

Draft Agenda Points for discussions in the Steering Committee Meeting for the 91st Departmental Council (JCM) scheduled to be held on 06.09.2016 under the Chairmanship of JS(E).

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Agenda No.		Comments received from concerned Sections/HQ/Orgns
1.	<p><u>All India Defence Employees' Federation (AIDEF)</u> Inclusion of various categories of employees for participation in works committee elections.</p> <p>Works Committee in the Defence Establishments are constituted as per the provision of Industrial Disputes Act, 1947. The workmen of the Industrial Establishment have to elect their representatives to the Works Committee. This means that any employee who falls under the definition of "Workman" as given in Section 2 in the ID Act. 1947 are eligible to vote and participate in the works committee elections.</p> <p>Hon'ble Supreme Court in many cases has ruled that in determining the question whether a person employed by the employer is workman under Section 2(s) of the ID Act or not, the Court has principally to see man or substantial work for which the employee has been employed and engaged to do. Neither the designation of the employee is decisive nor any incidental work that may be done or required to be done by such employee shall get him outside the purview or workman.</p> <p>It is amply clear that the designation of post has nothing to do with his status as a workman. The following categories in the Defence Establishment are not having any managerial or administrative power and they are workman under the ID Act :-</p> <ul style="list-style-type: none"> i) Assistant/ Office Superintendent ii) Personal Assistant iii) Store Superintendent iv) Sr. Store Superintendent v) Chageman vi) Categories in the DRTC of DRDO <p>Even though the above categories are not having any Gazetted Status, Managerial or Administrative power, they are not allowed to contest the Works Committee Elections. While the employer can nominate these categories to the Works Committee, the employees are denied the right to elect them as their representatives. Therefore, it is demanded that the entire issue has to be reviewed and all the Non-Gazetted employees or not having any managerial or administrative power, they all may be permitted to participate in Works Committee Elections.</p>	<p><u>D(JCM)</u></p> <p>As per guidelines issued vide MoD ID No.15(1)/2013/D(JCM) dated 29.08.2013 "Persons who are employed in a Supervisory capacity and function mainly of a managerial nature, are not covered under the definition of workmen and therefore, employees of such categories are not eligible to participate in works committee elections. In non-industrial establishments, only Group C & D employees are eligible."</p>

	Action:- D(JCM)	
2.	<p>Progress on the decisions taken in the meeting on the cadre review exercise held on 5th September, 2014 under the Chairmanship of AS(R).</p> <p>In the above meeting held under the Chairmanship of AS(R) the following decisions were taken:</p> <p>i) Cadre Review proposal which have not yet been initiated by Service Hqrs. i.e., not sent to Ministry of Defence even once, may be submitted to the concerned Administrative Section in MoD immediately, latest by 15.11.2014.</p> <p>ii) All cases where the proposal have been received in MoD, the necessary approval may be obtained in MoD, latest by 15.11.2014 for sending such proposals to DoP&T/MoF, if required or otherwise.</p> <p>The progress on the above decision with regard to the various categories under the various Directorates such as OFB, DGQA, DRDO, EME, AOC, Navy, Air Force and other Directorates may be informed in the meeting. All efforts may be taken to issue Govt. approval on the Cadre Review proposals by 31.12.2014.</p> <p style="text-align: center;">Action: All Admn. Sections</p>	<p><u>D(Civ-I)</u></p> <p>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).</p> <p>NB :- Agenda Point Nos.2 and 32 being almost same issue are merged as Agenda Point No. 2.</p>
3.	<p>Grant of Four Grade Structure to the Cooks of all Defence Establishments at par with Air Force.</p> <p>It was decided in the Strike meeting held with the three Federations on 06.02.2014 that all the Directorates under MoD would process proposal for extending the benefit of four grade structure to the civilian cooks of other Directorates under MoD at par with the civilian cooks of IAF issued vide MoD letter No. Air HQ/23064/Cooks/PC-4/444-cc/D(Air-III), dated 12.11.2013. However, no Directorate under MoD other than OFB has processed the case for getting Govt. approval. In the meantime the CAT Bombay Bench, Mumbai in the case of the Civilian Cooks of Brigade of Guards, Regimental Centre, Kamptee, Nagpur has directed the Govt. to take appropriate and expeditious action in accordance with law within a period of three months on their claim of parity with Air Force Cooks (O.A. No.211/00200/2014 dated 26.09.2014). It is therefore demanded that MoD may kindly arrange to issue necessary common Govt. orders in this regard to all the Directorates under MoD.</p> <p style="text-align: center;">Action: All Admn. Sections</p>	<p><u>Air HQ</u></p> <p>The four grade structure in r/o civilian Cooks Cadre of IAF has been implemented and orders have been issued vide Air HQ letter No. Air HQ/23064/Cooks/PC-4/444-CC/D(Air-III) dated 12 November 2013.</p> <p><u>D(O-II)/OS Dte</u></p> <p>Cooks of AOC comes under common category post. Hence, cadre review of cook category will be initiated by AG's Branch. Comments for up-gradation of cooks of AOC at par with equivalent cadre in IAF has been submitted to AG's Branch vide this office letter NO. A/26576/Cook/OS-8C (Policy) dated 20 Jun 2014.</p> <p><u>D(O-II)/DG:EME</u></p> <p>Case has been forwarded to AG's Br/MP-4(Civ)(a) vide EME Civ(C-2) Note No.24497/3/Gen/EME Civ (C-2) dated 17 June 2014 for taking up centrally for all Line Dtes, being common category post similar to Cooks in Air Force as done by the Air HQ vide their letter No. Air HQ/23064/Cooks/PC-4/444-CC/D(Air-III) dated 12 Nov 2013.</p>

		<p><u>DGDE</u> No post of Cook is authorized in DG DE Organization</p> <p><u>DGAFMS</u> File re-submitted to MoD/D(Med) on 23 March 2015 after taking the inputs from DGMS(Army) regarding the status of cadre of Cooks under them, as directed by MoD.</p> <p><u>DGQA</u> The case of Cooks has been returned by MoD/D(QA). MoD has asked some information which are being collected from Tech Dtes. Thereafter the file will be re-submitted to MoD/D(QA).</p> <p><u>MoD(Navy)</u> The post of cooks in Air Force existing only for civilian personnel, whereas the post of cook in the Navy has been sanctioned for combatants. However, the post of cooks exists in Statutory/Department Canteens in the Navy. The Cadre Review proposal was submitted to MoD on 01 Jul 2013 after COP's approval. The proposal was discussed with DS(Navy) on 07 Nov 2013 and the file was re-submitted to MoD on 07 Nov 2013. MoD has marked the file to DoP&T for comments and file has been received back from DoP&T on 18 March 2014 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 but is still awaited from OFB.</p>
4.	<p>Grant of overtime allowance to the Fireman and Telephone Operators. MoD vide letter referred above have issued orders for implementation of the order dated 16th October, 2003 of CAT Jabalpur in OA No.355/96 filed by Depot Kagar Union, COD Jabalpur & Others for grant of Overtime Allowance to the eligible Fire Brigade Staff and Telephone Operators working in COD Jabalpur for performing their duties during the period of 1999, 2000, 2001, 2002 & 2003.</p> <p>The normal working hours of the Fireman and Telephone Operators in the Ordnance Depots is 45½ hrs. However, they are asked to work more than that during Saturdays. As per MoD instructions they are entitled for overtime at single rate for the period</p>	<p><u>D(O-II)/OS Dte</u> In contrary to the Judgment quoted in this agenda point Hon'ble CAT (PB) New Delhi ordered on 21 March 2014 in OA No.1651/2011 & MA 1331/2011 filed by Fire Master RL Sharma & others that 'an in-correct order cannot be ground for seeking similar remedy and it cannot be perpetuated.'</p>

