

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

North Block, New Delhi 110001
August 9, 1999

OFFICE MEMORANDUM

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

The Fifth Central Pay Commission in its Report has made certain recommendations relating to the Assured Career Progression (ACP) Scheme for the Central Government civilian employees in all Ministries/Departments. The ACP Scheme needs to be viewed as a 'Safety Net' to deal with the problem of genuine stagnation and hardship faced by the employees due to lack of adequate promotional avenues. Accordingly, after careful consideration it has been decided by the Government to introduce the ACP Scheme recommended by the Fifth Central Pay Commission with certain **modifications** as indicated hereunder:-

2. GROUP 'A' CENTRAL SERVICES

2.1 In respect of Group 'A' Central services (Technical/Non-Technical), no financial upgradation under the Scheme is being proposed for the reason that promotion in their case must be earned. Hence, it has been decided that there shall be no benefits under the ACP Scheme for Group 'A' Central services (Technical/Non-Technical). Cadre Controlling Authorities in their case would, however, continue to improve the promotion prospects in organisations/cadres on functional grounds by way of organisational study, cadre review, etc. as per prescribed norms.

3. GROUP 'B', 'C' AND 'D' SERVICES/POSTS AND ISOLATED

POSTS IN GROUP 'A', 'B', 'C' AND 'D' CATEGORIES

3.1 While in respect of these categories also promotion shall continue to be duly earned, it is proposed to adopt the ACP Scheme in a modified form to mitigate hardship in cases of acute stagnation either in a cadre or in an isolated post. Keeping in view all relevant factors, it has, therefore, been decided to grant **two**

financial upgradations [as recommended by the Fifth Central Pay Commission and also in accordance with the Agreed Settlement dated September 11, 1997 (in relation to Group 'C' and 'D' employees) entered into with the Staff Side of the National Council (JCM)] under the ACP Scheme to Group 'B', 'C' and 'D' employees on completion of **12 years** and **24 years** (subject to condition no.4 in [Annexure-I](#)) of regular service respectively. Isolated posts in Group 'A', 'B', 'C' and 'D' categories which have no promotional avenues shall also qualify for similar benefits on the pattern indicated above. Certain categories of employees such as casual employees (including those with temporary status), ad-hoc and contract employees shall not qualify for benefits under the aforesaid Scheme. Grant of financial upgradations under the ACP Scheme shall, however, be subject to the **conditions** mentioned in [Annexure-I](#).

3.2 'Regular Service' for the purpose of the ACP Scheme shall be interpreted to mean the eligibility service counted for regular promotion in terms of relevant Recruitment/Service Rules.

4. Introduction of the ACP Scheme should, however, in no case affect the normal (regular) promotional avenues available on the basis of vacancies. Attempts needed to improve promotion prospects in organisations/cadres on functional grounds by way of organisational study, cadre reviews, etc as per prescribed norms should not be given up on the ground that the ACP Scheme has been introduced.

5. Vacancy based regular promotions, as distinct from financial upgradation under the ACP Scheme, shall continue to be granted after due screening by a regular Departmental Promotion Committee as per relevant rules/guidelines.

6. SCREENING COMMITTEE

6.1 A departmental Screening Committee shall be constituted for the purpose of processing the cases for grant of benefits under the ACP Scheme.

6.2 The composition of the Screening Committee shall be the same as that of the DPC prescribed under the relevant Recruitment/Service Rules for regular promotion to the higher grade to which financial upgradation is to be granted. However, in cases where DPC as per the prescribed rules is headed by the Chairman/Member of the UPSC, the Screening Committee under the ACP Scheme shall, instead, be headed by the Secretary or an officer of equivalent rank of the concerned Ministry/Department. In respect of isolated posts, the composition of the Screening Committee (with modification as noted above, if required) shall be the same as that of the DPC for promotion to analogous grade in that Ministry/Department.

