

Ministry of Communication & IT
Department of Posts
(Pay Commission Cell)

Dak Bhawan, Sansad Marg,
New Delhi – 110116

No. 4-7/(MACPS)/2009-PCC

Dated: 18th Oct, 2010

All Chief Postmasters General,
All Postmasters General
General Managers (Finance)
All Directors of Accounts Postal

**Sub: DELAY AND IRREGULARITIES IN IMPLEMENTATION OF
MODIFIED ASSURED CAREER PROGRESSION SCHEME –
CLARIFICATIONS regarding.**

Sir/Madam,

I am directed to refer to this Directorate's OM dated 18 Sep, 2009 communicating the detailed guidelines for implementation of Modified Assured Career Progression Scheme (MACPS) and several other clarification issued on this subject.

2. The General Secretary, All India Postal Employees Union Group 'C' has represented to the Secretary (Posts) alleging that the Modified Assured Career Progression Scheme (MACPS) is being denied to eligible official in some Circles and sought the intervention of the Directorate in clarifying the position. The contentions of the General Secretary have been examined and the following clarifications are provided for guidance and strict observance.

Sl. No.	Point on which clarification sought	Status Position
1	<p>Eligibility of MACPS to a direct recruited Postal Assistant conferred with TBOP –</p> <p>It has been represented that in some Circles the directly recruited Postal Assistants who were accorded financial upgradation under one time bound promotion scheme on completion of 16 years of satisfactory service are not being given the 2nd MACPS on the ground that the officials have not completed 10 years of service TBOP Scale/Grade with grade pay of Rs.2800.</p>	<p>Attention is drawn to Para No. 28 of Annexure-I to this office OM dated 18-09-2009. It is stated that a directly recruited Postal Assistant who got one financial upgradation under TBOP Scheme after rendering 16 years of service before 01.09.2008, will become eligible to 2nd MACP on completion of 20 years of continuous service from date of entry in Government service or 10 years service in TBOP grade pay or scale or combination of both, whichever is earlier. However, financial upgradation under MACPS cannot be conferred from a date prior to 01.09.2008 and such 2nd financial upgradation for the above referred category of officials has to be given from 01.09.2008. They will also become eligible for 3rd MACP on completion of 30 years of service or after rendering 10 years in 2nd MACP, whichever is earlier.</p>
2	<p>Eligibility of MACP to a directly recruited Postal Assistant having qualified in PO & RMS Accounts Examination and opted initially for defunct scale & later opted out of it & who have got financial upgradations under TBOP and BCR subsequently –</p> <p>The staff side has alleged that Postal Assistants who have qualified in PO & RMS examination who initially opted for defunct scale and later switched over to normal line and accorded financial upgradations under TBOP/BCR schemes are denied 3rd MACP construing that PO & RMS Accountants is 1st MACP and TBOP/BCR are off set against 2nd and 3rd MACP.</p>	<p>PO & RMS Accountants examination is a qualifying one and the Postal Assistants who have passed the examination are posted as Accountants with some special allowance. They will be continued in the cadre of Postal Assistants in the common gradation list.</p> <p>The PO & RMS Accountants who initially opted for defunct pay scale of Rs.380-620 and later switched over to normal line of promotion in PA cadre and given financial upgradations under TBOP/BCR Schemes will become eligible for 3rd MACP under MACPS provided that they have not earned any other regular promotion and subject to rendering of 30 years of continuous service from the date of entry in the PA grade or 10 years continuous service in the BCR grade, whichever is earlier. Denial of 3rd MACP on the said ground is not in order.</p>

3	<p>Eligibility of MACP to a promoted official to PA Cadre and having completed 10 years of service in PA cadre –</p> <p>It was stated by staff representatives that in some Circles, the officials who were promoted from the lower cadres to Postal Assistants and on completion of 10 years in the said Postal Assistant cadre are not considered for 2nd MACP on the plea that they have not completed 20 years of service from the date of entry in clerical cadre.</p>	<p>The attention of the Circle is drawn to Para No. 28 (A) (1) in the Annexure-I. In case of a lower grade official promoted to PA cadre, having got one promotion to PA cadre before completion of 10 years of continuous service, it will be off set against 1st MACP and on rendering 10 years continuing service in the clerical grade/scale or on completion of 20 years service from the date of entry would become eligible for 2nd MACP, whichever date is earlier. However, financial upgradation under MACPS cannot be conferred from a date prior to 01.09.2008 as the scheme became operational from this date only.</p>
4	<p>No. 4-Eligibility of MACP on completion of 30 years of service from date of entry as on 01.09.2008, declining regular promotion to LSG during 2009 and 2010 –</p> <p>The General Secretary intimated that certain officials who become eligible for 3rd MACP on 01.09.2008 are denied the same on the ground that they have declined the regular promotion to norm based LSG in 2009 and 2010.</p>	<p>The attention is drawn to para 25 of Annexure I to order on MACPS issued on 18.09.2009 providing that "if a regular promotion has been offered but was refused by the employee before becoming entitled to a financial upgradation, no financial upgradation shall be allowed as such an employee has not stagnated due to lack of opportunities. If, however, financial upgradation has been allowed due to stagnation and the employees subsequently refuse the promotion, it shall not be a ground for withdrawal of the financial upgradation. He shall, however, not be eligible to be considered for further financial upgradation till he agrees to be considered for promotion and the second and the next financial upgradation shall also be deferred to the extent of period of debarment due to the refusal." Therefore, the issue raised is already covered under Para 25 and in such cases where due date of financial upgradation precedes the refusal for regular promotion, financial upgradation under MACPS shall be allowed.</p>

5	<p>Eligibility of MACP due on 01.09.2008 for officials due to currency of the penalty of recovery in consequence of disciplinary proceedings or disciplinary proceeding contemplated.</p> <p>The staff side represented that some Circle have not considered the cases of officials for MACP on the date of introduction on the pretext that the punishment of recovery from their pay is current or disciplinary proceedings contemplated at the time of screening of the officials by the Committees which were constituted for considering financial upgradation under MACPS</p>	<p>Para 18 of Annexure-I to OM dated 18.09.2009 provides that – "In the matter of disciplinary/penalty proceedings, grant of benefit under the MACPS shall be subject to rules governing normal promotion. Such cases shall, therefore, be regulated under the provisions of the CCS (CCA) Rules, 1965 and instructions issued there under." Attention of the Circle is drawn to Department of Personnel and Training OM No. 22011/2/78-Estt. (A) dated 16.02.1979 communicated in DGP&T letter no.35-1/79-SPB-II dated 07.05.79. According to these orders, the penalty of censure or recovery of pecuniary loss is not a bar for penalty for promotion if the findings of the DPC are in favor of the employee. Similarly, the officials who were facing disciplinary action as on the date of actual due date of their up gradation can only be not considered.</p>
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3. The Circles are requested for bringing the above position to the notice of all Divisional Heads and concerned authorities for scrupulous observance and to avoid any grievance to the officials.

4. The limits for holding of Screening Committee as provided in Para 11 of this Directorate OM of even number dated 18.09.2009 may be strictly adhered to on concluding action of Scrutiny Committee ordered under letter of even number dated 01.09.2010.

5. This issues with the approval of competent Authority

Sd/-
(Surender Kumar)
Assistant Director General (GDS/PCC)