

ALL INDIA CENTRAL EXCISE INSPECTORS' ASSOCIATION

(Recognized by Government of India, Ministry of Finance)

President

Koneru Prabhakar Rao
MA (PPM);MA (Pub Admn); L.LB (G)
Asst. Secretary General
Kousik Roy



Address:-

6th fl, CGO, CBD Belapur
Navi Mumbai, Mah -400 614
Mail:president@aiacea.com
Web: aiacea.com, M.9869453777

To

ICEIA/ACP/NC/1/2008

The Secretary

Dept. of Personnel and Training
North Block, New Delhi.110 001.

07th July 2008

The Staff Side Secretary

National JCM
13-C, Ferozshah Road
New Delhi -110 001.

Sir,

Sub:- National JCM item no. 20/06/NC-45- Stepping up of the pay of senior incumbents at par with their juniors granted ACPs – reg.

Please refer to the point taken-up in the National Council item No. 20/06/NC-45 . While issuing the minutes the DoPT requested the staff side to 'give details of the specific case referred by them, pertaining to MES, in Ministry of Defence, so as to facilitate understanding how such a situation has arisen. On receipt of this note, the matter will be examined by Ministry of Defence, in consultation with DoPT and Ministry of Finance, Thereafter, a decision would be conveyed to the staff side'

In the light of the above, a similar case arised in the case of Inspectors of Central Excise after the scales were upgraded on 21.04.2004 from Rs. 5,500-9000 to Rs.6,500 - Rs. 10,500. The Inspectors has been granted ACP according to the old scale of pay i.e. Rs. 5,500 were fixed at basic pay at Rs. 8250 before 21.04.2004 and others granted ACP after 21.04.2004 were fixed at Rs. 8500 irrespective of their service seniority.

The anomaly aroused on the grant of ACP to the officers selected for Govt. Service in a particular year. The top ranker in the merit list of selection is a natural senior for fixation of service seniority in the cadre. But it may happen that they may join a month later to the person, who is below in the select list. This created a manifest anomaly in the matter, as both of them are from the same source of examination and belongs to same class. It is discrimination among the equals (Art. 14) and need to be set right.

The details of anomaly also explained in the table below

Sl No.	Name of the Officer	Commissionerate	Joining Date	Basic pay in Rs. as on 01.01.2008	Remarks
1.	S. S. Sood	Belapur	24.02.1992	8250	Senior
2.	M. S. Chowdhury	Mumbai II	10.02.1992	8250	
3.	Rajesh Mohanty	Belapur	10.02.1992	8250	
4.	Iyer M Saptharishi	Mumbai II	21.04.1992	8250	
4.	H. S. Mandlekar	Belapur	17.02.1992	8250	
5.	S.B. Bhosle	Mumbai - III	May 1992	8500	Junior
6.	A. P. Sahu	Belapur	January 1993	8500	Junior

The ACP scheme as decided by the Govt. of India's decision No 23 published under FR-22 and para 8 of Annexure I to DoPT's OM dated 9th August 1999 states that **“provision was made for removal of anomaly by stepping up of pay of senior on promotion, if he,was drawing less pay than his junior”**

However, in the case of Inspectors, the senior, when promoted to the grade of Superintendent at around 22 years of service in the Grade will not have the benefit of fixation of pay again in the Grade of Superintendent as the ACP has already been fixed earlier on completion of 12 years of service.

The aim of introducing the ACP scheme to address the stagnation will stand defeated, if the officers don't get the end result in their favour. Therefore, the matter require immediate attention of the dept. and suitable directions need to be issued urgently.

With regards,

Yours Sincerely,

(KONERU PRABHAKAR RAO)