

Agenda submitted by 4 Federations/Confederations for discussions in the Steering Committee Meeting for 90th Departmental Council (JCM) to be held on 01.08.2014 under the Chairmanship of JS(E).

I. ALL INDIA DEFENCE EMPLOYEES' FEDERATION (AIDEF)

Agenda Item No. 1

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

The Government of India have introduced the Scheme of Joint Consultative Machinery (JCM) with the object of promoting harmonious relations and of securing the great measure of cooperation between the Government, in its capacity as the employer and the general body of its employees in matters of common concern and with the object, further of increasing the efficiency of the public service. However, it is regretted to inform here that for the past more than a decade the JCM Scheme of MoD has been completely diluted and the meetings of the JCM Council are not taking place for years together. On behalf of the entire Staff Side Members of the Departmental Council (JCM) and also the constituent organization of the Departmental Council (JCM) I am directed to bring the following concern of the Defence Civilian Employees to the notice of MoD.

- 1) The Departmental Council (JCM) of the MoD is set up to discuss and settle the service matters of the 4 lakhs Defence Civilian Employees working in the 41 Ordnance Factories, 50 DRDO Labs, all units under Army such as MES, EME, AOC etc. and the installations under Navy and Air Force.
- 2) As per the JCM Scheme "***the ordinary meetings of the JCM Council shall be held as often as necessary, and not less than once in four month.***", which means that at least 3 main meetings of the JCM under the Chairmanship of Defence Secretary and 3 Steering Committee Meetings under the Chairmanship of JS(E) should take place.
- 3) The last meeting of the JCM Council of MoD was held on 29.04.2011. After that no meeting of the JCM Council has taken place in 2012, 2013 and as on date in 2014. It is a fact that a few meeting of the Steering Committee under the Chairmanship of JS(E) has taken place. However, the decisions taken in the meeting are not getting implemented.
- 4) Your kind attention is drawn to the DO Letter written by the Secretary (Personnel) DOP&T who is the custodian of the JCM Scheme to all the Secretaries of the Government of India including Defence Secretary on 30th October, 2006 in which it is clearly stipulated that appropriate steps may be taken to make effective use of the JCM Machinery by holding regular meeting of the Departmental Council (JCM).
- 5) Your kind attention is also drawn to the Strike settlement reached between the three recognized Federations of Defence Civilian Employees and the MoD on 06.02.2014. In the minutes of the Strike settlement meeting it is clearly mentioned that timely meetings would be ensured. However, even after 4

months we have not received any intimation with regard to the holding of JCM Meetings.

- 6) After the Strike settlement reached on 06.02.2014, the three Federations jointly took a decision to postpone the Strike. To inform this decision the representatives of the three Federations met the Defence Secretary in his chamber on 12.02.2014 and during our discussion with Defence Secretary, he assured that regular meetings of the JCM Council of MoD would take place.

The Federations and the Defence Civilian Employees are very much upset about the non holding of the JCM Meetings and the members of the Council whose tenure is generally for 3 years have not attended even a single meeting of the JCM Council since the meetings are not taking place. Considering all these aspects it is proposed the following for the favorable consideration of the Defence Secretary and Chairman of the Departmental Council (JCM).

- a) Three main meetings of the JCM and three Steering Committee Meetings in a year may be regularly held.
- b) In the past the JCM Meetings used to be held for a full day, so as to enable all the members to participate in the JCM Meeting and contribute. However, at present the meeting of the JCM is restricted for three hours only. Therefore we suggest that the JCM Meeting may be held full day. **The first session may be chaired by concerned Addl. Secretary in which the progress / ATR of the issues raised by the Staff Side in the previous meeting can be discussed and settled. The second half of the session may be chaired by the Defence Secretary and this session can be dedicated for raising new issues by the Staff Side and also for discussing and settling the agenda points finalized in the Steering Committee Meetings.**
- b) The JCM Scheme provides that the Official Side (representing the Government) would conclude matters at meetings of the Councils. In other words there has to be spot settlement of all issues which come up for consideration in the Councils of the JCM.
- c) There used to be a system of referring issues on which detailed discussion are needed to Sub-committees, this has been given up. This should be restored.

The JCM Scheme is for peaceful bilateral settlement of the grievances. When the grievances are not settled in the Forum of JCM a situation of rising discontent is built-up over a long period and when it reaches its speak point, it burst into a confrontation. Due to this undue delay in settling grievances the efficiency of the Administration is severely affected.

In view of the above it is demanded that MoD may kindly ensure effective and serious functioning of the JCM Scheme as proposed above.

COMMENTS

The next meeting of Departmental Council (JCM) under the chairmanship of Defence Secretary is scheduled to be held on 29.8.2014. In future, efforts will be made to ensure that meeting of Departmental Council (JCM) under the chairmanship of Defence Secretary and Steering Committee meeting under the chairmanship of JS(E) are held regularly.

