

No. 52/2/2023-EC-V
Government of India
Directorate General
Central Public Works Department

Nirman Bhawan, New Delhi
Dated: 26th March, 2025

Office Memorandum

Subject: Grant of Modified Assured Career Progression Scheme (MACPS) on completion of 10, 20 and 30 years- clarification on debarment reg.

The undersigned is directed to refer to the subject cited above and to say that this Directorate has been considering MACP cases on completion of 10, 20 and 30 years to various grades/posts in the CPWD cadre.

2. As per DoPT instructions contained in their guidelines circulated vide OM No. 22011/5/86-Estt.(D) dated 10th April, 1989 in case refusal of promotion, there is a provision of debarment in para 17.12 of the said guidelines which provides as under :

17.12 When a Government employee does not want to accept a promotion which is offered to him, he may make a written request that he may not be promoted and the request will be considered by the appointing authority, taking relevant aspects into consideration. If the reasons adduced for refusal of promotion are acceptable to the appointing authority, the next person in the select list may be promoted. However, since it may not be administratively possible or desirable to offer appointment to the persons who initially refused promotion, on every occasion on which a vacancy arises, during the period of validity of the panel, no fresh offer of appointment on promotion shall be made in such cases for a period of one year from the date of refusal of first promotion or till a next vacancy arises, whichever is later. On the eventual promotion to the higher grade, such Government Servant will lose seniority vis-à-vis his juniors promoted to the higher grade earlier, irrespective of the fact whether the posts in question are filled by selection or otherwise. The above-mentioned policy will not apply, where ad-hoc promotions against short term vacancies are refused.

3. Further guidelines on Modified Assured Career Progression Scheme (MACPS) issued vide DoPT O.M. No.35034/3/2015-Estt.(D) dated 22.10.2019 also provides in para 24 as under :

24. If a regular promotion has been offered but was refused by the employee before becoming entitled to an upgradation under the scheme, no financial upgradation shall be allowed as the employee has not stagnated due to lack of opportunities. If, however, financial upgradation has been allowed due to stagnation and the employees subsequently refuse the promotion, it shall not be a ground to withdraw the financial upgradation. He shall, however, not be eligible to be considered for further financial upgradation till he agrees to be considered for promotion again and in such case, the second or next financial upgradation shall also be deferred to the extent of period of debarment due to the refusal of promotion.

4. The matter has been examined in consultation with Ministry of H&UA and the nodal Department i.e. DoPT.

5. DoPT vide their ID Note No. 35034/6/2025-PPD(MACP) dated 20.01.2025 has clarified regarding deferment period in granting MACP due to refusal of promotion as under :

In terms of ACP/MACPS guidelines, a person would not be eligible for grant of next financial upgradation under MACPS, if he refuses a vacancy-based promotion prior to his becoming eligible for grant of next financial upgradation under MACPS. He shall be eligible for grant of next financial upgradation under MACPS only after he accepts the vacancy bases promotion. Further, the period from the date of refusal of promotion till its acceptance cannot be treated as stagnation for the purpose and is not to be counted while determining the period of service for granting financial upgradation under the MACP Scheme.

6. A copy each of DoPT ID Note No. 35034/6/2025-PPD(MACP) dated 20.01.2025 and ID Note No. 35034/5/2024-PP(MACP) dated 29.02.2024 referred to in DoPT ID note dated 20.01.2025 is enclosed.

7. Therefore, it is requested that all similar cases may be examined/considered on the basis of the above advice of DoPT.

8. This issues with the approval of Competent Authority.

Nilanjan Karmkar

(Nilanjan Karmkar)

Deputy Director (Admn.VI)

To (Through CPWD website)

CE (Works cum TLQA) (Chandigarh, Mumbai, Kolkata and Chennai)

Copy to : All CPWD Regional Offices

Government of India
Department of Personnel & Training
PP-D/MACP-desk

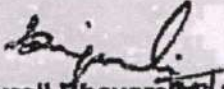
M/o Housing and Urban Affairs may please refer to Note #1 and #2 of their e-file No. 28011/39/2024/EW-II (C.No. 3192880) seeking clarification on the proposal of CPWD in respect of the period of debarment in case of refusal of promotion offered to the officials, to grant 2nd/3rd financial upgradation under the MACP Scheme to Shri Saji Philip and Shri Suddhasatwa Maity.

