केन्द्रीय कर एवं केन्द्रीय उत्पाद शुल्क, कोच्चि /OFFICE OF THE PRINCIPAL COMISSIONER OF CENTRAL TAX & CENTRAL EXCISE, KOCHI

MINUTES OF THE MEETING OF THE SCREENING COMMITTEE HELD ON 04.03.2019 FOR CONSIDERING GROUP 'B' & 'C' OFFICERS FOR GRANT OF 1ST /2ND /3RD FINANCIAL UPGRADATION UNDER MODIFIED ASSURED CAREER PROGRESSION SCHEME TO THE VARIOUS GRADE PAYS / LEVELS IN THE NEW PAY MATRIX (Relating to the period upto 30.09.2019)

Members of the Committee

1. **Dr. T Tiju** — **Chairman**
   Additional Commissioner,
   Central Tax and Central Excise, Kochi.
2. **Smt. B Umadevi,** — **Member**
   Assistant Commissioner,
   Central Tax and Central Excise, Kochi.
3. **Shri. K Sakthidharan,** — **Member**
   Assistant Commissioner,
   Central Tax and Central Excise, Kochi.

The Committee was informed that the grant of benefits under MACP scheme is governed by DOP&T's O. M. No.35034/3/2008-Estt.(D) dated 19th May, 2009. Ministry in letter F.No.A-26017/76/2009-AD.II A dated 17.06.2009 has specified that grant of three financial up-gradation on completion of 10, 20 and 30 years of regular service respectively for its Group 'B', 'C' and 'D' employees would be operative with effect from 01.09.2008. The present Screening Committee Meeting is being held to consider the proposals in the prescribed format received from Headquarters and field formations for grant of financial up-gradation under MACP Scheme relating to the period upto 30.09.2019. The Screening Committee had considered the proposals of the officers received from Commissionerates /field formations which had reached Hqrs. Confidential Section, Cochin upto 01.03.2019. If any eligible officer's name has not been included in this list, it is on account of the non-receipt of the proposals in the prescribed format in time from the respective DDOs of Commissionerates/ field formations.

2. The salient features of the MACP Scheme are:

- The Scheme is operational w.e.f. 01.09.2008.
- There shall be three financial up-gradation under the MACP Scheme, counted from the direct entry grade on completion of 10, 20 and 30 years of service respectively or 10 years of continuous service in the same level in Pay Matrix, whichever is earlier.
- The MACP Scheme envisages merely placement in the immediate next higher level in the Pay Matrix as given in Part-A of Schedule of the CCS (Revised Pay) Rules, 2016.
- The financial up-gradation under MACP Scheme will continue to be applicable to all employees up to Higher Administrative Grade (HAG) level except members of Organised Group'A' Services.
- Benefit of pay fixation available at the time of regular promotion shall also be allowed at the time of financial up-gradation under the Scheme.
- The level in the pay matrix at the time of financial up-gradation under the MACPS can, in certain cases were regular promotion is not between two successive levels in the pay matrix, be different than what is available at the time of promotion. In such cases the higher level in the Pay matrix attached to the next promotion post in the hierarchy of the concerned cadre/organisation will be given only at the time of regular promotion.

• The grade pay of Rs. 5400 in PB-2 and Rs. 5400 in PB-3 (pre-revised) shall be treated as separate grade pays for the purpose of grant of up-gradation under MACP Scheme.

• 'Regular service' for the purpose of MACP Scheme shall commence from the date of joining of a post in direct entry grade on a regular basis either on direct recruitment basis or on absorption / re-employment basis.

• In case an employee is declared surplus in his/her organisation and appointed in the same pay-scale or lower scale of pay in the new organization, the regular service rendered by him/her in the previous organisation shall be counted towards the regular service in his/her new organisation for the purpose of giving financial up-gradation under the MACPS.

• In the matter of disciplinary/ penalty proceedings, grant of benefit under the MACPS shall be subject to rules governing normal promotion. Such cases shall, therefore, be regulated under the provisions of the CCS (CCA) Rules, 1965 and instructions issued thereunder.

• Financial up-gradation under the MACPS shall be purely personal to the employee and shall have no relevance to his seniority position. There shall be no change in the designation, classification or higher status.

• If a regular promotion has been offered but was refused by the employee before becoming entitled to a financial up-gradation, no financial up-gradation shall be allowed as such an employee has not been stagnated due to lack of opportunities.

• Promotions earned / up-gradations granted under the ACP Scheme in the past to those grades which now carry the same grade pay due to merger of pay scales / up-gradations of posts recommended by the Sixth Pay Commission shall be ignored for the purpose of granting up-gradations under Modified ACP Scheme.

