

SESSION OVERVIEW

Prospects of promotion are the primary attraction for candidates seeking employment in any organization and more so in a Government organization. By working in a particular job for a period of time the skill of the employee improves considerably and grant of promotion to the next higher grade gives a fillip to his efficiency in service and fosters the appropriate attitude to grow for achieving excellence in service. In absence of promotion the service is bound to degenerate and stagnation kills the desire to serve properly.

Keeping this in view, the Fifth Central Pay Commission in its Report had 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 was decided by the Government to introduce the ACP Scheme recommended by the Fifth Central Pay Commission with certain modifications.

In the discussion we will see that the Scheme merely takes care of the financial loss suffered by a Government servant due to lack of promotion avenues but does not promote him *per se* to the higher grade.

LEARNING OBJECTIVE

To inform the participants about the

- Salient features of the ACP Scheme.
- Conditions applicable for exercise of the Scheme in a given case.
- Procedure of fixation of pay under the Scheme
- Fixation of pay on regular promotion.

ASSURED CAREER PROGRESSION SCHEME

- For the Central Government Civilian Employees

1. Date of effect

1.1 The scheme came into effect from **August 9, 1999**; the date of issue of **DoP&T O.M.No.35034/1/97-Estt.(D)**.

1.2 As we have already discussed in the beginning of the session that the Scheme came into existence on the basis of recommendations of the Fifth Central Pay Commission.

2. Salient Features of the Scheme

The Government decided to introduce the *Assured Career Progression (ACP) Scheme* recommended by the Fifth Central Pay Commission with certain modifications. This scheme is applicable to Group 'B' 'C' & 'D' categories to mitigate hardship in cases of acute stagnation either in a cadre or in an isolated post.

2.1 Group 'A' Central Services

- (i) In respect of Group 'A' Central services (Technical/Non-Technical), no financial up-gradation under the Scheme is given for the reason that promotion in their case must be earned. Hence, it was decided by the Government that there shall be no benefits under the ACP Scheme for Group 'A' Central services (Technical/Non-Technical). However, an observation was made that Cadre Controlling Authorities in their case would continue to improve the promotion prospects in organisations/cadres on functional grounds by way of organisational study, cadre review, etc. as per prescribed norms.

2.2 Group 'B', 'C' and 'D' Services/Posts and Isolated Posts In Group 'A', 'B', 'C' And 'D' Categories

- (i) While in respect of these categories also promotion shall continue to be duly earned, it was 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 was decided to grant two financial up-gradations [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 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 do not qualify for benefits under the aforesaid Scheme. Grant of financial up-gradations under the ACP Scheme is, however, be subject to the conditions mentioned in Annexure-I discussed in Para B below.

- (ii) *Regular Service-* Meaning of 'Regular service' for the purpose of the ACP Scheme is the eligibility service counted for regular promotion in terms of relevant Recruitment/Service Rules.

2.3 Effect on Regular Promotion

- (i) 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.
- (ii) Vacancy based regular promotions, as distinct from financial up-gradation under the ACP Scheme, shall continue to be granted after due screening by a regular Departmental Promotion Committee as per relevant rules/guidelines.

2.4 Screening Committee

- (i) Government directions are that, a departmental Screening Committee shall be constituted for the purpose of processing the cases for grant of benefits under the ACP Scheme.
- (ii) 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 up-gradation 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.

- (iii) 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.

- (iv) It was directed that 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 instructions in the matter, 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.

- (v) Ministries/ Departments were advised to explore the possibility of effecting savings so as to minimise the additional financial commitment that introduction of the ACP Scheme may entail.

B. CONDITIONS

- for grant of benefits under the ACP Scheme (Annexure-I)

1. The ACP Scheme envisages merely placement in the higher pay-scale/ grant of financial benefits (through financial up-gradation) only to the Government servant concerned on personal basis and shall neither amount to functional/ regular promotion nor would require creation of new posts for the purpose.
2. The highest pay-scale up to which the financial up-gradation under the Scheme shall be available will be Rs.14,300-18,300. Beyond this level, there shall be no financial up-gradation 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 ACP instructions whichever is later.
4. The first financial up-gradation under the ACP Scheme shall be allowed after 12 years of regular service and the second up-gradation after 12 years of regular service from the date of the first financial up-gradation subject to fulfilment of

prescribed conditions. In other words, if the first up-gradation gets postponed on account of the employee not found fit or due to departmental proceedings, etc this would have consequential effect on the second up-gradation which would also get deferred accordingly.

5. Two financial up-gradations 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 up-gradations 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 up-gradation 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.

6. 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.

7. Fulfilment of normal promotion norms (bench-mark, departmental examination, seniority-cum-fitness in the case of Group 'D' employees, etc.) for grant of financial up-gradations,

performance of such duties as are entrusted to the employees together with retention of old designations, financial up-gradations 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

8. Financial up-gradation 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 up-gradation shall be given by the Ministries/Departments concerned in the immediately next higher (standard/common) pay-scales as indicated in Annexure-II.

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 up-gradations only to the pay-scales S-5 and S-6. Financial up-gradation 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.

9. 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;

10. It is, therefore, clear from harmonious reading of the above condition 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. 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, past service in the same grade can also be counted towards the regular service.

11. The 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;

12. 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.

13. 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.

14. 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.

[O.M. No. 35034/1/97-Estt-D (Vol.IV) dated 10th February, 2000]

C. STANDARD/COMMON PAY-SCALES - Annexure-II

The scales are 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 8 of Annexure-I above]

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

D. FIXATION OF PAY

- Under ACP Scheme

1. On up-gradation under the ACP Scheme, pay of an employee shall be fixed under the provisions of FR 22(I) (a)(1) subject to a minimum financial benefit of Rs.100/-. 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.

2. 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 up-gradation 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.

Example- If a person has got one financial up-gradation after rendering 12 years of regular service and after 2 years there from 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 of regular service.

$$12 + 2 + 1 = 15$$

He shall be eligible for consideration for the second up-gradation 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 up gradation (2+10) in that higher grade i.e. after 25 years 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.

$$12 + 2 + 1 + 10 = 25$$

5.3 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 there under.

[DOPT., O.M. No.1/6/97-Pay.I dated July 5, 1999]

SUMMARY

At the end of the session participants will have in depth understanding of the features of the ACP Scheme and the procedure and conditions of fixation of pay. They will understand that rider of debarment from regular promotion for one year if the employee does not accept regular promotion after acceptance of financial benefit under ACP Scheme, is to avoid misuse of the Scheme.