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 09.10.2020 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 31.03.2021)

Members of the Committee

1. **Rajeswari R Nair,** **Chairman**
   Joint Commissioner (P&V),
   Central Tax and Central Excise, Kochi.
2. **Shri George Joseph,** **Member**
   Assistant Commissioner,
   Chief Commissioner's Office,
   Thiruvananthapuram Zone.
3. **Shri T.R.V.Prabhu,** **Member**
   Assistant Commissioner,
   Audit Commissionerate, 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 received from Headquarters and field formations in the prescribed format for grant of financial up-gradation under MACP Scheme relating to the period upto 31.03.2021. The Screening Committee had considered the proposals of the officers received from Commissionerates /field formations which had reached Hqrs. Vigilance Section, Kochi upto 06.10.2020. 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.

•Consolidated guidelines regarding MACP vide F.NoA-26017/203/2016-Ad.IIA dated 14.11.2019 has illustrated in para 27C that if a Government servant has been granted either two promotions or 2nd financial upgradation under the ACP Scheme of August, 1999 after completion of 24 years of regular service then only 3rd financial upgradation would be admissible to him under the MACPS on completion 30 years of service provided that he has not earned third promotion in the hierarchy.

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.35034/3/2008-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.
- F.No.A-26017/79/2012-AD.IIA dated 12.10.2012
- OM No.35034/10/2011-Estt.(D) dated 13.6.2012
- 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 4.10.2017
- Board's clarification in F. No. 23011/93/2018-Ad.IIA dated 15.01.2019
- F.NoA-26017/203/2016-Ad.IIA dated 14.11.2019

4. The Committee noted that though proposal has been received the officer shown below is not eligible to be considered for grant of financial up-gradation under MACP Scheme for the reasons mentioned in the remarks column against her name:

Sl. No.	Name S/Shri./Smt.	Date of Birth	Remarks
1.	C.R.Vinaya, Inspector	08.05.1975	This officer has joined this Department on 09.02.2000 as LDC. She had already got three regular upgradations/promotions as Tax Assistant (27.05.2003), Senior Tax Assistant (25.05.2007) & Inspector (31.5.2010) during her entire career. Therefore she is not eligible for further financial up-gradation under MACP scheme.

5. 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, Kochi and has 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.

6. 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.

7. 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.

8. 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.

9. (i) Committee was informed that Ministry vide the letter F.No.A-23011/11/2019-Ad.IIA dated 23.05.2019 had directed to implement the order dated 26.2.2019 of the Hon'ble Tribunal, Ernakulam Bench in OA No.180/862/2018 filed by AIACEGEO and others provided this case is similar to the cases covered in the order of Hon'ble Madras High Court dated 6.9.2010 in WP No.13225 of 2010 against which SLP was dismissed. As per the said order, the applicants were eligible for the GP of Rs.5400/- after 4 years of service in the GP of Rs.4800/- with all consequential benefits. It is reported that the officers at Sl.No. 1 to 5 in the consideration list were granted NFG i.e. GP of Rs.5400/- in PB-2 w.e.f 01.01.2006 . Further, these officers were already granted 3rd MACP in level 10 (GP of Rs.5400/- in PB-3), as per the recommendations of various screening committees held earlier. Hence, their cases have to be reconsidered by the present committee for reviewing the proceedings of those Screening Committees and for granting 3rd financial upgradation under MACP Scheme with effect from the date of completion of 10 years in the same grade pay of Rs.5400/- in PB-2. Accordingly , the present Committee decided to consider the cases of officers at Sl. Nos. 1 to 5 in the consideration list for granting 3rd financial up-gradation in level 10 (GP of Rs.5400/- in PB-3) with effect from the date of completion of 10 years of continuous service in Level 9 i.e. w.e.f 01.01.2016 by revising the recommendation of the earlier Screening Committees.

