

**Draft Action Taken Report on the minutes of the Steering Committee Meeting held on 01.08.2014
under the Chairmanship of JS(E).**

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Shri C. Srikumar, AIDEF, Leader, Staff Side

Speech Point No. 1

He welcomed the Chairman, who was chairing the Steering Committee Meeting for the first time. This meeting was taking place after the strike negotiation meeting held under the Chairmanship of AS(A) with the 3 Federations on 06.02.2014. He appreciated the assurance given by the Chairman of Steering Committee for holding the meetings regularly. He also appreciated the presence of all the concerned JSs in the meeting. He stated that Steering Committee Meetings are taking places but there has been no meeting of the Departmental Council after the year 2011. On the assurances given by the MoD on the various charter of demands, the Federations deferred the strike with the hope that the MoD will settle the major demands of the Defence Civilian Employees. MoD have issued instructions on the two demands only and that too, the two demands were settled only partially. All other demands remains unsettled. In this regard there was a meeting of the three Federations on 4th July 2014 in which a decision was taken to give a time frame up to 15th of September 2014 for setting the demands and in case if there is no positive approach from the MoD then the three Federations will meet after 15th September 2014 to decide about the date for commencing the indefinite strike. The three Federations have demanded for a meeting under the Chairmanship of Defence Secretary before 15th September 2014 to further discuss the Charter of demands. The Chairman may take this matter seriously and proactive steps may be taken to settle the outstanding demands of the Defence Employees.

Action: D(JCM)

Comments :-

D(JCM)

After 2011, the Steering Committee Meeting and Departmental Council Meeting were held on 01.08.2014 and 29.08.2014 respectively. Many demands were settled and others may be taken in the ensuing Steering Committee Meeting scheduled to be held on 10.12.2015 under the Chairmanship of JS(E).

2. In the past the Defence Ministers and Defence Secretaries have assured the Federations that no decision which affects the existence of our Defence Industries under Govt. would be taken without discussions with the Federations. The Federations are expressing their apprehensions about permitting FDI in Defence and privatizing Defence Production. However without any discussion with the Federations the Govt. has decided to permit 49% FDI in Defence Sector. The Defence employees are very much concerned about this decision.

Action: D(Coord/DDP)

Comments :-

DDP, Encl.25-A

The Government has notified revised Foreign Direct Investment (FDI) policy in Defence sector vide Press Note 7(2014 Series) according to which FDI up to 49% is allowed through Government route and above 49% with the approval of Cabinet Committee on Security (CCS) on case to case basis, wherever it is likely to result in access to modern and 'state-of-art' technology in the country. The FDI limit is also subject to obtaining Industrial License for licensable Defence items under the Industries (Development & Regulation) Act, 1951. The FDI in Defence sector is allowed to encourage Indian Private Sector Participation in Defence Production to achieve the objective of self-reliance.

3. The following two strike demands referred by MoD to OFB is still pending with OFB for the past few months.

- a) Correlation of hourly rate of piece workers from 01.01.2006.
- b) Grant of time wages (DOT) to the piece workers in the Ordnance Factories for the period between normal working hours and 48 hours in a week.

OFB may be advised to forward both the cases immediately with their recommendations.

Action: D(Estt./NG)

Comments :-

D(Estt./NG)(Encl. 62-A)

- (a) The issue presently under consideration of Defence Finance.
- (b) OFB and Staff Side have been advised to work out a mutually agreeable proposal on the issue for being considered by the Ministry. The position ascertained from Staff Side representative who has informed that the fresh negotiations with regard to the proposal are going on for submission of a mutually agreeable proposal.

4. In the last meeting of the Steering Committee, it was assured that OFB will give clearance to fill up the vacancies in various categories. However, for the current year the OFB has not issued any sanction to the factories for filling up of various posts. In the standing Committee meeting of the National Council (JCM) held on 7th May 2014 the official side clarified that there is no ban on recruitment and vacancies can be filled up. The outsourcing of posts invites exploitation and corruption. Some of the Factories like HVF, Avadi are not recruiting the Labour/SSK post sanctioned to them on the plea that a large number of applications will come for the same on advertisement and it will be a very difficult task for them to complete the exercise of recruitment. This is not justified and hence MoD may approve the proposal of OFB for constituting a centralized recruitment agency.

Action: D(Estt./NG)

Comments :-

D(Estt./NG)(Encl. 62-A)

The issue regarding formation of a Centralized Recruitment Agency is being examined and worked out for working out a proposal to be referred to various agencies for seeking approval viz., Defence Finance, Department of Expenditure, DOP&T etc.

5. As regard in the strike negotiation meeting, the Federations have given their views on the Recognition rules. MoD has to convene a meeting with the Federations to finalize the matter. The meeting has not yet taken place.

Action: D(JCM)

Comments :-

D(JCM)

Views from HQ/Organization/MoD are still awaited despite several reminders. As soon as views from concerned organizations are received, these would be discussed with the Staff Side and after reaching consensus on them the matter will be examined from administrative as well as legal angles. If needed opinion of DoP&T will be taken in the matter.

6. In the strike negotiation meeting it was decided that a permanent negotiating machinery as prevailing in Railways would be set up at the MoD and Directorate level to discuss the various problems of the employees. The Federations have already submitted a proposal in this regard. This issue also remains unsettled.

Action: D(JCM)

Comments :-

D(JCM)

Creation of Permanent Negotiating Machinery is not necessary as DoP&T has already provided sufficient fora at different levels of JCM for the settlement of demands of Staff Side. Moreover, creation of extra forum is not in the purview of the Department as it lies with the DoP&T. However, demands of the staff side are looked into from time to time in the Departmental Council Meeting as well as Steering Committee Meeting. Hence, there is no need to create Permanent Negotiating Machinery (PNM).

7. One of our JCM III Level member Shri S.K. Misra has been arbitrarily transferred from Naval Dockyard Vishakhapatnam to DMDE Secunderabad without following any norms or transfer policy. This transfer is only to victimize the individual for his trade union activities. It is requested that the MoD may kindly advise NHQ to cancel the transfer order. AIDEF has already submitted a representation to NHQ in this regard.

Action: D(N-II)

Comments :-

Navy HQ (Encl. 16-A)

(a) Shri S.K. Mishra, Sr. Draughtsman (E) has been transferred from Naval Dockyard, Vishakhapatnam to DMDE, Secunderabad being station senior most at Vishakhapatnam (since March, 1996) and as per the extant transfer policy for Drawing Office Staff. It is informed that although the facts on the subject transfer have been clarified through various correspondences including RTI replies, the individual has approached CAT Hyderabad for cancellation of transfer.

(b) It is clarified that the transfer order promulgated is not an arbitrary transfer.

8. The AIDEF has submitted its Part-I, II & III of the Memorandum to the 7th CPC. A copy of the same has already been forwarded to MoD and various directorates under the MoD. MoD may hold discussions with the Federations before submitting its memorandum to the 7th CPC.

Action: 7th PCC, MOD

Comments :-

D(PCC), Encl. 23-A

Pay Commission Cell in the MoD was constituted to coordinate the proposals in respect of civilians or Service Personnel, to be made to the VII CPC.

After constitution of the 7th CPC, staff side Federations/Confederation/Associations have submitted memoranda containing a large number of demands/proposals to the Commission.

As per past experience (during 5th and 6th CPC), wherever considered necessary, the Commission seeks comments of the Ministry of Defence on the demands/proposals made in the memoranda. Communications received from the Commission on these issues are sent to the concerned wings for their comments. The factual positions received various wings on these issues are sent to the Commission for its consideration.

So far no communication has been received from the 7th CPC seeking Ministry's views on any of the issues raised in the memoranda submitted by the staff side.

Apart from the above, it is submitted that all the wings in the Ministry of Defence have been advised to take suo-moto action to identify all unsettled anomalies of the 6th CPC and other unresolved issues, which can be taken up appropriately with the 7th CPC. So far only one proposal regarding enhancement of Nursing Allowance to the Nursing Staff in Clinics/Dispensaries has been referred to the 7th CPC for its consideration.

As is the past practice, a meeting with the staff side may be held to discuss issues which in the opinion of staff side are required to be highlighted to the 7th CPC.

9. Secretary (Personnel), DoP&T has written a D.O. Letter to all the Secretaries on 17th June 2014 stating that the concerned administrative Departments should address service matter grievances raised by the employees so as to avoid litigations on service matters. The action taken by MoD on this communication may be informed to the staff side.

Action: D(JCM)

Comments :-

D(JCM)

The D.O. letter of Secretary (Personnel) dated 17.06.2014 has been circulated to all the HQrs/Organizations and concerned sections in the Department of Defence in order to address service matter grievances giving priority on the issues raised by the Employees in order to minimize the litigations. Feedback received from some of the following HQ/Orgns are given below in brief :-

- i) **QMG/RV-1 (Encl.6-A)** – Circulated to all Estts/Units under this Dte with the request to resolve issues/grievances at pre-litigation stage to reduce the burden of litigation in the interests of employees as well as organization.
- ii) **AG's Br./MP-4/(Civ)(a) (Encl. 7-A)** - Circulated to all concerned Estts/Dtes/Units for information and further necessary action/compliance.
- iii) **DDGMF/Q/MF-1 (Encl. 9-A)** – All the Command HQ have been advised reg. pre-litigation conciliation and effective handling of court cases with direction to follow laid down procedures in letter and spirit so as to address grievances related to service matters raised by employees in a time bound manner.
- iv) **DGAFMS (Encl. 10-A)** – Existing rules on the subject are already being followed.
- v) **QMG Br/DGS&T (Encl. 11-A)** – Circulated to all concerned Estts/Units for information and strict compliance.
- vi) **O/o JS(Trg.) & CAO (Encl. 12-A)** – Circulated to all concerned Offices with the request that all possible steps may be taken to reduce the number of fresh court cases by adhering to the Govt. instructions on the issue and addressing the grievances of the applicant sympathetically but within the framework of the existing rules
- vii) **GS Br/DG of Army AD Legal (Encl. 13-A)** – it is stated that no cases of Army AD Dte either processed or disposed by Central Administrative Tribunal.
- viii) **DG Signals (C) (Encl. 14-A)** –
 - a) DOP&T guidelines on analysis of cases disposed of by various Benches of CAT have been noted for future compliance.
 - b) Efforts will be made to sensitize the environment for early action on grievances related to the service matters of the employees in a time bound manner.
 - c) Policies and instructions related to service matters of the employees are being circulated to all concerned.
- ix) **DG:OS (Encl. 15-A)** – Circulated to all Command HQ with the request that there is a need of putting a system in place so that the cases are regularly monitored and the interests of the UOI are properly safeguarded before the courts of law. Apropos, it is further requested to communicate the contents of this letter down to all Depots/Units under your jurisdiction for strict compliance.
- x) **HQ IDS/Dte of Personnel (Encl. 16-A)** – On perusal of the court cases, it is requested to pay special attention to the following points :-
 - a) Proper and correct implementation of the existing rules/regulations for recruitment grant of CAS/MACP, seniority, promotion etc.
 - b) Ensure clarity on the terms and conditions of service in respect of Civilian Academic Officers at NDA.
 - c) Expedient examination and specific and logical reply on any grievance pertaining to service matters whenever such grievances are received.

- d) Prompt and effective actions on petitions/orders received from CAT/High Court/Apex Court and filing counter affidavit strictly in adherence to existing government rules and regulations on the subject in consultation with CGSC and duly vetted by LA (Def).

10. He has raised the following issues in the Standing Committee Meeting of the National Council (JCM) held on 7th May 2014 :-

- a) The date of effect of merger of labourer / US&SS and MTS should be from 01.01.2006.

Action: D(Civ-I)/D(Estt./NG)

Comments :-

D(Civ-I)(Encl. 94-A)

Being processed in DDP.

OFB (Encl. 54-A)

The point is not clear, the same should be elaborated with details for necessary examination.

- b) Revision of NDA rates as per Supreme Court Judgment for the similarly placed employees.

Action: D(Civ-II)

Comments :-

D(Civ-II), Encl.82-A

Decision has been taken with the approval of competent authority in MoD to make payment of Night Duty Allowance to the eligible Defence Civilian employees (industrial & non-industrial), based on the revised pay and allowances drawn by them w.e.f. 1.1.2006 and payment of arrears from April, 2007 in terms of Hon'ble CAT Jodhpur Bench order dated 5.11.2009 in OA No. 34/2008 filed by Shri Ram Kumar & Others as upheld by Hon'ble Supreme Court of India, and order issued vide MoD letter No. 17(4)/2012/D(Civ-II) dated 08.05.2015.