6.3 In order to prevent operation of the ACP Scheme from resulting into undue strain on the administrative machinery, the Screening Committee shall follow a **time-schedule** and meet twice in a financial year – preferably in the first week of **January** and **July** for advance processing of the cases. Accordingly, cases maturing during the first-half (April-September) of a particular financial year for grant of benefits under the ACP Scheme shall be taken up for consideration by the Screening Committee meeting in the first week of January of the previous financial year. Similarly, the Screening Committee meeting in the first week of July of any financial year shall process the cases that would be maturing during the second-half (October-March) of the same financial year. For example, the Screening Committee meeting in the first week of January, 1999 would process the cases that would attain maturity during the period April 1, 1999 to September 30, 1999 and the Screening Committee meeting in the first week of July, 1999 would process the cases that would mature during the period October 1, 1999 to March 31, 2000.

6.4 To make the Scheme operational, the Cadre Controlling Authorities shall constitute the first Screening Committee of the current financial year within a month from the date of issue of these instructions to consider the cases that have already matured or would be maturing upto March 31, 2000 for grant of benefits under the ACP Scheme. The next Screening Committee shall be constituted as per the time-schedule suggested above.

7. Ministries/Departments are advised to explore the possibility of effecting savings so as to minimise the additional financial commitment that introduction of the ACP Scheme may entail.

8. The ACP Scheme shall become operational from the date of issue of this Office Memorandum.

9. In so far as persons serving in the Indian Audit and Accounts Departments are concerned, these orders issue after consultation with the Comptroller and Auditor General of India.

10. The Fifth Central Pay Commission in paragraph 52.15 of its Report has also separately recommended a "Dynamic Assured Career Progression Mechanism" for different streams of doctors. It has been decided that the said recommendation may be considered separately by the administrative Ministry concerned in consultation with the Department of Personnel and Training and the Department of Expenditure.

11. Any interpretation/clarification of doubt as to the scope and meaning of the provisions of the ACP Scheme shall be given by the Department of Personnel and Training (Establishment-D).

12. All Ministries/Departments may give wide circulation to these instructions for guidance of all concerned and also take immediate steps to implement the Scheme keeping in view the ground situation obtaining in services/cadres/ posts within their administrative jurisdiction;

13. 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**

CONDITIONS FOR GRANT OF BENEFITS UNDER THE ACP SCHEME

1. The ACP Scheme envisages merely placement in the higher pay-scale/grant of financial benefits (through financial upgradation) only to the Government servant concerned on personal basis and shall, therefore, neither amount to functional/regular promotion nor would require creation of new posts for the purpose;
2. The highest pay-scale upto which the financial upgradation under the Scheme shall be available will be Rs.14,300-18,300. Beyond this level, there shall be no financial upgradation and higher posts shall be filled strictly on vacancy based promotions;
3. The financial benefits under the ACP Scheme shall be granted from the date of completion of the eligibility period prescribed under the ACP Scheme or from the date of issue of these instructions whichever is later;
4. The first financial upgradation under the ACP Scheme shall be allowed after 12 years of regular service and the second upgradation after 12 years of regular service from the date of the first financial upgradation subject to fulfillment of prescribed conditions. In other words, if the first upgradation gets postponed on account of the employee not found fit or due to departmental proceedings, etc this would have consequential effect on the second upgradation which would also get deferred accordingly;
- 5.1 Two financial upgradations under the ACP Scheme in the entire Government service career of an employee shall be counted against regular promotions (including in-situ promotion and fast-track promotion availed through limited departmental competitive examination) availed from the grade in which an employee was appointed as a direct recruit. This shall mean that two financial upgradations under the ACP Scheme shall be available only if no regular promotions during the prescribed periods (12 and 24 years) have been availed by an employee. If an employee has already got one regular promotion, he shall qualify for the second financial upgradation only on completion of 24 years of regular service under the ACP Scheme. In case two prior promotions on regular basis have already been received by an employee, no benefit under the ACP Scheme shall accrue to him;
- 5.2 Residency periods (regular service) for grant of benefits under the ACP Scheme shall be counted from the grade in which an employee was appointed as a direct recruit;
6. Fulfillment of normal promotion norms (bench-mark, departmental examination, seniority-cum-fitness in the case of Group 'D' employees, etc.) for grant of financial upgradations, performance of such duties as are entrusted to the employees together with **retention of old designations**, financial upgradations as personal to the incumbent for the stated purposes and restriction of the ACP Scheme for financial and certain other benefits (House Building Advance, allotment of Government accommodation, advances, etc) only without conferring any privileges related to higher status (e.g. invitation to ceremonial functions, deputation to higher posts, etc) shall be ensured for grant of benefits under the ACP Scheme;
7. Financial upgradation under the Scheme shall be given to the next higher grade in accordance with the existing hierarchy in a cadre/category of posts without creating new posts for the purpose. However, in case of isolated posts, in the absence of defined hierarchical grades, financial upgradation shall be given by the Ministries/Departments concerned in the immediately next higher (**standard/common**) pay-scales as indicated in [Annexure-II](#) which is in keeping with Part-A of the First Schedule annexed to the Notification dated September 30, 1997 of the Ministry of Finance (Department of Expenditure). For instance, incumbents of isolated posts in the pay-scale S-4, as indicated in [Annexure-II](#), will be eligible for the proposed two financial upgradations only to the pay-scales S-5 and S-6. Financial upgradation on a dynamic basis (i.e. without having to create posts in the relevant scales of pay) has been recommended by the Fifth Central Pay Commission only for the incumbents of isolated posts which