	<p>they work between normal working hours and 48 hours in a week. Since they were not paid overtime allowance they approached the Hon'ble CAT and the CAT has given the following direction to the Govt. of India :-</p> <p>"The Original Application is partly allowed. The applicants are entitled to the over time allowance in accordance with the order dated 5th November, 1973 (Annexure-A 1). The applicants shall submit their claim along with the proof of their working to the competent authority and if they are otherwise eligible in accordance with the instructions they shall be paid the overtime allowances accordingly. This exercise shall be completed within a period of four months from the date of receipt of copy of their order. The applicants shall submit their claims positively within a period of one month from the date of receipt of copy of this order. However, in the facts and circumstances of this case the parties are directed to bear their own costs.</p> <p>The above direction was implemented only for the Petitioners. AIDEF vide its letter dated 25th July, 2014 addressed to the MoD D(O-II) has represented for extending the benefits to all similarly placed employees. However, the same was not extended to similarly placed employees. MoD may kindly arrange to issue necessary Govt. Orders in this regard.</p> <p style="text-align: right;">Action: D(O-II)</p>	
5.	<p>Implementation of Madras Bench CAT Judgment in 16 OAs dated 27.08.2014 for revision of NDA Rates.</p> <p>The Madras Bench of CAT Chennai in OA No.310/00275 of 2014 and other 15 OAs have given the following direction to the MoD in its order dated 27.08.2014 :-</p> <p style="text-align: center;"><u>"the Ordnance Factory Board/Ministry of Defence should accordingly issue orders linking the NDA to the VI CPC pay for the workers of the Factories under OFB doing night duty including the Applicants in this set of OAs within a period of 4 months from the date of receipt of this order and make payment accordingly".</u></p> <p>The AIDEF vide its letter dated 13.10.2014 have represented to DDP to issue orders for implementation of the above Judgment. It is therefore requested that MoD may kindly arrange to issue necessary Govt. orders in this regard.</p> <p style="text-align: right;">Action: D(Civ-II), D(Estt./NG)</p>	<p><u>D(Civ-II)</u></p> <p>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 vide MoD letter No. 17(4)/2012/D(Civ.II) dated 08.05.2015. (Settled).</p> <p style="text-align: center;">As regards implementation of order of CAT Madras Bench in 16 OAs, necessary action is to be taken by D(Estt./NG).</p> <p><u>D(Estt./NG)</u> : To be responded in the meeting by the concern Division.</p>
6.	<p>Grant of GP Rs.5400/- to PA/PS and Sr. PS who were given MACP in GP Rs.4800/-.</p> <p>Private Secretaries in the Ordnance Factories are the</p>	<p><u>D(Civ-I)</u></p> <p>This pay structure has come into force on the basis of 6th CPC report. In this</p>

<p>aggrieved employees after implementation of the 6th CPC Grade Pay system and the following scales were implemented for the Stenographers Cadre:</p> <p>a) Steno - Rs.2400 GP in PB-1 b) PA - Rs.4200 GP in PB-2 c) PS - Rs.4600 GP in PB-2 d) Sr. PS - Rs.4800 GP in PB-2 (with the stipulation of 5400 GP after 4 years service in the grade).</p> <p>While the above is the cadre structure, in so far as promotion from PS to Sr. PS is concerned, the difference in GP is given only of Rs.200/- initially and after completion of 4 yrs., again GP of Rs.5400 is give. In case of promotion, the above is implemented whereas when it comes to MACP, the above stipulation is not taken care of. The contention of the incumbents is that while it is implemented in promotion cases, why it is not implemented in MACP also i.e., after a PS get MACP of Sr. PS in Rs.4800, after completion of 4 years from the date of such MACP, the individual should be placed in the GP of Rs.5400, as in the case of promotion. Here, both GP of Rs.4800 & 5400 should not be counted separately due to the stipulation attached to the post of Sr. PS. This has not been implemented in the Ordnance Factories organization resulting in heart burn to the incumbents. This is a cadre specific recommendation of the 6th CPC and it should be implemented in the letter & spirit. The issue may please be taken up with DoP&T for getting necessary clarification in this regard.</p> <p style="text-align: center;"><u>Action: D(Civ-I)/All Admn. Sections</u></p>	<p>report the Pay Commission has not made recommendations for grant of grade pay of Rs 5400/- to officers of stenography cadre on completion of 4 years of service in the grade of Rs 4800/- to Ministerial Staff existing in offices outside the Secretariat. It is for the 7th CPC to take a view on this demand because the issue has implications spread over all the Ministries/Departments of Govt. of India.</p> <p><u>D(O-II)/OS Dte</u> MACP Scheme issued vide DoP&T OM NO.35034/2008-Estt(D) dated 19 May 2009, Annex-I, para 13, existing time-bound promotion scheme, including in-situ promotion scheme, Staff Car Driver Scheme or another kind of promotion scheme existing for a particular category of employees i.e. Ministry/ Department or its offices, may continue to be operational for the concerned category of employees if it is decided by the concerned administrative authorities to retain such scheme, after necessary consultation or they may switch over to the MACPs. However, these schemes shall not run concurrently with the MACPS.</p> <p><u>DGDE</u> At present there is no Sr. PS exist out of authorized post of 05, in DG DE Organization.</p> <p><u>DGAFMS</u> There are only 01 post each of Sr. PS and PS at AFMC Pune under cadre control of DGAFMs. Both the posts are deemed abolished. Case had been taken up for revival of the post of PS but the same had been returned with the directions to hold the file in view of austerity/ban. File re-submitted to MoD/D(Med) on 02 March 2015.</p> <p><u>DGQA</u> DoP&T OM No.35034/3/2008-Estt(D) dated 19 May 2009 merely envisages placement in the immediate next higher grade pay in the hierarchy of the recommended revised pay bands and grade pay as given in Section 1, Part A of the first Schedule of CCS(Revised Pay) Rules 2008 and hence financial up gradation granted under MACPS cannot be contrary to the extant instructions</p>
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		<p>issued vide DoP&T OM of 19 May 2009. Therefore, HQ DGQA cannot implement any such rule suo-moto until and unless the extant instruction are amended by DoP&T, being the nodal Department. Further, as per hierarchy of Stenographic Cadre in DGQA Organization, there is no sanctioned post of PS and Sr. PS therein.</p> <p><u>Air HQ</u> There is no such policy in Govt. of India to count MACP scales for the purpose of granting non-functional scales.</p> <p><u>D(Works-II)</u> The case file has been submitted to Ministry of Finance, Department of Expenditure for consideration.</p> <p><u>MoD(Navy)</u> As per MACP Scheme, financial up-gradation is to be given next higher grade pay in the hierarchy of the recommended Revised Pay Band and Grade Pay. These orders are being followed in the Navy.</p>
7.	<p>Ignoring placement from semi skilled to skilled in the case of MACP as being done for ACP in EME. In EME and other Defence Establishments recruitment is made against post sanctioned in the skilled grade and the incumbents are placed in Semi-Skilled grade for 2 years as a trainee. While ACP scheme was introduced DoP&T/MoD has clarified that such placement from Semi Skilled to skilled will not be offset against entitlements under ACP scheme. Subsequently when MACP scheme was introduced the EME has not extended the benefits to the employees. Therefore, the AIDEF has represented to MoD and MoD has taken up the matter with DoP&T. It is understood from DoP&T that vide their Note dated 19.06.2013, they have taken up the matter with Ministry of Finance recommending that the above benefit of ignoring the placement from Semi skilled to Skilled for the purpose of MACP also. Subsequently the Ministry of Finance asked certain information from MoD. Accordingly MoD vide its ID No.27(3)/2011-D(Civ.I) dated 13.09.2013 have asked the views of the Directorates. However, it is unfortunate even after a period of more than 1 year the proposal was not sent back to DoP&T. Since the affected employees are denied MACP benefits for want of the above clarification, it is requested MOD may kindly arrange to issue necessary clarification in</p>	<p><u>D(Civ-I)</u> As desired by DoP&T, D(Civ-I) has sought information from OFB, EME and E-in-C's Branch on 24.03.2015. Matter is still pending with D(O-II) and D(Works-II).</p> <p><u>D(Works-II)/E-in-C's Br</u> In MES, there is no provision of placement of semi-skilled in skilled grade. From semi-skilled to skilled it is a case of promotion which is to be counted for the purpose of MACP.</p>