• The financial up-gradation would be non-functional basis subject to fitness, in the hierarchy of grade pay within the PB-1. Thereafter for upgradation under the MACPS the benchmark of 'Good' would be applicable till the grade pay of Rs. 6600/- in PB-3 for the period upto 24.07.2016.

• As per DOPT OM F.No.35034/3/2015-Estt.(D) dated 27.09.2016 the prescribed bench mark would be 'Very Good', for all the posts with effect from 25.07.2016, for grant of financial upgradation under the MACPS.

3. The Committee has also carefully considered the clarifications/instructions issued from time to time, by the DoP&T and CBEC to determine the eligibility or otherwise for grant of MACP in respect of the officers whose name has been recommended for grant of MACP.

- DOP&T's clarification in O.M. No.35034/3/2008- Estt.(D) dated 09.09.2010.
- DOP&T's clarification in O.M. No.35034/3/2008- Estt.(D) dated 16.11.2009.
- DOP&T's clarification in O.M. No.5034/3/2008-Estt (D) (Vol.II) dated 01.11.10.
- Board's clarification in F.No. A-26017/76/2009-Ad.II A dated 29.09.2009.
- Board's clarification in F.No. A-26017/47/2010-Ad.II A dated 11.06.2010.
- Board's clarification in F.No. A-23011/29/2010-Ad.II A dated 20.05.2011.
- DOP&T's clarification in Dy. No. 62460/US (D)/2010 dated 21.07.2010 issued to the Pr. Chief Controller of Accounts.
- DOP&T's clarification in डायरी संख्या 100667/के.रजि./2010 dated 29.11.2010 issued to the Pr. Chief Controller of Accounts.
- DOP&T's clarification in O.M. No.35034/3/2008-Estt (D) (Vol.II) dated 04.10.2012.
- Board's clarification in F.No.A-23011/29/2010-Ad.IIA dated 6.5.2013 issued to the Chief Commissioner of Central Excise, Customs & Service Tax, Shillong.
- Board's clarification in F.No. A-26017/23/2012-Ad.II A dated 20.07.2012.
- Board's clarification in F.No. A-26017/24/2013-Ad.II A dtd. 23.05.2013.
- Board's clarification in F.No. A-26017/98/2013-Ad.II A dtd. 22.01.2014.
- Board's clarification in F.No. 23011/29/2010-Ad.II A dated 04.06.2014.
- Board's clarification in F.No. 23011/25/2015-Ad.II A dated 20.06.2016.
- Board's clarification in F.No. 23011/25/2015-Ad.II A dated 02.09.2016.

- D.O.P & T OM F.No.35034/3/2015-Estt.(D) dated 27.09.2016.
- Board's clarification in F.No.A-26017/127/2017-Ad.IIA dated 04.10.2017
- Board's clarification in F. No. 23011/93/2018-Ad.IIA dated 15.01.2019

4. The Committee noted that the officers shown below are not eligible to be considered for grant of financial up-gradation under MACP Scheme for the reasons mentioned in the remarks column against his name:

Sl. No.	Name S/Shri./Smt.	Date of Birth	Remarks
1.	Reji John, Inspector	30.05.1972	This officer has joined this Department on 09.02.1996 as LDC. He had already got three regular promotions as TA (25.11.2002), Sr. TA (04.09.2006) & Inspector (06.01.2009) in his entire career. Therefore he is not eligible for further financial up-gradation under MACP scheme.
2.	Lekha S, Inspector	10.05.1959	This officer has joined this Department on 07.01.1985 as LDC. She had already got three regular promotions as UDC (17.06.1993), Pre-restructured TA (26.03.1997) & Inspector (18.12.2002) in her entire career. Therefore she is not entitle for further financial up-gradation under MACP scheme.
4.	K.C.B Nair, Superintendent	17.04.1959	The officer has joined this Department on 22.12.1984 as LDC. He had already got three regular promotions as UDC (03.01.1990), Pre-restructured TA (16.07.1993) & Inspector (18.11.1995) in his entire career. Therefore he is not eligible for further financial up-gradation under MACP scheme.

5. The 3rd financial up-gradation of following officers has been deferred by the Screening Committee and the observation is stated below:

Sl. No.	Name S/Shri./Smt.	Date of Birth	Remarks
5.	Smitha S., Executive Assistant (now AO)	13.03.1972	The officers joined as LDC in 1998 had been promoted as TA in 2003 and as STA in 2008. But they refused regular promotion as D.O.S. which was offered vide Order No.37/2012 dated 27.03.2012. Hence, their 3rd financial up-gradation shall be deferred to the extent of period of debarment due to the refusal in terms MACP Scheme. As such, the regular service for consideration for grant of 3rd MACP shall deferred by one year.
6.	Indulekha P., Executive Assistant (now AO)	21.10.1975	

6. The representation of Shri Asoka Narayanan, Superintendent for 3rd financial up-gradation to PB-3 with Grade Pay ₹6600 (Level 11 in the new pay matrix) has been considered by the Screening Committee. The observation of the Committee is as given below:

