

F. No.35034/3/2015-Estt.(D)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi
Dated the 8th September, 2020.

OFFICE MEMORANDUM

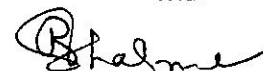
Subject: Fixation of pay on grant of benefit under Modified Assured Career Progression Scheme (MACPS) - Extension of the benefit of entry level pay provided in DoE's OM dated 28.9.2018 – reg.

The undersigned is directed to refer to the guidelines on MACPS (Para 4 of Annexure-I to OM No. No.35034/3/2008-Estt. (D) dated 19.5.2009) which provides that the benefit of pay fixation available at the time of regular promotion shall also be allowed at the time of financial upgradation under the Scheme i.e. the pay shall be raised by 3% of the total pay in the pay band and the grade pay drawn before such upgradation. The said guideline further provides that there shall, however, be no further fixation of pay at the time of regular promotion if it is in the same grade pay as granted under MACPS. However, at the time of actual promotion if it happens to be in a post carrying higher grade pay than what is available under MACPS, no pay fixation would be available and only difference of grade pay would be made available. Similar provisions had been prescribed for fixation of pay under ACP Scheme.

2. The Department of Expenditure (DoE) issued OM No. 8-23/2017-E.IIIA dated 28.9.2018, *inter-alia* providing that in respect of those posts where entry pay for direct recruits appointed on or after 1.1.2006, as per Section-II of Part A of First Schedule of CCS(RP) Rules, 2008, becomes applicable by virtue of the provision of the element of direct recruitment in the relevant recruitment rules, the pay of Central Government employees who were appointed to such posts by way of promotion on or after 1.1.2006 and whose pay, as fixed under Rule 13 of CCS(RP) Rules, 2008, happens to be lower than the said entry pay, shall not be less than such entry pay from the date of their promotion taking place on or after 1.1.2006.

3. A number of references have been received in this Department seeking clarification as to whether the benefit of entry level pay prescribed for direct recruits as per Section-II of Part A of First Schedule of CCS(RP) Rules, 2008 and allowed on promotion on or after 1.1.2006, in terms of DoE's OM dated 28.9.2018, can be extended to cases where financial upgradation have been granted to employees under ACPS till 31.8.2008 or under MACPS on or after 1.9.2008, in the same Grade Pay which is also the Grade Pay applicable for the promotion post and the promotional post has an element of direct recruitment, irrespective of whether the employee has been subsequently promoted to the said promotional post or not on or after 1.1.2006, as the pay once fixed under ACPS/MACPS is final and no re-fixation of pay is allowed on actual promotion. It is clarified that the benefit of entry level pay prescribed for direct recruits in terms of DoE's OM dated 28.9.2018 cannot be allowed at the time of grant of financial upgradation under ACPS between 1.1.2006 to 31.8.2008 or MACPS between 1.9.2008 to 31.12.2015 (6th CPC period), since financial upgradation under ACPS/MACPS cannot be treated strictly as a substitute for regular promotion.

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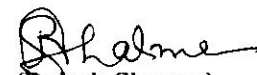


4. However, due to the condition that pay once fixed on grant of financial upgradation is not to be re-fixed at the time of regular promotion, as provided in the guidelines on ACPS/MACPS, the issue of extension of benefit allowed under DoE's OM dated 28.9.2018, to those employees, who were granted financial upgradation under ACPS and subsequently promoted on regular basis on or after 1.1.2006 or who were granted financial upgradation under MACPS and subsequently promoted on regular basis between 1.9.2008 till 31.12.2015 to posts carrying the same Grade Pay in which they have been granted financial upgradation, and where the promotional post has an element of direct recruitment and where the pay drawn by such employees at the time of their regular promotion is lower than the entry level pay prescribed for direct recruits in Section-II of Part A of First Schedule of CCS(RP) Rules, 2008, has been considered in consultation with the Department of Expenditure.

5. Accordingly, where promotion between 1.1.2006 to 31.12.2015 is to a post having an element of direct recruitment, it has been decided to extend the benefit allowed under DoE's OM dated 28.9.2018, in the following cases, by allowing refixation of pay of employees on the date of their regular promotion at the stage equivalent to the minimum entry level pay, if on the date of their regular promotion it is lower than the minimum entry level pay prescribed for direct recruits under Section-II of Part A of First Schedule of CCS(RP) Rules, 2008:-

- (i) employees who have earned financial upgradation under ACPS prior to 1.1.2006 and have been subsequently promoted on regular basis on or after 1.1.2006;
- (ii) employees who have earned financial upgradation under ACPS between 1.1.2006 and 31.8.2008 and have been subsequently promoted on regular basis; and
- (iii) employees who have earned financial upgradation under MACPS on or after 1.9.2008 and have been subsequently promoted on regular basis to a post carrying the same Grade Pay in which they have been granted financial upgradation.

6. All Ministries/Departments are requested to bring these instructions to the notice of all concerned.

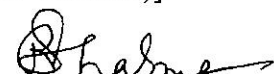

(Rajesh Sharma)

Under Secretary to the Government of India

To
All Ministries/Departments of the Government of India.

Copy to :-

1. 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.
2. All attached/subordinate offices of the Ministry of Personnel, Public Grievances and Pensions.
3. The Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi.
4. All Staff Side Members of the National Council (JCM).
5. PS to MoS(PP) for kind information of Hon'ble MoS(PP)/PSO to Secretary (P)
6. NIC [for uploading this OM on the website of DOPT (under the Heading 'ACP Scheme')].
7. Hindi Section, DoPT for Hindi Translation.


(Rajesh Sharma)