(ii) Committee was also informed that as per the Ministry's above said letter F.No.A-23011/11/2019-Ad.IIA dated 23.05.2019 , the officers at Sl.Nos. 6 to 30 in the consideration list were also granted NFG i.e. GP of Rs.5400/- in PB-2 on completion of 4 years of service in the GP of Rs.4800/-. Accordingly, the Committee decided to grant 3rd financial up-gradation in level 10 (GP of Rs.5400/- in PB-3)to these officers at Sl.Nos. 6 to 30 in the consideration list with effect from the date of completion of 10 years of continuous service in Level 9(GP of Rs.5400/- in PB-2).

10. Review of Proceedings of the Screening Committee meeting held on 28.07.2020

The Committee was informed that the Screening Committee Meeting held on 28.07.2020 had recommended 3rd MACP in the Grade pay of Rs. 6600/- in PB-3 w.e.f. 21.06.2014 to Shri. P.G.Suresh Babu, Superintendent (now Assistant Commissioner), by withdrawing NFU in the Grade Pay of Rs.5400/- (in PB-2) as he had exercised an option for revised pay structure of VIth CPC w.e.f. 21.06.2008 (the date of granting of 2nd ACP) on the basis of OM. F. No.7/14/2010-E III(A) dated 05.07.2010. Now, the Administrative Officer (DDO), Kochi Commissionerate vide the letter C.No.II/A-4/2014-Accts(PB) dated 23.09.2020 has reported that though the pay was refixed on 08.12.2010 in the 6th CPC pay structure w.e.f 21.06.2008 the same was cancelled on 07.08.2012 as per option and arrears of pay and allowances was paid and this resulted in drawal of 6th CPC pay w.e.f 01.01.2006 alongwith subsequent NFU benefits. The proposal for grant of 3rd MACP was forwarded earlier without taking note of revised pay order dated 07.08.2012. It was also brought to notice that Pr.Chief Controller of Accounts, CBIC, New Delhi vide letter No.Coord/Expdt./MACP/01/18-19 dated 15.05.2019 has stated that withdrawal of NFU to grant 3rd MACP is incorrect as per the advise of CBIC and has directed all PAO to review such cases.

In view of the above, the Committee decided to review the recommendation of the Screening Committee Meeting held on 28.07.2020 regarding granting of 3rd financial upgradation under MACPS with effect from 21.06.2014 to Shri. P.G.Suresh Babu, Superintendent (now Assistant Commissioner) and accordingly decided to cancel the same. There is no other change in the recommendations of the Screening Committee meeting held on 28.07.2020.

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

12. 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 Rs. 6600/ Level 1 to 11 in the pay matrix.

13. Based on its findings, the Committee recommended the following 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. The arrears of pay / grade pay etc. on account of the financial upgradations under the MACP Scheme shall be disbursed to 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.	Jayashree N S, Superintendent	15.04.1964	3rd	01.01.2016	Level 10
2.	Suresh (No. II), Superintendent	31.05.1963	3rd	01.01.2016	Level 10
3.	Tomy Joseph No.I Superintendent	11.02.1961	3rd	01.01.2016	Level 10
4.	Roy John, Superintendent	31.07.1961	3rd	01.01.2016	Level 10
5.	S Dhanalakshmi, Superintendent	16.11.1962	3rd	01.01.2016	Level 10
6.	Manoj K P, Superintendent	29.05.1967	3rd	31.01.2018	Level 10
7.	Prakash Alex, Superintendent	15.11.1965	3rd	03.03.2018	Level 10
8.	Jyothirmoy, Superintendent	05.01.1969	3rd	16.05.2020	Level 10
9.	Raghuraj K, Superintendent	31.05.1969	3rd	31.05.2020	Level 10
10.	Gokuldas C, Superintendent	01.06.1965	3rd	01.01.2016	Level 10
11.	Pushpa U, Superintendent	13.07.1967	3rd	10.02.2018	Level 10
12.	Mohan C Pillai, Superintendent	02.05.1960	3rd	01.01.2016	Level 10
13.	Joseph Mathew, Superintendent	17.05.1965	3rd	23.04.2017	Level 10
14.	Thomas P Kalarickal, Superintendent	15.04.1971	3rd	29.10.2019	Level 10
15.	N V Saju, Superintendent	20.01.1965	3rd	08.07.2017	Level 10
16.	P C Chacko, Superintendent	01.05.1964	3rd	02.01.2016	Level 10
17.	Baby V P, Superintendent	10.05.1964	3rd	05.01.2016	Level 10
18.	Gireesh Babu P, Superintendent	30.05.1965	3rd	13.12.2016	Level 10