	this regard. Action: D(Civ-I)	
8.	<p>Undue delay in issuing clarification by Army HQ with regard to Trade Union Rights for employees posted in various depots located in peace establishment.</p> <p>Army Hq. due to certain strategic reasons have declared depots like AD Panagarh, AD Baratpur, etc., located in peace areas as war establishment. This is for the purpose of Army's strategy and has got nothing to do with the Trade Union rights of the Civilian Employees. However the Commandants of these Establishments taking advantage of the declaration as war establishments, have issued letters to the recognized unions that union activities, works committee, JCM etc., will not be permitted in these units without any logic and reason. In the past when some of the Depots located in peace areas, were declared as War Establishment, Army Hq., /MoD has clarified that Trade Union activities are not barred in these units. The issue was raised by the Staff Side in the Army Hq. JCM III level Council meeting and it was assured that necessary clarification in this regard would be issued. However, it is unfortunate that no clarification has yet been issued and the civilian employees are subjected to unnecessary harassment. It is requested that MoD may kindly arrange to reiterate the earlier instruction issued in this regard.</p> <p>Action: DDG(CP), Army HQ</p>	<p><u>Army HQ</u></p> <p>As per existing provisions Trade Union/Association activities are not permissible in War Establishment. However, consequent to recent conversion of Peace Estt. into War Estt & Field Ammunition Depot the case is being examined in consultation with the OS Dte and Ministry of Defence. The file is still under consideration. As and when the case is decided, the same will be communicated to all concerned.</p> <p>NB :- Agenda Point Nos.8 and 15 being similar issue are merged as Agenda Point No. 8.</p>
9.	<p>Undue delay in implementing the assurance given in the Steering Committee Meeting of the Departmental Council (JCM) by NHQ.</p> <p>The leader staff side of the Departmental Council (JCM) raised the following issues in the last steering committee meeting of the Departmental Council (JCM) -</p> <p>a) Implementation of the Judgment in OA 750/2005 filed by Cochin Naval base Civilian Workers Union for regularization of casual service with all consequential benefits.</p> <p>b) Implementation of Judgment in OP (CAT) 2783/13 in OA No.724/11 dated 27th Jan 2014, for extending the statutory pension to the employees of naval base Cochin.</p> <p>The official from NHQ assured that necessary orders for implementing the above judgments will be issued shortly. However till date to our knowledge instructions were not yet issued. Therefore NHQ may arrange to issue necessary instructions and if already any instructions are issued a copy may be endorsed to the staff side.</p> <p>Action: D(Navy-II)</p>	<p><u>MoD(Navy)</u></p> <p>a) Implementation of the Judgment in OA 750/2005 filed by Cochin Naval Base Civilian Workers Union for regularization of casual service with all consequential benefits - Charged Expenditure obtained for 185 persons. Further, Charged Expenditure Sanction is being obtained for 33 persons, and is under process with IFA. The PIFA has raised certain queries which are being replied.</p> <p>b) Implementation of the Hon'ble CAT (Ekm) order Judgment in OP (CAT) 2783/13 in OA No.724/11 dated 27th Jan 2014 for extending the statutory pension to the employees of Naval Base Cochin issued on 05 Dec 2014. Issue or PPO in respect of one petitioner is held up for want of Govt. sanction as per format required by PCDA Allahabad. The case is under process.</p>
10.	Recommendations to 7th CPC for various categories	<u>D(PCC)</u>

	<p>functioning under Ministry of Defence.</p> <p>It is submitted that all the recognized Service Associations and Confederation of Defence Recognized Associations (CDRA) submitted their respective Memo of Demands to 7th CPC for their categories and combined by Federations. These Memos are based on Terms of reference fixed for 7th CPC. Copies of Memos were given to concerned organization and Ministry of Defence Pay Cell.</p> <p>Ministry of Defence has constituted the pay cell for examining the demands of the Associations /Confederation/Federations and then the same will be taken up with the 7th CPC. It was experience by the Staff Side consists of all Associations that their categories are very much behind keeping in view of their hard duties and they were granted less Pay and facilities comparing with the Common Categories of other Ministries. Categories functioning in Indian Railways, CSS, CSSS and AFHQ, CPWD are getting too much higher pay scales comparing to categories working under Ministry of Defence.</p> <p>To remove this disparity Chairman of the Steering Committee of the Departmental Council JCM is requested to forward strong Recommendations on the demands processed by various staff Associations /Confederations/ Federations. A strong case may also be explained to 7th CPC in the meeting with Ministry of Defence as and when officials will be called. Staff Side may please be apprised/informed on such favourable recommendations.</p> <p style="text-align: right;"><u>Action: D(PCC)</u></p>	<p>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.</p> <p>After constitution of the 7th CPC, staff side federations/confederation/associations have submitted memoranda containing a large number of demands/proposals to the Commission.</p> <p>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 from various wings on these issues are sent to the Commission for its consideration.</p> <p>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.</p> <p>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 on proposal regarding enhancement of Nursing Allowance to the Nursing Staff in clinics/Dispensaries has been referred to the 7th CPC for its consideration.</p> <p>However, the staff side commonly may communicate important issues which will be examined by D(PCC) in consultation with respective Wings.</p> <p><u>NB :- Being similar issue Agenda Point Nos. 10 and 31 are merged as Agenda Point No. 10.</u></p>
11.	<p>Grant of parity in pay scale to the Assistants and Stenographers of Ordnance Factories and OFB Hqrs., by implementing the judgment of Hon'ble High Court of Delhi in WP (C) 4606/2013. CM No.10601/2014, dated 14.10.2014.</p> <p>The stenographers and Clerical Staff of Ordnance Factories and OFB Hqrs., were repeatedly representing to the Govt. to remove the disparity in the matter of pay scales and promotional prospects when compared to similar categories of Central Secretariat, Armed Forces Hqrs., etc. However, the</p>	<p><u>D(Estt./NG)</u></p> <p>The case file has been referred to Defence/Finance for forwarding it to Department of Expenditure as per advice of LA/Defence and on receipt of opinion of Department of Expenditure the matter with regard to filing of SLP on the issue as per advice of DoP&T would be taken in accordance with the advice of LA/Defence.</p>

	<p>Govt. has never considered their demand. Aggrieved by this injustice and disparity, the DGOF Employees Association approached Court of Law for justice. At present the Hon'ble High court of Delhi in the above mentioned Judgment has given its Judgment in favour of the affected employees of Ordnance Factories and OFB Hqrs.</p> <p style="text-align: right;">Action: D(Estt./NG)</p>	
12.	<p>Implementation of Hon'ble CAT Chandigarh Bench Judgment in OA No.1360/HR/2012 and other four OAs.</p> <p>In the above OAs the following relief was prayed by the petitioners :-</p> <p>i) That the respondents be directed to re-fix the basic pay of the applicants in revised pays scales w.e.f. 1.1.2006 by taking their basic pay as Rs.6500/- in the last highest scale of Rs.6500-10500 which was merged by keeping in view the fact that the same procedure was adopted while fixing the pay of employees who were in the different scales of Rs.2500-3200, 2610-3540, 2610-4000, 2650-4400 which was merged w.e.f. 1.1.2006 and their pay has been re-fixed by taking into consideration the last highest scale of Rs.2750-4400.</p> <p>ii) That since all the applicants have retired from service, so the respondents be directed to re-fix the retiral benefits after re-fixation of their pay including the re-fixation of pension and release the arrears of pay and retiral benefits after re-fixation of the pay in the revised pay scales w.e.f. 1.1.2006. Accordingly, as per the direction of the Hon'ble CAT the present OAs are disposed of with direction to the respondents to consider the representations of the applicants pending with them, as per claim made in the OA, and pass speaking orders on the same within a period of sixty days from the date of a certified copy of this order being served upon the respondents. Copies of the orders so passed may also be provided to the applicants in the OAs."</p> <p style="text-align: right;">Action: D(Civ-I)</p>	<p><u>D(Civ-I)</u></p> <p>The fitment formula in the merged/upgraded pay scale after implementation of 6th CPC pay scales was adopted as per DoP&T's CCS(RP) Rules, 2008 and the same is being followed in the MoD. Since the matter concerns all the Ministries/Departments of the Government of India, DoP&T has to take a decision in the matter. Federation may be requested to submit a live case to the concerned Admin Division which can be referred to D(Civ) for consideration.</p>
13.	<p><u>Indian National Defence Workers' Federation (INDWF)</u></p> <p>Creating the Administrative Officer Cadre in MES organization.</p> <p>MES Directorate under E-in-C's branch is an industrial Establishment employed mostly industrial personnel spread all over the country. It has been noticed that Government Orders issued in respect of the employees particularly in respect of Industrial Personnel are delayed for implementation in true spirit. It has been observed that in E-in-C's Hqrs, CE</p>	<p><u>D(Works-II)</u></p> <p>This agenda point is very relevant and to the point. The need of the hour is to make Admin Cadre in MES an organized Cadre. It is also urgently needed that both at OS and AO-II levels, at least 50% intake should be through direct recruitment. Direct recruitment for OS can be conducted by SSC and the same should be done by UPSC in case of AO-II. It is to be noted that if 50% of AO-IIs are selected through direct recruitment, the organization will get very efficient, bonafide and</p>