have no avenues of promotion at all. Since financial upgradations under the Scheme shall be personal to the incumbent of the isolated post, the same shall be filled at its original level (pay-scale) when vacated. Posts which are part of a well-defined cadre shall not qualify for the ACP Scheme on 'dynamic' basis. The ACP benefits in their case shall be granted conforming to the existing hierarchical structure only;

8. The financial upgradation under the ACP Scheme shall be purely personal to the employee and shall have no relevance to his seniority position. As such, there shall be no additional financial upgradation for the senior employee on the ground that the junior employee in the grade has got higher pay-scale under the ACP Scheme;

9. On upgradation under the ACP Scheme, pay of an employee shall be fixed under the provisions of FR 22(l) a(1) subject to a minimum financial benefit of Rs.100/- as per the Department of Personnel and Training Office Memorandum No.1/6/97-Pay.I dated July 5, 1999. The financial benefit allowed under the ACP Scheme shall be final and no pay-fixation benefit shall accrue at the time of regular promotion i.e. posting against a functional post in the higher grade;

10. Grant of higher pay-scale under the ACP Scheme shall be conditional to the fact that an employee, while accepting the said benefit, shall be deemed to have given his unqualified acceptance for regular promotion on occurrence of vacancy subsequently. In case he refuses to accept the higher post on regular promotion subsequently, he shall be subject to normal debarment for regular promotion as prescribed in the general instructions in this regard. However, as and when he accepts regular promotion thereafter, he shall become eligible for the second upgradation under the ACP Scheme only after he completes the required eligibility service/period under the ACP Scheme in that higher grade subject to the condition that the period for which he was debarred for regular promotion shall not count for the purpose. For example, if a person has got one financial upgradation after rendering 12 years of regular service and after 2 years therefrom if he refuses regular promotion and is consequently debarred for one year and subsequently he is promoted to the higher grade on regular basis after completion of 15 years (12+2+1) of regular service, he shall be eligible for consideration for the second upgradation under the ACP Scheme only after rendering ten more years in addition to two years of service already rendered by him after the first financial upgradation (2+10) in that higher grade i.e. after 25 years (12+2+1+10) of regular service because the debarment period of one year cannot be taken into account towards the required 12 years of regular service in that higher grade;

11. In the matter of disciplinary/penalty proceedings, grant of benefits under the ACP Scheme shall be subject to rules governing normal promotion. Such cases shall, therefore, be regulated under the provisions of relevant CCS(CCA) Rules, 1965 and instructions thereunder;

12. The proposed ACP Scheme contemplates merely placement on personal basis in the higher pay-scale/grant of financial benefits only and shall not amount to actual/functional promotion of the employees concerned. Since orders regarding reservation in promotion are applicable only in the case of regular promotion, reservation orders/roster shall not apply to the ACP Scheme which shall extend its benefits uniformly to all eligible SC/ST employees also. However, at the time of regular/functional (actual) promotion, the Cadre Controlling Authorities shall ensure that all reservation orders are applied strictly;

