

# ALL INDIA ASSOCIATION OF CENTRAL EXCISE GAZETTED EXECUTIVE OFFICERS: CHENNAI UNIT

Recognized by GOI, Ministry of Finance  
(Vide F. No B. 12017/10/2006- Ad. IV A dated 21/01/08)  
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Assn.Lr.10/13

Dt. 15.05.2013

To

The Chairman  
Central Board of Excise & Customs  
North Block  
New Delhi.

Honourable Madam,

Sub : MACP – Clarifications issued by Ad IIA section of CBEC vide references

1. F. No A-23011/29(i)/2010 Ad IIA dt 6/5/13 addressed to Secretary General, AIACEGEO
  2. F. No A-23011/29(iii)/2010 Ad IIA dt 6/5/13 addressed to CC/Shillong Zone
  3. F. No A-23011/29(ii)/2010 Ad IIA dt 6/5/13 addressed to CC/Jaipur Zone
- Cross referred by reply F.No A-23011/12/2012 Ad IIA dt 21/2/13 in response to Order of Hon'ble CAT, Madras Bench in OA's No 140 & 144/2012

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Your kind attention is invited to the references above cited on the issue of MACP. This letter is being written to set the record straight as the contents of our correspondence 14/11 dt 19/5/11 have been incorrectly quoted and taken out of context to make out a customized reply. In the letter of Ad IIA cited against Sl No 1 of reference in Paras 2(i) & 2(ii) it has been mentioned that the associations have demanded GP of 5400 in PB 3 and acceptance of Chennai CAT order in the case of Shri.S.Ramachandran (O.A.821/2010). The above are only partly true and the crucial point that was made was about the grant of GP of 6600, on completion of 30 years, in terms of MACP, to all Superintendents, who have been given ACP, in the grade of Assistant Commissioner, as per ACP scheme of 1999.

That the stand taken by DOPT that setting off of NFSG with MACP cannot be revisited (articulated through letter in F.No. A-23011/29(ii)/2010 Ad IIA dt 6/5/13 addressed to CC/Jaipur Zone, citing para 6(b) of order dt.21.02.13) has harmed the cases of officers granted ACP in the grade of Asst. Commissioner between 01.01.06 & 31.08.08 as GP of 6600 is being denied and the cases of a major section of officers who have been denied either MACP or financial upgradation on completion of 4 years as Superintendent, citing para 8.1 of MACP scheme.

By a curious inversion of logic, Superintendents completing 24 years of service between 01.01.06 & 31.08.08 have been compulsorily saddled with a less beneficial scale in that they were initially given GP 5400 in PB 2 on completion of 4 years and thereafter PB 3 5400 on award of ACP under old scheme of 1999. This has resulted in the denial of GP of 6600 to the referred category of officers citing para 8.1 of MACP scheme.

Para 8.1 of MACP scheme has also denied financial upgradation (though termed Financial Upgradation, it is only a Revised Pay Structure that had come into effect from 01.01.2006) on completion of 4 years to Superintendents in stagnating zones (where 20 year tenure is completed before completion of 4 years in Superintendent grade) and MACP to officers in non-stagnating zones (where 4 years as Superintendent completed before 20 years of service).

That this has happened because 2 propositions which are entirely different in substance and form have been sought to be linked in terms of para 8.1 of MACP scheme.

MACP, a mitigatory scheme, brought in as a panacea for stagnation (widely prevalent in executive grades of Central Excise) and financial upgradation(PB2 5400) given on completion of 4 years as Superintendent are completely different and that they have been sought to be linked through a common thread of para 8.1 of MACP is wholly unjust and inappropriate. This has resulted in injustice at different levels to the same cadre working in different zones with different lengths of service and varying stagnation levels.

Given the circumstances, the intervention of Honourable Chairman is requested to

- (i) get para 8.1 of MACP scrapped or suitably modified to remove the provision causing Anomaly,
- (ii) get the circular dt.21.07.10 of DOPT,Estt(d) and circulated vide D.No.62460/US(D)/10 dt.26.07.10 by O/o The Pr.CCA, CBEC, New Delhi withdrawn

by taking recourse to appropriate forms of action.

The above are without prejudice to any stand that may be taken by the All India Association in response to order of Ad.IIA dt.21.02.13.

Kindly also see the illustration chart enclosed.

Thanking you,

Yours faithfully,



(R.CHANDRAMOULI)  
General Secretary

Encl : a/a

Copy to :

- 1.The Member (P&V), CBEC.
- 2.The Chief Commissioner, Chennai Zone
- 3.The Secretary, DOPT, Govt. of India
4. Sh.Ravi Malik. Secretary General, AIACEGEO
- 5.The website cengochennai.com.

ANNEXURE TO LETTER 10/13 DT 15/5/13

ILLUSTRATIONS

Ex 1 : 'A' joining the Dept. as DR Inspr. On 01.01.1981  
Step 1 : ACP in the grade of AC 01.01.2005 (24 years)  
Step 2 : Placed in PB3 5400 wef 01.01.2006

Adversity : Denied financial upgradation.

Ex 2 : 'B' joining the Dept. as DR Inspr. On 01.08.1982  
Step 1 : PB2 5400 wef 01.01.2006 (on completion of 4 years of service as Superintendent)  
Step 2 : PB3 5400 wef 01.08.2006 (AC grade)

Adversity : Denied PB3 6600 in terms of para 8.1 of MACP.

Ex 3 : 'C' joining the Dept. as DR Inspr. On 01.09.1984 in stagnating zones like Chennai,  
Mumbai  
Step 1 : Financial upgradation (PB2 5400) in 2006 (on completion of 4 years of service as Superintendent)  
Step 2 : 3<sup>rd</sup> MACP PB3 5400 on completion of 30 years, i.e, 01.09.2014

Adversity : PB3 6600 / 2<sup>nd</sup> MACP denied in terms of para 8.1 of MACP.

Ex 4 : 'D' joining the Dept. as DR Inspr. On 01.09.1990 in non-stagnating zones, like :  
Delhi, Bangalore etc,  
Step 1 : Financial upgradation (PB2 5400) in 2006 (on completion of 4 years of service as Superintendent) PB2 5400 during Sep' 2006

Benefit : Financial upgradation of PB2 5400 given earlier than the stagnating zones as this precedes 2<sup>nd</sup> MACP.

Adversity : Only PB3 5400 on completion of 30 years.

Ex 5 : 'E' joining the Dept. as DR Inspr. On 31.12.1989 in stagnating zones like Chennai  
Step 1 : 2<sup>nd</sup> MACP (PB2 5400) on completion of 20 years in the year 2009  
Step 2 : 3<sup>rd</sup> MACP (PB3 5400) on completion of 30 years

Adversity 1 : Financial upgradation denied as 2<sup>nd</sup> MACP precedes completion of 4 years of Superintendent.

Adversity 2 : Only PB3 5400 on completion of 30 years.