	<p>Command Hqrs, CE Hqrs and at CWE level the Administration on personnel matters are dealt mostly by Technical Officers who are not having any Administration background but they are managing the affairs. At CWE level, the Administrative officers are from clerical cadre on promotion. Their experience to handle the matters on personnel policies is not much sufficient to translate the Government orders for perfect implementation. Due to the above constraints and system, the cadre re-structuring in respect of Industrial Employees are delayed in some units DPCs/Trade Test are not yet held to grant promotions w.e.f. 01.01.2006.</p> <p>We therefore, proposed to create a organized administrative cadre for MES Directorate and they may be posted from CWE level to all HQrs for Zonal Command and E-in-C's Hqrs for efficient and early implementation of Government orders as well as maintaining the rosters. PH Quota and filling the Promotional vacancies.</p> <p style="text-align: right;">Action: D(Works-II)</p>	<p>meritorious officers at the levels of AO-II, AO-I, SAO and PAO.</p>
14.	<p>Formation of Centralized Recruitment Board/Cell for Ordnance Factories.</p> <p>After the removal of ban on recruitment for Direct Recruitment large number of vacancies are released for Direct Recruitment in Group 'C' posts which is factory/unit based posts in Ordnance Factories against wastage vacancies. The posts in Group 'C' recruitment for Technical and Non-technical are made through open advertisement. Applications received through Open advertisement are at large scale which takes more time for scrutiny and for conducting written test as well as Trade Test etc. Factories are not familiar in organizing and recruiting the persons because the Factories are not meant for recruitment. Sometimes, the results are challenged leading to Court Cases and cancellation of final list as there were many complaints against the method of recruitment in violation of procedure. Due to this maximum posts are kept unfilled.</p> <p>To bring uniformity in syllabus, method of conducting tests etc., it is demanded by Staff Side to constitute a centralized recruitment Board at OFB for proper recruitment of Group C posts like RRB, Bank, CEPTM etc.</p> <p style="text-align: right;">Action: D(Estt./NG)</p>	<p><u>D(Estt./NG)</u></p> <p>The finalization of formation of OFRC is under consideration in consultation with OFB for working out the modalities with regard to constitution of OFRC.</p>
15.	<p>Allowing Trade Union Rights in FADs and FODs under AOC.</p>	<p>N.B. :- Merged as Agenda Point No.8 being similar issue.</p>
16.	<p>Exemption of Trade Test for Artisans consequent upon the re-structuring and implementation of 4 Grade Structure for granting up-gradation under ACP Scheme between 01.01.2006 to 31.08.2008.</p>	<p><u>D(Civ-I)</u></p> <p>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</p>

	<p>Consequent upon cadre re-structuring of Industrial Employees into 4 grade structure, the cases of employees for grant of ACP/MACP up-gradation were reviewed. Accordingly, some employees became eligible for grant of up-gradation under ACP scheme between 01.01.2006 to 31.08.2008. The orders of up-gradation in respect of such employees were issued during 2013 consequent upon review of their cases.</p> <p>As per instructions for grant of ACP the employees are required to fulfill all the conditions which are mandatory for grant of promotions on regular basis except the availability of vacancies in the higher grade. When the pay fixation proposals in respect of such employees were forwarded to LAO for vetting, LAO asked for a certificate to the effect that such employees have passed the requisite trade test.</p> <p>In this connection, it is submitted that conduction of Trade Test retrospectively is not possible. However, LAO was conveyed that most of such employees have got promotion to higher grades after 31.08.2008 as such they may be deemed to have passed the requisite trade test necessary for grant of ACP. However, the submission of factory has not been agreed to by LAO and the pay fixation proposals of such employees are pending for approval.</p> <p>MoD is requested to consider the issue for giving one time relaxation for passing the requisite trade test for grant of ACP during the period from 01.01.2006 to 31.08.2008 in view of unforeseen circumstances, so that pending pay fixation proposal of the affected employees may be vetted/cleared by LAOs.</p> <p style="text-align: right;">Action: D(Civ-I)</p>	<p>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.</p>
<p>17.</p>	<p>Up-gradation of Tech 'C' in the Grade Pay of Rs.4200/- in pay band II by removing the anomaly and systematic injustice meted out.</p> <p>It is submitted that, after going through the matter on the subject referred purpose, certain anomalies have been found in the case for up gradation of Tech 'C'.</p> <p>In this matter, the appeal for removing the anomaly and to disengage the injustice meted out with the victim employees is appended below :- Technician 'C' of the DRTC (erstwhile T'man 'A') before DRC was having a pay scale parity with Sr. Technical Asstt. 'B' (erstwhile JSA II) before up gradation.</p> <p>To avoid the charge of discrimination, to meet the ends of justice in the subject referred case, and to ensure that in DRDO the sacred principles of equality</p>	<p>D(Civ.I)</p> <p>As this issue relates to promotion, it concerns D(Apptts.) Section.</p> <p>D(R&D)</p> <p>The proposal for up-gradation of the pay scale of Tech 'C' of DRTC, DRDO for Rs.9300-34800/- with pay band-2 for Rs.4200/- was put up to Ministry of Finance, Department of Expenditure, but was not agreed to.</p> <p>(FINALIZED)</p>

	<p>before law is prevalent and equal protection of the law is guaranteed to its employees, it is requested that in view of the foregoing cogent facts, reasons and circumstances the DRDO may please be asked to review and rescind its decision (that the up-gradation of Tech 'C'), which is unjust, unfair and prejudicial to a section of employees of DRDO, and which have been taken in ignorance, sympathetic consideration of the case is required.</p> <p style="text-align: center;">Action: D(Civ.I)/D(Apptts.)/D(R&D)/DRDO</p>	
18.	<p><u>Bhartiya Pratiraksha Mazdoor Sangh (BPMS)</u></p> <p>CGHS Facility has not been extended to the Industrial Employees of COD Mumbai. This issue has been discussed in the 17th Steering Committee Meeting of JCM-III Level Council (Army HQ) held on 30.10.2014 wherein OS Dte clarified that the matter has been taken up with Min. of Health & Family welfare to extend the facility to COD Mumbai but the proposal has been denied and intimated that MoD may take up appointed Agency of the proposed Health Insurance Scheme, when introduced to these employees.</p> <p>Govt. of India, Min. of Health & Family Welfare's OM No.S.14025/7/2000-MS, dated 28th March, 2000 stipulates that the issue for grant of permission for treatment of Central Government employees and the members of their family in any of the hospitals recognized by the State Government/CGHS Rules/CS(MA) Rules, 1944, had been under consideration of the Government for some time past and it has now been decided that the Central Government employees and the members of their families may be permitted to avail of medical facilities in any of the Central Government, State Government hospitals and the hospitals recognized by the State Government/CGHS Rules/CS(MA) Rules, 1944, as well as the hospitals fully funded by either Central Government or the State Government subject to the condition that they will be reimbursed the medical expenditure at the rates fixed by the Government under the CGHS rules/CS(MA) Rules, 1944 or the actual expenditure incurred, whichever is less. In other words, the permission can be granted by the Head of the Ministry/Department/Office to the Central Government Employees/Members of their families to obtain medical services from any of the private hospitals recognized under CGHS in the 18 CGHS covered cities also.</p> <p>In such circumstances, Head of Department/Office of COD Mumbai cannot discriminate between Civilian Officers/Staff/Non-</p>	<p>D(Civ-II)</p> <p>The case for grant of CGHS facilities to Defence Civilians in Mumbai has been taken up with M/oH&FW. M/oH&FW had sought certain information from this Ministry which has been obtained from lower formations and furnished to M/oH&FW vide MoD OM dated 15.10.2015. The decision of M/oH&FW in the matter is still awaited.</p>

	<p>Industrial/Industrial Employees for obtaining medical treatment in any of the private hospitals recognized under CGHS in Mumbai. Further, no permission of Min. of H&FW is required in this regard. Hence, this issue should be resolved forthwith.</p> <p style="text-align: right;">Action: D(Civ-II)</p>	
19.	<p>04 Grade structure for Artisan Cadre in Ministry of Defence was introduced vide ID No.11(5)/2009-D(Civ-I), dated 14.06.2010 with retrospective effect from 01.01.2006. Hence, the vacancies in MCM grade of different trades from 01.01.2006 to 13.06.2010 have been filled in accordance with mandate given vide MoD letter dated 14.06.2010 but vacancies occurring in OS Dte. on or after 14.06.2010 are not being filled up on the plea that MoD has clarified that these vacancies are to be filled up in accordance with Recruitment Rules for the post of MCM on its finalization.</p> <p>Such issue was raised by this federation BPMS as Agenda Point No.11 in the meeting of Steering Committee for 90th Departmental Council JCM (MOD) held on 01.08.2014 and the chairman of the meeting JS(E) directed that all concerned administrative authorities, present in the meeting note the matter and they were requested to hold the DPC meeting timely (kindly refer Minutes circulated vide MoD ID No. 5(7)/2014/D(JCM), dated 21.08.2014).</p> <p>Hence, the concerned authorities of OS Dte should be instructed again to hold the meetings of DPC regularly to fill up the vacancy of MCM occurred on or after 14.06.2010.</p> <p style="text-align: right;">Action: D(Civ-I)/DG:OS</p>	<p><u>D(Civ-I)</u></p> <p>D(Civ) supports the proposal to fill up the vacant posts on the basis of existing RRs where revision of RRs is held up. Admn. Divisions may be requested to refer such cases to D(Civ) for concurrence.</p>
20.	<p>The service conditions of Khansama Chowkidar posted in Inspection Bungalows of MES are very poor. To improve this, it is demanded that Khansama Chowkidar should be detained for 08 hrs duty per day. Weekly off, closed holidays, National holidays and restricted holidays should also be granted to him at par with cooks working in Ord. Fys.</p> <p>This issue was discussed in the 17th Steering Committee meeting of JCM-III Level Council (Army HQ) held on 30.10.2014 wherein it is stated that the matter is pending with MoD. This should be expedited.</p> <p style="text-align: right;">Action : D(Works-II)</p>	<p><u>E-in-C's Br</u></p> <p>The point is still pending at MoD and may be expedited accordingly.</p> <p><u>D(Works-II)</u></p> <p>To be responded in the meeting by the concerned Division.</p>
21.	<p>BPMS rep raised an issue in the 17th Steering Committee Meeting of JCM-III Level Council (Army HQ) held on 30.10.2014 that Army Base Workshop</p>	<p><u>D(O-II)/DG:EME</u></p> <p>a) Load of Army Base Workshops (ABWs) – There are eight Army Base Workshops</p>

