केन्द्रीय उत्पाद शुल्क, सीमा शुल्क एवं सेवा कर आयुक्त का कार्यालय
OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE,CUSTOMS& SERVICE TAX
केन्द्रीय राजस्व भवन, आई.एस. प्रेस रोड, कोचीन -682018
C.R.BUILDING,I.S.PRESS ROAD, COCHIN-682018
E-mail: cex15sys.ker@gov.in FAX-0484-2390608 Phone : 0484-2390404

C.No. II/39/7/2014-Estt Dated 01.06.2015

To

The Commissioner of Central Excise, Customs & Service Tax,
Calicut/Trivandrum

The Commissioner of Custom (Prev)
Cochin

The Commissioner of Audit
Cochin

The Pay & Accounts Officer
Cochin/Calicut/Trivandrum/Customs (Preventive) Commissionerate,
Cochin

Sir/Madam,

Sub:- **Grant of MACP to the Superintendents in CBEC with Grade Pay of Rs 6600/5400 in PB-3-Reg**

Please refer to this office letter letter C.No. II/3/1/2014-Conf dated 05.11.2014 and even no. dated 28.11.2014.

In this connection please find enclosed copy of letter F. No. A-23011/25/2015-Ad.IIA dated 26.05.2015 issued by CBEC, New Delhi addressed to Chief Commissioner, Chennai. The Board has directed to implement the Order dated 08.12.2014 of Hon'ble High Court, Madras in WP No. 19024 of 2014 & MP No. 1 of 2014 filed by Shri R Chandrasekaran, Superintendent regarding grant of 3rd MACP in the grade pay of Rs. 6600/- under MACP Scheme. Submitted for information and necessary action.

Yours faithfully,

01/06/15

(RANI C R)
ASST. COMMISSIONER [P&V]

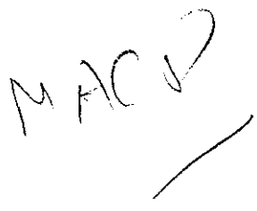
Encls: as above

Copy submitted to:-

The Chief Commissioner of Central Excise, - for information
Customs & Service Tax, Cochin

Copy to:-

1. The Superintendent (Confidential)/ Adm Officer DDO, Hqrs. Cochin
2. The AC/DC- Ernakulam I Dn/Ernakulam II Dn/
Service Tax Dn/Muvattupuzha Dn/Kottayam Divn



Department of Personnel & Training
Establishment (D)
***

Dy. No. 1078183,CR,15
[F.No A-23011/25/2015-A.I.I.A of C/o Revenue]

Reference notes at pre-pages

2. The referring Department has referred the file along with the [illegible] compliance of the Order dated 08.12.2014 in the WP No. 19024/[illegible] passed by Hon'ble High Court of Madras directing therein the [illegible] consider the issue once again related to count of non-functional scale for the purpose ACPS.

3. The brief of facts provided by the referring Department are as below

(i) Shri R. Chandrasekaran joined the service of Customs and central excise department in [illegible], 1982 as directed [illegible]
(ii) He was promoted to the grade of Superintendent in April 2001.
(iii) He was granted 2nd financial upgradation under ACP Scheme with effect from 04.06.2006 and placed in the pay scale of Rs. 15600-39100 in PB-3 with grade pay of 5400.
(iv) He got 3rd financial upgradation under MACP scheme w.e.f. 04.06.2012 on completion of 30 years of service but the same was not allowed by PAO office raising an objection that the applicant and some others had been given Non functional grade of Rs. [illegible] in PB-2 as on 01.01.2006 which ought to be counted as financial upgradation under MACP Scheme.

4. The matter has been examined as per the facts provided by the referring Department and in terms of rules/ provisions under the ACP/MACP Scheme. In this regard, it is stated that since Shri R. Chandrasekaran got only one promotion and 2nd ACP in grade pay of Rs. 5400 in his service career prior to implementation of MACP scheme w.e.f. 01.09.2008, he is entitled to the grant of 3rd MACP in the grade pay of Rs. 6600 under MACP scheme w.e.f. 04.06.2012 on completion of [illegible] years of service.

Most Immediate
Court Matter

F. No. A-23011/25/2015-Ad IIA
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise and Customs
****

New Delhi,
New Delhi dated the 26th May, 2015

The Chief Commissioner of Central Excise,
Chennai Zone, 26/1, M. G. Road, Nungambakkam,
Chennai - 600 034

Subject: Order dated 08.12.2014 of Hon'ble High Court, Madras in Writ Petition No. 19024 of 2014 & M.P. No. 1 of 2014 filed by Shri R. Chandrasekaran Supdt. against order dated 24.02.2014 in OA No. 675 of 2013 passed by Hon'ble CAT, Madras bench.

Sir,

Please refer to your Commissionerate's letter C No 1/10/12/2013-CAT dated 16.02.2015 on subject mentioned above.

2. The issue has been examined in consultation with Department of Personnel & Training (Esu D), as directed by Hon'ble High Court, Madras vide order dated 08.12.2014 in Writ Petition No. 19024 of 2014 & M.P. No. 1 of 2014 filed by Shri R. Chandrasekaran. DoP&T has opined that since Shri R. Chandrasekaran got only one promotion and 2nd ACP in the grade pay of Rs. 5400/- in his service career prior to implementation of MACP Scheme w.e.f. 01.09.2008, he is entitled to the [illegible] MACP in the grade pay of Rs. [illegible] under MACP Scheme w.e.f. [illegible] completion of [illegible] years of service. A copy of DoP&T's opinion is enclosed.

3. You are, therefore, requested to implement Hon'ble High Court's order dated 8.12.2014 and file compliance report before Hon'ble High Court, Madras Bench.

4. The Board may be apprised of the action taken in the matter.

Yours faithfully,

Encl. As above

(A. K. [illegible])
Dy. Secretary to the Government of India
Tele: 011-23[illegible]

Copy to: Pr. Chief Controller of Accounts, New Delhi w.r.t. their C.O. No. [illegible] exp. OA No. 675/2013-14/334 dated 03.3.2015 for necessary action.

7/5/15