



No. 2/46/2012-2PR (FD)

From

The Principal Secretary to Government Haryana
Finance Department.

To

1. All of the Administrative Secretaries in Haryana State.
2. All of the Heads of Departments in Haryana State.
3. All of the Divisional Commissioners in Haryana State.
4. All of the Deputy Commissioners in Haryana State.
5. All of the SDOs (Civil) in Haryana State.

Date Chandigarh the, 12th September 2018 .

Subject:- Cases where a Senior Promoted Govt. Employee is drawing Lesser Salary/ Lower Grade Pay on account of Grant of Higher ACP Grade Pay to a Junior Direct Recruited Employee. - Calling for Detailed Factual Position.

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Sir,

The Rule 12 of HCS (ACP) Rules, 2008 provides for a maximum of three Nos. of ACP benefits. Some instances were received in the Finance Department where a senior promoted Govt. employee (mostly belonging to Group D) on having been promoted as Clerk and after enjoying three Nos. of financial up-gradations, made demands of stepping up of their Pay/Grade Pay at par with that of his junior counterpart direct recruit, when the later was granted his applicable ACP Grade Pay benefits.

It is also noteworthy that even in HCS (ACP) Rules, 1998, that remained in currency from 1.1.1996 to 31.12.2005, there was also a provision of grant of maximum of two Nos. of ACPs but after the decision of Hon'ble Supreme Court that Rules were considered thoroughly and three Nos. of Instructions dated 23.11.2006, 6.2.2007 and 2.6.2008 were issued providing for stepping up of pay/pay scale of a senior promoted employee at par with his junior counterpart direct recruit in the event of grant of ACP benefit to the later.

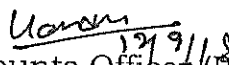
It is also pertinent to add here that the benefit of stepping up of Pay/Grade Pay has been allowed to some of the employees in relaxation of Rule 12 of HCS (ACP) Rules, 2008, which provided for only three numbers of financial up-gradations and denial of stepping up benefit.

In view of the above the entire policy/corresponding provision of HCS (ACP) Rules, 2008 has been re-considered thoroughly and it has decided to examine all such cases. Therefore, it is requested that if such type of cases exist in your Department the intimation thereof may be sent to this Department through Administrative Department concerned in the following format within thirty days:-



Date of Effect(s)	Case of Mr. A (the Senior Promoted employee)		Case of Mr. B (the Junior Directed Recruited employee)		Remarks
	Name of the Post to which appointed/ Promoted	Pay Scale and Pay	Name of the Post to which appointed/ Promoted	Pay Scale and Pay	
This column should start from the date of first entry into Govt. service of senior employee and all subsequent Occurrences viz. Appointment/Promotion, grant of any of Financial Up-gradations and Annual Increments (AIs) should be mentioned in strict chronological order. In case no change is involved for other employee on a relevant date his factual position should invariably be shown. In case any of employees is appointed on Ad-hoc basis and regularised later on, this column should start with former incident.	The name of the post may be mentioned against each date, as mentioned in previous column.	Pay Scale and Pay should be mentioned clearly against each date.	The name of the post may be mentioned against each date, as mentioned in previous column.	Pay Scale and Pay should be mentioned clearly against each date.	Clear Remarks should be made in this column against each date so that relative factual position on each may be ascertained.
Example	Example	Example	Example	Example	Example
1.1.1990	Peon	750-940 Rs. 750/-	Not Appointed yet	N/A	N/A
1.1.1991	Peon	750-940 Rs. 762/-	Not Appointed yet	N/A	AI to Mr. A
1.1.1992	Peon	750-940 Rs. 774/-	Not appointed yet	N/A	AI to Mr. A
1.7.1992	Peon	750-940 Rs. 774	Appointed as Clerk	950-1500 950/-	Appointment of Mr. B
1.1.1993	Peon	750-940 Rs. 786/-	Clerk	950-1500 950/-	AI granted to Mr. A.
1.7.1993	Peon	750-940 Rs. 786/-	Clerk	950-1500 970/-	AI granted to Mr. B.

All of the incidents/occurrences in respect of both of the employees may be made in the aforesaid manner. Separate Comparative Statement may be made for each case. The comparative statement so made should be certified by the Establishment Assistant/ Superintendent and duly verified by the SAS personnel posted in the Department. The estimated financial implication involved may also be informed. In case, at any later stage if it comes out that the benefit has been granted to an ineligible employee on the basis of wrong factual position the entire onus thereof shall be of Preparer and Verifier of the Statement concerned.


 Chief Accounts Officer (Pay Revision)
 for Principal Secretary to Government Haryana
 Finance Department