



# National Federation of Indian Railwaymen

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Affiliated to :

Indian National Trade Union Congress (INTUC)  
International Transport Workers' Federation (ITF)

No. IV/MACPS/09/Part 11

Dated: 16/09/2020

**The Chairman,**  
Railway Board,  
New Delhi

Dear Sir,

Sub: Extension of Modified Assured Career Progression Scheme (MACPS) to the Teaching Staff (Principals, Head Masters, Lecturers & Teaching Staff) on Indian Railways-reg.

- Ref: (i) **NFIR's PNM Item No. 03/2019.**  
(ii) DoP&T O.M. No. 35034/3/2008-Estt (D) dated 19<sup>th</sup> May, 2009.  
(iii) Railway Board's letter No. PC-V/2009/ACP/2 dated 10<sup>th</sup> June, 2009.  
(iv) DoP&T O.M. No. 35034/3/2010-Estt (D) dated 03<sup>rd</sup> August, 2010.  
(v) NFIR's letter No. IV/MACPS/09/Part 11 dated 21/02/2019.

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With reference to the correspondence resting with communications cited under reference relating to extension of Modified Career Assured Progression Scheme (MACPS) to the Teaching Staff (Principals, Head Masters, Lecturers & Teaching Staff) working in Railway Schools/Colleges besides NFIR's PNM Agenda Item No. 03/2019 pending with the Railway Board, Federation desires to place following important points for kind consideration and taking positive decision:-

1. While the Railway Ministry vide ID Note No. PC-V/2019/MACP/1 (Teachers) dated 29/05/2019 (received in DoP&T on 3<sup>rd</sup> June, 2019) sent detailed proposal to the DoP&T for replacement of CAS with the MACPS for grant of financial upgradation to the Railway School Teachers, the same has been shuttling between the Railway Ministry and DoP&T/MoF, for taking final decision at the level of Railway Ministry. Federation feels sad to state that though the issue has been raised by GS/NFIR in the 47<sup>th</sup> Meeting of NC-JCM vide Item No. 4.15 of the minutes held on 13<sup>th</sup> April, 2019 under the Chairmanship of Cabinet Secretary the proposal is yet to be approved.

2. The DoP&T vide Dy. No. 137/4915/19/CR dated 21/06/2019 sought following information from Railway Ministry:

- (i) It may be intimated that as to whether Railway Schools are Autonomous Bodies or attached/subordinate office under M/o Railways.
- (ii) Benefit of pay fixation is not available under CAS, in that case as to why the CAS was not discontinued on promulgation of ACP Scheme w.e.f. 09/08/1999 in Railway School.
- (iii) Whether Staff Side opted to remain under CAS during 09/08/1999 to 31/08/2008.
- (iv) It may be intimated that as to whether the present proposal covered under para 13 of Annexure-I of MACP Scheme or DoP&T O.M. dated 03/08/2010.



- (v) It may also be indicated that from which date M/o Railways intends to switch over to MACPS instead of CAS for Railway Teachers/Principals.

In response, Railway Ministry vide ID No. PC-V/2019/MACP/1 (Teachers) dated 18/07/2019 gave following information to the DoP&T:-

- (i) Railway Schools are administered by Zonal Railways and Production Units which are subordinate offices.
- (ii) Railway School Teachers are common category and their service conditions etc., are regulated as per identical terms and conditions of the Teachers available under Ministry of Human Resources Development (M/o HRD). They have all along been treated at par with teachers under Ministry of Human Resources Development in every respect viz., recruitment qualification, pay structure, age of retirement etc., including Career Advancement Scheme (CAS). Since CAS continued in respect of teachers under HRD, the same was followed in respect of Railway School teachers being common category.
- (iii) No such reference from Staff Side to switch over to ACP or to continue in CAS was received during 09/08/1999 to 31/08/2008.
- (iv) The present proposal is preferred under para 13 of Annexure-I of MACP Scheme.
- (v) M/o Railways intends to switch over to MACPS for Railway School Teachers w.e.f. 01/09/2008, the date of implementation of MACP Scheme.