13. Existing time-bound promotion schemes, including in-situ promotion scheme, in various Ministries/Departments may, as per choice, continue to be operational for the concerned categories of employees. However, these schemes, shall not run concurrently with the ACP Scheme. The Administrative Ministry/Department -- not the employees -- shall have the option in the matter to choose between the two schemes, i.e. existing time-bound promotion scheme or the ACP Scheme, for various categories of employees. However, in case of switch-over from the existing time-bound promotion scheme to the ACP Scheme, all stipulations (viz. for promotion, redistribution of posts, upgradation involving higher functional duties, etc) made under the former (existing) scheme would cease to be operative. The ACP Scheme shall have to be adopted in its totality;

14. In case of an employee declared surplus in his/her organisation and in case of transfers including unilateral transfer on request, the regular service rendered by him/her in the previous organisation shall be counted along with his/her regular service in his/her new organisation for the purpose of giving financial upgradation under the Scheme; and

15. Subject to Condition No. 4 above, in cases where the employees have already completed 24 years of regular service, with or without a promotion, the second financial upgradation under the scheme shall be granted directly. Further, in order to rationalise unequal level of stagnation, benefit of surplus regular service (not taken into account for the first upgradation under the scheme) shall be given at the subsequent stage (second) of financial upgradation under the ACP Scheme as a one time measure. In other words, in respect of employees who have already rendered more than 12 years but less than 24 years of regular service, while the first financial upgradation shall be granted immediately, the surplus regular service beyond the first 12 years shall also be counted towards the next 12 years of regular service required for grant of the second financial upgradation and, consequently, they shall be considered for the second financial upgradation also as and when they complete 24 years of regular service without waiting for completion of 12 more years of regular service after the first financial upgradation already granted under the Scheme.

(K.K. JHA)
Director(Establishment)

STANDARD/COMMON PAY-SCALES**As per Part-A of the First Schedule Annexed to the Ministry of Finance****(Department of Expenditure) Gazette Notification dated September 30, 1997****[REFERENCE PARA 7 OF ANNEXURE I OF THIS OFFICE MEMORANDUM]**

S.No.	Revised pay-scales (Rs)	
1.	S-1	2550-55-2660-60-3200
2.	S-2	2610-60-3150-65-3540
3.	S-3	2650-65-3300-70-4000
4.	S-4	2750-70-3800-75-4400
5.	S-5	3050-75-3950-80-4590
6.	S-6	3200-85-4900
7.	S-7	4000-100-6000
8.	S-8	4500-125-7000
9.	S-9	5000-150-8000
10.	S-10	5500-175-9000
11.	S-12	6500-200-10500
12.	S-13	7450-225-11500
13.	S-14	7500-250-12000
14.	S-15	8000-275-13500
15.	S-19	10000-325-15200
16.	S-21	12000-375-16500
17.	S-23	12000-375-18000
18.	S-24	14300-400-18300

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**

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

S.No.	Point of doubt	Clarification
1.	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?	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.
2.	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?	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, 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.
3.	An isolated post of Jeep Driver in the	In such isolated cases option should be either to

	<p>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>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>
<p>4.</p>	<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 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.</p> <p>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</p>
<p>5.</p>	<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 the first appointment or from the subsequent second appointment as direct recruit?</p>	
<p>6.</p>	<p>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?</p>	

		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 standing orders, Factories Act and Industrial Disputes Act, etc?	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 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.

10.	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.	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.
11.	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?	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.
12.	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.	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.
13.	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?	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.
14.	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.	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.

15.	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.	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.
16.	The relevant Recruitment/Service Rules prescribe departmental examination/skill test for vacancy based promotion. However, this need not be insisted for upgradation under ACPS.	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.
17.	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?	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 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, re-produced 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</p>

		<p>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>
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(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(l)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.