- c) Revision of Risk Allowance to Defence Civilian Employees w.e.f. 01.09.2008. Secretary (DoP&T) and Secretary (Expenditure) have agreed to consider all the above issues positively. After the Minutes of the meeting are issued, it is requested that MoD may kindly take up once again all these issues with the DoP&T.

Action: D(Civ-II)

Comments :-

D(Civ-II)(Encl.82-A)

The matter of revision of Risk Allowance in 6th CPC was taken up with DOP&T for consideration. In this regard, the following was intimated by DOP&T and the same has been communicated to General Secretary, AIDEF vide letter dated 1st April, 2015 :-

“the cabinet in its decision dated 04.10.2012 has accorded approval to doubling Risk Allowance of the existing rates. The existing rates were as per Annex. IV of the Cabinet Note dated 25.09.2012. Thus, any agreement to the proposal for modifying the rates by doubling them on the basis of the revision carried out in 2002, would amount to going beyond the scope of the decision taken by the Cabinet.”

OFB (Encl. 54-A)

Regarding revision of Risk Allowance to Defence civilian employees w.e.f. 01.09.2008, Govt. order dated 18.10.2012 issued by DOP&T has already been circulated vide OFB instruction No. 127/2013/PCC(A/A) dated 25.10.2013 and the directions contained therein has already been implemented.

11. AIDEF has withdrawn 5 of their representatives from the Departmental Council (JCM) and nominated another 5 members in their place. Defence Secretary as Chairman of the Council has accepted their nominations. However, till date they have not been informed and invited for the meeting to be held on 29.08.2014. Their 5 members may also be invited for the Departmental Council Meeting to be held on 29.08.2014.

Action: D(JCM)

Comments :-

D(JCM)

The fresh nominations/replacement of JCM members at all levels is held up due to stay granted by the High Court of Madras and efforts are being made to vacate the stay by engaging solicitor General of Tamil Nadu through OFB Board Kolkata. [The response has not been received till date after repeated reminders.](#)

12. Nine officials including Union Leader of OD Allahabad have been charge-sheeted for raising voice against the irregularities committed by the Administration in the recruitment process. This issue was also raised in the last Steering Committee Meeting. JCM has importance and in case of any victimization of union leader, MoD should intervene in the matter. MoD may order for an inquiry in the matter and the vindictive disciplinary action taking against our officials may be dropped. Otherwise, nobody will raise voice against any irregularities.

Action: D(O-II)

Comments :-

OS-10A, Encl.43-A

The Department Admin has lodged an FIR with police authorities against the INDWF Union leaders under Sections 147, 332, 336, 323 & 504. The FIR lodged by the civilians has been quashed by the police finding it false & baseless and the same has been forwarded to Chief Judicial Magistrate. The case is sub-judice as on date. The results have therefore not been declassified.

13. In spite of MoD instructions that till the stay order of the Madras High Court is vacated, the existing tenure of the JCM IV Level may be extended. However, some of the DGQA units are not implementing this and no JCM IV Level is functioning in these units. MoD may kindly reiterate the instructions in this regard.

Action: D(JCM), D(QA)

Comments :-

D(JCM)

The fresh nominations/replacement of JCM members at all levels is held up due to stay granted by the High Court of Madras and efforts are being made to vacate the stay by engaging solicitor General of Tamil Nadu through OF Board Kolkata. The response has not been received till date after repeated reminders.

D(QA)/DGQA (Encl. 59-A)

As per clarification received from MoD/D(JCM), necessary instructions have already been given to DGQA establishments for holding Meetings of JCM IV Level Councils which were existing prior to stay order dated 25.01.2012 granted by Hon'ble High Court of Madras.

14. Cadre Review proposals of OFB and DGQA are pending with Defence Finance for months together. After keeping the files for long period the files are returned back by Defence (Finance) with some observations. It was several times told by the Defence Secretary in the past that instead of repeatedly returning back the file there should be regular meetings with the officers of Defence Finance and concerned administrative division officers. Since this is not taking place, the cadre review proposals are getting unduly delayed.

Action: Def(Fin)(AG/PB)/Def. Fin. (Coord)/All Admn. Sections.

Comments :-

NB :-

i) Speech Point Nos. 14 (AIDEF) and 26 (INDWF) are almost the same, so these two are merged as Speech Point No. 14.

D(Civ-I)

All the Heads of the Division concerned have been directed to intimate the current status of the progress of the Cadre Review cases in respect of all Cadres. They have been requested to furnish the progress of these proposals to the JCM members during the ensuing Steering Committee Meeting to be held on 10.12.2015 under the Chairmanship of JS(E).

Shri R. Srinivasan, INDWF, Secretary, Staff Side

15. Extended welcome to the Chairman of the meeting and all officers of Ministry of Defence and Secretary official side JCM DC.

16. At the outset he mentioned that last steering committee was held on 27.09.2013 but no main meeting was held. Then we are again holding this Steering Committee meeting. It would be better to hold regular JCM Departmental Council meeting so that issues which are of important nature can be discussed.

17. Government of India and Ministry of Defence give top priority to the questions raised in Parliament and issues raised by CVC is getting replied immediately, but at the same time, due importance if not that much at least, replies should be given by the Directorates and sections concerned to the issues raised in the Departmental Council by the staff side otherwise the issues will remain

unresolved only. At least after 3 months of the meeting, action taken report on the Agenda and speech points should be circulated to the staff side.

Action: D(JCM)

Comments :-

D(JCM)

Efforts would be made to organize Departmental Council Meeting/Steering Committee Meeting in order to discuss and settle the pending issues of the Staff Side. Some- times various issues are referred to D(JCM) by the staff sides through their Federations/Unions/Associations which do not concern D(JCM) directly and the same request are transferred to concerned sections their appropriate decision under the rules are taken by the Administrative Sections. It would be better if staff side directly returned to concerned administrative section for settlement their demands for avoiding the delay. D(JCM) usually right to all the Administrative sections in the MoD and HQ/Organizations/Federations to submit pending demands lying at their end and the latest position on the pending issues of the staff side before Departmental Council Meeting and Steering Committee Meetings are organized.

18. Inhuman action was taken by Commandant, Ordnance Depot, for Allahabad against the employees who held their meeting in the Civil area away from Defence area about 2.5 Km away on 12.09.2013 and after working hours. Employees were lathi charged and water cannons were used to disburse them. This issue was raised in the meeting of the Steering Committee meeting of 90th Depttl. Council (JCM) held on 27.09.2013. Till date no action has been taken against the Commandant, rather 9 employees were charged sheeted under Rule 14 including one employee who is superannuating from service on 31.10.2014 and even today Commandant is threatening the Union leaders to withdraw the Police complaint filed against him. A fact finding enquiry was ordered by the Commandant after 6 months of the incident in which everything was manipulated and on the basis of that charge sheets were framed and served to 9 employees including to union leaders of all the three unions affiliated to 3 Federations. When the same point was raised in the Army Hqrs JCM Council, the staff side was informed that enquiry was ordered and hence the matter is sub-judice. At which level the enquiry was ordered is not known.

It is, therefore, strongly demanded that an enquiry be constituted at the HQs level above the rank of Commandant and the officer should be kept in abeyance. The official about to superannuate on 31.10.2014 should be exonerated from the charges. This needs to be considered at MoD level in this meeting to avoid such incidents in future and to render justice to the employees.

Action: D(O-II)

Comments :-

OS-10A, Encl.43-A

The Department Admin has lodged an FIR with police authorities against the INDWF Union leaders under Sections 147, 332, 336, 323 & 504. The FIR lodged by the civilians has been quashed by the police finding it false & baseless and the same has been forwarded to Chief Judicial Magistrate. The case is sub-judice as on date. The results have, therefore, not been declassified.

19. After the withdrawal of ADRP, large number of posts has been sanctioned for Direct recruitment against the wastage vacancies in group 'C' and Group 'B' posts. In Ordnance Factories every year few

thousands of posts are sanctioned by Direct Recruitment since the Factories are not having experience in Recruitment process and also thousands of applications are received, they are finding it difficult in scrutinizing, conducting written test and therefore the process is delayed for want of sufficient manpower. Each factory is adopting different syllabus for preparing question papers sometimes out of subject. Answer sheets are manually corrected; also sometimes the question papers are leaked and published in the local newspapers. Apart from that the recruitment process is challenged and resulting court cases and complaints from various sources due to which the results are cancelled leading to court cases as well as disturbing Industrial Relations since some of the employee wards are deprived. It is therefore, requested to issue sanction for appointment of employees through DR Quota through Recruitment Board in Ordnance Factories, as exists in DRDO an Agency called CEPTM, is appointed which is totally independent. Similarly in all Directorates under MoD a separate Agency should be appointed for Direct Recruitment of Group 'C' posts.

Action: D(Estt./NG)

Comments:-

D(Estt./NG)(Encl. 62-A)

The issue regarding formation of a Centralized Recruitment Agency is being examined and worked out for working out a proposal to be referred to various agencies for seeking approval viz., Defence Finance, Department of Expenditure, DOP&T etc.

20. Leader & Secretary Staff Side are finding difficult to get appointment with JS(E) to discuss on Staff matters. This may be streamlined and necessary instructions may be issued to PSS for granting interviews/meetings with JS(E) in the intermittent of meetings.

Action: D(JCM)

Comments :-

D(JCM)

Staff Side should follow the proper channel route to settle their demands and they should first approach at the lower levels like DS/Director/US in the unit/field/Subordinate Organization/Directorate in the first instance. Even if, their problems are not addressed properly then they should bring their grievances at the higher level. However, meetings with JS(E) cannot be feasible every-time as demanded intermittently because of the job and functions attached to this post as well as pre-occupation with many other important issues being in the Defence Ministers main Secretariat.

21. MoD issued orders for re-structuring of Artisan Staff w.e.f. 01.01.2006 and order was issued by MoD on 14.06.2010. The order was issued by OFB on 13.12.2010. Since OFB issued orders only on 13.12.2010, the vacancies up to 30.12.2010 could not be filled due to want of Trade Test for no fault of individuals. Therefore, Trade Test may be exempted to avail promotion retrospectively or if the Trade Test is conducted and official become eligible, they may be granted promotion from the date of arising vacancy after 01.01.2006 and up to 13.12.2010.

Action: D(Estt./NG)

Comments :-

D(Estt./NG)(Encl. 62-A)

The issue regarding one time exemption for Trade Test had been taken up with DOP&T and the same has been denied on two separate occasions, however, based on a representation received from the Staff Side the matter has again been referred to DOP&T for re-consideration.

OFB (Encl. 54-A)

OFB has issued instructions to the effect that wherever Trade Tests have been conducted and are within the validity period of three years even up to 13.12.2010, are to be considered for according promotions. This has sorted out problems in most units. However, if there are still any pending issues, the same should be intimated either case by case or factory by factory basis for examination.

22. Air Force Motor Transport Drivers Union, Chandigarh filed Writ Petition, Counter affidavit not filed by Air HQrs even after 2 years of filing petition at CAT, Chandigarh. It is requested that Air HQrs should file reply to the petition.

Action D(Air-III)

Comments :-

Air HQ (Encl. 93-A)

It is noticed that neither the name of applicant nor the OA No./WP No is given in the point raised in the 90th Departmental Council (JCM) held on 1.8.2014. As per records, there is no such case pending before Hon'ble CAT Chandigarh Bench. However, in OA No. 4383/12 filed by Air Force Motor Transport Driver Union before Hon'ble CAT (PB), New Delhi counter affidavit has already been filed and the case is listed for hearing on 14.07.2015.

23. The facilities, including ACs, for the Office Accommodation at 18 Lodhi Estate, New Delhi, known as JCM House, are very poor and needs improvement.

Action: JD(Works), JS(Trg. & CAO)

Comments :-

JD Works), JS(Trg. & CAO)

The JCM House at 18, Lodhi Estate was inspected by the concerned officers on 11 Aug 2014. It has been observed that cleanliness is being maintained. The roads have been properly metalled, the courtyards have been tiled/cemented, the toilets were found neat & clean and properly maintained. A dedicated conservancy staff has been deputed to ensure cleanliness of JCM House.