Agenda Item 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.

While thanking the Defence Ministry for issuing the clarification (MoD ID No. 11(5)/2009-D(Civ.-I) dated 06th February, 2014) immediately after the Strike demands negotiation held with the Addl. Secretary(A) on 06.02.2014 that the post of MCM was not in the 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 promotion post up to 31.12.2005 under ACPS may be considered for further financial up-gradations if due in the next Grade Pay (Rs. 4600/-) in the hierarchy of Grade Pays, we totally disagree with the Para (i) and Para (iii) of the above referred ID.

In this regard we wish to submit the following arguments / justification against the advice given by DOP&T and Department of Expenditure.

Advice of DOP&T and Department of Expenditure

"(i) As per provisions of MACP Scheme introduced w.e.f. 01.09.2008, financial upgradation is admissible in the hierarchy of Grade Pay and placement of Highly Skilled Workers (GP Rs. 2400/-) as Mastercraftsman (GP Rs. 4200/-) is very much considered as ladder in hierarchy of Grade Pays. Ignoring the placement of Highly Skilled and Mastercraftsman (Non-Functional) will be deviating the provisions of MACPS. Hence placement of Highly Skilled Workers as Mastercraftsman (MCM) prior to 01.01.2006 would be offset against one upgradation for the purpose of grant of ACP benefits."

Arguments / justification of AIDEF against the above advice.

1) After the implementation of 5th CPC recommendations MoD vide ID dated 20.05.2003 have issued orders for restructuring of the cadre of Artisan Staff in Defence Establishments. As per Para 3 (b) of MoD ID dated 20.05.2003 *"Master Craftsman shall not be part of the Hierarchy and the placement in this grade will not be treated as promotions for Highly Skilled grade either under normal promotion rules or under ACP Scheme."*

The Master Craftsman was in the Pay Scale of Rs. 4500-7000 and the same was 25% of HS Grade. The post of MCM was not in the hierarchy of Highly Skilled Worker and hence the next ACP due to the Highly Skilled Worker and MCM was granted in the next promotional hierarchy of HS and MCM i.e. in the post of Chageman in the Pay Scale of Rs. 5000-8000. This benefit was granted up to 31.08.2008, since, ACP Scheme was in force up to 31.08.2008. Moreover, the Pay Scale of MCM was upgraded from Rs. 4500-7000 to Rs. 5000-8000 based on the recommendations of 6th CPC / Fast Track Committee. Considering this situation the following facts are emerged.

i) As per Clarification No. 35 of DOP&T OM F. No. 35035/1/97-Estt.(D)/(Vol,IV) dated 18th July, 2001 any higher Pay Scale granted based on the recommendation of Pay Commission / Expert Committees etc. cannot be treated as a promotion / upgradation for the purpose of ACP Benefits. The relevant portion is reproduced below for your ready reference.

Sl. No.	Point of Doubt	Clarification
35	Whether placement / appointment in higher scales of pay based on the recommendation of the Pay Commission or Committees set up to rationalize the cadre is to be reckoned as promotion / financial upgradation and offset against the two financial upgradations applicable under the ACP Scheme?	Where all the post are placed in a higher scale of pay, with or without a change in the designation, without requirement of any new qualification for holding the post in the higher grade not specified in the Recruitment Rules for the existing post and without involving any change in responsibilities and duties then placement of all the incumbents against such upgraded posts is not be treated as promotion / upgradation.

The post of Master Craftsman was in a lower Pay Scale of Rs.4500-7000 when compared to their counter parts in the Railways who were holding the Pay Scale of Rs. 5000-8000. The AIDEF was demanding for upgradation of the Pay Scale of MCM at par with Railways. Accordingly, the Fast Track Committee constituted after the recommendations of 6th CPC has recommended for awarding the higher Pay Scale of Rs. 5000-8000 (revised Pay Band-2 + Grade Pay Rs. 4200/-) w.e.f. 01.01.2006. Accordingly, all the posts of MCM as on 31.12.2005 carrying the Pay Scale of Rs. 4500-7000 has been straightway placed in Rs. 5000-8000 without any change in the responsibilities and duties etc. Therefore, all those Master Craftsman who were in the non-hierarchical Pay Scale of Rs. 4500-7000 and subsequently placed in Rs. 5000-8000 in their case the higher Pay Scale granted cannot be treated as a promotion, likewise those who were granted such non-hierarchical Pay Scale, when ACP Scheme was in force in their case for the purpose

of MACP, which was implemented after 01.09.2008 it cannot be construed that the placement of Highly Skilled Worker as MCM prior to 01.01.2006 would be treated as a promotion. Therefore, it is automatic that those incumbents who were in the post of MCM prior to 01.01.2006 are eligible for next ACP / MACP in the Grade Pay of Rs. 4600/- as 2nd ACP/MACP since in their case they have got only one promotion i.e. Highly Skilled.