The matter has been re-examined in the DoP&T and following observations were conveyed to the Railway Ministry (Railway Board):-

- (i) For all service matters of Teaching Staff of Railway Schools, the Railway Board has adopted the same service conditions, as are applicable to Teaching Staff of Kendriya Vidyalaya Sangathan (KVS), under the administrative control of the Ministry of Human Resources Development, including Career Advancement Scheme (CAS), which is in operation in Railway Schools since 1988.
- (ii) MACP Scheme has not been extended to Teaching Staff of KVS.
- (iii) If MACPS is extended to the Teaching Staff of Railway Schools, it is likely to disturb their parity with Teachers of KVS in all service matters. Moreover the demand is for retrospective implementation of the MACPS from 01/09/2008 when the Teaching Staff of Railway Schools would have already availed benefits under the existing CAS for the period 01/09/2008 onwards till date and introduction of MACPS w.e.f. 01/09/2008 therefore would entail withdrawal/recovery of benefits so earned under CAS. Besides this issue, introduction of MACPS, in respect of category of employees who were not covered under ACPs, may give rise to other problems in implementation, as there is no transitional provision in MACPS for such employees who were governed by any other time bound promotion/career progression scheme.



- (iv) Under the circumstances, since the proposal involves implementation of the recommendations of the 6<sup>th</sup> CPC, as accepted by the Government, Railway Board is advised to consult Department of Expenditure in the matter and decide accordingly.

Consequently, Railway Ministry vide ID Note No. PC-V/2019/MACP/1 (Teachers) dated 11/2019 sent detailed proposal relating to replacement of CAS by MACPS for grant of financial upgradation to the Railway School Teachers. The Ministry of Finance (Department of Expenditure) examined the proposal and conveyed as under vide communication dated 28/11/2019 with the approval of Competent Authority (Addl. Secretary/Pers):-

**“The above matter has been examined in this Department. It is stated that though the above proposal involves the implementation of 6<sup>th</sup> CPC, it is specifically related to switch over of the existing CAS of Railway School Teachers to MACP Scheme w.e.f. 01/09/2008 as applicable to Central Government Staff in terms of para 13 of DoP&T’s O.M. dated 19/05/2009 for which DoP&T is the nodal Department on policy issue related to MACP Scheme and this Department has no comments in this matter. Ministry of Railways is, therefore, advised to take appropriate decision on the above proposal strictly as per the opinion of the DoP&T (Estt. D)”.**

- In the meantime, Federation learnt that the Ministry of Human Resource Development (Department of School Education & Literacy) vide communication bearing F.No. 18-13/2018IS-15 dated 26<sup>th</sup> November, 2018 addressed to the Railway Ministry conveyed following position with regard to extending the benefit of MACPS to Railway School Teachers:-

**“The undersigned is directed to refer to the O.M. No. E(P&A)I-2014/PS-15/PE-2(misc)(Pt.) dated 27/06/2018 on the above subject and to say that as per Section 23(3) of RTE Act 2009, the salary and allowances payable to, and the terms and conditions of service of teachers shall be such as may be prescribed. In the instant case, the Railway Board is the competent authority to decide the terms and conditions of service of Railway school teachers. Further, in respect of clarification on the MACP provisions the Department of Personnel and Training may be approached.”**

3. In this connection, Federation further desires to convey that while DoPT and MoF have agreed for decision to be taken by the Railway Ministry for replacement of CAS with MACPS to Railway School Teachers, the following points need to be taken into consideration:-

- Railway Ministry has its own rules/procedure for recruitment staff of various categories including Railway School Teachers. Para 178 of IREM Vol. I lays down rules for recruitment of Teachers of all disciplines duly prescribing educational qualification, experience and scales of pay. In case of any doubt, Railway Ministry has been consulting the Government of National Capital Territory of Delhi as can be verified vide Railway Board’s letter No. E(P&A)I-2001/PS-5/PE-5 dated 29/04/2002 (RBE No. 55/2002 addressed to the GM/DLW, Varanasi and copy endorsed to the GMs/All Indian Railways & Production Units) relating to the educational qualifications for Computer Teachers.



