

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA No-2448/2015**

**New Delhi, this the 12<sup>th</sup> day of February, 2020**



**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. A.K. Bishnoi, Member (A)**

Sh. Harbans Singh, Age -68 years  
 ACP Retd. D-1/360  
 S/o late Tara Singh  
 R/o ED-68, Ground Floor  
 Tagore Garden, New Delhi-110027. .... Applicant

(through Sh. O.P. Jatav)

Versus

1. Union of India  
 Through Chief Secretary  
 Central Secretariat, New Delhi.
2. Ministry of Home Affairs  
 Govt. of India, Through Home Secretary  
 North Block, New Delhi-110001.
3. Commissioner of Police  
 Police Headquarter  
 MSO Building, Near ITO, New Delhi-110002.
4. Additional Dy. Commissioner of Police  
 Establishment, Establishment Branch  
 Police Headquarter  
 MSO Building, Near ITO  
 New Delhi-110002. .... Respondents

(through Sh. J.P. Tiwari for R. No. 1 and Sh. H.D. Sharma for R. Nos. 2 to 4)

**ORDER(ORAL)****Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**

The applicant joined the service of the Delhi Police on 13.04.1970 as Sub Inspector. Thereafter, he was promoted as Inspector on 08.10.1980 and as ACP on 10.10.1994. He was also given a financial upgradation on 11.10.2004. Ultimately, he retired from service on 30.11.2006. The applicant contends that, he was entitled to be extended the benefit of the third MACP since, he did not earn the third promotion. Earlier, he approached this Tribunal by filing an OA, that was dismissed in limine, leaving it open to the applicant to pursue the remedies. In this OA, the applicant claimed the relief of the MACP in terms of the recommendations of the 6<sup>th</sup> Pay Commission.

2. The respondents filed counter affidavit opposing the OA. It is stated that the MACP Scheme became operational with effect from 01.09.2008 and by that time, the applicant retired from service. It is also stated that during his service, the applicant earned two promotions and one financial upgradation and nothing more is due to him.

3. We heard Sh. O.P. Jatav, learned counsel for the applicant, Sh. J.P. Tiwari for R. No. 1 and Sh. H.D. Sharma for R. Nos. 2 to 4.

4. The relevant particulars of the service of the applicant are not in dispute. He was promoted to the post of Inspector in the year 1980 and to the post of ACP in the year 1994. Thereafter, a financial upgradation was also extended.

5. It is true, that the MACP provides for financial upgradation on completion of 10, 20 and 30 years of service, in case the employee did not earn promotions during those spells. It has already been mentioned that the applicant earned promotions as well as financial upgradations. Assuming that the applicant did not earn three promotions or upgradations, as contemplated under MACP Scheme dated 01.09.2008, the question of granting any relief thereunder does not arise, because the applicant retired much before that date, i.e., 30.11.2006.

6. We do not find any merit in the OA and accordingly, the same is dismissed. There shall be no order as to costs.

**(A.K. Bishnoi)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

/ns/