<p>21.</p>	<p>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 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>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, 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. (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 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 ACPS has been introduced after consulting all concerned including the Staff Side in the National Council of JCM and with 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>

<p>24.</p>	<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>
<p>25.</p>	<p>An employee may be given second upgradation under ACPS as soon as he completes 12 years of regular service from the date of his earlier promotion or as soon as he completes 24 years of regular service, whichever is earlier.</p>	<p>The periodicity of 12/24 years of regular service for grant of upgradations under ACPS cannot 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>
<p>26.</p>	<p>LDCs/UDCs in administrative offices of the Government of India are having overlapping duties as well as overlapping 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.	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.	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.
28.	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 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.	Yes. The retirement/ terminal benefits would be on the basis of upgraded pay-scale, if any, granted under ACPS.
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.

<p>32.</p>	<p>Where the cadres/hierarchy is limited to two grades only, what should be the pay-scale for grant of second upgradation under ACPS?</p>	<p>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 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)

No.22034/4/99-Estt(D)
Government of India
Ministry of Personnel , Public Grievances and Pensions
(Department of Personnel and Training)

New Delhi-110001
April 24, 2000

OFFICE MEMORANDUM

Subject:-Implementation of the Assured Career Progression Scheme – Regarding.

The undersigned is directed to invite reference to the Department of Personnel and Training (DoP&T) Office Memorandum (O.M.) dated August 9, 1999 regarding the **Assured Career Progression (ACP) Scheme** for the Central Government civilian employees. According to the time-schedule prescribed in paragraph 6.3 of the aforesaid instructions, the Screening Committee to consider the cases for grant of benefits under the ACP Scheme is required to meet twice in a financial year - preferably in the first week of January and July for advance processing of the cases. As per paragraph 6.4 of the aforesaid O.M., the first Screening Committee was to be set up within a month from the date of issue of the O.M. under reference to consider the cases that had already matured or were to mature up to 31.3.2000 for grant of benefits under the ACP Scheme. The next Screening Committee (as per paragraph 6.3 of the said O.M.) was required to meet in the first week of January, 2000 to process in advance the cases maturing for benefits under the ACP Scheme during the period from April 1 to September 30, 2000. To ensure expeditious implementation of the ACP Scheme, clarificatory instructions have also since been issued vide DoP&T Office Memorandum of even number dated February 10, 2000.

2. Ministries/Departments are requested to ensure that the required action and formalities in relation to the ACP Scheme are completed as per the prescribed time-schedule and the financial upgradations to the eligible employees are allowed on time. The pending cases may be decided without any further loss of time.

(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 - **200 copies**
-

No.22034/4/99-Estt(D)
Government of India
Ministry of Personnel , Public Grievances and Pensions
(Department of Personnel and Training)

New Delhi-110001
April 24, 2000

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(K.K.JHA)
Director(Establishment)

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 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 - **200 copies**
-

No.35034/2/2001-Estt(D)
Government of India
Ministry of Personnel, Public Grievances and Pensions.
(Department of Personnel and Training)

New Delhi-110001
June 1, 2001

OFFICE MEMORANDUM

Subject:-Grant of financial upgradations under the Assured Career Progression Scheme to Group 'D' civilian employees of the Central Government – clarification regarding.

The undersigned is directed to say that the clarification issued by the Department of Personnel and Training (DoP&T) in reply to the Point of Doubt No.9 vide Office Memorandum (O.M.) No.35034/1/97-Estt(D)(Vol.IV) dated February 10, 2000 regarding financial upgradations admissible under the Assured Career Progression (ACP) Scheme to the Group 'D' civilian employees of the Central Government has been reviewed in the light of the Ministry of Finance (Department of Expenditure) O.M.No.6//1/98-IC-I dated February 12, 2001 (copy enclosed), whereby an elongated pay-scale of Rs.2610-60-2910-65-3300-70-4000 (S-2A) has been introduced with effect from 1.1.1996 in replacement of the pre-revised elongated pay-scale of Rs.775-12-871-14-955-15-1030-20-1150, which was applicable to all Group 'D' employees, other than those in the industrial and workshop categories and in the Railways. It has accordingly been decided that financial upgradations under the ACP Scheme introduced vide DoP&T O.M.No.35034/1/97-Estt(D) dated August 9, 1999, shall be allowed to Group 'D' civilian employees of the Central Government in the **revised hierarchical grades/pay-scales** after taking into account the revised elongated scale **S-2A**, wherever applicable, provided that all the conditions specified in the ACP Scheme, including fulfillment of all promotional norms are met. This is, however, subject to the following:-

(i) First financial upgradation on completion of 12 years of regular service shall be at least to the pay-scale of Rs.2610-60-2910-65-3300-70-4000 (**S-2A**).