Sl. No.	Name S/Shri./Smt.	Date of Birth	Remarks
1.	Ashoka Narayanan, Superintendent	05.03.1967	The officer has joined the Department as direct recruit Inspector on 15.01.1992. He was granted 1st ACP to the pay scale of Superintendent on completion of 12 years of service on 15.01.2004. He was promoted as Superintendent on 30.06.2008. As per Board's letter dated

			31.10.2018, the Judgement of the Hon'ble High Court of Kerala in OP(CAT)No.276 of 2010 (Z) dated 08.12.2016 had been implemented and the officer got NFG in PB-2 5400 with effect from 15.01.2008. As such the officer got two up-gradations viz in Level 8 (w.e.f. 15.01.2004) and Level 9 (w.e.f. 15.01.2008). Hence the officer is eligible for 3rd MACP w.e.f. 15.01.2018 ie., on completion of 10 years of continuous service in PB 2 5400 after two upgradations. The Board vide letter F.No.A-23011/25/2015-Ad.II A dated 20.06.2016 has clarified that DOP&T has advised in consultation with Department of Expenditure that the grant of non-functional grade pay of Rs.5400/- in PB-2 to the Superintendents needs to be counted as one financial up-gradation for the purpose of MACP Scheme. DOP&T has drawn attention to the specific provision in Para 8.1 of Annexure I of DOP&T's OM No. 35034/3/2008-Estt.(D) dated 19.05.2009 read with FAQ No.16 which indicate that the non-functional scale in grade pay of Rs. 5400/- is to be treated as financial up-gradation under MACP Scheme. The Board has reiterated the said decision vide letter F.No.23011/93/2018 Ad. II A dated 15.01.2019 Therefore, though the 2nd MACP gtranted w.e.f. 15.01.2012 to the officer becomes nullified, the officer got non-functional financial up-gradation from an anterior date ie., 15.01.2008, which is to be counted as one financial up-gradation under MACPS.

7. The Committee went through the details mentioned in the respective proforma of the individuals as furnished by the DDO in charge of Divisions and Headquarters Offices of all the Commissionerates in Thiruvananthapuram Zone, CCR dossiers, Vigilance clearance and other required information from the Establishment Section of Headquarters Office, Cochin and recorded its findings against their names in the consideration lists. The Committee considered the APAR grading for five preceding years in respect of all the officers considered for financial up-gradation under MACP Scheme.

8. The Committee was further informed that vide DOPT OM dated 27.09.2016 para 17 of the MACP Scheme (DOP&T OM dated 19.05.2009) was substituted by the following words:-

"For grant of financial up-gradation under MACP Scheme, the prescribed bench mark would be 'Very Good' for all the posts".

This change came into effect from 25.07.2016.

9. The Committee was informed that as per DOP&T's clarification in O.M. No.35034/3/2008-Estt (D) (Vol.II) dated 04.10.2012 wherever promotion are given on non-selection basis, the prescribed benchmark as mentioned in Para 17 of Annexure – I of MACP Scheme dated 19.05.2009 shall not apply for the purpose of grant of financial up-gradation under MACP Scheme.

10. The Committee was also informed that, though para 17 of the DOP&T OM dated 19.05.2009 was substituted vide the OM dated 27.09.2016, the clarification given in the DOPT OM dated 04.10.2012 is not yet withdrawn.

11. The Committee decided to put up the minutes on the website of the Central Excise Commissionerate, Cochin after approval by the Commissioner of Central Excise & Customs, Cochin.

12. Review of Proceedings of the Screening Committee meeting held on 04.04.2016

(a) The Committee was informed that Shri. Biju P. Raphael, Inspector was granted 3rd financial up-gradation under MACP Scheme to the grade pay of Rs.4800/- with effect from 19.08.2015 on completion of 10 years of service in the same grade pay of Rs. 4600/- after the Second promotion as Inspector by the Screening Committee held on 04.04.2016. The Committee was further informed that pursuant to Hon'ble High Court of Kerala Judgment dated 22.05.2017 and the review DPC meeting held on 18.05.2018 Shri. Biju P Raphael was notionally promoted to the cadre of Inspector with effect from 31.10.2003. Therefore the officer had completed 10 years as Inspector on 31.10.2013 with two promotions as UDC and Inspector. Hence, the Committee decided to review the proceedings of the Screening Committee meeting held on 04.04.2016 and recommend for granting 3rd financial up-gradation to the grade pay of Rs.4800/- with effect from 31.10.2013.

(b) The Committee went through the records independently and recorded its findings against his name in the consideration list. There is no other change in the recommendation of the Screening Committee meeting held on 04.04.2016.

