of doubt	Clarification
1.	<p>Two posts carrying different pay scales constituting two rungs in a hierarchy have now been placed in the same pay-scale as a result of rationalisation of pay-scales. This has resulted into change in the hierarchy in as much as two posts which constituted feeder and promotion grades in the pre-merged scenario have become one grade. The position may be clarified further by way of the following illustration: prior to the implementation of the Fifth Central Pay Commission recommendation, two categories of posts were in the pay-scales of Rs.1200-1800 and Rs.1320-2040 respectively; the latter being promotion post for the former. Both the posts have now been placed in the pay-scale of Rs.4000-6000. How the benefits of the ACP Scheme is to be allowed in such cases?</p>	<p>Since the benefits of upgradation under ACP Scheme (ACPS) are to be allowed in the existing hierarchy, the mobility under ACPS shall be in the hierarchy existing after merger of pay-scales by ignoring the promotion. An employee who got promoted from lower pay-scale to higher pay-scale as a result of promotion before merger of pay-scales shall be entitled for upgradation under ACPS ignoring the said promotion as otherwise he would be placed in a disadvantageous position vis-à-vis the fresh entrant in the merged grade.</p>
2.	<p>Some employees have been allowed selection grade/in-situ promotions though these grades are not a part of the defined hierarchy. Whether this is to be considered as promotion for the purpose of ACPS? Also, what will be the situation if selection grade has been allowed in lieu of higher pay-scale?</p>	<p>Mobility under ACPS is to be allowed in the 'existing hierarchy'. As such, if any selection grade/in-situ promotion has been allowed to employees which is not a part of the hierarchy, it shall not be counted as promotion for the purpose of ACPS. For illustration sake, junior engineers of CPWD appointed in the grade Rs.5000-8000/- are allowed the scale of Rs.5500-9000/- on completion of five years of regular service and the scale of Rs.6,500-10,500/- on completion of fifteen years of regular service. The scale of Rs.5500-9000/- is not a part of the defined hierarchy for them. In such cases,</p>

		<p>the pay-scale which is not a part of the hierarchy may be treated to have been withdrawn. However, fall in pay resulting out of this shall be protected by granting personal pay in the aforesaid direct entry grade to be adjusted against future increments. Moreover, as per Condition No.13 of ACPS, such existing (previous) schemes would be discontinued with the adoption of ACPS. However, in the case of common category of posts, the existing hierarchy in relation to a cadre would mean the restructured grades recommended by the Fifth Central Pay Commission.</p>
3.	<p>An isolated post of Jeep Driver in the pay-scale of Rs.3050-4590 has been allowed in-situ promotion in the grade of Rs.4000-6000 whereas as per Annexure-II of the O.M. dated 9.8.1999 next scale is Rs.3200-4900. What should be the grade allowed under ACPS? Similarly, Despatch Rider in the pre-revised pay-scale of Rs.950-1400 and staff car driver in the pre-revised scale of Rs.950-1500 have been allowed revised pay-scale of Rs.3050-4590. What should be the benefit under ACPS?</p>	<p>In such isolated cases option should be either to follow the promotion scheme as formulated vide DoP&T O.M No.22036/1/92-Estt(D) dated 30.11.1993 read with O.M No.35034/3/97-Estt(D) dated 1.6.1998 or to grant benefits to the incumbents of such isolated post on a dynamic basis as per Condition No.7 of ACPS.</p>
4.	<p>In a case where a person is appointed to a post on transfer (absorption) basis from another post, whether 12 years and 24 years of service for the purpose of ACPS will count from the initial appointment or otherwise.</p>	<p>The benefits under ACPS are limited to higher pay scale and do not confer designation, duties and responsibilities of the higher post. Hence, the basic criterion to allow the higher pay scale under ACPS should be whether a person is working in the same pay scale for the prescribed period of 12/24 years. Consequently, so long as a person is in the same pay scale during the period in question, it is immaterial whether he has been holding different posts in the same pay scale. As such, if a Government servant has been appointed to another post in the same pay scale either as a direct recruit or on</p>
5.	<p>Whether a Government servant, who is direct recruit in one grade and subsequently joins another post again as direct recruit, is eligible for first financial upgradation under ACPS after completion of 12 years of service counted from</p>	