(ii) The second financial upgradation on completion of 24 years of regular service shall be allowed at least to the pay scale of Rs.2750-70-3800-75-4400 (**S-4**). However, where Group 'D' civilian employees of the Central Government are Matriculates and are eligible for promotion to the post of Lower Division Clerk (LDC), the second financial upgradation in their case shall be allowed at least to the pay-scale of Rs.3050-75-3950-80-4590 (**S-5**).

2. The above decisions shall be effective from August 9, 1999 which is the date of introduction of the ACP Scheme.

3. The financial upgradations under the ACP Scheme already granted to Group 'D' employees should, as such, be reviewed and revised in the light of the above decisions.

4. In certain Ministries/Departments/Organizations, Group 'D' employees initially recruited at S-2/S-3 level have been allowed financial upgradation under the ACP Scheme in the LDC grade (S-5) even without possession of prescribed educational qualification viz matriculation. Such upgradation has been allowed erroneously, as in

terms of the Condition No.6 of the ACP Scheme notified on August 9, 1999, fulfillment of all promotional norms (including educational qualification, if any, specified in the relevant Recruitment Rules/Service Rules), prescribed for grant of regular promotion, is an essential requirement for grant of financial upgradations in the hierarchical grades. **Such cases should, therefore, be reviewed and excess payments already made be recovered forthwith.**

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

(K.K.JHA)
DIRECTOR(Establishment)

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 Subordinate/Attached Offices of the Ministry of Personnel , Public Grievance and Pensions.
 3. Secretary, Staff Side, National Council (JCM), 13C, Ferozshah Road, New Delhi.
 4. All Staff Side Members of the National Council (JCM), 13-C, Ferozeshah Road, New Delhi.
 5. Department of Expenditure (Implementation Cell) (**40 copies**).
 6. Facilitation Center, DoP&T (**20 copies**).
 7. NIC (DOP&T Branch) for placing this Office Memorandum on the website of DoP&T
 8. Establishment (D) Section, DoP&T (**500 copies**).
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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

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.
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6. All Staff Side Members of the National Council (JCM).
7. Facilitation Center, DoP&T – **20 copies**
8. Establishment (D) Section - **1000 copies**
9. NIC (DoP&T) for placing this Office Memorandum on the Website of DoP&T. (persmin.nic.in)

[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 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?	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 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.
35.	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	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

	<p>two financial upgradations applicable under the ACP Scheme?</p>	<p>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 promotion/upgradation.</p> <p>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.</p> <p>Where placement in a higher grade involves assumption of higher responsibilities and duties, then such upgradation will be viewed as promotion/upgradation.</p> <p>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.</p> <p>For any doubts in this regard, matter should be referred to the Department of Personnel and Training (Establishment 'D' Section) giving all relevant details.</p>
<p>36.</p>	<p>An employee was initially appointed on deputation in a grade higher than the grade of the post held on regular basis and was subsequently</p>	<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</p>

	<p>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>	<p>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>
<p>37.</p>	<p>Whether it is necessary to have SC/ST members in the Screening Committees set up for grant of ACPS?</p>	<p>As clarified <u>vide</u> condition no. 12 of ACP Scheme (vide 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.</p>
<p>38.</p>	<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</p>

		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.
39.	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?	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 post. However, financial upgradations under the ACPS shall be allowed in the hierarchy of the new post.
40.	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?	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.
41.	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	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.

	should be reviewed and they may be allowed financial upgradations 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 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	In reply to point of doubt No. 10 in DoP&T O.M. dated 10.2.2000, it has 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