	<p>are facing heavy deficiency of workload and the same is being transferred to Public Sector Undertakings like BEL, BHEL etc. which is not in the larger interest of entire Corps of EME.</p> <p>The official side representing the EME Branch stated that MoD has to take a policy decision in this regard. Hence, attention of the concerned Joint Secretary, MoD is invited to look into the matter personally.</p> <p style="text-align: right;"><u>Action: D(O-II)</u></p>	<p>out of which four Army Base Workshops are under loaded primarily due to reduction in targets because of non-availability of spares in range and depth.</p> <p>b) Transfer of load – Staff Side submission regarding workload is being transferred to Public Sector Undertakings like BEL, BHEL is not factually correct. Total of 65 serials were targeted for OH in all Army Base Workshops for the year 2014-15. Out of these, none have been transferred to public sector undertaking like BEL, BHEL.</p>
22.	<p>In the 15th Steering Committee Meeting of JCM-III Level Council (Naval HQ) held on 26.09.2014 at HQ ENC, Visakhapatnam an issue was discussed that in case of emergency, civilian employees of Naval Dockyard Mumbai are not being provided with facilities of Naval Hospitals in Mumbai and they are being referred to Municipal hospitals. It is also a matter of concern that Industrial Employees of Naval Dockyard Mumbai are not being extended the facilities of CGHS in Mumbai.</p> <p>In this regard, official side admitted that the emergency cases are being referred to Municipal hospitals and they are not referred to private hospitals as these hospitals are not agreeing for CGHS rates.</p> <p>It is worth to mention here that the Industrial Employees of Naval Dockyard Mumbai and their families brought under the coverage of Central Services (Medical Attendance) Rules, 1944, which stipulates INTER ALIA as under:-</p> <p>2(a) The Defence Civilians and their families should normally receive medical attendance from the civil hospitals under the civil rules referred to above.</p> <p>(b) However, in stations where no civil hospitals exists they shall be given, free of cost, out-patient treatment in Local MI Rooms/Sick bays/Station sick quarters and Armed Forces Hospitals. In such stations, they may also be admitted to Armed Forces Hospitals under the order of the OC Station in the same way as other non-entitled personnel, provided that accommodation is available.</p> <p>(c) Even in station where a civil hospital exists, they may be admitted to local Armed Forces Hospitals in case accommodation is not available in the civil hospital.</p> <p>Hence, the concerned authorities of Naval Dockyard Mumbai/Naval Hospitals Mumbai to extend the in-door medical facilities to the Industrial</p>	<p><u>D(Civ-II)</u></p> <p>NHQ vide letter dated 25th March, 2015 has intimated that as the matter for grant of CGHS facilities to Industrial Employees of Naval Dockyard, Mumbai is pending with MoH&FW, the civilian employees of Naval Dockyard are being treated at Naval Hospital (POWAI) as entitled class and are also being referred to INHS Ashvini as non-entitled cases in the case of emergency depending on the place of requirement.</p> <p><u>MoD(Navy)</u></p> <p>As enough civil medical facilities as well as CGHS empanelled hospitals are available in Mumbai, emergency cases in respect of Non-industrial civilian employees of Naval Dockyard are not routinely admitted in Naval Hospitals.</p> <p>Industrial Employees of Naval Dockyard, Mumbai are routinely treated at Naval Dockyard Dispensary and Naval Hospital Powai. In case of emergency, they are also referred to empanelled Civil Hospital.</p>

	<p>Employees of ND Mumbai and their family members available in MI Rooms/Armed Forces Hospitals/CGHS recognized private hospitals and in case of injuries caused during the course of employment the employee should be provided best medical treatment in the recognized/unrecognized hospitals and expenses should be fully reimbursed as per Employees Compensation Act,1923.</p> <p style="text-align: center;">Action: D(N-II)/D(Civ-II)</p>	
23.	<p>The Screening Committee meeting of JCM-III Level Council (DRDO) held on 19.09.2014 at DRL Tejpur wherein the issue of reimbursement of medical expenses in emergency cases was discussed and the official side intimated that the CGHS beneficiary is not authorized to take treatment from private hospital empanelled under CGHS without prior permission and in case of emergency, such claims are to be settled/finalized by the “Head of Department” only i.e. DG DRDO as the financial powers are delegated to him which cannot be further re-delegated.</p> <p>In this regard, your attention is invited to MoH&FW OM No.11011/7/99-CGHS (P), dated 27.04.2011 which stipulates that serving Central Government employees and their family dependent and eligible family members and holding a valid CGHS Card and on a visit to non CGHS covered area may obtain treatment under emergency from Government hospitals (Central Government/State Government /Local Self Government/hospitals recognized under Central Services (Medical Attendance Rules, 1944/ hospitals and clinics empanelled under Ex-Servicemen Contributory Health Scheme (ECHS) and the medical claim shall be submitted to the concerned Ministry/Department /Office.</p> <p>Hence, MoD should declare the Director of Labs of DRDO as “Head of Department” for the purpose of CGHS under the General Financial Rules so that medical claims may be settled at Director Level considering the precious time of DG DRDO.</p> <p style="text-align: center;">Action: D(R&D)</p>	<p><u>D(R&D)</u></p> <p>To be responded in the meeting by the concerned Division.</p>
24.	<p>The Screening Committee meeting of JCM-III Level Council (DRDO) held on 19.09.2014 at DRL Tejpur wherein the members demanded for extension of medical facilities for DRL Tejpur employees from MI Room/Military Hospital.</p> <p style="text-align: center;">Action: D(R&D)</p>	<p>This may be extended according to the Ministry of Health & F.W. letter No. F.28-14/63-H.I., dated 06th April, 1963 (<u>noted in Agenda No. 22</u>).</p>
25.	<p>Vide this federation’s letter dated 04.2014, the authorities of Air Hqrs were requested for up-gradation of Vadsar (47 SU Air Force) to ‘Y’ class city for the purpose of House Rent Allowance.</p>	<p><u>D(Air-III)/Air HQ</u></p> <p>As intimated by Dte of Acctts, Air HQ (RKP) vide their letter dated 29.10.2014, the case for up-gradation of Vadsar (47 SU, AF) to</p>

	<p>In this regard, Air Hqrs intimated that Ministry of Finance (Department of Expenditure) has raised some observation and to offer the comments thereupon the case is lying with MoD (Q&C). This federation has been requesting to D(Q&C) to expedite the matter but all in vain.</p> <p style="text-align: center;">Action: D(Air-III)/D(Q&C)</p>	<p>'Y' class city for the purpose of HRA is still under consideration of MoF (Deptt of Expenditure).</p> <p><u>D(Q&C)</u> : To be responded in the meeting by the concerned Division.</p>
26.	<p>Disbandment of HQ CWE Kanpur (MES):</p> <p>HQ CWE Kanpur responsible for looking after the welfare of industrial personnel of various GEs under Military Engineer Services besides the matter related to Defence Works, has since been ordered for disbandment. According to the set up of Military Engineer Services, the office of CWE is formed amongst at least 2-3 GEs under it.</p> <p>There are more than 600 industrial personnel in the area of HQ CWE Kanpur and with its disbandment, there would be lot of administrative problems for them, few of which are mentioned below:-</p> <p style="padding-left: 40px;">(a) The records are to be transferred to the various authorities wherein:-</p> <p style="padding-left: 40px;">(i) Matters related to GP Fund, Medical claims/Advance of Fatehgarh have been transferred to HQ CWE Agra excepting of service books and pension documents which are to be transferred to HQ CWE Lucknow. The records pertaining to Legal matters have been transferred to CE Lucknow Zone.</p> <p style="padding-left: 40px;">(ii) Matters related to other GEs are to be transferred to HQ CWE Lucknow. However, the matters related to Pension, Promotion, Seniority List, MACP, Legal cases and service books are to be dealt with by Adm Cell being formulated at Kanpur with its Headquarters at Lucknow.</p> <p style="padding-left: 40px;">(iii) Matters related to Legal cases of Officers and Basic categories have been transferred to GE Kanpur. The cases of industrial pers have been transferred to CE Lucknow Zone.</p> <p style="padding-left: 40px;">(b) GE Fatehgarh is to make all correspondence including sanction of GP Fund, Medical claims/Advance with HQ CWE Agra excepting promotion, pension and service books of industrial personnel which is to be done by HQ CWE Lucknow.</p> <p style="padding-left: 40px;">(c) The fate of JCM IV of HQ CWE Kanpur is not still clear, nor has any dialogue been made with this</p>	<p><u>D(Works-II)</u></p> <p>E-in-C's Branch has intimated that a CWE (AF) Chakeri is being raised which is as per the request made by the Federation.</p>

forum.

