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**All India Railwaymen's Federation**  
(Estd, 1924)

4, STATE ENTRY ROAD,  
NEW DELHI-110055  
INDIA

No.AIRF/MACPS

Dated: September 14, 2013

The Secretary(E),  
Railway Board,  
New Delhi

Dear Sir,

**Sub: Granting of MACP on promotional hierarchy**

Hon'ble Supreme Court has dismissed the Petition(s) for Special Leave to Appeal(Civil)(CC 7467/2013) filed by the Government, and upheld the judgment passed by the Punjab & Haryana High Court in CWP.No.19387/19.10.2011 and Hon'ble CAT, Principal Bench, New Delhi in OA No.904/2012 dated 26.11.2012. Hon'ble CAT, Chandigarh Bench, in OA No.1038/CH/2010 dated 31.05.2011(Rajpal, S/o Shri Tilak Ram Versus Union of India and Others), issued following orders:-

**“In our considered view, the present OA is squarely covered by the aforesaid judgment of Chandigarh Bench, as upheld by the Hon'ble High Court of Punjab and Haryana at Chandigarh.**

**In fact, the respondents have wrongly interpreted the terms and conditions mentioned in the MACP Scheme, issued by the Deptt. of Personnel & Training, in the case of the applicants. By the said Scheme, the eligible government servants are to be placed in the immediate next higher grade pay in the hierarchy of the recommended revised pay bands and grade pay and not merely in the next higher scale of pay as per the recommendations of the 6th Pay Commission. In the hierarchy after the scale of UDC, the next scale is that of Assistant. Therefore, the respondents should have given the next higher grade pay and pay band attached to the next promotional post in the hierarchy, namely, the Assistants carrying the pay scale of Rs.9300-34800 and the grade pay of Rs.4200.**

**In view of the above position, the OA is allowed. The respondents are directed to grant scale of pay of Rs.9300-34800 with grade pay of Rs.4200 attached to the said promotional post of Assistant /OS from the due date to the applicants.**

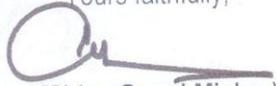
**The aforesaid directions shall be complied with within the period of two months from the date of receipt of a copy of the order, subject to the other conditions mentioned in the MACP Scheme.”**

Contd...2...

In the Indian Railways, Junior Clerk is the most similarly situated with the applicants of the aforesaid OAs in the matter of grant of MACP in the hierarchy of promotional post. As such, the benefit of MACP in the case of Junior Clerk may kindly be considered in the light of the spirit contained in the aforesaid judicial pronouncements which has attained its finality.

In view of the facts and circumstances submitted above, the Board are requested to grant benefit of financial upgradation under MACP to Junior Clerk in their respective promotional hierarchy from their due date, in the light of the decision given by the aforementioned Courts/CATs.

An early action in the matter shall be highly appreciated.

Yours faithfully,  
  
(Shiva Gopal Mishra)  
General Secretary

Encl: As above

Copy to: General Secretaries, all affiliated unions – for information.