

A-32011/9/2011-Ad.II (Vol.VI)
Government of India
Ministry of Corporate Affairs

New Delhi dated 28.05.2012


OFFICE MEMORANDUM

Subject : Group 'A' ACP/MACP cases of Kolkata Region.

The undersigned is directed to refer to the RD Kolkata's letter No. RD/CLA/1/1144/2012 dated 1-12-2011 and letter No. RD/CLA/1/1144/2012/3422 dated 22-12-2011, on above subject and to convey the following decisions on the pending Group A, ACP/MACP cases of your region :

SL	Officers name and proposed entitlement	Decision of the Ministry
1.	Sh. BB Chowdhary, Retd. STA, 2 nd ACP in the pay scale 8000-13500 wef 18.12.2002.	(i) The ACP is desired wef 18.12.2002. All promotion norms, including availability/gradings of preceding 5 year APAR are to be satisfied. As per records available in APAR Cell, his APAR for the period 1997-2002 is not available. In the absence of preceding 5 year APAR, his consideration for ACP is not possible. (ii) RD Kolkata is instructed to locate his APARs for 1997-2002 to enable the Ministry to process his case.
2.	Sh. SP Mandal, JTS(ICLS), now AOL MACP in PB-3 + GP 6600 wef 06.04.2011.	(i) After notification of revised RRs dated 05.11.2008, the ICLS had become an organized Group A service, as lateral DR entry in STS and JAG had been stopped, which satisfies the DOPT OM 19-11-2009 (which mentions the attributes of organized Group A service). (ii) Both the ACP scheme (DOPT OM 09.08.1999) and the MACP scheme (DOPT OM 19.05.2009) clearly says that this scheme will not be permissible for 'members of organized Group A service'. (iii) In the case of Sh. SP Mandal, the order, promoting him to ICLS (JTS) was issued on 28.03.2011. He was promoted against JTS vacancies arising in vacancy year 2009-10, which is after the notification date of revised RRs. Therefore, from the date of his JTS promotion order i.e. from 28.03.2011, Sh. SP Mandal has become a member of organized Group A Central Civil Service. Therefore, under para 1 and para 3 of the MACP OM dt 19.05.2009, Sh. SP Mandal, a member of organized Group A service wef 28-3-2011 (date of promotion order to organised Group A service) is not eligible for 3rd MACP wef. 6-4-2011. (iv) The demarcation line, between a person who is not a member of organised Group A service (and entitled to ACP/MACP) and person

		<p>who is member of organised Group A service (and entitled to NFSG/NFU), is the date of promotion order only.</p> <p>(v) The ACP/MACP scheme is only a fall back option where employer is not in a position to give regular promotions. It cannot be allowed the status, comparable or equal to the regular promotion, where an officer is refusing/delaying promotion only to avail ACP/MACP in the same grade pay or pay scale. It cannot be allowed to be misused, by allowing the promoted officer, the freedom of not accepting JTS promotion order immediately, by delaying tactics like taking leave (till the date of MACP maturity) to avoid JTS promotion or by disappearing around/before the time of issue of JTS promotion order or by managing a medical certificate or by asking the supervisor to delay the relieving from feeder post or by any such method.</p> <p>(vi) The date of JTS promotion order, is the date of beginning of his membership of organised Group A Service (and beginning of his entitlement for NFSG/NFU) and corresponding dis-entitlement for ACP/MACP from that date.</p> <p>(vii) The RD office is instructed not to forward any such proposal of ACP/MACP in respect of any ICLS officer, where ACP/MACP maturity date is after the date of JTS promotion order.</p>
3.	<p>Sh. NP Mishra, retired Hindi Officer</p> <p>2nd MACP in Pay Band -3 + Grade Pay of 6600 wef 20.12.2009.</p>	<p>The details submitted by the DROC are neither complete nor legible. RD Kolkata is instructed to give complete details of all stages of career progression of Sh. NP Mishra becoming from the first DR entry in Central Government with all promotions, all past ACPs/MACPs, instances of refusal of promotion, etc. clearly indicating the then prevailing pay scales, pay bands, grade pays. The information sheet is to be attested by the RD/ROC/OL, having the custody of service book.</p>


22/12/12
(RK Pandey)

Under Secretary to the Government of India

RD Kolkata

✓ Copy to : E.gov Cell, for placing in employees corner (ACP/MACP)