The disbandment of HQ CWE Kanpur shall increase in channel of correspondence. Also the office staff shall have to be busy in submission of routine and identical reports/returns to the various authorities thereby sparing very little time for the matters related to the welfare of industrial personnel. This will increase the budget allocation on the non-productive work too. However, even after this exercise, there will be hue and cry always due to increasing in the troubles in getting promotion, conducting of trade test, processing of pension papers, barest control on service books, permission in the cases of medical claims/advance etc.

It is regretted to point out that the administrative authorities while coming to the decision of disbandment of HQ CWE Kanpur, has not considered the other options by taking into the account of the enhancement of Defence Budget in the non-productive work which will resultant lot of harassment to the workers. We have reasons to assume that the drastic action would have been proposed to safe-guard some higher authorities due to some foul play in any case (including the case of Recruitment of 172 Nos. of Mates in Kanpur). This needs to be investigated as already requested in our earlier letters too.

Considering the above aspects in view and so many others which cannot be defined in words, we are of the opinion that keeping a CWE office at Kanpur is essential as:-

(a) Following GEs are working at Kanpur with more than crore of works :-i) GE(MES) Kanpur (ii) GE(I) R&D Kanpur (iii) GE(I)(P) Fy Kanpur (IV) GE(I) E/M Chakeri (v) GE(I) B/R Chakeri; and (vi) GE(I) (P) Chakeri

(b) The future service career of industrial personnel of more than 600 at Kanpur has become uncertain.

(c) To avoid lot of unnecessary correspondence due to out-stationing of all competent authorities to take any decision at the time of need or in emergency.

(d) In order to maintain harmonious relations in between the workers and department, the sanctity of JCM IV for a large station Kanpur may be kept.

In case the above suggestion is not acceptable for any reason, a CWE at Air Force Chakeri, where presently 03 Ges viz. GE (I) B/R Chakeri, GE (I) E/M Chakeri and

	<p>GE (I)(P) Chakeri are in existence, may be formed and the adm control of GE (MES) Kanpur, GE (I) R&D Kanpur and GE (I)(P) Fy Kanpur may also be assigned to the newly formed CWE. Moreover, it is not advisable to keep 03 Ges as Independent without having any CWE in a station like Kanpur.</p> <p>Therefore, kindly intervene into the matter so that the interest of a large number of workers of Kanpur may be safe-guarded without any loss to the State rather to save the Defence Budget in the process.</p> <p style="text-align: center;">Action: D(Works-II)</p>	
27.	<p>Granting of ACP retrospectively on passing the trade test in first attempt in CWE Jaipur (MES):</p> <p>Vide this federation's letter dated 14.08.2014 & 30.10.2014 it has been brought to the notice of DG (Pers), E-in-C's Branch that Shri Dayal Singh, MES No.167982, F/Pipe and Shri Deen Dayal, MES No.167989, F/Pipe, posted in GE Alwar had to appear in the trade test for skilled to highly skilled category between 11.03.2008 to 18.03.2008. Vide Hqrs CWE Jaipur letter No.13040/55/EIB, dated 10.02.2009 result of trade test was published and both of them were declared 'Failed' with remarks not eligible due to individual in probation period.</p> <p>It is worth to mention here that an ineligible employee cannot appear in the trade test hence, he cannot be declared as 'Pass/Fail' whereas instructions issued by nodal Ministry DoP&T do not find as aspirant ineligible due to probation period.</p> <p>However, in the instant case, Shri Dayal Singh & Shri Deen Dayal were declared 'Passed' in the trade test held on 18.03.2008 as per intervention of E-in-Cs Branch vide its letter No.90237/2017/EIC (Legal-B), dated 17.08.2011.</p> <p>Further, your attention is invited to the clarification regarding grant of ACP after passing the trade test issued vide MoD ID No. PC II 11(5)/99/D(Civ.I), dated 05.02.2004, which stipulates as under:-</p> <p style="padding-left: 40px;">"2. It is further clarified that the employees who had completed 12/24 years of service after 09.08.99 but before that the date of conducting the first trade test may be granted financial up-gradation under ACP Scheme, subject to fulfilment of all other conditions prescribed for grant of ACP, from the date of their completion of 12/24 years of service, instead of the date of passing of this</p>	<p><u>D(Works-II)</u></p> <p>The concerned Command has confirmed that the ACP has been correctly granted as per the laid down stipulations on the subject, which clearly mentions that employees who had completed 12/24 years of service after 09.08.1999 but before the date of conducting the first trade test may be granted financial up-gradation under ACP Scheme. In this case number of trade tests were conducted before the completion of 12/24 years of service as per CWE, Jaipur letter dated 05/08.10.2012 and CE Jaipur Zone letter dated 25.06.2012.</p>

	<p>trade test, in the first attempt as a one time measure.”</p> <p>Shri Dayal Singh & Shri Deen Dayal completed 24 years service on 19.09.2007 and both were eligible for 2nd up-gradation under ACP Scheme, but they could not be granted the ACP because till that date they were never allowed by the concerned authorities to appear in the trade test for the purpose. There is no evidence that trade test/s was / were conducted for Shri Dayal Singh & Shri Deen Dayal and they appeared but could not pass the trade test.</p> <p>As per information, made available to this Federation, Shri Dayal Singh & Shri Deen Dayal were allowed to appear in the trade test for Skilled to Highly Skilled category between 11.03.2008 to 18.03.2008 and declared 'Pass' on the verdicts of Hon'ble CAT and directives of higher Hqrs w.e.f. 13.03.2008, i.e., the date of appearing in the trade test.</p> <p>From above it may be deduced that Shri Dayal Singh & Shri Deen Dayal have passed the trade test in 1st attempt on 13.03.2008 and as per MoD instruction cited hereinabove they are eligible for granting of 2nd financial up-gradation under the ACP Scheme w.e.f. 19.09.2007.</p> <p>In such circumstances, CWE Jaipur and Chief Engineer SWC Jaipur have been requested vide this federation's letter No. BPMS/MES/CZ 65 (1/5/R) dated 31.12.2013 and reminded vide letter of even number dated 03.06.2014 to comply the instruction of MoD on the subject matter in letter and spirit so that Shri Dayal Singh & Shri Deen Dayal may be granted 2nd ACP in pay scale of Rs. (4000-6000) w.e.f. 19.09.2007.</p> <p>But it is painful to note that neither HQ CE SWC nor HQ CWE Jaipur has taken any action on the representation, even the letter has not been acknowledged till date while their attention has been invited to MoD ID No. 11(1)/2000/D(JCM), dated 27.04.2000 whereby all HQrs/Dtes of MoD have been communicated that the recognized federations are entitled for certain facilities such as dialogue/ correspondence/interview at all level and the same facilities have been extended to this federation BPMS.</p> <p>Therefore, it is requested that appropriate action may be taken so that the grievance may be redressed without further delay.</p> <p style="text-align: right;">Action: D(Works-II)</p>	
28.	Revision of Recruitment Rules for placing of Laboratory Technicians serving in Ordnance	<u>D(Estt./NG)</u> The orders with regard to grant of