	the first appointment or from the subsequent second appointment as direct recruit?	absorption (transfer) basis or first on deputation basis and later on absorbed (on transfer basis), it should not make any difference for the purpose of ACPS so long as he is in the same pay scale. In other words, past promotion as well as past regular service in the same pay scale, even if it was on different posts for which appointment was made by different methods like direct recruitment, absorption (transfer)/ deputation, or at different places should be taken into account for computing the prescribed period of service for the purpose of ACPS. Also, in case of absorption (transfer)/deputation in the aforesaid situations, promotions earned in the previous/present organisations, together with the past regular service shall also count for the purpose of ACPS. However, if the appointment is made to higher pay-scale either as on direct recruitment or on absorption (transfer) basis or first on deputation basis and later on absorbed (on transfer basis), such appointment shall be treated as direct recruitment and past service/promotion shall not count for benefits under ACPS.
6.	An employee appointed initially on deputation to a post gets absorbed subsequently, whether absorption may be termed as promotion or direct recruitment. What will be the case if an employee on deputation holds a post in the same pay-scale as that of the post held by him in the present cadre? Also, what will be the situation if he was holding a post in the parent cadre carrying a lower pay-scale?	Needless to say, in cases of transfer on administrative ground, involving only change of station within the same department, the service rendered in the same grade at two stations may count for ACPS, as such transfers are within the same organisation, ordered generally for administrative/personal considerations and the service rendered in the earlier station counts as eligibility service for promotion.
7.	Whether the instructions on ACPS are applicable to the employees working in the instrumentalities like autonomous/ judicial / statutory bodies? Similarly, whether the orders are applicable to the employees working in industries governed by certified	ACPS is applicable only to Central Government civilian employees and, as such, does not get automatically extended to autonomous/statutory bodies. A conscious decision in this regard shall have to be taken by the governing body/competent authority/ organisation concerned. In relation to others, specific cases shall be examined in consultation

	standing orders, Factories Act and Industrial Disputes Act, etc?	with the Department of Personnel and Training.
8.	Appointment on the basis of limited departmental examination by which an employee joined a new service should be treated as promotion or not. For example, in case of Group-D employees appointed as LDCs or Grade-D stenographers appointed from amongst LDCs should be treated as direct recruits or not in the respective higher grades.	If the relevant Recruitment Rules provide for filling up of vacancies of Stenographers Grade 'D'/Junior Stenographers by direct recruitment, induction of LDCs to the aforesaid grade through Limited Departmental Competitive Examination may be treated as direct recruitment for the purpose of benefit under ACPS. However, in such cases, service rendered in a lower pay-scale shall not be counted for the purpose of benefit under ACPS. The case of Grade 'D' employees who become LDCs on the basis of departmental examination stand on different footing. In their case, relevant Recruitment Rules prescribe a promotion quota to be filled up on the basis of departmental examination. Therefore, such appointments shall be counted as promotion for the purpose of ACPS. In such situations, past regular service shall also be counted for further benefits, if any, under the Scheme.
9.	A merged pre-revised pay-scale of Rs.775-1150 was allowed to Group-D employees as a result of an agreement with the Staff Side in the National Council of JCM. Those Group-D employees drawing Rs.1030/- (pre-revised) or above as basic pay have been allowed S-3 (revised) (Rs.2650-4000/-) and those drawing less have been allowed S-2 (revised) (Rs.2610-3540/-). The replacement scales of Rs.2610-3540/- and Rs.2650-4000 should be treated as one. Since S-4 (revised) (Rs.2750-4400/-) does not operate in the Central Secretariat, Group 'D' employees should be given second upgradation in S-5 i.e. Rs.3050-4590/-.	The issue of demerger of the integrated pay-scale of Rs.775-1150/- is already under consideration of the National Anomaly Committee. It has not been agreed either to treat the promotion to S-2 and S-3 as one or for merging the pay-scales. As the merger of the pay-scales earlier was as a result of an agreement only with a view to provide certain relief to the stagnating employees, it cannot, in itself, be the ground for allowing additional benefits. As such, an employee inducted in S-1 and now placed in S-2 shall be allowed one more upgradation i.e. in S-3 under ACPS. An employee inducted in S-1 and now placed in S-3 shall not be allowed any further upgradation as he has already availed of two financial upgradations.

