



दक्षिण रेलवे/SOUTHERN RAILWAY

NO.P(R)535/P/MACPS/Vol.V

प्रधानकार्यालय/ Headquarters Office  
कार्मिक शाखा/ Personnel Branch  
चेन्नै/Chennai - 600 003  
दि./ Dated:16-03-2018

आर बी ई सं/RBE No. 29 / 2018

पी बी सी सं/ PBC No.43 / 2018

All PHODs / DRMs / CWMs / CEWE / CAO / CPM / Dy.CPOs / Sr.DPOs /  
DPOs / SPOs / WPOs / APOs of HQ / Divisions / Workshops / other Units,  
etc.,

(As per mailing list -'A' )

विषय/Sub:Providing opportunity, for submitting representation. To the  
employees who have been awarded below "Very Good"  
Grading in their last three years APARs(for the purpose of  
MACPs).

Ref : PBC No. 192 / 2016.

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A copy of Railway Board letter No. E(NG)I-2018/CR-2. dt. 27-02-2018  
(RBE No.29 / 2018) on the above subject is enclosed for information,  
guidance and necessary action.

Extract of Railway Board's letter dated 10-06-1993 referred therein is  
enclosed for reference.

  
16.03.18  
(R.M.RAVIKUMAR)

Senior Personnel Officer/RP  
For Principal Chief Personnel Officer

संलग्न/Encl: as above

प्रतिलिपि Copy to : The Genl Secy / SRMU  
The Genl Secy / AISCSTREA  
The Genl Secy / AIOBCREA  
The Genl Secy / NFIR

**GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)**

No.E(NG)I-2018/CR/2

New Delhi, dated 27.02.2018

The General Managers(P)  
All Zonal Railways and Production Units.  
(As per standard list).

Sub:- Providing opportunity, for submitting representation, to the employees who have been awarded below "Very Good" Grading in their last three years' APARs (for the purpose of MACPs)

As the Railways are aware, based on recommendations of the 7<sup>th</sup>CPC, the benchmark for grant of MACPs benefit has been enhanced from "Good" to "Very Good" w e f 25.07.2016, for which, three (03) years' APARs are taken into consideration. The step has debarred certain number of staff from this financial upgradation.

2 Since the earlier "Good" benchmark for MACPs was applicable upto 25.07.2016, the employees having "Good" Grading in their APARs for the previous three years before 25.07.2016 may not have had a reason to represent against the Gradings given, as they met the then prescribed criteria of benchmarking for MACPs. Now since the benchmark for MACPs has been raised to "Very Good", there seems a justification to allow the employees having "Good" or below Grading for a period of three years' APAR Grading immediately preceding the cut off date ibid an opportunity to represent against the same.

3 Considering the above and the demand raised by both Federations e.g. AIRF & NFIR to this effect, Board have decided that the employees who had been awarded "Good" or below Grading in their previous three years APARs (for years 2014-2015, 2015-2016 and 2016-2017) may be given a chance, as a one time measure, to represent against the same within 30 days from communication of this order. The representation submitted by such employees may be considered and decided by the Accepting Authority and, in case where the accepting authority has demitted office for whatever the reason it may be, by the authority higher than accepting authority within a period of 30 days in terms of Board's letter No. E(NG)I-91/CR/2 dated 10.06.1993. This dispensation has been made for the purpose of MACPs only and may be given wide publicity among the officials concerned.

Please acknowledge receipt.

Hindi version shall follow.

  
(M.K.Meena)  
Deputy Director Estt.(N)  
Railway Board

**Subject: Adverse comments in Confidential Reports - which have not been communicated —Effect thereof on consideration for promotion.**

[No. E (NG) I/91/CR/2 dated 10.06.1993; RBE 92/93]

As the Railways are aware, in terms of Board's letter No. E (NG) II/78/CR/2 dated 10.11.1978 (See Appendix 12), adverse remarks in the Confidential Reports are to be communicated to the Railway servants concerned within one month of their being recorded. The Railway servant is allowed to represent against the adverse remarks within one month of their communication. All representations against adverse remarks are to be decided expeditiously by the competent authority, in any case within 3 months from the date of submission of the representation. Adverse remarks are not deemed as operative if any representation filed within the prescribed limit is pending. However, the existing orders as brought out above do not cover a situation where adverse comments in the Confidential Reports have not been communicated to the employee concerned.

2. In this connection, the Staff Side of National Council/JCM expressed view that adverse remarks not communicated to a Government servant should not be operated upon and they should be totally ignored. This view of the staff side was not found acceptable by the Government. However, it was realised that it may not be quite appropriate that Government Servant is passed over only on the basis of adverse remarks against which he had no opportunity to represent as the same have not been communicated. The matter has therefore been considered further and it has been decided as follows:

(i) Where the Departmental Promotion Committee find that the adverse remarks in the CRs have not been communicated but the adverse remarks are of sufficient gravity to influence their assessment of the Railway servant concerned, then the Committee shall defer consideration of the case of the Railway Servant, provided these remarks have been recorded in any of the CRs pertaining to three immediately preceding years prior to the year in which the DPC is held and direct the Cadre Controlling Authority concerned to communicate the adverse remarks to the Railway servant concerned so that he may have an opportunity to make a representation against the same. Where the uncommunicated adverse remarks pertain to a period earlier than the above or where the remarks are not considered of sufficient gravity to influence the assessment of the Railway servant concerned, the DPC may proceed with the consideration of the case but may ignore the remarks while making the assessments.

(ii) After a decision is taken by the Competent Authority on the representation made by the Railway servant or in the event of Railway servant not making any such representation after the period therefore has expired, the DPC shall assess the suitability of the railway servant on the basis of entries now contained in the CR. While considering the deferred case as above, if the DPC find the Railway servant fit for promotion, the procedure prescribed below shall be followed: —

(a) If the DPC find the Railway servant fit for promotion, it would place him at the appropriate place in the relevant panel select list after taking into account the toned down remarks or expunged remarks and his promotion will be regulated in the manner indicated below.

(b) If the Railway servants placed junior to the Railway servant concerned have been promoted, he would be promoted immediately and if there is no

vacancy, the junior most Railway servant officiating in higher grade should be reverted to accommodate him. On promotion, his pay should be fixed under Rule 13 21-R. II (FR-27) at the stage it would have reached had he been promoted from the date the Railway servant immediately below him was promoted but no arrears would be admissible. The seniority of the Railway servant would be determined in the order in which his name, on review, has been placed in the panel/select list by DPC.

(c) If in any such case, a minimum period of qualifying service is prescribed for promotion to higher grade, the period from which a Railway servant placed below the Railway servant concerned in the panel/select list was promoted to the higher grade should be reckoned towards the qualifying period of service for the purpose of determining his eligibility for promotion to the next higher grade.

(iii) In case where a decision on the representation of a Rail-way servant against adverse remarks has not been taken or the time allowed for submission of representation is not over, the DPC in their discretion may defer the consideration of the case until a decision is taken on the representation.

(iv) In both the cases referred to in paras 2(i) and 2(iii) above, where consideration of the case is deferred on account of adverse remarks contained in the CRs, the concerned authority should intimate the result of the representation of the Railway servant against adverse remarks within a period of 3 months from the date of submission of the said representation, if any.