Advice of DOP&T and Department of Expenditure

"(ii) MCM being the feeder post to Chargeman and since both these posts have identical Pay Band and Grade Pay, financial upgradation under MACPS cannot be to a Grade Pay which is more than what is admissible in regular promotion."

Arguments / justification of AIDEF against the above advice.

As per the Recruitment Rules for Chargeman Highly Skilled is the feeder category for the Chargeman post and MCM is not the feeder category. Moreover, after 01.01.2006 the Pay Scale of MCM and Chargeman has become identical. Therefore, MCM is transferred / re-designated to Chargeman without any pay fixation benefit under FR-22 (1)(a)(1). Department of Expenditure has also not agreed for any pay fixation benefit under FR-22 (1)(a)(1), in case MCM is promoted to Chargeman. Therefore, there is no justification in treating MCM as the feeder category for Chargeman and denying the affected employees the Grade Pay of Rs. 4600/- under the MACP Scheme. DOP&T and Department of Expenditure has advised the MoD that whether MCM is the feeder post to Chargeman, is prima facie a question or fact to be established by the Administrative Ministry i.e. Ministry of Defence. Therefore, the MoD has to consider the Recruitment Rules of Chargeman in different directorates under the MoD and wherever MCM is not the feeder category for promotion to Chargeman then it has to be clarified that the MCM is eligible for next ACP / MACP in Grade Pay Rs. 4600/-.

Advice of DOP&T and Department of Expenditure

"(iii) Financial upgradation earned to non functional post of MCM is to be taken into account as 2nd financial upgradation in so far as MACPS is concerned".

Arguments / justification of AIDEF against the above advice

Government orders for implementing Fast Track Committee recommendations and restructuring of the Artisan Staff was issued on 14.06.2010 giving effect retrospectively from 01.01.2006. Many Skilled / Highly Skilled Workers were granted financial upgradation in the Pay Scale of Rs. 5000-8000 (revised Pay Band-2 + Grade Pay Rs. 4200/-) between 01.01.2006 to 31.08.2008 under the ACP Scheme of August, 1999. As per Point No. 11 of DOP&T OM No. 35034/3/2008-Estt.(D) dated 19th May, 2009 on the subject of MACP Scheme it is amply clarified that no past cases would be re-opened. Accordingly, MoD vide ID No. 11(5)/2009-D(Civ.-I) dated 01st December, 2010 have clarified that employees who were granted financial upgradation in the Pay Scale of Rs. 5000-8000 between the period from 01.01.2006 to 31.08.2008 under ACP Scheme of 1999 will not be withdrawn, even though a new grade of HS-I was introduced retrospectively from 01.01.2006. Any policy decision on service matters implemented retrospectively should not adversely affect the existing employees. This legal position is already

established by the Hon'ble Supreme Court in the case of Chairman, Railway Board vs/ C.R.Rangadhamaiah (1997) 6 SCC 623, 1997 SCC (L&S) 1527. Supreme Court in this judgment has observed "*The amendment which operates in a future so as to govern future rights of those already in service cannot be assailed on ground of retro-activity has being violative of the Article 14 and 16 of the Constitution, but a rule which seeks to revert from an anterior date a benefit which has been granted or availed of e.g. promotion for pay scale, can be assailed as being violative of Articles 14 and 16 of the Constitution to the extent it operates retrospectively.*" Therefore, employees who were already granted ACP of Rs. 5000-8000 (revised Pay Band-2 + Grade Pay Rs. 4200/-) are also eligible to get the next Grade Pay of Rs. 4600/- under the MACP Scheme as and when they complete 20/30 years without imposing the condition that the individual has been retrospectively given the grade of HS-I w.e.f. 01.01.2006 onwards.

In view of the above submission on all the four advice given to the MoD by DOP&T and Department of Expenditure, the MoD may kindly re-examine the entire issue and clarifications on the subject matter as mentioned above may please be issued.

COMMENTS

The issue was re-examined in consultation with DOP&T. DOP&T vide their ID No. 106253/CR/12 dated 8.10.2013 had not agreed to the proposal for granting 3rd MACP in the GP of Rs 4600 to the Mastercraftsman who were drawing GP of Rs 4200 on account of 2nd ACP and completed 30 years regular service on or after 1.9.2008 and eligible for 3rd MACP.