<p>10.</p>	<p>For isolated posts, the scale of pay for ACPS as recommended by the Pay Commission may be implemented and not the standard/ common pay-scales indicated vide Annexure-II of the Office Memorandum dated August 9, 1999.</p>	<p>For isolated posts, the scales of pay for ACPS shall be the 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 specific cases may be 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 the Office Memorandum dated August 9, 1999 (ACPS) shall apply.</p>
<p>11.</p>	<p>In the case of an employee appointed on ad-hoc basis and who is subsequently regularised, the ad-hoc service is counted towards increment. Whether the ad-hoc service may be counted for the ACPS also?</p>	<p>No. In terms of para 3.2 of the Office Memorandum dated August 9, 1999 (ACPS), only regular service which counts for the purpose of regular promotion in terms of relevant Recruitment/Service Rules shall count for the purpose of upgradation under ACPS.</p>
<p>12.</p>	<p>When an employee in Group-C scale is given financial upgradation in Group-B scale, whether it shall have the approval of the authority competent to appoint persons in the upgraded scale.</p>	<p>While the Scheme provides for only financial upgradations to an individual and not the upgradation of the post held by him, the classification of the post held by the officer should be with reference to the scale of pay of the post held by Government servant on regular basis and not with reference to the higher scale of pay granted to the Government servant on upgradation under ACPS. However, upgradation under ACPS may be allowed with the approval of the authority competent to make an appointment in the upgraded scales/grades.</p>
<p>13.</p>	<p>Whether ex-servicemen who have been re-employed after giving relaxation in age and educational qualifications prescribed in relevant Recruitment/Service Rules for particular post as direct recruit are to be allowed ACP benefits on completion of 12/24 years of service after re-employment in civilian post?</p>	<p>Yes. The ACPS is meant for the Central Government civilian employees. As such, ex-servicemen, re-employed as civilian employee, shall be entitled for upgradation under the Scheme on completion of 12/24 years of service after direct recruitment in the civil employment. Also, such category of persons would already be drawing pension on the basis of their service in the armed forces.</p>

<p>14.</p>	<p>An employee gets first promotion after 20 years of regular service. In terms of relevant Recruitment/Service Rules, required eligibility service is 8 years for the next promotion, whether upgradation under ACPS is to be allowed on completion of 24 years of service from direct recruitment i.e four years after the first promotion or on completion of 8 years of regular service after first promotion as per the Recruitment Rules.</p>	<p>Upgradations under the scheme are to be allowed on completion of 12/24 years of service counted from direct entry in the Government employment. If an employee gets first regular promotion on completion of 20 years of service, he will be entitled to second financial upgradation under ACPS on completion of 4 years of service after such first regular promotion, though the Recruitment/Service Rules prescribe higher length of regular service in the grade for next promotion.</p>
<p>15.</p>	<p>An employee who may have completed 29 years of service shall be entitled for two upgradations directly along with other employee who may have completed 24 years of service. This would create an anomaly in as much as 5 years of service of the former would get neutralised. Therefore, the upgradation could be allowed notionally from the date of completion of 12/24 years of regular service and actual financial benefit could be given from the date of meeting of the Screening Committee.</p>	<p>Since the Assured Career Progression Scheme can have only prospective application, it is not permissible to allow notional benefit with retrospective effect. This would not lead to anomaly in as much as an employee having longer years of service may get his pay fixed at a higher/same stage vis-à-vis an employee having lesser length of service.</p>
<p>16.</p>	<p>The relevant Recruitment/Service Rules prescribe departmental examination/skill test for vacancy based promotion. However, this need not be insisted for upgradation under ACPS.</p>	<p>As per the scheme (Condition No.6), all promotion norms have to be fulfilled for upgradation under the Scheme. As such, no upgradation shall be allowed if an employee fails to qualify departmental/skill test prescribed for the purpose of regular promotion.</p>
<p>17.</p>	<p>An employee who has completed 24 years of service is to be allowed two upgradations directly. What will be the mode of fixation of pay of the employee?</p>	<p>The following illustration shall clarify the doubt: An incumbent in the pay-scale of Rs.4000-6000/- (S-7) has put in 24 years of regular service without a regular promotion. The incumbent shall be allowed two upgradations i.e. to S-8 and S-9. His pay shall first be fixed in S-8 and</p>

