



**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA No. 4563/2015  
MA No. 3889/2019**

New Delhi, this the 06<sup>th</sup> day of December, 2019

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

Prahlad Singh (Employee I.D. 20071015),  
Age-50 years,  
S/o Sh. Jagannath Singh,  
R/o. 48-A, DA Block, Hari Nagar,  
Delhi – 110064,  
Working as Trained Graduate Teacher,  
(Math), SBV, Naraina, 1<sup>st</sup> Shift,  
New Delhi.

...Applicant

(By Advocate: Mr. Yash Karan Jain)

Versus

1. Chief Secretary,  
Govt. of NCT of Delhi,  
New Secretariat, I.P. Estate,  
New Delhi – 110002.
2. Director,  
Directorate of Education,  
Govt. of NCT of Delhi,  
Old Sectt., Delhi-110054.
3. Regional Director of Education,  
Region-South,  
Directorate of Education,  
Govt. of NCT of Delhi,  
SKV, C-Block, Defence Colony,  
New Delhi – 110024.
4. Deputy Director of Education,  
Directorate of Education,  
Govt. of NCT of Delhi,  
Distt. South West-A,



C-4, Vasant Vihar, Behind,  
Tagore International School,  
New Delhi – 110057.

...Respondents

(By Advocate: Mr. Paras Sachdeva for Mr. Saurabh Chadda)

**ORDER (ORAL)**

**Justice L. Narasimha Reddy, Chairman:-**

**MA No. 3889/2019.**

This application is filed with a prayer to prepone the date of hearing of the OA. Acceding to the request of the applicant, we took up the OA for hearing. Therefore, the MA is allowed.

**OA No. 4563/2015.**

The applicant was appointed as Primary Teacher in Delhi Administration in the year, 1994. On completion of 12 years of service, he was granted the benefit of 1<sup>st</sup> ACP on 17.03.2006. Thereafter, he was promoted to the next higher post on 05.08.2007. This OA is filed with a prayer to extend him the benefit of 2<sup>nd</sup> MACP on the ground that he completed 20 years of service on 17.03.2014.

2. Respondents filed a counter affidavit opposing the OA. It is stated that in the span of 20



years of service, the applicant was extended the benefit of 1<sup>st</sup> ACP and he has also been promoted to the next higher post and in that view of the matter, he is not entitled to the benefit of MACP.

3. We heard Mr. Yash Karan Jain, learned counsel for the applicant and Mr. Paras Sachdeva for Mr. Saurabh Chadda, learned counsel for the respondents.

4. The undisputed facts are that the applicant was extended the benefit of 1<sup>st</sup> ACP on completion of 12 years of service on 17.03.2006 and in the next year itself, he got promotion to the next higher post on 05.08.2007. In other words, the 2<sup>nd</sup> MACP of the applicant stood offset, on account of promotion. The ACP Scheme was replaced by MACP Scheme. The difference between them is that while in the former, the financial upgradation is granted twice with the interval of 12 years, in case an employee does not get promotion, under the later, the periodicity is 10 years. The applicant is under the impression that whatever be the benefits that accrued to him during the 20 years, he is entitled to be extended the benefit of 2<sup>nd</sup>



MACP. It is not permissible under the law. It is only when an employee does not get the benefit of promotion or financial upgradation in the relevant spell, that the MACP becomes extendable. As already observed, in the service of 20 years, the applicant got 01 ACP and one regular promotion.

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

**(Mohd. Jamshed) (Justice L. Narasimha Reddy)**  
**Member (A) Chairman**

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