

**Eastern Railway
(Personnel Department)
17, N. S. Road, Kolkata -700 001**

No. E.368/0/ACP/Pt.V

Kolkata, Dated: 14/05/2019

Divisional Railway Managers
HWH/SDAH/ASN/MLDT
Eastern Railway

Chief Works Managers
LLH/KPA/JMP
Eastern Railway

All Dy.CPOs/SPOs/APOs, E. Rly., Kolkata

Dy.CAO(G) & Dy. Chief Statistical & Analysis Officer E. Rly., Kolkata

**Sub: Regulation of MACPS in case of employees who seek
unilateral transfer on own request – clarification reg.**

Attention is invited to stipulations contained in Para 24 of annexure to RBE No. 101/2009 (PCPO's Sl. No. 102/2009) on the above cited subject. This provision was subsequently amplified/amended from time to time vide RBE Nos. 188/2010, 08/2013 and 147/2015 circulated under this office serial Nos. 01/2011, 17/2013 and 175/2015 respectively.

2. The issue relating to the specific condition of 'Pay Protection' stipulated in Para 2(i) of instructions contained in RBE No. 08/2013 *ibid*, in case of unilateral transfer to new organisation on reversion for the purpose of regulating MACP, has been engaging attention to this office for some time now, consequent upon issuance of instructions contained in RBE No. 147/2015 *ibid*.

3. Accordingly, the matter has been examined in consultation with the Nodal Directorate i.e. Pay Commission-V, under Ministry of Railway (Railway Board). Board in this context wish to clarify that Railway Board's letter dated 23/11/2015 (RBE No. 147/15) is merely adoption of DoP&T's O.M. dated 04/10/2012 *mutatis mutandis* and DoP&T itself has clarified that the condition of ignoring promotion earned in previous organisation/office relates to the cases only where the employee, in accordance with terms and conditions of transfer on own volition to a lower post, is reverted to lower post/grade from promoted post/grade before being relieved for new organisation/office and thus, is not entitled to pay protection benefit as per proviso under FR 22 i.e. 1313 of R-II.

4. In view of the above position, it is impressed upon all concerned that except in the situation indicated in para (3) *supra*, promotion earned in previous organization has to be reckoned for the purpose of MACPS and the grant of financial upgradation under the Scheme will continue to be regulated as per stipulations of Para (24) of annexure to RBE No. 101/2009 (PCPO's Sl. No. 102/2009). However, regular service rendered in previous organization/office shall continue to be counted alongwith the regular service in the new organization/office for the purpose of getting financial upgradations under the MACPS in such cases in terms of RBE No. 188/2010 *ibid*.

5. Past cases decided otherwise following instructions contained in RBE No. 147/2015 *ibid*, need not be re-opened.

This issues with approval of PCPO.



(Anjan Ray)

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