		then in S-9. Pay fixation directly from S-7 to S-9 shall not be allowed.
18.	If special pay has been allowed in lieu of separate pay-scale, whether this should be treated as promotion for the purpose of ACPS and also whether the special pay is to be taken into account while fixing the pay under ACPS?	<p>Special pay allowed shall not be counted as promotion for the purpose of ACPS. Also, the special pay drawn in the lower post, in lieu of a higher pay-scale shall be taken into account for fixation of pay under ACPS subject to the fulfillment of the following conditions as laid down vide Ministry of Finance Office Memorandum No.6(1)-E.III(B)65) dated 25.2.1965, reproduced as Government's decision No.32 under Appendix-8 of FR/SR(Part-1) (Thirteenth Edition):-</p> <p>(i)The special pay in the lower post should have been granted in lieu of separate higher scale (i.e. special pay granted to Steno-typist, Clerk-in-charge, etc.)</p> <p>(ii)If the special pay has been drawn in the lower post continuously for a minimum period of three years on the date of promotion, the pay in the higher post will be fixed under the normal rules, treating the special pay as part of the basic pay. In other cases, the pay in the time-scale of the higher post will be fixed under the normal rules, with reference to the basic pay drawn in the lower post (excluding the special pay); where this results in drop in emoluments the difference between the pay so fixed and the pay plus special pay drawn in the lower post will be allowed in the form of personal pay to be absorbed in future increases of pay.</p> <p>(iii)In both kinds of cases referred to in clause (ii) above, it should be certified that, but for the promotion, the Government servant would have continued to draw the special pay in the lower post.</p>

(19) Point of doubt

Based on the categorisation of Libraries, Ministry of Finance vide Office Memorandum No. 19(1)/IC/86 dated 24th July, 1990 have prescribed the following pay-scales for posts in libraries:-

Post Pay-scales Pay-scales (pre-revised) (revised)

Library and Information Assistant	1400-2600	5000-8000
Sr. Library and Information Assistant	1640-2900	5500-9000
Assistant Library and Information Officer	2000-3500	6500-10500
Library and Information Officer	3000-4500	10000-15200
Director (Library and Information)	4500-5700	14300-18300

In number of cases, depending on the work etc, there are only first two categories of posts in a library. What should be the channel for upward mobility under ACPS of the library staff in such cases?

Clarification

In order to secure uniformity in the upward mobility of the library staff under the ACPS, it has been decided to adopt the aforesaid pay-scales prescribed by the Ministry of Finance subject to the terms and conditions prescribed by them. Posts in the library, if held in different nomenclatures, may, as such, also be re-designated as per the said orders of the Ministry of Finance. However, grant of higher pay-scale under ACPS will, as per Condition No.6, not result in change in the designation etc of the beneficiary.

S.No.	Point of doubt	Clarification
20.	On upgradation under ACPS, pay of an employee shall be fixed under the provisions of FR 22(I)a(1). Whether an option for fixation of pay in the higher grade based on the date of increment may also be allowed?	Yes. The financial benefit allowed under ACPS shall be final and no pay fixation benefit shall accrue at the time of regular promotion. In other words, upgradation under ACPS shall be treated on par with regular promotion in so far as pay-fixation is concerned. Therefore, the option of pay-fixation in the next higher grade based on the date of increment may be allowed.
21.	In terms of DoP&T Office Memorandum No. 6(2)/23/77-Welfare dated 11th December, 1979, all posts in the canteen and tiffin room being run departmentally by the Government of India were treated posts in connection with the affairs of the Union. Subsequently, vide Office Memorandum No.12/3/92-Director[C] dated 16.9.92, canteen employees	The matter has been examined in consultation with Director(Canteen) and it has been decided that the benefits of ACPS shall be extended to the canteen employees by reckoning from the date of their initial appointment as direct recruit on regular basis as the crucial date for granting the 1st/2nd upgradations. Needless to say,

