

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.1549/2015

Wednesday, this the 11th day of September 2019

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

Mangat Rai, age 61 years
Workshop Instructor (now retired)
s/o sh. Shyam Dass
r/o E-248, Gamma-I
Greater Noida – 201301, UP

..Applicant
(Mr. Inderjit Singh, Advocate)

Versus

1. Govt. of NCT of Delhi
Through Chief Secretary
Delhi Secretariat, IP Estate
Delhi – 110 002
2. Secretary
Directorate of Training &
Technical Education
Muni Maya Ram Marg
Pitampura, Delhi – 88
3. Principal
G. B. Pant Polytechnic
Okhla, New Delhi – 29

..Respondents
(Mr. Sameer Sharma, Advocate)

O R D E R (ORAL)

Justice L. Narasimha Reddy:

The applicant states that he joined the service of Delhi Government as Workshop Instructor in G.B. Polytechnic, the 3rd respondent herein, on 17.02.1981. He was extended the benefit

of first Assured Career Progression (ACP) Scheme in the year 2000 and second ACP in the year 2010, on completion of the respective spells of service.

2. The applicant contends that the ACP Scheme was replaced by Modified Assured Career Progression (MACP) Scheme and according to it, if an employee was put in a scale of pay as a measure of ACP and that pay scale is merged with a higher one, the corresponding ACP needs to be ignored in the context of extending the benefit under MACP. He further contends that though he was in the government service between 1976 and 1981, that was not taken into account and he was not extended the benefit of 3rd MACP, despite the fact he completed 30 years of service.

3. In the counter affidavit, the respondents stated that the representations made by the applicant, both as regards the addition of service rendered between 1976 and 1981 in another department, and grant of 3rd MACP on completion of 30 years of service, are under consideration

4. We heard Mr. Inderjit Singh, learned counsel for applicant and Mr. Sameer Sharma, learned counsel for respondents, at length.

5. The applicant did not protest when the first ACP was granted to him in the year 2000 and the second ACP in the year

2010, maybe with effect from certain date. The present dispute is only about the extension of the 3rd MACP on completion of 30 years of service. In case the applicant has completed 30 years of service in G.B. Polytechnic itself, no problem as such would arise. If on the other hand it is short by any length, the question as to whether the service rendered by him in Small Industries Service Institute, Ministry of Industries can be added, needs to be decided by the respondents.

6. We, therefore, dispose of the O.A. directing the respondents to take a decision on two aspects, namely, the entitlement of the applicant to count his service rendered between 1976 and 1981 rendered in Small Industries Service Institute, Ministry of Industries, and the 3rd MACP on completion of 30 years of service. The necessary order in this behalf shall be passed within a period of two months from the date of receipt of a copy of this order.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

September 11, 2019
/sunil/