2. The matter has been examined in this Department in light of the instructions issued under the ACP/MACP Scheme. Observations of this Department in the matter are as under:

- (i) Earlier similar case of Shri Parmod Kumar, Office Superintendent, CPWD was examined in this Department and advice was conveyed vide DoPT I.D Note No. 35034/5/2024-PP(MACP) dated 29.02.2024 and stated that the period from the date of refusal of promotion till its acceptance cannot be treated as stagnation for the purpose and is not to be counted while determining the period of service for granting financial upgradation under the MACP Scheme. The advice vide I.D dated 29.02.2024 may be reiterated in these similar type of cases of Shri Saji Philip and Shri Suddhasatwa Maity;
- (ii) However, para 10 of the ACP Scheme dated 9.8.1999 which provides that in case employee refuses to accept the higher post on regular promotion subsequently, he shall be subject to normal debarment for regular promotion as prescribed in the general instructions in this regard. However, as and when he accepts regular promotion thereafter, he shall become eligible for the second upgradation under the ACP Scheme in that higher grade subject to the condition that the period for which he was debarred for regular promotion shall not count for the purpose;
- (iii) Further, Para 25 of Annexure-I MACP Scheme dated 19.05.2009 provides that "If a regular promotion has been offered but was refused by the employee before becoming entitled to an upgradation under the scheme, no financial upgradation shall be allowed as the employee has not stagnated due to lack of opportunities if, however, financial upgradation has been allowed due to stagnation and the employees subsequently refuse the promotion, it shall not be a ground to withdraw the financial upgradation He shall, however, not be eligible to be considered for further financial upgradation till he agrees to be considered for promotion again and in such case, the second or next financial upgradation shall also be deferred to the extent of period of debarment due to the refusal of promotion."; and
- (iv) In terms of ACP/MACPS guidelines, a person would not be eligible for grant of next financial upgradation under MACPS if he refuses a vacancy-based promotion prior to his becoming eligible for grant of next financial upgradation under MACPS. He shall be eligible for grant of next financial upgradation under MACPS only after he accepts the vacancy-based promotion. Further, the period from the date of refusal of promotion till its acceptance cannot be treated as stagnation for the purpose and is not to be counted while determining the period of service for granting financial upgradation under the MACP Scheme.

3. MoHUA may examine the matter in the light of the above observations and take an appropriate decision in the matter.

4. This issues with the approval of the competent authority.


(Murali Bhavaraaj)
Director (Pay)

M/o Housing and Urban Affairs, (EC-IV (SC) Section), Nirman Bhawan, New Delhi.
DoPT ID Note No.35034/6/2025-PPD(MACP) Dated 20.01.2025, New Delhi.

Department of Personnel & Training
PP-D/MACP-desk

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M/o Housing and Urban Affairs may please refer to Note #238 of their e-file No. 5/34/2022-EC.IV(SC) (C.No. 3183370) seeking clarification with regard to the period of debarment to grant 2nd financial upgradation under the MACP Scheme to Shri Parmod Kumar, Office Superintendent, CPWD.

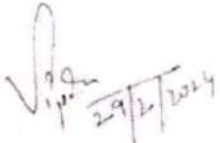
2. The matter has been examined in light of the extant provisions of the MACP Scheme. Observations of this Department in the matter are as under:

- i. Para 10 of the ACP Scheme dated 9.8.1999 provides that in case an employee refuses to accept the higher post on regular promotion subsequently, he shall be subject to normal debarment for regular promotion as prescribed in the general instructions in this regard. However, as and when he accepts regular promotion thereafter, he shall become eligible for the second upgradation under the ACP Scheme in that higher grade subject to the condition that the period for which he was debarred for regular promotion shall not count for the purpose.
- ii. Further, attention is invited to following provisions of Annexure-I to DoP&T's O.M. No. 35034/3/2008-Estt.(D) dated 19.05.2009 which provides as under: **Para-15:** "If a financial upgradation under the MACPS is deferred and not allowed after 10 years in a level, due to the reason of the employees being unfit or due to departmental proceedings, etc., this would have consequential effect on the subsequent financial upgradation which would also get deferred to the extent of delay in grant of first financial upgradation."

Para -25: "If a regular promotion has been offered but was refused by the employee before becoming entitled to an upgradation under the scheme, no financial upgradation shall be allowed as the employee has not stagnated due to lack of opportunities. If, however, financial upgradation has been allowed due to stagnation and the employees subsequently refuse the promotion, it shall not be a ground to withdraw the financial upgradation. He shall, however, not be eligible to be considered for further financial upgradation till he agrees to be considered for promotion again and in such case, the second or next financial upgradation shall also be deferred to the extent of period of debarment due to the refusal of promotion."
- iii. It is noted that the employee had not been granted 1st financial upgradation under ACPS as he was offered promotion to the post of UDC in Level-4 twice on 30.03.2001 & 30.07.2004 which he refused. In terms of ACP/MACPS guidelines, a person would not be eligible for grant of next financial upgradation under MACPS if he refuses a vacancy-based promotion prior to his becoming eligible for grant of next financial upgradation under MACPS. He shall be eligible for grant of next financial upgradation under MACPS only after he accepts the vacancy-based promotion. Further, the period from the date of refusal of promotion till its acceptance i.e. from 30.03.2001 to 25.03.2006 cannot be treated as stagnation for the purpose and is not to be counted while determining the period of service for granting financial upgradation under the MACP Scheme.

3. MoHUA may examine the matter in the light of the above observations and take an appropriate decision in the matter.

4. This issues with the approval of the competent authority.


(Vipin Kumar)
Section Officer

M/o Housing and Urban Affairs, {EC-IV (SC) Section}, Nirman Bhawan, New Delhi..
DoP&T ID Note No.35034/5/2024-PP(MACP) Dated 29.02.2024, New Delhi.