The post of MCM was not in the hierarchy of Artisan Staff cadre up to 31.12.2005. The issue regarding grant of ACP in the next grade pay (Rs.4600) in the hierarchy of grade pays to the Highly Skilled Grade/MCM who were already drawing the pay scale of Chargemen (Rs.5000-8000) viz the promotional post up to 31.12.2005, has been considered in consultation with Defence Finance (AG/PB). Orders in this regard have been issued vide MoD ID No. 11(45)/2009-D(Civ-I) dated 6.2.2014.

Agenda Item No. 3

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

The Cochin Naval Base Civilian Workers Union (AIDEF) filed a Court Case along with the affected employees for regularization of casual service of the employees with all consequential benefits. The Hon'ble CAT Ernakulum vide its order dated 25th July, 2007 had allowed the OA and according to the Southern Naval Command had taken necessary action for implementation of the Court Order. IHQ of MoD (N) vide CPT (L)/8000/OA 750/2005 dated 01st December, 2008 has already conveyed approval for implementation of the order. Accordingly, details for charged expenditure sanction in respect of affected individuals have been

forwarded to IHQ of MoD (N)/ DCPS vide Southern Naval Command letter dated 12th December, 2011, 01st January, 2013 and 25th June, 2013. However, charged expenditure sanction towards implementation of the Court Order is still awaited from IHQ of MoD (N).

In a similar case OA 548/2009 filed subsequently by another set of employees was allowed in favor of the employees and necessary charged expenditure sanction was accorded by IHQ of MoD (N) vide Letter dated 20th December, 2013. Thus, Court order dated 05th February, 2010 in OA 548/2009 is being implemented whereas the order passed on 25th July, 2007 in OA 750/2005 is yet to be implemented. This is discrimination and amounts to contempt of Court. Therefore, it is requested that the charge expenditure to implement the Court Order may please immediately be sanctioned.

COMMENTS : To be responded in the meeting by the concerned Division.

Agenda Item No. 4

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

The Hon'ble CAT Ernakulum Bench in OA No. 724/11 dated 17th day of December, 2012 has directed the NHQ. Authorities for extending the benefit under Rule 13 of CCS (Pension) Rules of 1972 to the employees who were holding temporary status instead of the New Pension Scheme. The Department filed an appeal in the Hon'ble High Court of Kerala and the Hon'ble High Court of Kerala vide its Order dated 23rd August, 2011 has dismissed the appeal of the Department. The plea of the Petitioners were to induct them into the statutory Pension Scheme instead of the New Pension Scheme. The Hon'ble High Court has given the following judgment.

"7. In that view of the matter, as they were, discharging their duties on temporary, basis without any interruption as contemplated under Rule 13 of 1972 Pension Rules, we are of the opinion, CAT was justified in allowing the applications filed by the respondents / applicants. We find no good ground to interfere with the order passed by the Tribunal. Accordingly, the petition is dismissed."

The Southern Naval Command has forwarded the case to IHQ of MoD (N) for implementation of the judgment; since many of the Petitioners are due to retire from service. It is understood that the matter is pending with MoD for a final decision. It is demanded that at the first instance the judgment of the Court may please be implemented for the Petitioners to avoid contempt of Court and thereafter a general order may be issued for extending the benefit to similarly placed Employees.

COMMENTS : To be responded in the meeting by the concerned Division.

Agenda Item No. 5

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

National Litigation Policy : Recently the Government of India published its National Litigation Policy. Certain relevant portions of the National Litigation Policy related with the matter which we are representing here is given below for the ready reference of the Commission.

"2. Government must cease to be a compulsive litigant. The philosophy that matters should be left to the courts for ultimate decision has to be discarded. The easy approach, "Let the court decide," must be eschewed and condemned."

V. Filing of Appeals

"C) Given that Tribunalisation is meant to remove the loads from Courts, challenge to orders of Tribunals should be an exception and not a matter of routine."

DOP&T instructions for compliance of High Court / Supreme Court Judgments based on the 44th report of the Parliamentary Standing Committee on Home Affairs : Attention of the 7th CPC is invited to the DOP&T OM No. A11019/2/98-AT dated 03rd September, 1998 (Copy enclosed as Annexure-I) wherein it is clearly stipulated that *"appropriate steps be taken by all the Ministries / Departments of the Government of India / Union Territories for timely redressal of the genuine grievances of the employees so that minimum of these employees take recourse to CAT / Courts. It is also mentioned in the above OM that all Department should ensure that matters relating to improvements in service rules and conditions as may become necessary due to various pronouncements of Courts wherever necessary, receive priority attention."*

Recommendation of the 5th CPC with regard to extending judicial decisions in matters of a general nature to all similarly placed employees.