Adequate numbers of desert water coolers have also been provided at the bungalow, which are in working condition. The mattresses were changed only a year back, the bed sheets were found to be cleaned and washed. On specific demand of the JCM Members, new Pillows along with covers, Buckets, Mugs, Doormats, Thermos Flasks and Dining Table with 6 chairs have been provided. With regard to provision of Drinking Water, Drinking Water Cooler along with RO System have been installed.

Keeping in view the fact that JCM Bungalow is meant for overnight stay of the members coming at Delhi for attending JCM Meetings, the facilities at JCM House are considered adequate.

24. CAT, Nagpur Bench issued Judgment for sanction of NDA on revised pay w.e.f. 01.01.1996 vide their Judgment OA No.2017/2014 dated 17.01.2014 but this Judgment has not been implemented.

Either the Government should sanction revised NDA w.e.f. 01.09.2008 or they should implement the court orders where the appeals have not been preferred, necessary financial sanction should be given to avoid contempt action against the respondents.

Action: D(Civ-II)

Comments :-

D(Civ-II)(Encls. 1-A/63-A)

This office is not in receipt of any such proposal to implement the court judgment.

However, a decision has been taken with the approval of competent authority in MoD to make payment of Night Duty Allowance to the eligible Defence Civilian employees (industrial & non-industrial) based on the revised pay and allowances drawn by them w.e.f. 1.1.2006 and payment of arrears from April, 2007 in terms of Hon'ble CAT Jodhpur Bench order dated 5.11.2009 in OA No. 34/2008 filed by Shri Ram Kumar & Others as upheld by Hon'ble Supreme Court of India. Orders issued vide No. 17(4)/2012/D(Civ-II) dated 08.05.2015.

OFB (Encl. 54-A)

Order dated 17.01.2014 delivered by CAT Nagpur Bench in OA No. 2017/2014 has already been complied with by way of issue of Speaking Order. However, the issue of payment of NDA under revised rates is under consideration of DOP&T and decision is awaited.

25. During the discussion held under the Chairmanship of Addl. Secretary (A) with the Federations on 06.02.2014, as agreed orders were issued by MoD vide their letter No.11(5)/2009-D(Civ-I) dated 06.02.2014 in para 1 (iv), the matter has been considered in consultation with Defence Finance and it is further clarified that since the post of MCM was not with hierarchy of Artisan Staff Cadre up to 31.12.2005, the Highly Skilled Workers/MCM who were already drawing the pay scale of Chargeman (Rs.5000-8000) viz., the promotional post up to 31.12.2005 under ACPS may be considered for further financial up gradation, if due in the next Grade Pay (Rs.4600/-) in the hierarchy of Grade pay.

After issue of above order, individuals in Highly Skilled grade/MCM who were already drawing the pay scale for Chargeman (Rs.5000-8000) were considered for 3rd MACP Rs.4600/- Grade Pay. The skilled workers who were drawing Rs.5000-8000 on account of IInd Financial up gradation under ACPS were denied 3rd MACP, since the skilled workers is not mentioned along with HS grade/MCM in para 1(iv) of the said MoD letter.

It is, therefore, requested to kindly issue an amendment to the letter for including Skilled Workers along with HS Grade/MCM employees to avail the benefit of 3rd MACP for the Grade Pay of Rs.4600/- on completion of 30 years of regular service.

Action: D(Civ-I)

Comments :-

D(Civ-I), Encl.48-A

The proposal was sent for DoP&T's advice.

Shri H.N. Tiwari, INDWF

26. He welcomed all Joint Secretaries present in the Steering Committee Meeting, Leader & Secretary Staff Side, Member Official/ Staff Side, and thanked to the Chairman for warm welcome to Staff Side and giving the latest developments on the pending issues and also achievements. He submitted that the cadre review proposals in respect of employees of DGQA Organization and also the other Directorates under the Ministry of Defence have not been finalized in spite of the VIth CPC recommendations to approve the cadre review proposals of the employees after each five years and earlier assurances were given by the chairman Departmental Council MoD to clear the cadre review proposals of all Directorates under MoD within six months. It is most unfortunate that the cadre review proposals of DGQA Orgn. were cleared by Raksha Mantri in the year 2012 and subsequently sent to Ministry of Finance. The file was returned for some clarifications and now it is pending with MoD Finance. It is not understood that after approval of Raksha Mantri, why Defence Finance is holding file of cadre review, which is pending for the last 11 years. Causing the inordinate delay in the approval of the cadre review proposals which are still pending with Defence Finance and the VII CPC has also been constituted by the Government, therefore, expeditious necessary action in this regard may be taken, so that the cadre review proposals could be approved at least before the VIIth CPC recommendations are announced.

Action: All Admn, Sections

Comments :-

Information received from DG:EME, OFB, DGQA & Air HQ are same as against Speech Point No. 14 above.

D(Civ-I)

All the Heads of the Division concerned have been directed to intimate the current status of the progress of the Cadre Review cases in respect of all Cadres. They have been requested to furnish the progress of these proposals to the JCM members during the ensuing Steering Committee Meeting to be held on 10.12.2015 under the Chairmanship of JS(E).

27. It has been noticed that the provisions for budget for conservancy in DGQA Residential Complex at Kanpur and also at CQA(L) Bangalore has not been provided after 31.03.2014 and it is pending with the Defence Finance and due to non-availability of budget provisions for conservancy situation is becoming worst at the ground level.

Action: D(QA)

Comments :-

D(QA)/DGQA(Encl. 59-A)

Necessary sanction of the competent authority has already been accorded for outsourcing of manpower for conservancy services at CQA(T&C), Kanpur and CQA(L), Bangalore for the period from 01.04.2014 to 31.03.2015 and 13.07.2014 to 12.07.2015 respectively.

28. It has been noticed that the probation period is not being included in residency period as time relaxation for promotion of Artisan in the AF Directorate. This point was also discussed in the last meeting of the Steering Committee, MoD and also discussed in the IIIrd Level JCM Council Meeting of Air HQ where the Staff Side was informed that the matter has been referred to MoD and the decision is still awaited.

It is requested to issue an early clarification on the subject.

Action: D(Air-III)

Comments :-

Air HQ (Encl. 8-A)

The cadre of Artisan Staff was restructured vide MoD/D(Civ-I) letter No. 11(5)/2009-D(Civ-I) dated 14.6.2010. It was not clear if promotions can be granted during probation by giving benefit of one time relaxation in terms of Para 3(b) of MoD letter No. 11(5)/2009-D(Civ-I) dated 14.6.2010. As such, a clarification has been sought from MoD/D(Civ-I).

D(Civ-I)(Encl. 94-A)

The file of Air HQ regarding one time relaxation was sent to D(Air-III) with the advice to consult D(Apptts.) for the query regarding promotion, DPC etc. in Artisan staff.

29. The points regarding extension of CSD Canteen facilities to the Retired Defence Civilian Employees, has been raised several times in this forum as well as in main meeting of Departmental Council MoD. But, the same has not been granted so far. Now it is learnt that the Army has also accepted this long outstanding request of the Staff of CSD Canteen, then there should not be any problem to extend this CSD facility to the retired Defence Civilian Employees. Adjutant General and DDG(CP) made their best efforts in sorting out this problem from Army side.

It is therefore, again requested to issue the necessary instructions as early as possible to grant the facility of CSD Canteen to Retired Defence Civilian Employees.

Action: D(Mov)

Comments :-

D(Mov)(Encl.84-A)

The issue is disposed vide Order No. 8(14)/2015-D(Mov) dated 31.07.2015 and QMG Br Order No. 96301/Q/DDGCS/Policy dated 12.09.2015.

30. This issue of OD Fort Allahabad is very much concern to the staff side, therefore, immediate intervention is requested to provide justice and fairness to the effected employees. Though the assurance were given in the last steering committee meeting but nothing has been done. The Hon'ble Chairman is humbly requested to sort out this serious issue before any major industrial unrest in the vital Defence installation.

Action: D(O-II)

Comments

OS-10A, Encl.43-A

The Department Admin has lodged an FIR with police authorities against the INDWF Union leaders under Sections 147, 332, 336, 323 & 504. The FIR lodged by the civilians has been quashed by the police finding it false & baseless and the same has been forwarded to Chief Judicial Magistrate. The case is sub-judice as on date. The results have, therefore, not been declassified.

31. In-spite of the assurances given by the Chairman Departmental Council, MoD to restore the posts abolished under ADRP of all Directorates under MoD, the restoration of posts in DGQA are still pending with the MoD.

Necessary Action in the matter may be taken without any further delay.

Action: D(QA)

Comments :-

DGQA (Encl. 98-A)

Regarding restoration of posts abolished under ADRP, the case file was last received back from MoD on 09.06.2015 asking for some more information. The same has since been collected from Tech Dtes and the case file has been re-submitted to MoD/D(QA) on 05.10.2015 clarifying the queries raised by AFA (DS) for onwards submission to MoD/Fin.

32. JCM Members are allowed to stay in the IB (Guest House) of Ordnance Factories under OFB and also guest house of DRDO, wherever the DRDO establishments are situated.

It is requested to allow these facilities in MES Guest Houses also to JCM Members during their visit to establishments concerned.

Action:D(Works-II)

Comments :-

D(Works-II), Encl. 45-A

The policy regarding allotment of MES IB (Guest House) is equally applicable to all employees. JCM members may not insist on any change.

33. The points regarding non-grant of 1st & 2nd ACP to the Tailors/Tent Menders of OD Talegaon Dhabade has been raised in the last main meeting of Departmental JCM Council, but no action seems to be taken to grant ACP Benefits to the above category till date and it is learnt that the case is still pending with the MoD.

Expeditious action in this regard may be taken without any further delay.

Action: D(O-II)

D(O-II)/OS Dte, Encl.26-A

This issue was examined in Feb 08 in consultation with O/o the CGDA. It was observed by them that GOI, MoD letter No.11(1)/2002/D(Civ) dated 20 May 2003 regarding restructuring of Artisan Staff Cadre gives the mobility and grade structure in the non-Industrial and Industrial trades belonging to 'Skilled Category' and above only. Since the posts of Tailors and Tent Menders are left out /isolated 'Semi-Skilled' trades in the pay scale of Rs.2650-4000, the provision of MoD letter of 20 May 2003 cannot be applied to fix the mobility of semi-skilled category under ACP Scheme, which shall be in the common scales indicated in Annexure II of DoP&T OM dated 09 Aug 1999 as clarified in DoP&T OM dated 10 Feb 2000. Accordingly, the pay scales applicable under 1st and 2nd financial up gradation will be

Rs.2750-4400 and Rs.3050-4590 respectively. OD Talegaon vide their letter dated 24 Mar 2009 have confirmed grant of ACP to Tailors and Tent Menders in these scales.

After notification of new SRO-15/2006 for the post of Chargeman Grade-II the semi-skilled left out trades in the pay scale of Rs.2650-4000 like Tailor, Tent Mender, Checker etc have no promotional avenues on or after 04 Feb 2006 (i.e. the date of publication of SRO 15/2006). The leader Staff Side pointed out that except OD Talegaon in all other Depots Semi-Skilled employees with pay scale of Rs.2650-4000 were given the 1st and 2nd ACP in the pay scale of Rs.3050-4590 and Rs.4000-6000 prescribed for Skilled and Highly Skilled category respectively. Only 19 Tailors directly recruited in OD Talegaon have been denied this benefit. He has further pointed out that SRO -15/2006 which prescribed Recruitment Rules for the post of Chargeman Grade-II lays down 08 years of regular service in Highly Skilled grade. This SRO is effective only from the date of its publication in the gazette i.e. 04 Feb 2006. Till 04 Feb 2006 eligibility for promotion to Chargeman Grade-II shall be as per SRO 120/1979, which prescribes 'Gp "B' Tradesman and not less than 08 years total service." He has therefore concluded that the post of Tailors/Tent Mender which have feeder post of respective Mates and are eligible for consideration for promotion to Chargeman Grade-II in terms of old SRO 120/1979 should not be treated as isolated posts warranting financial up-gradation under the next higher standard pay scale. As per clarification No.32 issued by the DoP&T vide their OM dated 10 Feb 2000, post having neither the feeder grade nor the promotion grade shall only be treated as isolated post. Therefore, Tailors and Tent Mender of AOC should be entitled to the grant of 1st ACP in the pay scale of Rs.3050-4590 (prescribed for Skilled category) and Rs.4000-6000 (prescribed for Highly Skilled category) if not in the pay scale of Rs.5000-8000 (prescribed for Chargeman Grade-II in SRO 15/2006 of 04 Feb 2006).

