

ALL INDIA NAVODAYA VIDYALAYA STAFF ASSOCIATION

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Date:-10/02/2017

To
Shri Prakash Javadkar
Hon'ble Minister of HRD
Ministry of Human Resource Development
Shastri Bhawan , C – Wing
Dr.Rajendra Prasad Road
New Delhi 110001

Sub. : Request to bring PGTs/TGTs and Miscellaneous Teachers within the ambit of MACP Scheme

Sir

I would like to bring to your kind a attention the following matter of great consequential importance to PGTs, TGTs, Art, Phy. Education, Music and SUPW teachers and librarians of Navodaya Vidyalaya Samiti who are not brought within the ambit of MACP Scheme

Grounds :

The 6th Central Pay Commission in para 6.1.15 of its Report had recommended Modified Assured Career Progression Scheme (MACPS) with not more than two financial up gradations to the entire career of a Central Government Employee. However, the government had considered the recommendations of the 6th CPC for introduction of an MACP Scheme and had accepted the same with further modifications to grant three financial up gradations at intervals of 10,20 and 30 years of continuous regular service. The Scheme is in supersession of previous scheme(ACP)and shall be applicable to all regularly appointed Group 'A','B' and 'C' Central Government employees. The financial up gradations under MACPS would be admissible up to the highest Grade Pay of Rs.12000 in the PB-4.

The Department further clarifies to dispel all doubts through OM No.35034/3/2008-Estt. (D) dated 18th February, 2015

It has come to notice of this Department that the benefits of MACPS are not being granted as per the schedule/provisions in the MACP Scheme leading to dissatisfaction and grievances among the employees. Therefore, Ministries/Departments are advised to ensure strict compliance to the time limits indicated in MACPS for grant of benefits under this scheme as and when the employees become eligible for such benefits.

Office Memorandum No: 35034/3/2010-Estt (D), Govt. of India, Ministry of Personnel, Public Grievances & Pensions, dated 3rd August 2010 that Department of Expenditure has approved for extending the benefits of the MACPS to central Autonomous /Statutory Bodies under various Ministries/Departments subject to them satisfying certain conditions

Vide letter no. F. 12-10/01-UT.1, GOI, MHRD, Dept. of Sec.& Higher Education, Dated 27th July 2005 written by a Deputy Secretary of GOI to the secretary, UT Administration of A&N Island, the implementation of MACP to teachers of UTs

“I am directed to refer to this Ministry’s letter of even number dated 30.09.2004 on the above subject and to say that issue of implementation of ACP Scheme for school teachers has been reconsidered in this Ministry in consultation with D.O.P.T. In view of the fact that since UTs were willing to implement ACP Scheme for teachers without any relaxation of its essential features the recommendation became imperative.”

We would like to express strong reservation on why teachers are placed in two categories by denying MACP benefits to one section while others are continued to enjoy the same. MACPS was a recommendation for all with a common perception of giving 3 financial upgradations to all categories of employees during their service period. It has not been mentioned in any circulars that teachers would be debarred from MACPS and would remain confined to 2 financial upgradations like senior scale and selection scale along with its stringent riders, in their total service period. As a result, around 80% of teachers are virtually retiring with one financial up gradation in the form of Senior Scale after 12 years of service. Due to this majority of the teachers under NVS do not see any career progression in last 20-25 years of service. This is a case of genuine stagnation and totally goes against the general philosophy of the report of 6th CPC which emphasizes doing away with stagnation through career progression.

ACPS was first denied to the teachers of UTs in September 2004, then it did so to KV teachers in January 2005 but, again in July 2005 the same Govt. has reconsidered the case of implementation ACPS only for those teachers working in UT Administration of A & N Island. NVS teachers were neglected. MoF’s letter of even number dated 30.09.2004 says that issue of implementation of ACP Scheme for school teachers has been reconsidered in this Ministry in consultation with D.O.P.T.

“In view of the fact that since UTs were willing to Implement ACP Scheme for teachers without any relaxation of its essential features the recommendation became imperative.” However this has not been done for NVS teachers

With reference to the comments of Ministry of Finance, Dept of expenditure on the notes of MHRD at page 42N F.No.3-18/2010/UT-2 regarding implementation of MACP to KV teachers sine they have not opted for ACP scheme earlier the proposal of extending MACPS cannot be agreed to. However the truth is that the teachers were not at liberty or did not possess the administrative power to take a decision to opt for opt out of the scheme. Hence it was a decision taken arbitrarily taken be the organization. The same is true

with NVS. The decision of opting the Sr. Scale/ Sel. scale scheme was not taken by teachers but it was imposed on the teachers by NVS without any knowledge of teachers or the service association of teachers.