	<p>Factories Hospitals in PB-2 plus GP rs.4200:</p> <p>It is submitted that vide OM No. AB-14017/2/97-Estt(RR), dated 25th May 1998, DoP&T issued instructions on 'Fifth Central Pay Commission recommendations-Revision of pay Scales-Amendment of service Rules/Recruitment Rules' and OFB revised the Recruitment Rules vide SRO-88, dated 03.08.2005 by enhancing the entry qualifications of Lab Technician B.Sc + Diploma (DMLT) + 01 year experience bringing it at par other Lab Technician serving in other Central Govt. Departments, but did not upgraded the pay scale from Rs. (4500-7000) to Rs. (5000-8000). This pay scale was correspondingly revised to PB-1 plus GP Rs.2800/- due to implementation of 6th CPC w.e.f. 01.01.2006.</p> <p>This agitated the incumbents and this federation BPMS raised the issue in Departmental Anomalies Committee and Departmental Council (JCM) of MoD, but all is vain. Thereafter, Federation approached the Central Administrative Tribunal (Principal Bench), New Delhi vide O.A No.2660/2012, M.A. No.0643/2012 & 2848/2012. Hon'ble CAT issued necessary directives on 11.10.2013. Thereupon, OFB has issued the order for up-gradation of Grade Pay of Laboratory Technicians from present pay scale (PB-1 with GP Rs.2800/-)to (PB 2 with GP Rs.4200/-) with effect from 01.01.2006 vide letter No.042/BPMS/CAT/PER/M, dated 17.10.2014.</p> <p>It is painful to note that as per above order all those Laboratory Technicians who are possessing the required qualification as per SRO 88, dated 03.08.2005 will be granted up-graded pay scale GP Rs.4200/- but who were recruited/promoted to the post of Lab. Tech. prior to issuance of revised recruitment rules (03.08.2005) not having the qualification of B.SC + Diploma (DMLT) + 01 year experience will not be granted the upgraded GP Rs.4200/- though they were eligible for appointment/promotion as per SRO applicable at that time. This bifurcate the existing incumbents into qualified & non-qualified which is injustice and creates discontentment amongst them.</p> <p>It has been observed that whenever Central Government upgrades the pay scales of any cadre on the recommendations of the CPCs/Expert Committees due to change in educational qualification etc., the benefit of such up-gradations also granted to the imparting some Departmental training or rendering a length of service. For example; Government accepted the recommendations of 6th CPC for such of those existing</p>	<p>Grade Pay of Rs 4200/- to Lab Technicians in OF Hospitals has been issued as per the approval received from DOP&T and as regards revision of Recruitment Rules for the post of Lab Technician, the same can be considered on receipt of such proposal from OFB.</p>
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	<p>Group 'D' employees who do not possess the minimum qualifications (Matric or ITI) prescribed would need to be retrained and a training package would need to be evolved separately for each of the individual Ministry/Department/Organization keeping in view their specific needs. After re-training with emphasis on multi-skilling, the Group 'D' staff will be placed in the Pay Band PB-1 of Rs. (5200-20200) with the Grade Pay of Rs.1800/-. One placed in PB-1 Pay Band, this category of Group D staff will regain their seniority vis-à-vis the other category of Group D staff that already possessed the minimum prescribed qualifications and were, therefore, placed in the PB-1 Pay Band immediately.</p> <p>On the above analogy, you are requested to take appropriate action so that the Recruitment Rules published vide SRO 88, dated 03.08.2005 may be amended for granting the entry pay in PB-2 plus GP Rs.4200/- w.e.f. 01.01.2006 to the Laboratory Technicians are having the qualification of B.Sc + Diploma (DMLT) + 01 year experience and to those existing Laboratory Technicians who do not have B.Sc + Diploma (DMLT) + 01 year experience but completed 2 years service on 01.01.2006 in the pre-revised pay scale of Rs.(4500-7000) as a Laboratory Technician.</p> <p style="text-align: center;">Action: D(Estt./NG)</p>	
29.	<p>It is submitted that the federations have raised the issue in the Steering Committee Meeting for 90th Departmental Council JCM (MoD) held on 27.09.2013 regarding the approval of all Cadre Review proposals/Revision of Recruitment Rules of Mil Farms.</p> <p>Vide letter No. B/03651/D(JCM)/Q/MF-1, dated 05.12.2013 Dy Dte General Military Farms stated in the follow up action on the minutes as under:-</p> <p>“Cadre Review proposal has been held in abeyance, awaiting impending restructuring / closure of Mil Farms.”</p> <p>Contrary to above the said letter further states that (against Speech Point No.3-B) as under:-</p> <p style="text-align: center;">“No instructions regarding closure of Military Farms have been received by MF Dte.”</p> <p>In such paradoxical circumstances, you are requested to do the needful so that the Cadre Review/ Revision of Recruitment Rules of Group 'B' 'C' & 'D' Civilian Employees of Military Farm may be done without further delay.</p>	<p><u>D(QA)</u></p> <p>A consolidated cadre review proposal for Gp 'B' & 'C' employees of DGQA organization is under consideration of MoF/Deptt. of Expenditure.</p> <p><u>DGQA</u></p> <p>A consolidated Cadre Review proposal for GP B & C employees of DGQA organization received back from AFA(DS) on 07 Aug 2014 had been re-submitted to Defence (Fin) on 19 Aug 2014. Thereafter, the same has since been forwarded to Min of Fin/Deptt. of Exp. By MoD(Fin) on 25 Aug 2014. The same is still under consideration of MoF/Deptt. of Exp. The said proposal consist of the following cadres:-</p> <ol style="list-style-type: none"> a) Junior Scientific Officer (Merger/up gradation with SSO-II) b) Scientific Staff c) Drawing Office Staff d) Store Keeping Staff e) Administrative Staff f) Stenographic Staff

	<p style="text-align: center;"><u>Action: D(QS)/All Admn. Sections</u></p>	<p>g) Statutory Canteen Supervisory Staff h) Fire Fighting Staff</p> <p>The proposal of following six cadres for which cadre review is not warranted has also been sent to MoD/D(QA) on 02 Dec 2014.</p> <p>a) Technical Staff c) Security Staff d) Data Entry Operator e) Gestetner Operator f) Lab Asstt & Lab Attendant g) Telephone Staff</p> <p>Recently the case file was again received back from MoD(Fin)/DFA(DS) on 25.03.2015 with a request to submit the proposal in self-contained note which has been re-submitted to MoD(Fin)/DFA(DS) on 27.03.2015.</p>
30.	<p>Implementation of restructuring of Artisan Cadre in Artificial Limb Centre, Pune under DGAFMS:</p> <p>The Ministry of Finance (Department of Expenditure) vide its Notification G.S.R. 552 I, dated 28th July 2009 has amended the Central Civil Services (Revised Pay) Rules, 2008 whereby Master Craftsmen has been granted the Grade Pay of Rs.4200/- and Highly Skilled Workers are split in a ratio of 50:50 and re-designated as Highly Skilled Worker Grade-II (Grade Pay of Rs.2400 in Pay Band PB-1) and Highly Skilled Worker Grade-I (Grade Pay of Rs.2800/- in Pay Band PB-1).</p> <p>Accordingly the pay scale of Master craftsman has been revised from Rs.(4500-7000) to Rs.(5000-8000) vide MoD letter F.No.11(5)/2008/D(Civ-I) dated 28th Aug, 2009 as per SRO- 11 E and the post of Highly Skilled (4000-6000) has been bifurcated in the ratio of 50 : 50 whereby 50 per cent incumbents have been up-graded as Highly Skilled grade –I in the pay scale of Rs.(4500-7000). As per above notification, the artisan staff in MoD is restructured w.e.f. 01.01.2006 as under:-</p> <ol style="list-style-type: none"> 1. Skilled (5200-20200) plus 1900 GP 2. Highly Skilled-II (-do-) plus 2400GP 3. Highly Skilled-I (-do-) plus 2800 GP 4. Master Craftsman (9300-34800) plus 4200 GP <p>The above has not been implemented in ALC, Pune under DGAFMS. The Staff Side has been raising</p>	<p><u>D(Med)</u></p> <p>It is stated that MOD/D(Civ) 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. D(Civ) further advised 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 DoP&T/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 has since been received from DGAFMS and is presently under consideration in D(Med) Division.</p>

	<p>this issue in the JCM-III Level Council (DGAFMS) for a long time but the matter is running among MoD/DGAFMS/ALC. This should be settled without further delay.</p> <p style="text-align: right;">Action: D(Med)</p>	
31.	<p><u>Confederation of Defence Recognized Associations (CDRA)</u></p> <p>Recommendations to 7th CPC for various categories functioning under Ministry of Defence.</p> <p style="text-align: right;">Action : D(PCC)</p>	N.B. :- Merged as Agenda Point No. 10 being similar issue.
32.	<p>Implementation of All Cadre Reviews with Ministry of Defence/Ministry of Finance, Department of Expenditure.</p> <p style="text-align: right;">Action : All Admn. Sections</p>	N.B. :- Merged as Agenda Point No. 2 being similar issue.
33.	<p>Long Pending Demands of Confederation/Associations /Federations</p> <p>a) CSD Facilities to Retired Defence Civilians.</p> <p style="text-align: right;">Action : D(Mov)</p>	<p><u>D(Mov)</u></p> <p>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.</p>
	<p>b) Allotment of Office Accommodation for CDRA/Federations.</p> <p style="text-align: right;">Action : JS(Trg.) & CAO/D(Works-II)</p>	<p><u>JS(Trg.) & CAO</u></p> <p>It is intimated that this office is looking after provision of office accommodation only in r/o constituents of MoD located in DHQ Zone. Provision of accommodation to CDRA & other federations does not come under the purview of this office.</p> <p>Notwithstanding the above, this office had approached Dte of Estates, M/o Urban Development for provisioning of office accommodation to CDRA vide this office communication dated 22.10.2014 followed by reminder dated 06.02.2015. No response has, however, been received from the Dte of Estates</p> <p><u>D(JCM)</u> - DS(Works) in JS(C&W) Wing, Department of Defence, has been requested on 27.07.2015 to explore the possibility through E-in-C's Branch to provide office accommodations meant for all the 4 Federations/Confederation integrated in one place.</p>
	<p>c) Conversion of Ammunition Depots into Field Ammunition Depots.</p> <p style="text-align: right;">Action : D(N-II)</p>	<p><u>Navy HQ</u></p> <p>The term Ammunition Depots (ADs) and Field Ammunition Depots (FADs) are applicable to Army only. In the Navy, Naval Armament Depots exist to provide armament support to Ships & Establishments of Navy & Coast Guard.</p>