- It is also relevant to mention that the MHRD communication dated 26/11/2018 meant not only KVS, but it also included Directorate of Education of Delhi and the Schools of all Union Territories, ISRO's Schools etc., run on the guidelines issued by MHRD similar to the Schools run by the Railway Ministry. It is also fact while the CAS was implemented in the year 1988 based on the recommendations of Prof. D.P. Chattopadhyay Committee in all the Schools, the same has been replaced by MACPS for School Teachers of all Schools w.e.f. 01/09/2008, however, excepting Railway Schools mainly due to inaction on the part of Railway Ministry ignoring the clearance given by DoP&T/MoF mentioned above. Incidentally, it is mentioned that the DoP&T has given its opinion in case of Railway School Teachers only taking into account the Teachers working in Kendriya Vidyalaya and Navodaya Vidyalayas, which is totally unjustified particularly with reference to the communication of Ministry of HRD which stipulates replacement of CAS with MACPS for Railway Schools on par with other Schools such as Directorate of Education from Delhi, all Union Territories Schools, ISRO Schools etc.
- It will not be out of place to mention that main reason for non-implementation of MACP Scheme for KVS Teachers is that it is association of Kendriya Vidyalaya Teachers, who had chosen to remain in the existing Scheme i.e. CAS in 1999. On the other hand, the service condition of Railway School Teachers are totally different from KVS Teachers due to following reasons:-
  - (a) "The Association of Kendriya Vidyalaya Teachers (KVS) does not represent Railway School Teachers."
  - (b) Neither Railway School Teachers nor Railway Federations were given any option to choose between CAS and ACP scheme in 1999 by Railway Ministry.
  - (c) No consent was asked or taken from Railway School Teachers or Railwaymen's Federations about it, hence the question of choosing/ accepting between CAS and ACP Scheme for the Railway School Teachers, does not arise.
  - (d) So it is injustice to deprive Railway School Teachers from the benefit of MACPS, while the same is applicable to all categories of railway employees.
  - (e) **KVS is an autonomous organization, but Railway Schools are under the control of Ministry Of Railways** administered by Zonal Railways and Production Units, thus the condition governing the autonomous organization should not apply to Railway Teachers, who are hundred percent Employees of Indian Railways. As per **para-13 of DOPT O.M. dated 19.05.2009, Ministry of Railways can decide to switch over to MACPS at its own level without sending proposal to DOPT.**
  - (f) Extending MACPS to Railway School Teachers will not affect KVS because the same is different administrative department in another Ministry, therefore, there is no question of disturbance of parity between Railway School Teachers and Teachers of KVS.
- Another point which is relevant to take note is that with the implementation of MACP Scheme in the case of Railway School Teachers w.e.f. 01/09/2008 will not result recovery as per Federation's assessment. Federation reiterates that with the implementation of MACP Scheme for Railway School Teachers, the staff will be able to get pay fixation benefit which is more beneficial.



4. In addition to above, Federation also desires to convey to the Railway Board (CRB) that the proposal to replace CAS with the MACPS for Railway School Teachers carries the approval of Board (MS & FC), therefore, it is now for the Railway Ministry to implement MACP Scheme for all Railway School Teachers w.e.f. 01/09/2008 similar to other Railway employees.

NFIR, therefore, requests the CRB to kindly intervene and see that orders are issued soon by the Railway Ministry for extending MACP Scheme in favour of all Railway School Teachers w.e.f. 1<sup>st</sup> September, 2008. Federation may kindly be kept advised of the action taken in the matter.

Yours faithfully,

(Dr. M. Raghavaiah)  
General Secretary

Copy to the Director General (Personnel), Railway Board, New Delhi for information and necessary action please.

Copy to the Director General (HR), Railway Board, New Delhi for information and necessary action please.

Copy to the Executive Director/PC-I, Railway Board, New Delhi for information and necessary action please.

Copy to the General Secretaries of Affiliated Unions of NFIR  
Media Centre/NFIR.

File No. 03/2019 (PNM).