	<p>were declared as Central Government employees with effect from 1.10.1991. Whether canteen employees will be treated as Government employees with effect from 1.10.79 (the date from which they were declared as holders of civil posts) or with effect from 1.10.1991 for the purpose of granting of upgradations under ACPS?</p>	<p>upgradations shall be allowed only in those cases where promotions have not been made even after putting in 12/24 years of regular service counted in the manner indicated above.</p>
<p>22.</p>	<p>(a)Annexure-I of ACPS stipulates that if the first upgradation gets postponed on account of the employee not found fit or due to <u>departmental proceedings</u>, etc, this would have consequential effect on the second upgradation which would also get deferred accordingly. In other words, the employee who has been denied the first financial upgradation (meaning withholding of this benefit) would again be penalised even after having completed 24 years of regular service. This certainly is a case of double jeopardy and should not be inflicted.</p> <p>(b)Annexure-I of ACPS unnecessarily provides for deferment of second financial upgradation by the period for which an employee is <u>debarred from regular promotion</u> in the higher grade. In other words, it connects the second upgradation under ACPS with regular promotion to the 1st ACP grade. This is quite unwarranted as the schemes of ACP and regular promotions are to run concurrently and parallel to each other and should, therefore, not be connected in the manner it has been done. This condition may, therefore, be withdrawn.</p>	<p>In regard to deferment of grant of ACP benefits on account of disciplinary proceedings or refusal of promotion, it is mentioned that the ACPS in the matter has to follow the same pattern as that obtains in the case of regular promotion. The basic idea behind making this provision is that there shall be uniformity of treatment both in the case of ACPS and regular promotions. Moreover, the Government has already modified/moderated the Fifth Central Pay Commission recommendation that in case of refusal to accept regular promotion subsequently, the employee concerned should be reverted from the higher grade granted under ACPS. The Scheme adopted by the Government, as such, guards against this adverse effect and thereby has already brought about an improvement upon the Pay Commission recommendation in this regard.</p>
<p>23.</p>	<p>The administrative Ministry/Department, not the employees have been given option in the matter to choose between two</p>	<p>The ACPS has been introduced after consulting all concerned including the Staff Side in the National Council of JCM and with</p>

	<p>schemes, i.e. existing time-bound promotion scheme or the ACP Scheme. It is suggested that the said option should be exercised by the administrative Ministry/ Department after consulting the staff representatives in the forum of respective Departmental Councils.</p>	<p>the approval of the Cabinet. Hence, there is no need to associate the Staff Side while exercising the said preference by the administrative Ministry/Department concerned. However, their view point could be taken into account while exercising such preference. The Administration will, however, not be bound by it.</p>
24.	<p>(a) Appointment in LDC grade from Group 'D' should not be treated as promotion because LDC is not in the direct line of promotion for Group 'D' employees. Two services are altogether different. No Group 'D' employee can be appointed/promoted to a Group 'C' post like LDC etc who does not possess the educational qualifications prescribed in the Recruitment Rules. The Group 'D' employees have to satisfy certain minimum standards of selection and only then they are eligible for appointment to Group 'C' posts like LDC. Besides, Government have already agreed in the case of P&T Department not to treat appointment/promotion of Postman as Postal Clerk etc as promotion for the purpose of OTB. OTBP is given to such employees (Postman etc) after completing period of residency as Postal Clerk. The same decision may be made applicable to ACP as well.</p> <p>(b) A number of Group 'D' employees are appointed as Despatch Riders/Staff Car Drivers, Gestener Operators etc. Since these posts are not in the direct line of promotion for Group 'D' employees and are in the normal course meant to be filled by direct recruitment, such appointments should not be treated as promotion for ACPS.</p>	<p>(a) As already clarified in relation to item at S.No.8, in the existing arrangement, specified quota of LDC vacancies are filled by Group-'D' staff on the basis of Limited Departmental Competitive Examination. As such, post of LDC may be treated as promotion post under ACPS for Group 'D' staff.</p> <p>(b) The appointment of Group 'D' employees as Despatch Rider/Staff Car Driver is on transfer basis in a higher pay-scale. This point has already been clarified in relation to items at S.Nos.4, 5 and 6 above.</p>
25.	<p>An employee may be given second upgradation under ACPS as soon as he completes 12 years of regular</p>	<p>The periodicity of 12/24 years of regular service for grant of upgradations under ACPS cannot</p>