*"126.5 We have observed that frequently, in cases of service litigation involving many similarly placed employees, the benefit of judgment is only extended to those employees who had agitated the matter before the Tribunal / Court. This generates a lot of needless litigation. It also runs contrary to the judgment given by the Full Bench of Central Administrative Tribunal, Bangalore in the case of C.S. Elias Ahmed and Other Vs. UOI and Others (O.A.Nos. 451 and 541 of 1991), wherein it was held that the entire class of employees who are similarly situated are required to be given the benefit of the decision whether or not they were parties to the original writ. Incidentally, this principle has been upheld by the Supreme Court in this case as well as in numerous other judgments like G.C.Ghosh vs UOI, (1992) 19 ATC 94 (SC) dated 20.07.1998; K.I. Shepherd vs UOI (JT 1987 (3) SC 600); Abid Hussain vs UOI (JT 1987 (1) SC 147) etc. **Accordingly, we recommend that decisions taken in one specific case either by the judiciary or the Government should be applied to all other identical cases without forcing the other employees to approach the Court of Law for an identical remedy or relief. We clarify that this decision will apply only in case where a principle or common issue of general nature applicable to a group of***

category of Government employees is concerned and not to matters relating to a specific grievance or anomaly of an individual employee.

Few example cases where employees are forced to go for multiplicity of litigation even after decision by the Hon'ble Supreme Court and also CAT judgments given based on earlier judgments of the Supreme Court.

In spite of the position mentioned above the fact remains that even in the case of judicial decisions in matters of a general / common nature, the Government has taken a stand only to extend the benefit to those employees who have approached the Court of Law. This Federation can give many examples in this regard. However, considering the precious time of the 7th CPC we restrict ourselves to the following four cases.

a) **Grant of MACP benefits in the promotional hierarchy** : The Government of India in modification of the ACP Scheme introduced by the 5th CPC, implemented a revised MACP Scheme based on the recommendations of 6th CPC. In the ACP Scheme the benefit was given in the next promotional hierarchical post in the Cadre, whereas in the MACP Scheme only the next Grade Pay in the Pay Band is given. Since, this is a major discrimination the Staff Side of the National Council (JCM) raised the matter in the National Anomaly Committee demanding to grant MACP benefits in the promotional hierarchy as was available in the earlier ACP Scheme. However, the Government has not agreed for the same. Aggrieved by this one employee by name Shri. Raj Pal approached the Hon'ble CAT Chandigarh. The CAT in its judgment dated 31.05.2011 in OA No. 1038/CH of 2010 has directed the Government to grant the benefit under MACP Scheme in the promotional hierarchy of the individual. Against this judgment of the CAT the Government of India has filed an appeal before the High Court of Punjab and Haryana. The High Court in its order dated 19.10.2011 in CWP No. 19387 of 2011 (O&M) has upheld the decision of the CAT and the appeal of the Government was dismissed. The Government against filed an SLP in the Supreme Court against the order of the High Court. The SLP of the Government was dismissed by the Supreme Court of India on 15.04.2013 (CC 7467/2013). From this it is evident that the law is established that the MACP benefit should be granted only in the promotional hierarchy. However, the DOP&T have issued instructions to implement the judgment only to the Petitioners who filed the case.

Subsequently since the similarly placed employees were not given the benefit a group of employees of Military Farms under the Ministry of Defence approached the CAT Principal Bench New Delhi. The Principal Bench CAT also reiterated the decision of CAT Chandigarh to grant MACP benefits in the promotional hierarchy. Another set of employees posted at NCERT, New Delhi also approached the Principal Bench CAT for extending the above benefit to them also. In this case (OA No. 864/2014 dated 12.03.2014) the CAT has given the following direction. "3. *In our considered view, once an order has been passed by this Tribunal and it has also been upheld at the level of the Supreme Court, there is no question of waiting for an approval from any Government Department for*

implementation of the same. The respondents, therefore, should have considered the representations of the applicants on merits.

4. In view of the above position, we dispose of this OA at the admission stage itself with the direction to the respondents to consider the representations of the applicants in the light of the judgment of Punjab and Haryana High Court in CWP No. 19387/2011 (Supra) as upheld by the Apex Court in SLP (CC) No. 7467/2013 (Supra) and decided their cases under intimation to them. The aforesaid exercise shall be completed within a period of one month from the date of receipt of a copy of this order. There shall be no orders as to costs”.

In spite of the above position the Government has not issued a general order for extending the benefit to all similarly employees.

COMMENTS

As per existing Govt. policy, the Central Govt. employees are eligible for getting 3 financials up-gradations in the next grade pay on completion of 10, 20 & 30 years of services respectively. The CAT Chandigarh order quoted by the Staff Side is in different context.

It is stated that D(QS)/Military Farm has referred the similar case (OA No. 904/2012) wherein Hon'ble CAT (PB) in its order dated 26.7.2012 had passed direction for granting MACP in the promotional hierarchy. The matter was referred to DOP&T who had advised to contest the case **as the same was against the Govt. policy**. D/o Legal Affairs had also supported the views of DOP&T.