Finding substance and merit in the contention of the Staff Side Member, the case was again taken up with CGDA who reiterated their earlier position and suggested that the issue being of administrative nature, as such DGOS may take up the matter with MoD/D(Civ-I), as a special case, placing on record the number of the employees affected and the financial implications involved for the consideration and decision of MoD.

Accordingly, the case was submitted to MoD in Sep 2010. MoD raised several queries which were promptly replied and case was submitted to MoD in Jan 2012. MoD again raised some queries and the case has been re-submitted to MOD on 27 May 2014. Final decision of MoD is awaited.

OS-8C (Policy), Army HQ (Encl. 88-A)

The case was submitted to MoD in Sep 2010. MoD raised several queries which were promptly replied and case was submitted to MoD in Jan., 2012. MoD again raised some queries and the case has been re-submitted to MoD on 14.10.2014. Case file received back from MoD on 08.06.2015 with remarks to discuss the case with Dir (O). The matter has been duly clarified. Presently, the case is under consideration.

Shri Mukesh Kumar Singh, BPMS

34. Casual Leave may be granted to the employees of 500 Army Base Workshop Allahabad to BPMS affiliated Union for the trade union activities.

Action: Army HQ, D(O-II)

Comments :-

DG:EME (Encl. 91-A)

Casual leave for union related activities are being given as per Government instructions on the subject.

35. Observations raised by Test Audit for grant of 3rd MACP in the Grade Pay 4600/- in MES under the Chief Engineer, Central Command, Lucknow may be replied suitably.

Action: D(Works-II)

Comments :-

D(Works-II), Encl. 45-A

In connection to the observations raised by Test Audit for grant of 3rd MACP, a reply has been suitably given by CE Lucknow Zone to the Test Audit vide letter No.120923/Audit/04/EIC(2) dated 24 June 2014.

36. Approval may be accorded for Direct Recruitment of Non-Matriculate persons as Group 'D' employees (Safaiwala) who have passed the test conducted on 02.03.2009 in Ordnance Depot, Fort Allahabad.

Action: D(O-II)

Comments :-

D(O-II)/OS Dte, Encl.26-A

In this regard, it is intimated that as per direction of DoP&T, no Direct Recruitment is to be done in erstwhile Gp 'D' posts as per Old RRs. As these posts are now re-classified as Gp 'C', recruitment is being done as per revised RRs.

37. Meeting of Board to consider compassionate appointment in DGOS may be held regularly.

Action: D(O-II)

Comments :-

D(O-II)/OS Dte, Encl.26-A

Annual Board for grant of Compassionate Appointment to next of kin of deceased Govt. Servants of AOC for 2012-13 was held on 14 Oct 2014 and for the year 2013-14 is proposed to be held in Apr 2015.

38. Earned Leave/Half Pay Leave may be carried forward on appointment/transfer/promotion from Industrial to Non-Industrial post.

Action: D(O-II), Army HQ

Comments :-

DG:EME (Encl.91-A)

Staff side member be requested to forward specific case for examination.

39. Promotion from Grade Pay of Rs.1800/- to next higher post may be granted on seniority basis i.e. without conducting any departmental test in MES as is being done in DGOS.

Action: D(O-II)/D(Works-II)

E-in-C's Br., Encl. 19-A/D(Works-II) Encl. 45-A

Promotion is being done as per existing Recruitment Rules.

D(O-II) : Comments awaited.

40. Uprooting of thousands of green trees in Ordnance Depot Fort, Allahabad should not be done without proper permission.

Action: D(O-II)

Comments:-

MGO Br. – OS-8C (Policy), (Encl. 88-A)

As intimated by vide their note No. 25323/91st Deptt/SCM/OS-10A (ii) dated 22.06.2015. OS-10-A has intimated that no complaint has been received in this regard. However, Comdt, OD Fort, Allahabad has been asked to offer comments and stop immediately if any violation of the procedure is noticed.

41. Bunching benefit to Master Craftsman (old Speech Point No.45, Dated 27.09.2013) may be granted.

Action: D(Civ-I)

Comments:-

D(Civ-I), Encl.48-A

The proposal was sent for DoP&T's advice.

42. Granting of Skilled grade to Non-Petitioner Tent Menders of AOC, Valveman & Lift Operators of MES (old speech point No.50, dated 27.09.2013).

Action: D(O-II), D(Works-II)

Comments :-

D(Works-II), Encl.45-A

The case is under consideration.

D(O-II) /MGO Br (OS-8C (Policy))(Encl.74-A)

The proposal of up-gradation of Tent Mender and allied Tradesman isolated cadre from semi-skilled to skilled category was initiated on 09.03.2012. The same has been turned down by MoD and it has been suggested for conversion of Tradesman isolated cadre as feeder grade to Tradesman skilled category. Accordingly, the proposal has been revised and resubmitted to MoD for consideration.

43. Granting of Recognition to the unions (old Speech Point No.67, dated 27.09.2013).

Action: D(JCM)

Comments:-

D(JCM)

Recognition to Unions affiliated to various Federations is granted as per the extant rules. In the first instance, the case of recognition is forwarded to MoD from the concerned HQ/Organization of the Unions which recommends the case of merits under the existing rules. Such cases are again examined on merits. If there is any complaint on the dual membership or any other issues of the union then the case is referred back to HQ/Organizations to sort out the same. After getting satisfactory reply from HQ/Organization the cases are granted approval from MoD after examining from all angles. Sometimes there are incomplete paper work from the HQ/Organization level. The case is sorted out after sending the case back to the concern office to do the needful paper work. In case of dispute of various type opinion of DoP&T is also taken whenever, it is felt necessary. Queries are made to bring transparency so that the cases of recognition are done on merits so that the existing rules are followed letter and spirit even some time is left while doing so.

44. Promotion of Lister Drivers to CMD (OG) in DGOS (old speech point No. 71, dated 27.09.2013).

Action: D(O-II), Army HQ

Comments :-

D(O-II)/OS Dte, Encl.26-A

Staff Side has apprised that SRO 97/79 was effective till 08 Nov 2005 after which new RRs for CMD vide SRO 123 dated 09 Nov 2005 has been implemented is correct. As per GOI guidelines, the provisions endorsed in existing RRs are required to be followed.

RRs are statutory in nature and bound to be followed under Article 309 of Constitution of India. As the Lister Drivers/Crane Drivers are not included as feeder grade to CMD(OG) grade, the same cannot be implemented.

However, as per DoP&T OM No. AB/14017/48/2010-Estt(RR) dated 13 Dec 2010, RRs should be reviewed once in 5 years. Hence, AG's Branch may review the existing RRs, accepting the proposal of inclusion of Lister Driver/Crane Driver as feeder grade to CMD(OG).

45. Filling up of ADRP vacancies for the year of 2009 in MES (old speech point No.59, dated 19th& 20th June 2012).

Action: D(Works-II)

Comments :-

D(Works-II), Encl. 45-A

The case pertaining to ADRP vacancy of 2006-09 has been returned by Ministry of Finance with certain observations to limit the sanction of vacancy only up to 1/3rd of overall ceiling and also give the break -up of total sanction required with justifications. The case is under process.

46. As per DoP&T S.O. 946(E), dated 09.04.2009 the post of Master Craftsman in the GP 4200/- is re-classified as Group 'B' under the CCS (CCA) Rules, hence the Senior General Manager or General Manager of Ord Fys are not competent appointing/Disciplinary Authority to impose any penalty upon the Master Craftsman.

Action: OFB

Comments:-

OFB (Encl. 54-A)

As per existing provisions, DGOF is the Disciplinary Authority and MoD is Appellate Authority in respect of all Group 'B' posts under OFB. Following implementation of 6th CPC, a large number of posts which were previously listed as Group 'C' have now been re-classified as Group 'B' posts. As per DOP&T order dated 09.04.2009 published in the Gazette of India Extraordinary [(SO 946(E))], the posts carrying the Grade Pay of Rs 4200/- and above have been re-classified as Group 'B' (NG) under the CCS (CCA) Rules, 1965.

A proposal regarding notification of the amendments in Part V of the Schedule to the CCS(CCA) Rules, 1965 in respect of Group 'B' and Group 'C' posts in OFs was sent to MoD, D(Lab) vide OFB ID No. 3977/BM/PER/DISC dated 16.06.2011. The original proposal dated 16.06.2011 was replaced/revised by subsequent proposals dated 12.06.2012, 19.11.2013 and 07.01.2014.

Vide ID dated 06.06.2014 MoD, D(Lab) has forwarded a draft notification for amendment of Schedule V in respect of only Group 'B' posts, which was drafted on the basis of original proposal of OFB and as approved by DOP&T for comments/concurrence. In the same ID, it was also mentioned that for changing of Appointing/Disciplinary Authority in the case of Group 'D' posts in OFB, no amendment in Schedule V is required. OFB has forwarded its comments on the draft notification vide ID dated 13.10.2014.

After receipt of relevant approval from the MoD, the same will be published/notified in the Part-V of the Schedule to the CCS(CCA) Rules, 1965 at relevant place.

47. Reimbursement of medical expenses where Fixed Medical Allowance is applicable.

Action: D(Civ-II)

Comments :-

D(Civ-II)(Encl. 1-A)

Ministry of Health & F.W. has proposed to discontinue Fixed Medical Allowance and bring the employees under the ambit of CS(MA) Rules, 1944. The views of lower formations and the recognized federations/unions have been sought for onward submission to Ministry of Health & F.W.

48. Granting of 2nd ACP to Wireman in OFB in the pay scale of (Rs.5000-8000) [old Agenda Point No.48 of the Steering Committee Meeting for 88th Departmental Council (JCM) of the MoD held on 16th Jan, 2009].

Action: D(Estt./NG), OFB

Comments:-

OFB (Encl. 54-A)

As per the provisions of ACPS, all promotional norms are to be fulfilled for granting the respective grades of promotion. The SRO for Chargeman post lays down the minimum qualifying service in the HS Grade for promotion to the post of CM-II However, there is an additional condition for promotion to CM-II that is possession of Electrical Supervisory Competency Certificate. Even though the ACPS beneficiaries are not actually required to supervise the job because of this condition, granting of 2nd ACP has been halted to the Wireman category.

49. Payment of Overtime Allowance to certain categories of Class IV Staff (erstwhile) viz. Cook, Masalchi, Dhobi, Mali & Barber posted in Ordnance Factory Hospitals.

Action: D(Estt./NG)

Comments :-

OFB (Encl. 54-A)

The matter has been taken up with MoD and MoD in turn referred the matter to Defence Finance. Decision is awaited.

Shri Daya Shankar Upadhyay, BPMS

50. He welcomed the Chairman and all the participants of the meeting and submitted that there are four recognized unions functioning in 508 Army Base Workshop, Fort, Allahabad including 508 Karamchari Union, Killa, Allahabad, affiliated to BPMS and BMS. As per rule 2% of membership is authorized to get special casual leave for representing the union in various committees/conferences etc. As per Army HQ AG's Branch letter No.80787/Ort-4(Civ) (C) dated 31 July 1991 representatives of total yearly membership of each recognized union is authorized special casual leave for 20 days for valid and specified reasons. But the administration of 508 Army Base Workshop, Fort, Allahabad has deducted the wages of employees who represented our above union in a study class/meetings organized by the federation of EME employees stating that they have crossed the limit of representation as per 2010 secret membership verification, carried out by the MoD. The matter was raised to DGEME New Delhi, but Dr. Rajesh Kumar Supt Engineer (SG) on behalf of DGEME has replied on the above lines only. He did not apply his mind at all and simply quoted AG's Branch above letter dated 31 July 1991 without reading its contents. Otherwise as to how he has quoted above letter where there was no secret ballot

procedure was being conducted by Govt. The secret ballot conducted by Government during the year 2010 was for granting proportionate representation to recognized federations/associations in JCM Forum and not for granting special casual leave, as directed vide above letter. Moreover the behaviour of Dr. Rajesh Kumar is not cordial and hence, such officer should not be posted in public dealing place and should be transferred.