	<p>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 ?</p>	<p>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 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>
<p>45.</p>	<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>
<p>46.</p>	<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</p>

		<p>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 post held on regular basis under FR 22 (l)(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 <u>vide</u> 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 vide 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 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</p>

		service from the date from which the first upgradation under the ACP is allowed and not necessarily on completion of 24 years of service.
49.	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?	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 affect on financial upgradation under the ACP Scheme.
50.	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.	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 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, 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?	In terms of condition No. 6 of, 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.
54.	Whether EOL without medical certificate will count for computing regular service under ACPS	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.
55.	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	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.
56.	The Fifth Central Pay Commission has identified a number of common category posts spread across various Ministries/ 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	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 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.

	<p>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?</p>	<p>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.</p> <p>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.</p>
<p>57.</p>	<p>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>	<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</p>

		<p>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 Scheme is relevant.</p>
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 <u>vide</u> O.M. dated 9.8.1999 also.</p>
59.	<p>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.</p>	<p>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.</p>

No.22034/5/2001-Estt(D)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

New Delhi 110001
August 20, 2001

OFFICE MEMORANDUM

Subject : ASSURED CAREER PROGRESSION SCHEME (ACPS) FOR THE CENTRAL
GOVERNMENT CIVILIAN EMPLOYEES – CLARIFICATION REGARDING

The undersigned is directed to invite attention of the Ministries/Departments to this Department's Office Memorandum No.35034/1/97-Estt(D)(Vol.IV) dated 10.2.2000 furnishing clarifications to various points of doubts raised by the Ministries/Departments about certain issues in connection with the implementation of the ACP Scheme. In reply to point of doubt No.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, following clarification was furnished:

"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 a 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".

2. A number of Ministries/Departments/Organisations have reported to this Department that due to the provision for admissibility of financial upgradation under ACPS only on notional basis during the period of deputation, officers who have availed the higher scale under ACPS in their cadre, or are expecting the same shortly, are reluctant to opt for appointment on deputation to ex-cadre posts and many persons who are already on deputation have also opted to revert to the parent cadre on availing the ACP benefit without completing the period of deputation. This has created problems in securing the services of suitable persons for appointment against ex-cadre posts. DoP&T has been requested to review the existing provisions of the ACPS in this regard.

3. Accordingly, the matter has been examined and keeping in view the problems faced by various Ministries/Departments/Organisations in filling up the ex-cadre posts, it has been decided that while eligibility of an employee for appointment against an ex-cadre post in terms of the provisions of the Recruitment Rules of the ex-cadre post will continue to be determined with reference to the post/pay scale of the post held in the parent cadre on regular basis (and not with reference to the higher scale granted under ACPS), such an officer, in the event of his selection, may be allowed to opt to draw pay in the higher scale under ACP Scheme without deputation allowance during the period of deputation, if it is more beneficial than the normal entitlements under the existing general orders regulating pay on appointment on deputation basis. Clarification to point of doubt No.29 in this Department's O.M. dated 10.2.2000 *ibid* stands amended to the above extent. There is no change in the clarification relating to admissibility of ACPS to persons on leave/on training.

4. Past cases, decided otherwise on the basis of the earlier clarification, may also be reviewed in the light of the above decision.

5. All Ministries/Departments are requested to bring the above decision to the notice of all concerned for immediate action.

(ALOK SAXENA)
DEPUTY SECRETARY TO THE GOVT. OF INDIA

OFFICE MEMORANDUM

Subject: Assured Career Progression (ACP) Scheme for the Central Government Civilian Employees – clarification regarding.

In terms of the provisions of the Assured Career Progression (ACP) Scheme introduced by the Department of Personnel & Training vide Office Memorandum No. 35034/1/1997 –Estt (D) dated August 9,1999, the extension of the benefit of higher pay scales under the ACP Scheme, in accordance with the existing hierarchy, is subject to fulfilment of certain conditions enumerated in Annexure I of the said Office Memorandum. Condition number 6 provides for fulfillment of the normal promotion norms (benchmark, departmental examination, seniority-cum-fitness in case of Gr. D employees etc.) prescribed in the Recruitment Rules. It has further been clarified in reply to point of doubt number 53 of DoPT Office Memorandum No. 35034/1/97-Estt-D (Vol.IV) dated 18th July, 2001 that various 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 the ACP Scheme.

