

OFFICE OF THE PR. COMMISSIONER OF CUSTOMS (GENERAL)
PERSONNEL & ESTABLISHMENT (P) SECTION, 3rd FLOOR,
NEW CUSTOM HOUSE, BALLARD ESTATE, MUMBAI 400 001

F.No. S/5- 113/2017 P &E(Prev)
S/20-15/2017 P&E (Prev.)

Date: 14.12.2017.

ESTT. OFFICE ORDER NO. 391 /2017

Sub: Financial upgradation under Modified Assured Career Progression Scheme (MACPS)- reg.

In pursuance of the DOPT's O.M. issued F. No. 35034/3/2008-Estt (D) dated 19.05.2009 and clarifications issued thereon from time to time on Modified Assured Career Progression Scheme (MACPS), the Departmental Screening Committee (DSC) meeting was held on 07.11.2017, 22/11/2017 & 23.11.2017. On recommendations of the DSC and with the approval of Competent Authority, the case of Shri. S. S. Shenoy has been reviewed

2. Shri S S Shenoy (D.O.B- 26.07.1957) joined this department as Preventive Officer on 13.06.1980 and was promoted to the grade of Superintendent w.e.f. 01.10.1996. As per the ACP scheme introduced w.e.f 09.08.1999, he was not entitled for 1st ACP in view of his promotion before commencement of the scheme. He was eligible for 2nd ACP on completion of 24 years as on 13.06.2004. However, this was to be deferred to 01.12.2008 due to vigilance reasons. The DSC held on 29.07.2009 granted him 2nd ACP w.e.f 01.12.2008 to the pre-revised AC scale of (8000-275-13500). This recommendation needed review as ACP Scheme was replaced by MACP Scheme w.e.f 01.09.2008. Para 12 of FAQ on MACP dated 01.04.2011 also provided for review of benefits granted under ACP Scheme between 01.09.2008 and 19.05.2009.

3. He was also granted NFU in the GP Rs 5400 PB2 on 21.04.2008. This was done as per the Board's letter F.No 26017/98/2008-Ad.IIA dated 21.11.2008 which clarifies that NFU benefit is to be granted on completion of 4 years of service as Superintendent in the pay scale of 7500-250-12000. All the Superintendents of Customs (P), Central Excise and Appraisers were granted the said pay scale on 21.04.2004, hence 2nd was granted w.e.f 21.04.2008. However Board vide letter F.No 26017/98/2008-Ad.IIA dated 16.09.2009 clarified that NFU should be granted to those Superintendents/Appraisers w.e.f 01.01.2006 who completes 4 years of service as on 01.01.2006 and for others who completes 4 years of service after 01.01.2006, they shall be granted w.e.f. the date of such completion of 4 years of service. Further this will be subject to the officer being free from vigilance angle. However, the said grant w.e.f. 21.04.2008 was not revised in terms of Board's letter dated 16.09.2009.

4. Further, Shri S S Shenoy was not clear from vigilance angle till 01.12.2008 and hence he was not entitled for grant of NFU w.e.f 21.04.2008. He will be entitled only w.e.f. 01.12.2008. Therefore, the NFU benefit granted w.e.f. 21.04.2008 is not proper.

5. **The case was reviewed by the DSC of ACP Scheme held on 22.11.2017 under the chairmanship of Chief Commissioner of Customs, Mumbai, Zone-I and it was decided by the committee to cancel the given benefit of 2nd ACP w.e.f 01.12.2008, as the scheme expired by 31.08.2008 and recommended that he may be granted 2nd MACP benefit w.e.f. 01.12.2008, so that**

his 3rd MACP benefit can be considered as per Rules. Though he is entitled for both the benefits i.e. 2nd MACP as well as NFU on the same date w.e.f. 01.12.2008, the committee has recommended his case for grant of 2nd MACP w.e.f. 01.12.2008

6. Accordingly, the NUF benefit granted w.e.f. 21.04.2008 and 2nd ACP benefit granted w.e.f. 01.12.2008 are treated as cancelled and the following benefits are awarded as per the recommendations of the DSC of MACP Scheme held on 07.11.2017, 22.11.2017 & 23.11.2017.

S.N.	Name of the Officer & DOB	Due Date of MACP	Pay Scale thereof
1	2	3	4
1	Shri. S. S. Shenoy (26.07.1957)	01.12.2008, 2 nd MACP	GP 5400, PB2
2	Shri. S. S. Shenoy (26.07.1957)	01.12.2014, 3 rd MACP	GP 5400, PB3

The gist of the grants of promotions / MACPs benefits are as follows:

- 1. First promotion to the grade of Superintendent: 01.10.1996**
- 2. 2nd MACP benefit (in lieu of 2nd ACP benefit) : 01.12.2008 in GP 5400 PB2**
- 3. 3rd MACP benefit (on completion of 30 years : 01.12.2014 in GP 5400 PB3 but deferred as a consequential effect on subsequent upgradation, as the previous benefit was deferred due to vigilance proceedings)**

7. Option (exercisable within one month from the date of receipt of this order for fixation of pay in the higher grade scale(s) based on the date of increment (i.e. 1st July of the year) of the incumbent is also allowable. Such option once exercised shall be treated as final.

8. The previous orders in respect of Shri. S. S. Shenoy may be treated as cancelled. Concerned pay bill sections are hereby advised to revise his NFU / MACP eligibility and recover if any excess payment is made.

9. This order is issued with the approval of Pr. Commissioner of Customs (Gen.), Zone-I, Mumbai.

-Sd-

(Dr. B S MEENA)
Addl. Commissioner of Customs, P&E
NCH Mumbai

Copy to:-

1. The Chief Commissioner of Customs, Zone-I & II Mumbai.
2. The Pr. Commissioner of Customs (G) / Commissioner of Customs (G), Zone-I & II, Mumbai.
3. The ACAO, Preventive Pay Bill Section, Zone I, & II, Mumbai
4. The Pay & Accounts Officer, Mumbai Zone II for finalization of his pension after revised pay fixations and recovery, if any, thereof.
5. EDI to upload on website of Mumbai Customs
6. Office Copy.