In this connection, I would like to submit a copy of my representation, addressed to DG:EME, New Delhi dated 14.11.2013 & 15.5.2014 for ready reference and suitable action/direction to the concerned authority at 508, Army Base Workshop, Fort, Allahabad, since the total membership for the year 2010 and 2011-12, 2012-13 verified by Dy. Labour Commissioner of Allahabad, U.P. was 522 only in respect of above affiliated unions. Thus the union should be allowed at least 10 representation according to AG's Branch letter dated 31.07.1991.

Action: D(O-II)

Comments :-

DG:EME (Encl.91-A)

Special Casual Leave to the affected individuals of 508 ABW, Allahabad has been granted and matter resolved amicably.

51. As per test audit observations Nos. 3 & 4, the industrial employees appointed in the scales of Rs.196-232, Rs.210-290, Rs.260-400 in RPR-1986 as skilled/un-skilled categories granted, second ACP in the scale of Rs.5000-8000/RPR-1997, including Master Craftsman in MES is against R/Rules and cannot be granted to Industrial employees of the above pay scales. The test audit has further observed that 423 Nos. of such employees allowed Rs.4600/- Grade Pay should be reverted to Rs.4200/- Grade pay and recovery be made from these employees.

In this connection, it is submitted that vide MoD ID No.11(5)/2009-D(Civ-I) dated 6.2.2014 and Directorate General E-in-C letter No. CC-11/B/77030/VI CPC/Ind/84/CSCC dated 24.2.2014, the Industrial employees (MCM) who were granted 2nd ACP in the scale of Rs.4500-7000 before 31.12.2005 have been allowed 3rd MACP in the Grade Pay of Rs.4600/-. Thus, objection raised by test audit should be treated as null and void. It is requested that the concerned audit authority may be informed accordingly.

Action: D(Works-II)

Comments :-

D(Works-II), Encl. 49-A

The information given appears to be factually incorrect. In place of Rs.4500-7000 before 31 Dec 2005, it should be Rs.5000-8000 before 31 Dec 2005 as per MoD/D(Civ) I.D. Note dated 06 Feb 2014.

52. According to DoP&T letter No. AB-14017/6/2009-Estt(RR) dated 8.2.2011, the instructions contained in the above said letter shall come into force on the date of their publication in the Official Gazette, which shows that the instructions/orders are applicable from the date of its publications i.e., 8.2.2011 and after and not before above date.

The process of recruitment of Group D employees already undertaken/completed prior to publication of above Government order dated 8.2.2011 or the employees appointed in Group D before 8.2.2011 must be appointed/recognized as Group D employees and after six months of their regular service they can be treated as Group D employees as per recommendations of 6th CPC.

To avoid legal repercussion in the matter, such cases should be looked into and disposed off accordingly.

Action: D(Apptts)

Comments:-

D(Apptts.)

The point raised in the Minutes of the Steering Committee Meeting for the 90th Departmental Council fall outside the purview of the D(Apptts.) Section in the MoD. The issue pertains to the Administrative section of the respective organization. D(Apptts.) Section is neither the cadre controlling authority nor the Admn. Section of any of the Directorate/Service HQ/Orgns. Therefore, in so far as D(Apptts.) Section is concerned the requisite information may be treated as Nil.

53. The compassionate appointment of aggrieved candidates is being considered four times in a year in DG:EME Organization which shows that considerations for such appointments 12 times in three years in DG:EME Organization, whereas the same process is not being adopted/forwarded in DG:OS Organization. In DG:OS Organization it is considered only three times in three years, it is also observed/seen that sometime the Board considering such appointment sits once in two years time.

It is, therefore, requested that proper directions should be issued to DG:OS Organization for adopting the procedure of compassionate appointment as that of DG:EME Organization so as to close out the problem of aggrieved families requested for compassionate appointment.

Action: D(O-II)

MGO Br. – (OS-8C (Policy), (Encl. 88-A)

The HQ had sought the clarification on whether consideration on three occasions/chances consecutively for appointment on compassionate ground in each case as laid down in MoD ID No. 19(4)/824-99/1998-D(Lab) dated 09.03.2001 is still in existence. Vide Note 14 dated 24.01.2013, MoD/D(Lab) had expressed its agreement on the point of view of OS (Pers).

54. It is observed that Industrial employees on qualifying departmental test are being appointed in the higher grade pay in non-industrial post, such as, Storekeeper etc. but on their appointment the payment of earned leave carried on their account as Industrial employees is paid to them. The leave rule is silent on such issues, therefore payment of earned leave to such non-Industrial employees is against rule position and earned leave/HPL of such non-gazetted employees appointed should be carried forward in their newly appointed post.

Orders may be issued duly verifying the position in such cases.

Action: D(Civ-II)/D(Estt./NG)

Comments

Comments from D(Civ.II) awaited.

OFB (Encl. 54-A)

Necessary instructions on the issue were issued/circulated vide OFB No. 265/A/A/XXXIV dated 16.06.1995.

55. Departmental promotion of Group 'C' employees having grade pay of Rs.1800/- is being done on seniority basis in DG:OS Organization, whereas the same practice is not followed in E-in-C Department where such promotions are effected after conducting Departmental Test.

To avoid unnecessary harassment, biased attitude and favourism towards certain employees, the procedure adopted in DG:OS should also be adopted in E-in-C and the eligible employees having grade pay of Rs.1800/- should be promoted to the post of LDC (grade pay Rs.1900/-) i.e., strictly on the basis of seniority. All Departments functioning under MoD should adopt the same procedure at par with DG:OS to avoid discrimination and bias.

Action: D(Works-II)/D(O-II)

Comments :-

D(Works-II), Encl. 49-A

Promotion to the post of LDC will be as per RRs of LDC in vogue. The practice of Department Test is in the interest of the Organization, so as to ensure minimum standard of performance from the promotee.

D(O-II)/DG:EME (Encl. 57-A)

Same procedure is being followed in Corps of EME.

Shri Ved Pal Yadav, General Secretary, CDRA

56. He welcomed the Chairman and all the participants of the meeting and submitted that while availing the LTC by Air, Govt. of India has authorized following two Agents:-

- a) M/S Balmer Lowrie and Coy.
- b) M/S Ashoka Travel & Tours.

Due to various reasons, some of the employees booked the Air Tickets for availing the LTC by Air from the agent other than the above authorized agents and their Air fares were less than the Air Fares of above authorized agents. The employees actually availed the LTC by Air and they have also produced the Boarding Passes along with their Air Tickets. But their bills were not admitted by the Departments on the plea that Tickets were not purchased from the authorized agents. A large numbers of employees could not get their claim admitted. It is requested that one time relaxations be given and their actual Air Fare may please be admitted and paid to the employees. On this representation were made for one time relaxation but not agreed by the DoP&T, vide their OM No.31011/4/2014-Estt. (A.IV) dated 19.06.2014.

In view of the above, it is once again requested to consider this issue sympathetically, as most of the employees are also low paid and matter may again be taken up with DoP&T for their acceptance. On this Chairman of the Steering Committee of the Departmental JCM Council must appraise the hardships to concerned Officers, as a onetime measure, so that claims of affected employees can be admitted and paid.

Action: DS(Genl.)

D(Civ-II)(Encl. 63-A)

The proposal is not clear. Leader, Staff Side may be asked to submit a detailed issue with justifications.

It is, however, stated that DOP&T has issued O.M. No. 31011/5/2014-Estt (A-IV) dated 24.09.2014 regarding clarification on the procedure for booking of air tickets on LTC. DOP&T O.M. No. 31011/4/2014-Estt (A-IV) dated 19.06.2014 has referred to the instructions issued from time to time that the Government employees are required to book their air tickets directly from the air lines (Booking counters, website of air lines) or by utilizing the service of Authorized Travel Agents viz. "M/s Balmer Lawrie & Company", "M/s Ashok Travel & Tours", and "IRCTC" (to the extent IRCTC is authorized as per DOP&T O.M. 31011/26/2001-Estt(A) dated 01.12.2009) while undertaking LTC journey(s). In no case is the booking of tickets through any other agency is permissible.

D(Estt.2/Cash), Encl.48-A

As per Govt. orders, tickets on LTC journeys are to be purchased either direct from the Airlines or through authorized agents.

In this connection, it is stated that this section has not received any representation in this regard. However, if any such representation is received, the same will be forwarded to DoP&T through proper channel for sympathetic consideration.

57. It is submitted that there are provision of 'Provisional Pension', instead of 'Regular Pension' in those cases where employees are involved in some Departmental/Criminal Cases. In the absence of documentary evidence on acquaintance being very old their Provisional Pension were not being regularized.

An example is quoted which is as under:-

"Shri AN Mishra of OD Allahabad, of AOC, under Ministry of Defence was involved in a family dispute and an FIR was filed against him during his service period. Authorities filing the FIR could not provide the latest position of the Court case against this FIR. Individual was promoted regularly up to the Rank of Senior Store Supdt (SSS) and finally retired, but Provisional Pension was granted to him. On this, Sh. AN Mishra provided the documents from the Court concerned & Police authorities that no case is pending against him, even then his case for grant of Regular Pension was not processed and given."

On this Confederation of Defence Recognized Association (CDRA) made several representations to Commandant OD Allahabad, Officer-in-Charge, AOC(R), Ordnance Directorate and Ministry of Defence for sympathetic consideration and process for granting the Regular Pension. Individual is very old and not able to move frequently, even not able to file his case in the Court of Law being financially weak.

In view of the above, Chairman of the Steering Committee of the Departmental JCM Council is requested to kindly call the report and consider the above case favourably and sympathetically and grant the sanction so that in the last leg of his life Sh. AN Mishra can get his Regular Pension.

Action: D(O-II)

Comments:-

D(O-II)/DG:EME (Encl. 57-A)

Staff Side may please be requested to forward specific case for our consideration.

58. **Placement of Directly recruited Draughtsman-III (DM-III) in DGQA** – The up-gradation of pay scale Rs.1400-2300 (pre-revised) of DM-III possessing “Diploma in Engineering with one year’s experience” recruited from 16.09.1995 to 20.09.1999 (date of issue of new SRO) a statement of case was recommended by DGQA, MoD and the case was referred to Defence Finance (AG/PB). Defence Finance referred the case to Ministry of Finance. Ministry of Finance repeatedly opined that Administrative Ministry may regularize the present cases. Accordingly, DGQA, MoD/D(QA) & D(Civ-II) has recommended the above proposal to Defence Finance (IFDS) in November 2013 for financial approval. However, the case was again referred to Deptt. of Expenditure by MoD Fin (IFDS) in June 2014.

Action: D(Civ-II)/ D(QA)

Comments :-

D(Civ-II)(Encl. 1-A)

This issue relates to D(QA). This was also discussed in the last meeting that the Administrative Section will take decision in the matter.

The matter has been referred to D(QA) on 22.08.2014 for taking a decision.

DGQA (Encl. 98-A)

The case regarding grant of higher pay scale to Draughtsman III of DGQA appointed after 15 Sep 1995 to 20 Sep 1999 was taken up with the MoD and the proposal was referred to Deptt of Expenditure, MoF for their concurrence. The case has been turned down by MoF/DoE. They have advised that the case may be processed strictly according to Department’s OMs dated 19.03.1984 and 19.10.1994 without any exceptions wherever and if any exception is involved, the same may not be agreed to.

However, the case has again been taken up with the MoD and the file has been sent to MoD/D(QA) on 14.05.2015.

59. It is submitted that so many employees and employees’ forums contested the various issues on their working conditions/grievances and Judgments were awarded in their favour, but not implemented by the implementing agencies for the reasons best known to them. It was observed in most of the cases that there are no review, SLPs against these judgment, even then these awarded judgment were not implemented despite maximum efforts made by the Staff Side.

It is requested to intervene in the matter and suitable action may be taken so that these Judgments can be implemented at the earliest and further Litigation can be avoided by implementation of the same in the similar cases. An example is also quoted herewith. Valve man under E-in-C's Branch has not been given the benefits in spite of that they have won the court cases and no SLP or Writ is pending against them.

An another example is also quoted herewith, "AAO working under CGDA were not granted the Basic Pay fixed at Rs.18750/- whereas similar category under 1A Services and other departments are getting the same. Affected employees contested this issue in the court of Law and Judgments were given in their favour. Even then Basic Pay was not fixed in favour of those employees who won the case.

In view of the above, Chairman of the Steering Committee of the Departmental JCM Council is requested to kindly intervene in the matter so that the pending implementation of various Judgments can be implemented without further delay.