The central Administrative Tribunal, Principal Bench, New Delhi maintains in the verdict dated 22 July 2013 on OA No.3556/2012 that “the matter (of implementing MACP) is remitted back to the authorities to take appropriate decision..... The applicants {Rashtriya Kendriya Vidyalaya Adhyapak Sangh and others } will also entitled to be considered for third financial upgradation after 30 years of total service under MACP scheme. It shall be made available to them within one month next with all consequences.

As per our interpretation of 6th CPC report, there can be reservation with the Govt. while placing certain category of employee in a particular pay scale/grade pay but MACPS was a recommendation for all with a common perception of giving 3 financial upgradations to all categories of employees during their service period. **Nowhere is it mentioned that the teachers would be debarred from MACPS** and would remain confined to 3-tier scale with 2 financial upgradations along with its stringent riders, in their total service period. As a result, around 80% of teachers are virtually retiring with one financial up gradation in the form of Senior Scale after 12 years of service. Today a large section of teachers in NVS do not see any career progression in last 20-25 years of service. This is a case of genuine stagnation and totally goes against the general philosophy of the report of 6th CPC.

Justifications

1. Teachers of Jawahar Navodaya Vidyalayas are working in remote villages of our country for the uplift or rural children. They are cut off from the mainstream of the society. They live such places where medical facilities and preprimary and higher education facilities are not available. The teachers of JNVs work for about 18 hours a day on a 7-day basis. They shoulder the responsibility of foster parents in these co-educational institutions and have brought JNVs to the forefront of academic scenario pushing far behind elite urban institutions.

2. When the previously existing ACP Scheme was superseded by new MACP scheme as per the recommendations of the CPC the Government of India had applied highly elevated insights in to the welfare of employees. It is the impeccable understanding that necessitated the inclusion of essential modifications on the 6th CPC recommendations of two financial upgradations at 12 and 24 years to 10, 20 and 30 years.

Three financial up gradations at 10,20 and 30 years of service would eliminate the financial stagnation vis-à-vis two financial up gradations under ACPS. This approach has a very strong humanitarian component and promotional element with respect to the service of CG employees.

3. An employee in his 30 years of service stands RO lose 18 years of service due to stagnation of pay on account of lack of higher qualification essential for selection scale when compared to MACPS which allows three financial up gradations which is strongly aimed at doing away with the stagnation which is sure to arise on account of 2 time scale promotions as envisaged in Sr. scale and SI. scale.

4. MACPS in its true spirit of meaning is career progression that assures development or forward motion in career as opposed to stagnation embedded in timescale promotion.

5. Ministry of personnel, public Grievances & Pensions had intentionally incorporated the instruction to take a conscious decision by all autonomous/statutory bodies in this. The conscious decision must be to support the employees for career profession. Sadly, by still insisting on the 2 time scale

promotions NVS has failed to take the conscious and conscientious decision, thus causing stagnation to TGTs.

6. An employee who received ACPS I got a notional increment and a minimum financial benefit of Rs 100 which was not available to a teacher who got his first financial up gradation through senior scale.

7. A staff nurse who joined service in 1989 along with the applicant and received ACP I in 2001 on completion of 12 years of service received MACPS II in 2011 and subsequently will get MACPS III in 2021. Starkly in contrast to this case the grievant would lose the two financial upgradations in 2011 and 2021 as I am not eligible for Selection scale. Thus my pay gets stagnated for 22 years. With the grade pay Rs.4800.- if selection scale is not granted. If selection grade is granted, then too, stagnation of pay for the next 11 years. The mechanism of MACP is actually devised to avoid such stagnation which does not serve the purpose in the case of TGTs. This is an instance of unequal treatment and discrimination against teachers. This directly indicates the reluctance to admit the teachers social significance and honour his role in social change and upliftment of talented rural children of JNVs.

8. Non implementation of MACPS will adversely affect teachers at the time of retirement as their retirement benefits will be substantially reduced.

9. There is no tenable reasons in holding on to time sale promotion despite that successive CPCs have devised mechanisms to eliminate shortcomings. What is quite surprising that despite that the Ministry Personnel Public grievances & Pensions declared unequivocally that MACP scheme is applicable to all Central Government employees the hesitancy implementing the same to teachers.

Due to the lack of MACPS umpteen number of teachers are suffering without Career Progression and stagnation of pay. Hence it has become imperative to implement MACP scheme all teachers without any discrimination.

In the light of the above facts I would like to request the implementation of MACP scheme to PGTs/ TGTs ,Art Teachers, Music Teachers, SUPW Teachers, Phy. Education Teachers sand Librarians and avoid stagnation of pay and give due recognition to their status as teachers.

Thanking You  Yours Faithfully

T.P.MANI

(NATIONAL PRESIDENT, AINVSA, CEC)

VK SINGH

PK GUPTA

SHAJI DAVIS.

(NATIONAL SECRETARIES, AINVSA, CEC)

Copy to :The Minister of HRD

The Commissioner, NVS