2. A doubt has been expressed as to whether the requirement of fulfilment of all promotional norms even for ACP Scheme will include the requirement of fulfilment of minimum eligibility service prescribed in the Recruitment Rules for promotion to next higher grade in the hierarchy.

3. In this regard, it is pointed out that, in terms of condition number 4 of the ACP Scheme, the first financial upgradation shall be allowed after 12 years of regular service and the second financial upgradation after 12 years of regular service from the date of the first financial upgradation, subject to fulfilment of the prescribed conditions. Condition number 5.1 further provides that two financial upgradations under the ACP Scheme shall be available only if no regular promotions during the prescribed periods (12 and 24 years) have been availed by an employee. If an employee has already received one regular promotion, he shall qualify for the second financial upgradation only on completion of 24 years of regular service under the Scheme. Condition number 15 provides that, subject to condition number 4, where the employees have already completed 24 years of regular service, with or without a promotion, the second financial upgradation under the Scheme shall be granted directly.

4. It is, therefore, clear from harmonious reading of condition number 6 of the ACP Scheme with the other conditions and stipulations of the Scheme that, while a person has to be eligible in all other aspects (educational qualification, departmental examination, skill/trade test, bench mark etc.) to hold the higher post, in terms of the Recruitment Rules, the scale of which is being considered under the ACP Scheme, insofar as the requirement of "**eligibility service**" is concerned, the only requirement is that he should have completed the prescribed 12 or 24 years' regular service, as the case may be, counted from the direct entry grade.

5. In fact, this condition has been further relaxed in respect of cases where an employee has moved from one post to another post on direct recruitment/absorption basis or on deputation basis, followed by absorption. In such cases, as clarified in reply to point of doubt number 4-6 of O.M. No. 35034/1/97-Estt-D (Vol.IV) dated 10th February, 2000, past service in the same grade can also be counted towards the regular service.

6. The Staff Side (National Council), JCM have brought to notice that certain Departments are insisting on completion of 2 years' regular service before grant of first financial upgradation under ACP Scheme in the grade of Peon in respect of Safaiwalas, Malis, Watchman etc. who were appointed as Peon in the same pay scale on lateral transfer basis under the 25 % quota earmarked for them, even though they have completed the required 12 years' regular service in that grade at the time of appointment as Peon or immediately thereafter. In view of the position stated in para-4 above, a Safaiwala, Watchman etc. when appointed as Peon may be considered for grant of first financial upgradation on completion of 12 years' regular service in the grade of Rs. 2550-3200 (S-1), including the past service in that grade, without insistence on further completion of 2 years' regular service in the grade of Peon.

7. Hindi version will follow.

(Alok Saxena)
Director

To

All Ministries/Departments of Govt. of India.

Copy to:-

1. The President's Secretariat, New Delhi.
2. The Prime Minister's Office, New Delhi.
3. Cabinet Secretariat, New Delhi.
4. Rajya Sabha Secretariat/ Lok Sabha Secretariat., New Delhi.
5. The Registrar General, The Supreme Court of India.
6. The Registrar, Central Administrative Tribunal, Principal Bench, New Delhi.
7. The Comptroller and Audit General of India, New Delhi.
8. The Union Public Service Commission, with reference to their letter No. 11/16/2003-AUC dated 4th March, 2004 (20 copies).
9. The Staff Selection Commission, New Delhi.
10. All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
11. National Commission for SCs/STs, New Delhi.
12. Secretary, National Council(JCM), 13, Ferozeshah Road, New Delhi
13. Establishment Officer & A.S.
14. National Commission for OBCs, New Delhi.
15. All Officers and Sections in the Department of Personnel and Training.
16. Facilitation Center, DoP&T(20 copies).
17. NIC (DoP&T) for placing this Office Memorandum on the Website of DoP&T
18. Establishment (D) Section (200 copies).