Action: D(Works-II)/CGDA

Comments :-

CGDA (Encl. 17-A)

The case was taken up with MoF for extending Court order to the similarly placed persons, Ministry has advised us to wait for the final judgment to be delivered by the appellate courts in the OA No. 293/2011 and the proposal may be taken up for consideration only after the aforesaid court case reaches its finality.

The writ petition No. 13860/2013 filed against the orders in OA No. 293/2011 is still pending in the Hon'ble High Court of Allahabad. Meanwhile, Ministry of Finance has authorized the MoD to implement the CAT orders conditionally to avoid contempt. As on date, 9 CAT orders have been implemented conditionally.

Two of the writ petitions filed before the Hon'ble High Courts of Hyderabad and New Delhi by the Department were dismissed by the Court. The matter is being taken up with the concerned Ministries for further guidance.

D(Works-II), Encl.49-A

The case is under consideration.

60. It is submitted that Shri BB Mohanty and others who are the Office Bearers of the "All India Naval Technical Supervisory Staff Assn" (Recognized) under Naval HQs are being harassed/victimized by the Naval authorities on the various grounds including their justified activities for which they are authorized. On the harassment/victimization Confederation of Defence Recognized Assns (CDRA) has also represented, but it has not stopped. There are instructions of Ministry of Defence that punishment cannot be awarded without the permission of Ministry of Defence. We are feared that they will be punished by the Naval authorities for their no fault.

In view of the above, Chairman of the Steering Committee of the Departmental JCM Council is requested to kindly intervene in the matter so that harassment/victimization can be stopped and no penalty can be awarded to them.

Comments:-

D(N-II)/NHQ (Encl. 61-A)

Disciplinary cases have been initiated against Shri B.B. Mohanty and others for alleged delinquency and misdemeanor shown by them to an officer and the said misdemeanor/misbehavior occurred in the presence of some 50 employees including certain supervisors. The inquiry proceedings have been finalized, but several observations have been raised regarding procedure of inquiry proceedings. Presently, their case is with HQ WNC for consultation with Govt. Counsel/Legal agency regarding appropriateness of inquiry proceedings. During the pendency of disciplinary proceedings, it may not be prudent to construe that these individuals have been subjected to victimization until the case is brought to a logical end.

61. It is submitted that there are various categories like Storekeeping Staff, Fire Fighting Staff, Technical Staff, AFC Drivers, Civilian Motor Drivers etc who were not granted the Risk allowance, despite that Second Risk Allowance Committee have seen their duties on ground by visiting the various Units/Organizations. Second Risk Allowance Committee of Ministry of Defence also agreed to grant them the Risk Allowance. There are some Units where Risk Allowance was not extended to these categories, which are similar to them who are getting the Risk Allowance.

Before the 6th CPC outcome, this point was near to finalization/implementation but the Ministry of Finance referred this issue to the 6th CPC and 6th CPC recommended the Risk Insurance, which was also not implemented and the Govt. has again issued the order for continuation of Risk allowance.

In view of the above, Chairman of the Steering Committee of the Departmental JCM Council is requested to kindly consider favourably and take up the case for implementation of the Second Risk Allowance Committee recommendation to grant the Risk Allowance to Left Out categories/ Units at the earliest as they have already faced the loss due to non- implementation in their favour.

Action: D(Civ-II)

Comments :-

D(Civ-II)(Encl. 63-A)

This issue of left out categories is under consideration in consultation with DoP&T. DoP&T asked for information regarding number of employees and financial implications, the organization proposed to be included, the number and category of staff likely to be included for grant of such benefit along with financial implications and the same has been sought from the lower formations. This information as and when received in all respect will be forwarded to DOP&T for their consideration. Further, CDRA has not indicated the name of organizations in which the left out category of staff, are working. The Staff Side may be advised to submit the proposal of left out categories as mentioned in their Charter of Demand through the respective organization with their specific recommendations.

62. It is submitted that presently posting on Compassionate Grounds are being applied to AG's Branch of various categories the Storekeeper, Clerks, Messenger, Peon, Mazdoor, Chowkidar etc. and some other categories and AG's Branch which is the nodal agency post them on their choice posting in Army, Air Force and Navy. Some employees wish their posting to those Stations where Units/Factories of OFB are only available, but OFB does not report the vacancies to AG's Branch on the plea that they

are not covered under the existing instructions. Previously a point was raised and represented to include the OFB Organization for posting on Compassionate Ground and reporting the vacancies to AG's Branch accordingly. Comments were required and given as per JCM Point. The above mentioned categories can be considered for Compassionate Ground posting of OFB and in true spirit this can be implemented.

In view of the above, Chairman of the Steering Committee of the Departmental JCM Council is requested to kindly consider favourably and ask the OFB to report the vacancies to AG's Branch so that Compassionate Ground postings can be carried out by the AG's Branch.

Action: D(Estt./NG)/OFB/DDG(CP), Army HQ

Comments :-

AG's Br., Army HQ : Comments awaited.

OFB (Encl. 66-A)

There is no instruction on the subject as to how and why OFB will intimate its vacancies to AG's Branch because Ordnance Factories are under Deptt. of Defence Production and any of the orders issued by AG's Branch etc. are not directly applicable to Ordnance Factories.

Also for functional reasons, Ordnance Factories do not allow transfers on regular basis even within its own units, even though there are vacancies existing in the posts where transfer requests are being made. As such on both functional reason as well as lack of Instructions/Rules on the subject it may not be possible for OFs to intimate its vacancies to the AG's Branch and accept postings by AG's Branch against such vacancies.

63. It was appreciable that four grade structure of Cooks under Air Force was Ordered by Ministry of Defence, but its implementation is taking time on the plea that RRs is to be revised which is not justified. As per instructions, when there is Cadre restructuring as per Govt. Order that should be implemented with date of Orders. Amendment in RRs is a very long procedure and it will delay the implementation.

In view of the above, welfare of Cooks category of Air Force, it is requested that Four Grade Structure may be implemented without further delay. A sympathetic and favourable approach of Ministry of Defence is requested. Chairman of the Steering Committee of the Departmental JCM Council is requested to kindly intervene in the matter.

Action: D(Air-III)/D(O-II)/D(N-II)/DDG(CP), Army HQ

Comments :-

Navy HQ, Encl. 24-A

The post of cooks in Air Force have been sanctioned for civilian personnel, whereas the post of cook in the Navy has been sanctioned for combatants. However, the post of cooks exists in Statutory /Departmental Canteens in the Navy. The Cadre Review proposal was submitted to MoD on 01 Jul 13 after COP's approval. The proposal has been discussed with DS(Navy) on 7th Nov 13 and the file was re-submitted to MoD on 07th Nov 13. MoD has marked the file to DoP&T for comments and file has been received back from DoP&T on 18 Mar 14 with comments that structure of Statutory Canteen functioning in MoD under DRDO, Ordnance Factory etc. may also be taken into account while examining

the cadre structure, pay scales and associated issues. The relevant details have been received from DRDO. Details awaited from OFB.

D(O-II)/OS Dte, Encl.26-A

A proposal has already been submitted by this HQ to AG's Branch vide letter No. A/26576/Cook/OS-8-C (Policy) dated 20 Jun 2014 for implementation of four grade structure in respect of Cook category at par with Indian Air Force Cook Cadre.

D(Air-III) : Awaited.

64. It is submitted that some of the employees used to get their posting order for hard /tenure/field Stations and high altitude Area. As per SRO 308/78, they are allowed to retain their allotted married Accommodation at a Station from where they have been posted out to hard/tenure Stations. Recently there are example of violation of this SRO and employees have been issued the notice for vacation and pay the market rent which is against the said SRO.

Chairman of the Steering Committee of the Departmental JCM Council is requested to kindly intervene in the matter and clarification may please be issued so that affected individual can retain their Govt. Married Accommodation.

Action: D(O-II)/DDG(CP), Army HQ

Comments:-

OS Dte (Encl. 95-A)

In this regard no complaint has been received by this office from any employee/unit under AOC. However, all the Command HQ have been advised to ensure proper implementation of SRO 308/78.

65. It is submitted that as per DoP&T instructions the eligibility for promotion from LDC to UDC is 8 years, whereas in case of CGDA under Ministry of Defence, it has been fixed 13 years as per their latest RRs. This is very much harmful and is not as per other organizations/Directorates under Ministry of Defence where it is 8 years.

Chairman of the Steering Committee of the Departmental JCM Council is requested to kindly intervene in the matter and call a report from CGDA and step may be taken so that it can be brought back to 8 years instead of 13 years.

Action: CGDA

CGDA (Encl. 17-A)

The proposal of promotion of clerk to the grade of Auditor after 5 years was turned down by DOP&T. However, an amendment regarding eligibility criteria from 13 years to 8 years in R/Rules for the post of Auditor has been issued vide SRO 53 dated 11.8.2014.

The eligibility service for promotion to the grade of Auditor shall continue to be eight years for persons holding the feeder post of Clerk-cum-Typist on regular basis as on the 26th day of September, 2009.

II. DISCUSSION ON AGENDA POINTS RAISED IN THE MEETING:

I. All India Defence Employees Federation (AIDEF)

Agenda Point No.1 :

Effective functioning of the Joint Consultative Machinery (JCM) at MoD level.

Action: D(JCM)

Decision:- Efforts will be made to conduct at least three (3) Steering Committee Meetings in a year. Date for the next meeting will be decided in consultation with the Staff Side Members, immediately after every meeting. Agenda items and comments thereon for the Departmental Council Meeting under the Chairmanship of Defence Secretary and Steering Committee Meeting under the Chairmanship of JS(E) will be circulated at least 3 days before the meeting. Within 2 months of every meeting, action taken report on the Agenda and speech points would be circulated to Staff Side.

Agenda Point No.2 :

Grant of 3rd MACP in the Grade Pay of Rs.4600/- in PB-2 to the employees who were holding the post of Mastercraftsman as on 31.12.2005 and also to the employees who were granted ACP benefits in PB-1+Grade Pay Rs.4200/- up to 31.08.2008.

Action: D(Civ-I)

Decision: This matter will be once again re-examined in the light of DoP&T instructions on ACP/MACP. The request of Staff Side for including the skilled grade workers who were given second ACP up to 31.12.2005 in the pay scale of Rs.5000-8000 for grant of 3rd MACP in Grade Pay Rs.4600/- in the MoD letter dated 06.02.2014, would also be considered.

D(Civ-I)(Encl.48-A)

The proposal was sent for DoP&T's advice.

OFB (Encl. 54-A)

The point is under consideration of MoD in consultation with DOP&T.

Agenda Point No.3 :

Undue delay in sanctioning charged expenditure towards implementation of Court order from IHQ of MoD (Navy).

Action: D(Navy)

Dir(Navy) informed that the payments are approved. There is some procedural delay to release the same.

Navy HQ (Encl. 16-A)

The cases of changed expenditure are processed on receipt of the due/Drawn statements from the Command HQ in consultation with Pr. IFA (Navy) and DNP. As far as DCPS (Legal) is concerned there are no delays in the finalization of changed expenditure sanction.

Agenda Point No.4 :

Implementation of the Judgment of CAT, Ernakulum Bench in OA No.724/11 dated the 17th day of December, 2012.

Action: D(Navy)

Dir(Navy) informed that the matter is being examined and modalities are being framed.

Navy HQ (Encl. 16-A)

Shri Suresh C.G. and 15 others, all unskilled labourers working in various units under HQ SNC filed this OA jointly before Hon'ble CAT (EKM) Bench with the plea that the period of their service as casual labourer on temporary status to be reckoned as qualifying service for the purpose of fixation of pension and allied benefits to reckon them as those covered under CCS (Pension) Rules for all purposes and also to refund the amount recovered from their salary towards contribution to the New Pension Scheme.

Agenda Point No.5 :

Litigation in Service Matters and implementation of Court Judgments to similarly placed employees.

Action: D(Civ-II)

Decision:- While discussing the issue, the Leader Staff Side quoted a reference from Secretary DoP&T regarding minimizing the number of litigations. The issue was discussed in detail, and it was concluded that Leader Staff Side will submit a fresh representation on the issue of NDA for re-consideration by DoP&T/ D/o Expenditure, in the light of Secretary, DoP&T letter. On the issue of reimbursement of In-patient medical claim to FMA beneficiaries, the Chairman directed that the issue may be put up to him for taking up the matter with Ministry of Health and Family Welfare at his level.