It is further stated that Hon'ble CAT order dated 26.1.2012 has been challenged by filing W.P. © 4662/2013 in Hon'ble High Court of Delhi. Hon'ble High Court of Delhi has granted stay on Hon'ble CAT order dated 26.11.2012 vide its order dated 26.7.2013. The matter is sub judice.

b) **Revision of Night Duty Allowance in revised Pay Scales to Defence Civilian Employees** : The Hon'ble CAT Jodhpur Bench in its judgment in OA No. 34/2008 dated 05.11.2009 has directed the MoD to revise the Night Duty Allowance on the basis of the actual salary (6th CPC Pay Scale) w.e.f. 01.04.2007 for all the similarly situated employees. The Government filed Appeal in the High Court which was dismissed and Government approached the Supreme Court and the Supreme Court also dismissed the SLP of the Government. However, even though the Court has ordered payment of Night Duty Allowance for all similarly situated employees the Government has extended the benefits only to the Petitioners which amount to non implementation of Court Judgment and contempt of Court. Apart from this the CAT Madras Bench in its judgment in the case of Engine Factory Avadi Employees Union has directed the MoD to revise Night Duty Allowance rates w.e.f. 01.01.1996 in 5th CPC Pay Scale and from 01.01.2006 in 6th CPC Pay Scale. The judgment was implemented only for the Petitioners of Engine Factory. Aggrieved by this the Unions Affiliated to AIDEF functioning in HVF Avadi, OF Thiruchy and HAPP Thiruchy have already filed Petitions in the CAT claiming for similar benefit

The Judgment of the Hon'ble CAT Jodhpur is including for the similarly placed employees. However, the Government has not yet extended the benefit to similarly placed employees.

COMMENTS

NDA to the categories identified by MoD is being paid on the basis of DOP&T guidelines. Since 1989 there has been no change in these guidelines and as intimated by DOP&T, the Govt. is in the process of rejecting the Board of Arbitration Award on this issue. As such, MoD cannot take a decision which may be contrary to the stand of DOP&T. Therefore, MoD has taken a conscious decision not to revise NDA based on revised pay structure.

Further, the advice of LA(Def) has been sought on the term "Similarly situated persons" with reference to Hon'ble CAT Jodhpur Judgment. Deputy L.A. reiterated their earlier opinion which was related to Hon'ble CAT Chandigarh Judgment. However, he has ordered that MoD may again consult the DOP&T and MoF on the said proposal, if deemed necessary. MoD has already consulted the concerned Departments and taken the conscious decision of not to revise NDA on actual salary basis.

(c) Placement from HS Grade to HS Grade-I should be ignored for granting MACP : The MoD while implementing Four Grade Structure for Artisan Staff w.e.f. 01.01.2006 have placed 50% of HS Employees in the Grade Pay of GP Rs. 2400/- to GP Rs. 2800/- by re-designating them as HS Grade-I. This Federation demanded for treating this as a placement and ignore the same for MACP benefits, quoting various Judgments of the Supreme Court in our support. However, the department rejected our demand. Aggrieved by this the employees of 505 Army Base Workshop, Delhi has approached the CAT Principal Bench, New Delhi. The Principal Bench, New Delhi has directed the respondents as follows.

"11. Considering the above facts and going by the ratio of F.C.Jain s case (supra), we quash and set aside the impugned orders dated 12.05.2012, 01.12.2010 and 20.06.2011 to the extent these letters declare the Grade Pay of Rs. 2800/- as promotion for the purpose of MACP for the workers in the Highly Skilled Grade Pay of Rs. 2400. It is further ordered that the Highly Skilled workers in the Grade Pay of Rs. 2400/2800 will be eligible to the Grade Pay of Rs. 4200/- on the 1st financial upgradation under MACP Scheme. The OA is accordingly allowed. No costs."

In another similar case the CAT Calcutta Bench in OA 172 of 2012 dated 16th January, 2014 has given the following judgment.

"13. The respondents have thus failed to disclose the reason as to why the placement of erstwhile (pre 1.1.06) Highly Skilled workers to Highly Skilled Gr.I in terms of seniority and Highly Skilled Gr.II in the ratio of 50:50 due to restructuring of artisan cadre be treated as a promotion. We find from a clarification dated 10.02.2000 that mobility under ACPs is to be allowed in the existing hierarchy. Any selection grade / in situ promotion which is not a part of the hierarchy shall not be

counted as promotion for the purpose of ACPs which any supports the applicants' case.