19.	Nandakumar K, Superintendent	31.05.1964	3rd	16.05.2020	Level 10
20.	Raji K R, Superintendent	16.01.1969	3rd	12.05.2020	Level 10
21.	Raja Tomy, Superintendent	02.10.1972	3rd	01.11.2019	Level 10
22.	Vinod Kumar V V, Superintendent	30.05.1968	3rd	18.05.2020	Level 10
23.	Shashidharan, Superintendent	28.09.1968	3rd	10.05.2020	Level 10
24.	Sajith Kumar C R, Superintendent	31.05.1970	3rd	17.05.2020	Level 10
25.	Chitra C R, Superintendent	29.01.1970	3rd	09.05.2020	Level 10
26.	Dayanandan K Menon, Superintendent	29.07.1962	3rd	31.03.2018	Level 10
27.	Minal Babu, Superintendent	03.11.1968	3rd	23.03.2018	Level 10
28.	K C Joseph, Superintendent	05.03.1967	3rd	06.04.2018	Level 10
29.	Valsalakumari R, Superintendent	31.05.1967	3rd	01.02.2019	Level 10
30.	K S Madhu, Superintendent	09.07.1967	3rd	03.01.2017	Level 10
31.	Megha R, Inspector	27.05.1984	1st	15.11.2020	Level 8
32.	Visakh D, Inspector	23.11.1983	1st	15.11.2020	Level 8
33.	Prabodh S, Inspector	02.05.1987	1st	29.11.2020	Level 8
34.	Pramod Kumar Savita, Inspector	12.07.1980	1st	28.05.2020	Level 8
35.	Priya K M, Inspector	17.03.1979	1st	12.11.2020	Level 8
36.	Jishnu A G, Inspector	02.02.1988	1st	22.11.2020	Level 8
37.	Sreejith V, Inspector	01.08.1982	1st	29.11.2020	Level 8
38.	Senthil Kumar M, Inspector	14.09.1975	1st	18.11.2020	Level 8
39.	Jincy M P, Inspector	25.05.1983	1st	27.01.2021	Level 8
40.	Abraham Koshy T, Inspector	28.03.1982	1st	30.11.2020	Level 8
41.	D.Anitha, Administrative Officer	19.10.1972	3rd	01.04.2015	PB-2, GP Rs.4600/-
42.	K.K.Sindhumol, Administrative Officer	29.05.1970	2nd	01.09.2008	PB-2, GP Rs.4600/-
43.	Mohanan E.V, Head Havaldar	31.05.1968	3rd	20.03.2020	Level 4

44.	Antony J, Head Havaldar	24.03.1970	3rd	31.05.2020	Level 4
45.	Vijayakumar T G, Head Havaldar	20.05.1976	2nd	27.07.2018	Level 3
46.	Raju T, Head Havaldar	24.05.1975	2nd	27.07.2018	Level 3
47.	Baburajan K, Head Havaldar	22.05.1970	2nd	28.12.2015	PB-1, GP Rs.2000/-
48.	Anil Kumar M G, Head Havaldar	20.05.1966	3rd	18.02.2021	Level 4
49.	Viswanathan P C, Head Havaldar	29.05.1966	3rd	25.05.2021	Level 4
50.	S Vijayan, Head Havaldar	07.02.1964	3rd	18.02.2021	Level 4
51.	Sreeraj P, Head Havaldar	20.03.1968	3rd	22.02.2021	Level 4
52.	Vijayakumar R, Head Havaldar	25.05.1962	3rd	01.01.2017	Level 4
53.	Prasobhan P M, Head Havaldar	16.03.1961	3rd	19.07.2020	Level 4
54.	Mukesh P, Head Havaldar	11.03.1967	3rd	16.02.2019	Level 4

Rajeswari 9.10.20

(Rajeswari R Nair)
Chairman

(George Joseph)
Member
09/10/2020

09/10/20

(T.R.V.Prabhu)
Member