D(Civ-II) (Encls. 82-A & 83-A)

As regards NDA decision has been taken with the approval of competent authority to make payment of Night Duty Allowance to the eligible Defence Civilian employees (industrial & non-industrial) based on the revised pay and allowances drawn by them w.e.f. 1.1.2006 and payment of arrears from April, 2007 in terms of Hon'ble CAT Jodhpur Bench order dated 5.11.2009 in OA No. 34/2008 filed by Shri Ram Kumar & Others as upheld by Hon'ble Supreme Court of India and order issued vide MoD letter No. 17(4)/2012/D(Civ.II) dated 08.05.2015.

Regarding Fixed Medical Allowance (FMA), it has been decided with the approval of the competent authority to stop the Fixed Medical Allowance. Henceforth, the Central Government employees residing in interior/remote areas will be governed by the extant rules as laid down under CS(MA) Rules, 1944 vide Order No.S.14025/09/2013-MS dated 03.06.2015 forwarded vide MoD ID Note No. 9(1)/2010/D(Civ-II) dated 25.06.2015.

Agenda Point No. 6 :

Undue delay in granting OT wages under the provisions of Factories Act 1948 to Barber, Dhobi, Masalchi and Cooks working in Hospitals and DSC Lines in Ordnance Factories.

Action: D(Estt./NG)

JS(P&C) assured that the matter will be resolved shortly.

OFB (Encl. 54-A)

The matter has been taken up with MoD and MoD in turn referred the matter to Defence Finance. Decision is awaited.

Agenda Point No.7 :

Grant of PRIS to the DRDO employees.

Action: D(R&D)

Secretary (R&D) is pursuing the case.

DRDO (Encl. 5-A)

The proposal regarding grant of PRIS to DRDO employees has not been agreed to by MoF, Deptt. of Expenditure.

Agenda Point No.8 :

Implementation of MoD Order No.11(1)/2000/ D(Civ-I) dated 20th May, 2003 to the Artisan Staff of ALC Pune.

Action: D(Med)

Decision:- The issue was discussed at length. Chairman directed to explore the way out to overcome the present situation by 31.08.2014.

DGAFMS, Encl.29-A

The case of implementation of MCM at ALC was taken up with MoD. MoD/D(Civ) has examined the matter in detail and observed that the existing staff structure of ALC Pune did not fall in line with the policy contained in MoD letters dated 20.05.2003 and 14.06.2010. As such the structure contained therein could not be extended to them. They further advised, with the approval of JS (E), that the only option left was that the cadre controlling authority [D(Med)] shall carry out a cadre review/restructuring of the artisan staff of ALC, Pune in terms of the instructions issued by DoPT/MoF to bring it in line with the artisan staff in other Defence Establishments, as recommended by 5th CPC. The cadre review proposal for the Para Medical Staff of ALC, Pune earlier received from DGAFMS was considered by D(Med) Division in consultation with D(Civ) and the same was not found covered under the instructions on the subject. The DGAFMs were asked to revise the proposal in accordance with the instructions of the Government on the subject. The revised proposal received from D(Civ) has been considered and the same has been referred to Defence (Finance) on 27.2.2015 requesting them to obtain approval of Ministry of Finance thereto.

Agenda Point No.9 :

Amendment in the Apprentice Act, 1961 to provide at least 50% reservation to trained Trade Apprentices of the same Establishment.

Action: D(Lab)

Recently Union Cabinet has approved an amendment in the Apprentice Act on the recommendation of the Task Force and Central Apprenticeship Council. The Task Force constituted by PM at National Level on skill development did not recommend the 50% reservation. However, the matter has been again taken up with the all concerned Dte/Unit of MoD afresh.

D(Lab) (Encl. 89-B)

It is informed that **“Section 22(1) of the Apprentices (Amendment) Act, 2014 empowers every employer to formulate its own policy for recruiting any apprentice who has completed the period of apprenticeship training in his establishment.”** Therefore, there appears to be no need to carry out amendment as demanded by AIDEF since the same will restrict the appointment of ex-Trained Trade Apprentices to 50% only.

Agenda Point No.10 :

Undue delay in holding DPC and effecting promotions in various Army Units especially EME.

Action: D(Apptts.)

Decision:- JS(AB) will hold a meeting calling officers from OS & EME Directorate and Federations representatives. In the meantime instructions would be issued by D(Apptt.) to hold DPC and effect promotions as per the existing Recruitment Rules.

D(Apptts.) (Encl. 15-A)

Instructions have been circulated on 10.11.2014 for following the DOP&T's guidelines for convening the DPCs.

DG:EME (Encl.91-A)

All the promotional vacancies are regularly being filled by holding regular DPCs except industrial categories for which MoD vide their letter No.11(5)/2009-D(Civ.I) dated 14 Jun, 2010, letter No.11(5)/2009-D(Cig.I) 29 Dec 2011, letter NO.11(5)/2009-D(Civ.I) dated 14 Mar 2012 & 11(5)/2009-D(Civ.I) dated 05 Oct 2012 has directed that all the resultant vacancies post 14.6.2010 shall be filled based on revised RRs. Revised RRs for industrial posts (skilled, HS-II and HS-I) have been published vide SRO 54 dated 21.08.2014.

II. Indian National Defence Workers Federations (INDWF):

Agenda Point No.1(New) :

Extending one time relaxation of conditions i.e. trade test etc. while implementing cadre restructuring of artisans w.e.f. 01.01.2006.

Action: D(Civ-I)

Decision:- The proposal may be re-submitted for re-examination.

D(Civ-I)(Encl.48-A)

It is stated that artisan cadre was restructured w.e.f. 01.01.2006 as per MoD letter No.11(5)/2009-D(Civ-I) dated 14.06.2010. As per para 2(b) of ibid letter, the placement of the individuals in the posts resulting from the restructuring shall be made w.e.f. 01.01.2006, in relaxation of the conditions, if any, i.e. trade test, qualifying service etc. as one time measure. Hence, it is very clear that the one time relaxation was applicable for filling up the resultant vacancies created on restructuring of artisan cadre for the period from 01.01.2006 to 14.06.2010. The Federation should bring to knowledge specific cases so that these could be considered for resolving the grievances.

OFB (Encl. 54-A)

OFB has issued instructions to the effect that wherever Trade Tests have been conducted and are within the validity period of three years even up to 13.12.2010, are to be considered for according promotions. This has sorted out problems in most units. However, if there are still any pending issues, the same should be intimated either case by case or factory by factory basis for examination.

Agenda Point No.2(New) :

Appointment of Ordnance Factory Recruitment Board (OFRB) for selecting the candidates for Group 'C' posts centrally for the Ordnance Factories.

Action: D(Estt./NG)

Decision:- The matter is under consideration.

OFB (Encl. 54-A)

The proposal for constitution of Ordnance Factories Recruitment Board (OFRB) was taken up with MoD and the said proposal has been withdrawn by replacing with the proposal of constitution of OF Recruitment Centre (OFRC). Decision in respect of OFRC is awaited.

Agenda Point No.3(New) :

Grant of revised ACP benefits to the Labourers who have completed 30 years of service by granting one time exemption of trade test (MoD's recommendation in the matter is pending with DoP&T) (already discussed in the meeting dated 06.02.2014 taken by AS(A).

Action: D(Estt./NG)

Decision:- The issue is once again referred to DoP&T and the same is under consideration.

Agenda Point No.4(old) :

Revision of Night Duty Allowance w.e.f. 01.01.1996 and from 01.01.2006 in the 5th & 6th CPC rates respectively by implementing the Court Judgments on the subject (already discussed in the meeting dated 06.02.2014 taken by AS(A).

Action: D(Civ-II)

Decision:- The issue was discussed in detail, and it was concluded that Leader Staff Side will submit a fresh representation on the issue of NDA for re-consideration by DoP&T/ D/o Expenditure.

D(Civ-II) (Encls. 82-A & 83-A)

As regards NDA decision has been taken with the approval of competent authority to make payment of Night Duty Allowance to the eligible Defence Civilian employees (industrial & non-industrial) based on the revised pay and allowances drawn by them w.e.f. 1.1.2006 and payment of arrears from April, 2007 in terms of Hon'ble CAT Jodhpur Bench order dated 5.11.2009 in OA No. 34/2008 filed by Shri Ram Kumar & Others as upheld by Hon'ble Supreme Court of India and order issued vide MoD letter No. 17(4)/2012/D(Civ.II) dated 08.05.2015.

Agenda Point No.5(Old) :

In DGQA, during the period from 15.09.1995 to 20.09.1999 the employees having Diploma in Engineering with 1 year experience were appointed against DR vacancies in the grade of Rs.5000-8000 as per CPWD Award. Subsequently, they were placed in the grade of Rs.4000-6000. Since 2008, representations were made and DGQA recommended to grant Rs.5000-8000 and sent to MoD/D(Civ-II), Def Fin (AG/PB) and also resubmitted the proposals. This is still pending and may be cleared at the earliest (Speech Point No.38 of the Minutes of Steering Committee Meeting dated 27.09.2013).

Action: D(QA)

Decision:- Matter to be re-examined.

DGQA (Encl. 68-A)

The case regarding grant of higher pay scale to Draughtsman III of DGQA appointed after 15 Sep 1995 to 20 Sep 1999 was taken up with the MoD and the proposal was referred to Deptt of Expenditure, MoF for their concurrence. The case has been turned down by MoF/DoE. They have advised that the case may be processed strictly according to Department's OMs dated 19.03.1984 and 19.10.1994 without any exceptions wherever and if any exception is involved, the same may not be agreed to.

However, the case was re-submitted to MoD/D(QA) on 13.07.2015 for re-consideration. The case has not been agreed to by the Def (Fin.).

Agenda Point No.6(New) :

Grant of ACP after merger of Non-Industrial employees Group 'D' on feeder and promotional grade in accordance with 6th CPC as per the Recruitment Rules SRO 14-E dated 04.05.1989 in OF Board.

Action: D(Estt./NG)

Decision:- To be pursued with DoP&T vigorously.

III. BHARTIYA PRATIRAKSHA MAZDOOR SANGH (BPMS)

Agenda Point No.1 :

Unresolved issues raised by BPMS in the Steering Committee meeting for 90th Departmental Council held on dated 15.03.2012, 16.03.2012 & 27.09.2013.

Action: D(JCM)

ATRs on all issues have been circulated.

Agenda Point No.2 :

Unresolved issues discussed in the meeting held under the Chairmanship of AS(A) MoD on 06.02.2014 on the notice of 'Indefinite Strike' from 17.02.2014 by the Defence Civilians.

Action: D(JCM)

Decision:- ATRs are being collected and compiled.

Agenda Point No.3 :

Judicial pronouncements may be extended to similarly placed non-petitioner employees in the following cases.

Action: D(Civ-I)

Decision:- These issues were discussed in details. It was concluded that the Staff Side will submit a fresh proposal on each issue to re-examine the case.

Agenda Point No.4 :

Posting of Physically Handicapped candidates.

Action: D(Civ-I)

Decision:- To be examined.

Agenda Point No.5 :

Defence installations should be exempted from 5% limit of Compassionate ground appointment and one time relaxation for all pending cases.

Action: D(Lab)

Decision:- To be pursued as the case pending with DoP&T.

D(Lab) (Encl. 89-C)

Since this is a policy matter, DOP&T have discussed a similar demand in its meeting with Staff Side on 25th February, 2015 under the Chairmanship of Secretary, DOP&T in which an assurance was given to the Staff Side that DOP&T will revisit the issue. In this connection, a copy of DOP&T O.M. No. 35034/1/2014-Estt.D dated 16.04.2015 is enclosed with the request that a copy of the same may be

circulated amongst various employees' federations participating in the Departmental Council of the JCM so that the issue is not raised time and again in JCM Meetings at least for the time being.

D(JCM)

The reply received from D(Lab) vide their ID No. 31(2)/2015/D(Lab) dated 05.11.2015 has been circulated to all Federations/Confederation vide MoD ID No. 5(8)/2014/D(JCM)dated 10.12.2015.

Agenda Point No.6 :

Re-draft the role of Defence (Finance) so that service matters like Recruitment Rules, Cadre Review, revivals of sanctioned posts, payment of arrears, revision of allowance etc. may be settled at the earliest.

Action: D(Finance)

The role of Defence Finance is well defined. Any proposal having financial bearing has to be decided in consultation with the Defence Finance and the nodal Deptts/Min.