13. Review of Proceedings of the Screening Committee meeting held on 19.02.2013.

(a) The Committee was also informed that Smt Jyothi Sukumaran, Inspector was granted 3rd financial up-gradation under MACP Scheme to the grade pay of Rs.4800/- with effect from 18.12.2012 on completion of 10 years of service in the same grade pay after the second promotion as Inspector by the Screening Committee held on 19.02.2013. The Committee was informed that as reported by concerned Administrative Officer (DDO), Smt Jyothi Sukumaran, Inspector got notional promotion as Inspector with effect from 19.07.2001 as per Additional Commissioner (CCO), Vadodara Zone Establishment Order No.53/2014 dated 11.06.2014. Therefore the officer had completed 10 years as Inspector on 19.07.2011 without any regular promotion. Hence, the Committee decided to review the proceedings of the Screening Committee meeting held on 19.02.2013 and recommend for granting 3rd financial up-gradation to the grade pay of Rs.4800/- with effect from 19.07.2011.

(b) The Committee went through the records independently and recorded its findings against her name in the consideration list. There is no other change in the recommendation of the Screening Committee meeting held on 19.02.2013.

14. The Committee accordingly considered the cases of eligible officers for grant of 1st / 2nd / 3rd financial up-gradation under MACP Scheme to the various grade pays. Consideration list has been prepared for granting grade pays within PB-1, PB-2 and upto PB-3 with G.P of ₹ 6600/ Level 1 to 11 in the pay matrix.

15. Based on its findings, the Committee recommended the following Group 'B' & 'C' officers for granting 1st / 2nd / 3rd financial up-gradation under MACP Scheme to the various grade pays / Levels with effect from the dates mentioned against the officers:

Sl. No.	Name &designation S/Shri./Smt.	Date of birth	1st / 2nd / 3rd MACP	Date from which financial upgradation is granted	Recommended grade pay &pay band / Pay matrix level
(1)	(2)	(3)	(4)	(5)	(6)
1.	Manoj Kumar C, Superintendent	01.06.1965	3rd	27.10.2018	Level 10

2.	Asoka Narayanan S., Superintendent	05.03.1967	3rd	15.01.2018	Level 10
3.	Marykutty Chacko, Superintendent	20.04.1972	3rd	23.09.2016	Level 10
4.	Sathes Kumar P., Superintendent	31.05.1964	3rd	01.09.2018	Level 9
5.	Joy Joseph, Superintendent	23.05.1967	3rd	25.09.2016	Level 10
6.	Biju P Raphael, Superintendent	24.11.1966	3rd	31.10.2013	PB-2 4800
7.	Gladis John, Inspector	17.09.1979	1st	17.04.2017	Level 8
8.	Abhilash C, Inspector	27.11.1983	1st	22.08.2019	Level 8
9.	Dhanya Narayanan, Inspector	12.08.1980	1st	19.08.2019	Level 8
10.	Gopi Prasanth J.S., Inspector	17.05.1982	1st	19.08.2019	Level 8
11.	Harikuttan G., Inspector	14.05.1983	1st	31.12.2019	Level 8
12.	Abhilash Kumar K., Inspector	20.05.1980	1st	20.08.2019	Level 8
13.	Sandeep Unnikrishnan, Inspector	14.12.1981	1st	14.08.2019	Level 8
14.	Albert George, Inspector	01.02.1982	1st	31.08.2019	Level 8
15.	Soumya P., Inspector	29.01.1981	1st	28.08.2019	Level 8
16.	Shahana M., Inspector	02.03.1980	1st	21.08.2019	Level 8
17.	Saheerudheen N., Inspector	31.05.1982	1st	17.08.2019	Level 8
18.	Jyothy Sukumaran, Inspector	31.03.1969	3rd	19.07.2011	PB 2 - 4800
19.	Suma P.P., Private Secretary	05.03.1972	3rd	01.04.2019	Level 8
20.	Liji S.R., Private Secretary	03.05.1974	3rd	01.04.2019	Level 8
21.	Kamalesh A., Lower Division clerk	18.03.1977	2nd	18.09.2017	Level 3
22.	Deendayal V.K., Tax Assistant	06.10.1969	2nd	18.09.2017	Level 3
23.	Selvam K., Head Havaldar	02.05.1967	3rd	29.08.2019	Level 4
24.	Suresh P., Head Havaldar	20.04.1962	3rd	01.09.2019	Level 4
25.	Haridas V.P., Head Havaldar	20.05.1964	3rd	23.03.2018	Level 4
26.	Francis P.M., Havaldar	09.07.1964	1st	01.09.2008	PB-1 1900
			2nd	01.09.2008	PB-1 2000
			3rd	26.10.2014	PB-1 2400

04/03/19

(Dr. T Tiju)
Chairman

(B Umadevi)
Member

(K Sakthidharan)
Member