

File No. 11024 / 12 / 2013 – SSS
Ministry of Statistics & Programme Implementation
(SSS Division)

Room No. 528, SP Bhawan
Sansad Marg New Delhi – 110001

Dated: 30th January 2014

OFFIC MEMORANDUM

Subject: Financial up-gradation under Assured Career Progression (ACP) Scheme in respect of incumbents holding the posts included in the Subordinate Statistical Service (SSS) – Regarding.

The undersigned is directed to refer to this Ministry OM No. 11011 / 06 / 2003 – SSS dated 25.06.2004 and OM No. 11024 / 14 / 2006 – SSS dated 15th September 2011 regarding regularization of ACP of SSS incumbents, absorbed and appointed in different Grades of Subordinate Statistical Service (SSS) and to say that the Hon'ble CAT, Principal Bench, New Delhi vide its judgment dated 06.09.2013 in OA No. 713 / 2012 **[All India Association of Statistical Investigators (SSS) through, its General Secretary & Others Vs UOI]** has made the following observations:

“.....Thus, taking all these factors into account, we are of the view that there is no justification for inclusion of non-functional scale in the hierarchy for the purpose of granting financial up-gradation under ACP to the cadre of SSS. The ACP Scheme has to be implemented in accordance with OM dated 09.08.1999 by excluding non-functional grade from the hierarchy. The impugned OM dated 15.09.2011 is accordingly set aside and quashed as the same is not in conformity with the ACP Scheme. The respondents shall issue a fresh order to regulate the ACP for the members of the SSS for the period from 12.02.2002 to 31.08.2008 excluding the non-functional grades and in conformity with ACP Scheme within a period of 3 months and grant financial up-gradation and consequent financial benefits to the applicants. The OA is allowed. No costs”.

2. The matter has been considered in consultation with DOP&T, Ministry of Finance and Ministry of Law and Justice. It has been decided to modify the Para 13 of OM dated 15.09.2011 to comply with the above orders of the Hon'ble Tribunal.

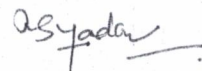
3. Accordingly, para 13 of this Ministry's OM No. 11024 / 14 / 2006 - SSS dated 15th September 2011 shall stand modified as follows:

- (i) ACPs granted to SSS incumbents in existing hierarchy, prior to Notification of Subordinate Statistical Service (SSS) shall not be adjusted in four tier structure Notified vide SSS Notification dated 12th February 2002.
- (ii) ACPs between the period of 12.02.2002 and 31.12.2005 shall be regulated only in Functional Grades of SSS, i.e. Rs. 6500 – 10500 and Rs. 8000 – 13500 (JTS of ISS) in the light of DOP&T OM dated 09.08.1999.

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4. The OM shall remain operative between the period 12.02.2202 to 31.12.2005 i.e. between the date of Notification of Subordinate Statistical Service (SSS) and before the implementation of 6th CPC recommendations.
5. Accordingly, revised ACP orders would be issued by the cadre separately for SSS incumbents, including applicants of the above OA, for ACP in the light of above provisions.
6. All participating Ministries / Departments / Organizations are requested to bring it to the notice of all concerned.



(R. S. Yadav)

Deputy Secretary to the Government of India

Tel. 23742176

Copy to:

1. Director (Estt-1), DOP&T w.r.t. their I.D. No. 952370/ 2013 dated 16.12.2013 for information.
2. Ministry of Law, Department of Legal Affairs, w.r.t. FTS No. 3304 / Adv-B / 2013 dated 3rd January 2013.
3. All participating Ministries / Departments / Organization of SSS.
4. Principal Registrar, PB, CAT New Delhi w.r.t. letter dated 12.09.2013 relating to Judgment of OA No. 713/2012.
5. AS&FA, MOS&PI, for information w.r.t. their Dairy No. 54 dated 15.01.2014.
6. Computer Centre, R.K Puram, New Delhi with the request to upload the above OM on the official web site of this Ministry under the ACP link of SSS.
7. Sh. Ajay Saxena, General Secretary, All India Association of Statistical Investigators [AIASI] (SSS), NSSO (FOD), B/II, C. G. O. Complex, Sanjay Place Agra (U.P) for information.
8. Sh. Gurbax Singh SI Grade -II DGS&D, Sh. Mitre Lal, SI Grade II CPD of MOS&PI, Sh. Sushil Kohli, SI Grade II CSO of MOS&PI New Delhi for information.
9. Master set 2014.