		No problem is faced by Navy as NADs are 100% manned by civilians.
	<p>d) Risk Allowance to Left out categories/Units.</p> <p style="text-align: right;"><u>Action : D(Civ-II)</u></p>	<p><u>D(Civ.II)</u></p> <p>DOP&T has sought certain information in the matter which has since been obtained from the lower formations. As the report of 7th CPC is likely to be submitted shortly, it has been decided to await 7th CPC recommendations before the case is taken up with DOP&T so that necessary recommendations of the Commission, if any, may be incorporated in the proposal.</p>
	<p>e) Increase the Direct Recruitment Post age limit from 25 years to 27 years in different Organizations (Lower formations) under Ministry of Defence.</p> <p style="text-align: right;"><u>Action : All Admn. Sections</u></p>	<p><u>Navy HQ</u></p> <p>As per DOP&T's O.M. dated 31.12.2010, the age limit for posts having Grade Pay of Rs. 1800/-, 1900/-, 2000/-, 2400/- & 2800/- is between 18 & 25 years.</p> <p><u>DGDE</u></p> <p>The direct recruitment age of all posts of direct recruitment is 27 years except the post of MTS whose age for direct recruitment is 25 years.</p> <p><u>DGAFMS</u></p> <p>This point is agreed to.</p> <p><u>DGQA</u></p> <p>Upper age limit for direct recruitment posts is already 27 years in DGQA Organization.</p> <p><u>D(Air-III)</u></p> <p>Govt. of India vide notification No.15012/6/98-Estt(D) dated 21 Dec 1998 enhanced the upper age-limit by 2 years for recruitment through Direct Open Competitive Examination. As per 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."</p> <p>Since the primary method of recruitment being followed by the IAF is local recruitment i.e. through Employment Exchange and generally attracting candidate from a locality or a region, the enhancement of age-limit by 2 years is not acceptable for lower formation to IAF. Ministry of Defence</p>

		<p>has also clarified that since the recruitment to most of the GP 'C' and GP 'D' civilian posts in the lower formations do not fall under the definition of Direct Open Competitive Examination, the grades related to the enhancement of age-limit for Direct Recruitment to GP 'C'; posts issued vide DoP&T OM dated 21 December 1998 is not applicable for the method of local recruitment.</p> <p><u>D(Works-II)</u> Direct Recruitment post age limit of 27 years is being followed in MES.</p>
	<p>f) One Time Relaxation to Govt. Employees Availing LTC by Air, Authorized Travel Agents.</p> <p style="text-align: right;"><u>Action : D(Civ-II)</u></p>	<p><u>D(Civ-II)</u> Lower formations have been asked to compile the cases where the air tickets have not been purchased by the employees in accordance with the Govt. instructions. The information obtained from the lower formations will be compiled and thereafter the case of one time relaxation will betaken up with DOP&T.</p>
	<p>g) Inclusion of OFB in Compassionate Ground Posting, which are being done by AG's Branch under Ministry of Defence for certain categories.</p> <p style="text-align: right;"><u>Action : Army HQ/D(Estt./NG)</u></p>	<p><u>Army HQ</u> In this regard it is intimated that the matter of non-reporting of vacancies to AG/MP-4(Civ) for compassionate posting/surplus adjustment & issue of NACs in accordance with the provisions of AO 22/2001 (as amended) has already been taken up with Ordnance Factory Board, Kolkata vide this office letter of even number dated 09 October 2014 and subsequent reminder dated 16 December 2014. However their reply is still awaited.</p> <p>It is also pertinent to mention here that a similar case has been taken up with DRDO (Pers 3) also vide this office note No.15902/MP-4(Civ)(b) dated 15 October 2014 and subsequent reminder dated 16 Dec 2014. The reply of DRDO is also awaited.</p> <p><u>OFB</u> 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 OFs.</p> <p>Also for functional reasons, Ordnance Factories do not allow transfers on regular</p>

		<p>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.</p>
	<p>h) Scrap Unwarranted Posting/Transfer Policy under CML of Group 'C' & 'D' Employees working under E-in-C's Branch.</p> <p style="text-align: right;">Action : D(Works-II)</p>	<p><u>D(Works-II)</u></p> <p>Action for review of posting policy is being done through a BOO order and all aspects are being taken care of in consultation with all the stake holders.</p>
	<p>i) Allotment of 18 seats to staff side in Naval Hqrs JCM-III Level Council instead of 14 seats in the present term.</p> <p style="text-align: right;">Action : D(N-II)</p>	<p><u>MoD(Navy)</u></p> <p>Allotment of 18 seats in NHQ JCM Level III Council to Staff Side has been held in abeyance, in view of the on-going court case in High Court of Madras and MoD/D(JCM) who have advised that 'Status Quo' to be maintained.</p>
	<p>j) Clarification of SRO 308/78 which is regarding retention of Govt. married accommodation for those employees who have been posted to Hard/Tenure/Field Station.</p> <p style="text-align: right;">Action : D(Q&C)</p>	<p><u>D(Q&C)</u></p> <p>To be responded in the meeting by the concerned Division.</p>
	<p>k) Recruitment of Store Officer under DRDO may be as per Admin Cadre of DRDO & RRs should be revised.</p> <p style="text-align: right;">Action : D(R&D)</p>	<p><u>DRDO</u></p> <p>Recruitment Rules are framed as per OM No.-AB14017/48/2010-Estt(RR), dated 31st Dec, 2010 issued by DoP&T. Accordingly, Recruitment Rules for the post of Admin Officer and Store Officer have been revised in consultation with DoP&T and UPSC. The method of recruitment for the post of Admin Officer and Store Officer is by promotion failing which by deputation and 65% by promotion failing which by deputation (including short term contract), 10% by deputation (including short term contract) failing which by direct recruitment and 25% by direct recruitment respectively.</p> <p>It is pertinent to mentioned here that, para 3.11.2 of part-III of OM referred above states that, "Promotion may be kept as a method of recruitment depending upon the availability of the field of consideration. Case should be taken to see that the base for promotion is strong; normally the feeder grade should range from 3 to 5 lines the number of sanctioned post in the higher grade, in case the post in the which grade is to be filled on selection basis."</p>

		<p>This is the reason why the method of Recruitment of Admin Officer and Store Officer is different.</p>
	<p>I) Regularize the provisional pension in the absence of Documentary Evidence.</p> <p style="text-align: center;"><u>Action : All Admn. Sections</u></p>	<p><u>DGDE</u> Action will be taken as per extant rule position.</p> <p><u>DGAFMS</u> As per laid down procedures, all pensioner documents of employees are submitted in the time and there are no pending cases requiring regularization in the absence of documentary evidence.</p> <p><u>DGQA</u> Payment of Provisional Pension and its subsequent regularization is done as per rules prescribed by the Govt. However, any specific case(s) may be intimated so that the same could be addressed by the Departmental Concerned.</p> <p><u>Air HQ</u> The grant of provisional pension is regulated under the Provisions of Rule 64 of CCS (Pension) Rules, 1972. Amendment in these provisions can be made only with the concurrence of Department of personnel & Pensioners' Welfare.</p> <p><u>D(Works-II)</u> The point is not understood. It may be elaborated further for examining the problem before taking any decision.</p> <p><u>MoD(Navy)</u> Guidelines for grant of provisional pension are contained in Rule 64 & 69 of CCS(Pension) Rules 1972. These are being followed in Navy.</p>
	<p>m) Minimum entry level pay w.r.t. (pre-revised scale of Rs.7500-12000) Assistant Account Officer of Defence Accounts Department of Rs.18750/-.</p> <p style="text-align: center;"><u>Action : Def Fin (AG/PB)/DAD(Coord) /CGDA</u></p>	<p><u>CGDA</u> The case was taken up with Ministry of Finance 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.</p> <p>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 and the case was listed for hearing</p>

		<p>on 29.01.2015. NDOH is awaited. On dismissal (as withdrawn) of two writ petitions filed before the Hon'ble High Courts of MP, Jabalpur, directions have been issued for the conditional payment to drop/vacate the Contempt proceedings, since the Contempt Notice of the same has been received.</p> <p>Opinion for filing of SLP in the apex Court has been obtained from the Ministry of Finance/Department of expenditure and the Ministry of Law and Justice also. The case filed has been forwarded to the Central Agency Section for their further necessary action regarding filing of SLP in the Supreme Court of India.</p> <p>In the another similar case, on dismissal of writ petition, opinion for filing of SLP in the apex court has been obtained from the Ministry of Finance/Department of expenditure and the same is under process for further necessary action.</p>
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