14. Being not supported by any cogent reason we hold that the placement of erstwhile (pre 1.1.06) HS to HS I due to cadre restructuring effected on 13.12.10 w.e.f. 1.1.06, should not be treated as a promotion for the purpose of MACP. Consequently, we hold that the applicants shall be entitled to MACP.

15. Accordingly we quash the para 2(1) of the impugned order dt. 1.12.10 and direct the respondents to examine the claim of each of the applicants for grant of MACP benefits as applicable and pass appropriate orders within three months. The OA is allowed in aforesaid terms. The applicants are directed to pay individual Court fees."

(Please Note : Both the above judgments were given by the CATs based on the principle laid down by the Hon'ble Supreme Court in the case of C.C.Padmanabhan and Ors. Vs. Director of Public Instruction and Ors. [AIR 1981 SC 64] and Director, Central Rice Research Institution, Cuttack & Anr. Vs. Shri. Khetra Mohan Das [JT 1994 (6) SC 482] and also Union of India & Anr. Vs. S.S.Rande [1995 (4) SCC 462] where the Hon'ble Apex Court while re-iterating the finding of an earlier decision viz. Lalit Mohan Deb Vs. Union of India [1973 (3) SCC 862]).

COMMENTS

On the basis of the 6th CPC recommendations, MoD vide letter No. 11(5)/2009-D(Civ-I) dated 14.6.2010 restructured the cadre of Artisan staff in 4 Tier Grades w.e.f. 1.1.2006. 45% of post has been granted the pay scale of skilled workers (GP of Rs 1900 in the Pay Band-1); 25% of the remaining 55% has been granted the pay scale of MCM (GP of Rs 4200 in the Pay Band-2); and the remaining post is divided in a ratio of 50:50 and re-designated as HS worker Gd-II (GP of Rs 2400 in the Pay Band-1); and HS worker Gd-I (GP of Rs 2800 in the Pay Band-1). As per the provisions of MACPS introduced w.e.f. 1.9.2008, financial up-gradation is admissible in the hierarchy of grade pay. The demand for placement from Highly Skilled Grade to Highly Skilled Grade-I to treat as placement not promotion, was taken up with Nodal Department i.e. Deptt of Personnel & Training twice but the same was not agreed to by them.

It is worthwhile to mention here that 17 OAs filed by the Defence Civilian employees of 515 ABW on the similar issue in the CAT Bangalore have been dismissed by the Hon'ble CAT by a single order dated 18.9.2013.

d) Reimbursement of medical claims for inpatient treatment to the Defence Civilian Employees who are getting Fixed Medical Allowance.

A large number of Defence Civilian Employees are posted in remote and field areas in various Army and Air Force Units. These employees and their family members for availing medical treatment are not covered under any Medical Scheme including CS(MA) Rules and CGHS. These employees are given a meager amount of Rs. 100/- per month as Fixed Medical Allowance for the entire family. These employees are also not entitled for taking any inpatient treatment in any Hospital. We are repeatedly representing to the Government to revise the Fixed Medical Allowance which was fixed after 5th CPC recommendations and also to extend them

the benefit of availing inpatient treatment in any Government Hospital or recognized private Hospitals. However, the Government has not considered our demand. In this situation one employee who is working in MES under the Army at Bhisiana, district Bhatinda suffered from a cronic Hepatitis C-Genotype which was diagnosed by PGI, Chandigarh. He was admitted as an inpatient in the same Hospital and underwent medical treatment. The Hospital charged an amount of Rs. 2,34,674/-. When the individual applied for medical reimbursement he was denied the same on the plea that he is getting Fixed Medical Allowance Rs. 100/- per month.

Aggrieved by the stand of the authorities he approached the Hon'ble CAT Chandigarh Bench. The CAT in its judgment in OA No. 937-PB/2010 dated 28.07.2011 has directed the Authorities to consider his medical reimbursement claim and pass necessary orders for payment of admissible amount as per rules. However, the Authorities instead of implementing the judgment filed an appeal in the High Court of Punjab and Haryana. The High Court vide its order dated 11.05.2012 in C.W.P. No. 8807 of 2012 has given the following directions. *"In view of the above, we dismiss this writ petition being without any merit, with costs, which are assessed at Rs. 50,000/- to be recovered from the salary of the official/officer, on whose instructions, the instant writ petition had been filed."*

The above judgment was implemented only for the petitioners. Whereas, the principle of reimbursing the medical expenditure incurred by an employee even if he is getting Rs. 100/- FMA per month is established by the High Court. The Government has not yet issued a general order in this regard.

The above are only a few cases, whereas there are so many other cases were on various service matters which is of a general and common nature, the Government has extended the benefit only to the Petitioners.

The stand of the Government to go on filing appeal against the CAT Judgments and implementing such Judgments only to the Petitioners is against the National Litigation Policy and also against the DOP&T instructions. Therefore, this agenda may be admitted for discussion and settlement in the main JCM Meeting.