	<p>service from the date of his earlier promotion or as soon as he completes 24 years of regular service, whichever is earlier.</p>	<p>be relaxed. Grant of the first regular promotion prior to completion of 12 years of regular service from the direct entry grade shall have no bearing on the periodicity of the second upgradation under ACPS, which shall be granted only after completion of 24 years of regular service and only if the second regular promotion has not been earned in between.</p>
26.	<p>LDCs/UDCs in administrative offices of the Government of India are having over-lapping duties as well as over-lapping scales of pay. Both are inter-changeable. In fact, division in the duties is more artificial than real. Therefore, promotion of LDC to the post of UDC should not be treated as promotion for the purpose of ACPS.</p>	<p>Both the posts constitute two rungs in a hierarchy and, as such, promotion of LDCs as UDCs shall be treated as promotion for the purpose of ACPS. Moreover, ACPS is not designed to interfere with the existing cadre structure.</p>
27.	<p>The condition 8 of the Annexure-I of the DoP&T O.M. dated 9th August, 1999 operates very harshly against senior employees. It will give rise to serious anomalies in a situation where junior employee in a grade being direct recruit are given ACP upgradation on completing period of residency, claims of senior employees in the same grade and in the same department are ignored merely on the ground that they have already been promoted twice earlier. It would, as such, be very unfair to ignore the claim of seniors as that would lead to heart-burning and demoralisation.</p>	<p>The ACPS is to act as a 'safety net' to provide relief in cases of acute stagnation. The concept of "senior-junior" is quite alien to the idea behind the ACPS recommended by the Fifth Central Pay Commission which had also quite specifically recommended against it. Benefits granted under the Scheme are "personal" in nature and in recognition of long hardships faced by stagnating employees. Moreover, it does not grant any status related benefits – nor does it change the seniority position. Senior will continue to be senior even if his junior has earned upgradations under ACPS. Relief granted to Government servants facing stagnation/hardships, as visualised by ACPS, cannot provide a ground for claiming identical relief by others who are not similarly circumstanced.</p>
28.	<p>All retirement and other terminal benefits would be granted on the basis of actual pay drawn in the upgraded ACP scale and condition No.6 of Annexure-I to the effect that it would not confer any privileges</p>	<p>Yes. The retirement/ terminal benefits would be on the basis of upgraded pay-scale, if any, granted under ACPS.</p>

	related to higher status would not be invoked to deny the retirement/terminal benefits based on the actual pay drawn in 1st/2nd ACP grades at the time of retirement.	
29.	Whether the upgradations under ACPS are to be allowed to the employees who are on deputation in other organisations/on training/ on study leave?	It has been clarified vide Condition No.6 of ACPS that such upgradation shall not entitle for deputation to higher posts. Therefore, as a corollary, upgradation under ACPS shall be allowed, in respect of employees who are on deputation, only on notional basis, as otherwise such upgradation in the cadre may have bearing on the deputation pay of the official. However, an employee will get the actual benefit on the basis of such notional pay-fixation under ACPS with prospective effect only on repatriation. Similarly, since an employee draws leave salary while on leave, he will get similar treatment as allowed to a person on deputation. However, upgradation under ACPS may be allowed to an employee who is on training as he is on duty for all practical purposes.
30.	Whether the benefit of past service will be extended to temporary status employees after their regularisation?	No, the benefit of past service shall not be extended to temporary status employees after their regularisation for the purpose of ACPS.
31.	What is an isolated post for the purpose of the ACP Scheme.	Isolated post is a stand alone post, having neither feeder grade nor promotional grade. As such, a post having no promotional grade but having a feeder grade and vice-versa shall not be treated as isolated post for the purpose of ACPS.
32.	Where the cadres/hierarchy is limited to two grades only, what should be the pay-scale for grant of second upgradation under ACPS?	Such a cadre/hierarchy shall not fall in the isolated category as defined at S.No.31 above. Hence, the standard/common pay-scales mentioned in Annexure-II of the Office Memorandum dated 9.8.1999 shall not be applicable in such cases. Action in such cases

		<p>may, therefore, be taken as per following clarifications:-</p> <p>(i) If such cadre/hierarchy exists in the Ministry/ Department concerned, the second upgradation may be allowed in keeping with the pay-scale of an analogous grade of a cadre/post in the same Ministry/Department. However, if no such grade exists in the Ministry/Department concerned, comparison may be made with an analogous grade available in other Ministries/Departments.</p> <p>(ii) In the case of attached/subordinate offices, the second upgradation under ACPS may be given in keeping with the pay-scale of an analogous grade of a cadre/post of the concerned office. However, if no such cadre/post exists in the concerned office, comparison may be made with an analogous grade available in other attached/subordinate offices of the Ministry/Department concerned.</p>
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(K.K. JHA)
DIRECTOR(Establishment)