Agenda Point No.7 :

The meeting of Departmental Council (JCM), MoD should be conveyed regularly. None of the Administrative Joint Secretaries of Departments of MoD has implemented the instructions [MoD ID No.1(1)/2013/D(JCM), dated 22.10.2013] on the Mechanism to provide additional meeting opportunities to Staff Side to sort out their grievances.

Action: D(JCM)

Decision:- Matter will be taken up again with the Administrative JSs.

Agenda Point No.8 :

Probable date of completion (PDC) on the pattern of Citizen Charters should be fixed for resolving the issues, for movement of file/paper from desk to desk/section in respect of issues raised by JCM/Federations and latest position should be updated in website.

Action: D(JCM)

Decision:- MoD will try to improve upon the existing system.

Agenda Point No.9 :

A permanent Cell of empowered officers from Minister of Defence, Finance, Law, Labour, DoP&T etc. should be constituted in MoD so that the Cadre Review & Recruitment Rules of Group 'B' & 'D' may be revised expeditiously.

Action: D(Civ-I)/ D(Apptts.)

Decision:- Cadre review issue is already one of the priority areas of MoD. However, a concrete proposal may be submitted by the Federations/Associations.

D(Apptts.) (Encl. 15-A)

The issues of cadre review exercise pertains to the administration Section of the respective organizations. D(Apptts.) Section is neither the cadre controlling authority nor the administrative section in respect of any of the Directorate/Service HQ/Organization. In so far as the revision of R/Rules are concerned, action is being taken to revise/amend the R/Rules expeditiously.

Agenda Point No. 10 :

Para 3.1 of Govt. of India, DoP&T O.M. No.22011/5/86- Estt(D), dated 10 April 1989 issues as consolidated instructions on Departmental Promotion Committee stipulates as under:-

“A vacancy shall be filled in accordance with recruitment rules in force on the date of vacancy, unless rules made subsequently have been expressly given retrospective effect. Since amendments to the recruitment rules normally have only prospective application, the existing vacancies should be filled as per the recruitment rules in force. Holding of DPC meetings need not be delayed or postponed on the ground that recruitment rules for a post are being reviewed/ amended.”

Action: D(Apptts.)

Decision:- All concerned administrative authority present in the meeting noted the matter and they were requested to hold DPC meeting timely.

D(Apptts.) (Encl. 15-A)

UPSC have returned many proposals in the past regarding DPC and recruitments with the request that such proposal may be submitted after R/Rules are got reviewed or amended. Revision/amendment of R/Rules is a long time process involving consultation with Ministry of Law, DOP&T and UPSC. Instructions have been issued on 10.11.2014 for convening the DPCs in the light of above referred DOP&T OM dated 10.4.1989 on the basis of existing R/Rules.

IV. CONFEDERATION OF DEFENCE RECOGNIZED ASSOCIATIONS (CDRA)

Agenda Point No.1 :

Posting policy of Gp 'C' & Gp 'B' (Non-Gazetted) of E-in-C Branch under Ministry of Defence.

Action: D(Works)

Decision:- JS(C&W) will hold a meeting shortly.

D(Works-II),Encl. 49-A

The posting policy of Group 'C' and 'B' (Non Gazetted) is under review and all aspects are being taken care of in consultation with all the stake holders.

Agenda Point No.2 :

Grant of Office Accommodation to CDRA, Long Outstanding Issue/Demand.

Action: JS(Trg.& CAO)

Decision:- The request of the staff side for providing office accommodation at Delhi for AIDEF, INDWF, BPMS and CDRA would be considered by JS(Trg.&CAO). JS(Trg.&CAO) will look into the matter.

JS(Trg. & CAO)(Encl. 36-A)

It is brought out that Confederation of Defence Recognized Associations (CDRA) is a recognized association. At present CDRA has no office accommodation at Delhi/New Delhi. In view of the acute shortage of office accommodation for the constituents of Ministry of Defence, there is no space available to allot office accommodation to CDRA. Dte. of Estates is requested that a suitable office accommodation be provided to CDRA.

Agenda Point No.3 :

Filling up the posts of different categories in different Organization under Ministry of Defence.

Action: All Directorates under MoD

The agenda point has been noted by the concerned Directorate/Orgn. and they have been requested to expedite the matter.

OFB (Encl. 54-A)

Vacant posts in OFB are being filled on regular basis on the basis of feedback/requirement received from different Factories.

DGQA (Encl. 98-A)

All Group 'C' vacancies reported by various establishments of DGQA up to 2013-14 have already been released and are at various stages of recruitment for filling up by the establishment concerned. Further, NACs from AG's Br for 100 Group 'C' vacancies of 1014-15 has been obtained and these vacancies are being released. Regarding Group 'B' (Non-Gazetted) JE(QA) & SA vacancies from 2011-12 to 2013-14, requisitions for the post of JD(QA) and SA have already been sent to the nominated establishments for onward submission to regional SSC Kolkata, Mumbai, Bangalore and Allahabad as per new system (single window system).

Air HQ (Encl. 12-A)

The large deficiency is primarily attributable to the complete ban imposed by Govt. on civilian since 1984. 10% cut imposed in 1991 and restrictions on recruitment imposed by the Govt. under the ADRP scheme introduced since 2001. The ban, 10% cut and ADRP restrictions have affected the civilian strength in IAF. Although, the restrictions have been eventually lifted by the Govt. w.e.f. 1.4.2009, only those vacancies which have arisen on or after 1.4.2009 can be filled up on the basis of normal wastages.

DGNCC, Encl. 20-B)

Being a small cadre filling up of different categories of posts in NCC are being done regularly.

DG:EME (Encl.91-A)

646 vacancies occurred post-April 2009 till March 2015 have been released and recruitment process is under progress.

D(Med), Encl.55-A

It is stated that the DGAFMS have informed that the Recruitment process has been initiated for 53 Group 'C' vacancies for the year 2013-14. Recruitment process has also been initiated for vacant Group 'A' and 'B' posts.

Agenda Point No.4 :

Pay Cell of 7th CPC at Ministry of Defence Level.

Action: 7th CPC Cell

Already set up.

Agenda Point No.5 :

Grant of Parity/Up-gradation of Pay Scale/Pay Band /Grade Pay to the Storekeeping Staff of Ministry of Defence at par with Storekeeping Staff of Indian Railways.

Action: D(Civ-I)

ODecision:- The issue was taken up with MoF a number of times but was not agreed to by them. It was decided that the matter may be submitted to JS(E) bringing out the grounds, if any, to refer the matter again to MoF.

D(Civ-I), Encl.48-A

The detailed proposal regarding revision of pay scales of Store Keeping Staff was processed to Ministry of Finance through Defence (Fin./AG/PB) thrice but the same was not agreed to.

OFB (Encl. 54-A)

The issue was taken up with MoF a number of times but was not agreed to. It was decided that the matter may be submitted to MoD bringing out the grounds, if any, to refer the matter again to MoF.

Agenda Point No.6 :

Finalization of Cadre Reviews Proposals of Different Categories working under Ministry of Defence and may not be linked with 7th CPC & an affective Mechanism may be created in Ministry of Defence for carry out the Regular Cadre Reviews after every Pay Commission as per the Indian Railways.

Action: All Cadre Controlling Authorities

All the cadre controlling authorities present in the meeting have been requested to expedite the Cadre Review Proposals.

Agenda Point No.7 :

Increase the Direct Recruitment post age limit from 25 yrs to 27 Yrs in Different Organizations (Lower Formations) under Ministry of Defence.

Action: D(Apptts.)

Decision:- To be examined.

D(Apptts.) (Encl. 15-A)

As per the para 3.7.4.2 of DOP&T's OM No. AB-14017/48/2010-Estt.(RR) dated 31.12.2010, the age limit in the R/Rules for the Group 'C' posts are kept as 27 years as per the request and functional justification given by the Directorate/Organization. D(Apptts.) Section has no objection to keep the age as 27 years as per the DOP&T's OM referred above.

Air HQ (Encl. 12-A)

Govt. of India vide notification No. 15012/6/98-Estt.(D) dated 21.12.1998 enhanced the upper age limit by 2 years for recruitment through Direct Open Competitive Examination As per the notification, "the upper age-limit for recruitment by the method of Direct Open Competitive Examination to the Central Civil Services and civil posts specified in the relevant service/recruitment rules on the date of commencement of Central Civil Services and civil posts shall be increased by two years."

Since the primary method of recruitment being followed by the IAF is local recruitment i.e. recruitment through Employment Exchange and generally attracting candidates from a locally or a region, the enhancement of age-limit by 2 years is not applicable for lower formation of IAF. MoD has also clarified that since the recruitment to most of the Group 'C' & 'D' civilian posts in the lower formations do not fall under the definition of Direct Open Competitive Examination, the enhancement of age-limit issued vide DOP&T O.M. dated 21.12.1988 is not applicable for the method of local recruitment.

Agenda Point No.8 :

Recruitment in Civilian Store Keeping Cadre of Indian Air Force through a Centralized Recruitment Agency like SSC to Inculcate Transparency and Quality to Match the Contemporary Recruitment of Trade Job:

Action: D(Air)

Decision:- Dir (Air) will re-look into the matter.

Air HQ (Encl. 12-A)

VI CPC has recommended for recruitment of Group 'C' posts through Staff Selection Commission. Since Defence Units/Estts are scattered all over the country including forward/operational areas due to functional/operational requirements, exemption has been granted by DOP&T for recruitment otherwise than through SSC vide their OM No. AB-14017/6/2009-Estt (RR) dated 19.8.2011.

Agenda Point No.9 :

Enhancement of Qualifications at Entry level in Civilian Store keeping cadre of India Air Force to Match the Contemporary Requirement of Trade Job.

Action: D(Air)

Decision:- The issue will be re-considered.

Air HQ (Encl. 12-A)

As per Recruitment Rules, 50% of the vacancies in the post of Superintendent (Stores) (Erstwhile SKs) are filled through direct recruitment. The present pay scale of the post is PB-1 with grade pay of Rs. 2400 with entry level qualification of graduation. It is not likely to attract candidates with enhanced qualification of graduation with diploma in material management in this scale. Further, in-house training in handling/supervision of work related to provisioning, procurement and issue of stores is also being imparted at different AF stations for the employees of Storekeeping cadre.

Agenda Point No.10 :

Extension of facility to Air force Units Civilians for Reimbursement of Expenditure incurred on purchase of Brief Case/Hand Bag.

Action: D(Air)

Decision:- Dir (Air-III) may relook into the matter.

Air HQ (Encl. 12-A)

The case for reimbursement of brief case/hand bag to the entitled Service Personnel and civilian employees posted at Air HQ was processed in line with the provisions authorized for the entitled officials of integrated HQ of MoD (Army) vide their letter No. 00460/PROC/Brief Case-Hand Bag/A&C dated 26.12.2012. The case was approved by PIFA (Air)/CFA and orders issued in this regard vide letter No. Air HQ/23959/BC/PA&R-1 dated 6.3.2014 are applicable for the Service Personnel and civilian employees on posted strength of Air HQ. So far as extension of these facilities to these employees posted in lower formation is concerned, the matter having tri-service ramifications may be decided by MoD.

Agenda Point No 11 :

Enhancement of Civilian Storekeeping (CSK) staff in Indian Air Force.

Action: D(Air)

Decision:- Being considered under cadre review in Air HQ.

Air HQ (Encl. 12-A)

At present there is a ban on creation of additional posts. Accordingly, the point is beyond the purview of Air HQ. However, issue of increase in the higher level posts of CSK cadre has been addressed in the cadre review of the cadre done in 1996. Another cadre review of the CSK cadre is under process.

Agenda Point No.12 :

Non-demanding of Agenda points from Associations, Non-circulation of Policy Letters, Schedule of Meeting & Minutes of Steering Committee/Main Meeting.

Action: D(JCM)

Decision:- Noted for compliance.

Agenda Point No.13 :

Opening of Website of Departmental Council JCM Forum at Ministry level.

Action: D(JCM)

Decision:- A separate page has been created in the name of "JCM" under the head "EMPLOYEE CORNER" in MoD website.

D(JCM) (Encl.64-A)

A hard copy of minutes of the Steering Committee Meeting held on 01.08.2014 under the Chairmanship of JS(E) along with a soft copy have been sent to NIC, DoD vide MoD ID No. 5(10)/2014/D(JCM) dated 10.04.2015 for uploading the same in MoD's website.

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