

## **MACP JOINT COMMITTEE MEETING AND DECISIONS.**

The joint Committee set up by the National Anomaly Committee to consider the MACP related issues met on 27<sup>th</sup> July, 2012. The Staff Side was represented at the meeting by the following comrades:

Com. M. Raghaviah

Com. Umraomal Purohit

Com. S.K. Vyas

Com. C. Srikumar

Com. K.K.N. Kuty

Com. Shivgopal Misra

Com. Bhosle

The report prepared by the sub-committee after three rounds of discussions was reviewed at the meeting. The points that came up for discussion and the decisions taken are as under:

**Grant of MACP in the promotional hierarchy:** The Staff Side pointed out that the ACP which was in vogue till the advent of MACP had been on promotional hierarchy. In the name of improvement of the scheme, the Government cannot unilaterally change it, especially when the concerned employees do not consider it as advantageous. They suggested that the employees must be allowed to retain the ACP for the first two promotions and for the third promotion MACP can be extended. However, the Official Side said that it would not be possible to have any hybrid scheme. In fact, they added that the 6<sup>th</sup> CPC had suggested for two career progressions only and that too on grade pay hierarchy. The govt. had improved upon and therefore it was not possible for them to agree for the suggestion of the Staff Side. They also stated that the reason for bringing about grade pay hierarchy was to bring about uniformity in the scheme across the Departments as the promotional hierarchy varies from one department to another. They declined to consider the suggestion for promotional hierarchy based MACP.

The Staff Side then pointed that in the last meeting of the Committee, the Official Side taking into account the difficulties and disadvantages experienced by the employees in many departments which were presented by the Staff Side had agreed to consider department wise/cadre wise options. The Staff Side further pointed out that the suggestion of the Official Side would not go to resolve the issue. They said that option must be provide for each individual employee to choose either the ACP or MACP whichever is beneficial to him as is provided in the CCS(RP) Rules. The unilateral withdrawal of a benefit from an employee is not permissible. They also stated that the Official Side has not pointed out the difficulties in agreeing to this proposal. After some discussions, the Official Side said that they would re-examine the issue of individual option and will come up with their considered view at the next meeting of the NAC.

**Counting 50% of service of the Temporary status/casual labourers for the purpose of MACP:** In the light of the discussion at the meeting, the Official Side agreed to examine the matter.

**Treatment of employees selected under LDCE Scheme and GDCE Scheme:** The Official Side agreed to issue orders on the same lines as has been issued under the ACP Scheme. The Staff Side stated that wherever examination is the criterion for promotion/fast track promotion, the service rendered by such employees in the lower post must be ignored and such promotion should be treated as appointment and the promotion scheme to commence from the date of such appointment. This was not agreed to by the official side on the plea that such appointments are against promotion quota and therefore, they are to be considered as promotion only. The Staff Side then pointed out that this issue had been the subject matter of judicial consideration before the Tribunal and the Tribunal has given the decision in favour of the employees. The Official Side wanted a copy of the judgment to react to this.

Date of effect of the Scheme: The Staff Side pointed out that the date of effect of MACP Scheme must be from 1.1.2006. The analogy of the 5<sup>th</sup> CPC has no application as ACP was introduced after discussion with the Staff Side on a later date. Since the Government issued the orders of the 6<sup>th</sup> CPC and the acceptance of the MACP with modification almost simultaneously, it should have been made effective from 1.1.2006. They also pointed out that the MACP is not an allowance to be made application from 1.9.2008. The Official Side pointed out that the benefit emanating from the MACP i.e. the third promotion was applicable to all existing employees who were in service after 1.9.2008. The Staff Side demanded that the benefit has been denied to those who retired between 1.1.2006 and 30.8.2008. The Official Side agreed to consider application of the new MACP with effect from 1.1.2006 for those who retired/died between 1.1.2006 and 30.8.2008.

Financial up-gradation under MACP in the case of staff who join another unit/organization on request. It was agreed at the last meeting that the services rendered in another recruiting unit/organization will be taken into account for counting service for promotion under MACP. The Staff Side however, pointed out that in many cases, the employees are compelled to seek reversion in order to be transferred to another recruiting unit. In their case, the promotion so earned at the present recruiting unit and which have been foregone is being counted as one promotion under MACP. The Official Side agreed to look into this matter and issue necessary clarificatory orders.

Stepping up of pay of senior incumbent with the junior as a consequence of ACP/MACP. The Official Side stated that in the light of the judgments delivered in the matter they will have the case looked into and necessary instructions issued. They also stated that certain instructions in the matter has already been issued, copy of which will be made available to the Staff Side.

The bench mark question for promotion under MACP. The Official Side agreed to issue a clarificatory order stating that if the promotion is on seniority cum fitness basis, MACP will also be on seniority cum fitness basis.

There had been no discussions on other points incorporated in the report. The stand taken by the Official side in those matters remains unchanged. You may kindly access the report from the website of the Department of Personnel along with the relevant orders.

With greetings,

Yours fraternally,

K.K.N. Kutty

Secretary General