COMMENTS

The issue has been referred to M/o Health & F.W. for consideration vide MoD letter dated 24.12.2013. However, their reply is still awaited despite a DO reminder dated 4.3.2014. Another reminder is being issued.

Agenda Item 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.

The above mentioned category of employees are workers under the provisions of Factories Act 1948 as already certified by the Chief Inspector of Factories of various State Governments. Accordingly, these employees are eligible for Over Time Wages under the provisions of Factories Act 1948. Accordingly, OFB has forwarded a proposal to the MoD / DDP and the proposal is not yet approved. The number of such affected employees in all the 41 Ordnance Factories is only below 200. There is no justification in delaying the decision making process in this case, since it will be a clear violation of the Factories Act 1948. Therefore, it is demanded that necessary Government orders in this regard may please be issued.

COMMENTS : To be responded in the meeting by the concerned Division.

Agenda Item No. 7

Grant of PRIS to the DRDO employees.

Based on the recommendations of the 6th CPC Scientific and Research Organization like ISRO, Department of Atomic Energy (DAE) and DRDO formulated Performance related Incentive Scheme (PRIS) to their employees. The Government has already approved the proposal of ISRO and DAE and at present the employees of these two organizations are paid PRIS. However, the PRIS formulated by DRDO is not yet seen the light of the day inspite of the recommendation by the Committee of Secretaries headed by the Cabinet Secretary. The AIDEF is repeatedly representing for the approval of the same. The Ministry of Defence has approved the Scheme and has forwarded the same to the Ministry of Finance for their approval. However, we regret to inform you that till date the PRIS for DRDO employees is not yet approved. This is a discrimination meted to the DRDO employees.

After the repeated representation to the then Hon'ble Defence Minister Shri. A.K.Antony, he has informed the AIDEF vide his DO Letter dated 21st April, 2014 that the Ministry of Finance has already being requested to consider the proposal for grant of Organizational Level PRIS to DRDO employees for the year 2011-2012 and 2012-2013. A copy of the reply received from the then Hon'ble Defence Minister is enclosed herewith for your kind ready reference.

Subsequently, the AIDEF has also represented to the present Hon'ble Defence Minister vide letter dated 02nd June, 2014. It is requested that the issue may be settled without further delay.

COMMENTS

Hon'ble RM has written a DO letter to Hon'ble FM to consider PRIS for DRDO for 2011-12 and 2012-13. The DO letter was acknowledged by Hon'ble FM for further examination in this regard. PMO has been approached.

Agenda Item No. 8

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

MoD has ordered the restructuring go of the Artisan Staff vide MoD Order No. 11(1)/2000/D(Civ-1) dated 20th May, 2003. This order specifically mentions that all the Trades classified as Skilled including left out trades are eligible for the Inter-grade Ratio of 45% Skilled, 55% HS and 25% of HS as MCM. While in all other Defence Establishments this order was implemented, the same was not implemented at ALC Pune. The Staff Side representatives of DGAFMS JCM-III Level Council was raising this issue repeatedly. Since, there was no settlement the ALC Employees Union (AIDEF) has given a Strike notice to settle this demand. On the Strike notice the DGAFMS invited the Union for a meeting. In the meeting it was informed that the Pay Scale of Rs. 4500-7000 (MCM Pay Scale upto 31.12.2005) granted to the various Tradesman of ALC, Pune will be ignored and accordingly they will be given ACP in the Grade Pay of Rs. 4800/4600. Accordingly, the proposal for 22 Employees to grant the above ACP benefits has been taken up with the LAO (A), Pune. The LAO (A), Pune has referred the matter to PCDA, Pune. The PCDA, Pune has not yet approved the proposal.

However, the demand of the Federation is that since the following categories of Artisan Staff of ALC, Pune is specialized category and the Direct recruitment takes place only at HS Level in the pre revised Pay Scale of Rs. 4000-6000, 25% of the total 51 Tradesman in different categories should have been given the MCM post w.e.f. 20th May, 2003. Accordingly, these employees should be granted ACP benefits by ignoring the placement from HS to MCM w.e.f. 09.08.1999 and onwards. Therefore, due to the failure of the Administration to implement the MoD order dated 20th May, 2003 the employees of ALC, Pune should not be subjected to financial loss and hardship. Therefore, MoD is requested to issue necessary orders to DGAFMS / ALC, Pune in this regards.

COMMENTS

Initially industrial workers of DGAFMS was restructured in terms of MoD letter dated 16.10.1981. Ibid order also provided for up-gradation up to 5% of posts from Skilled Grade/HS-III to HS-II/HS-I respectively but the same was not implemented. Later on MoD order dated 21.10.1982 creating the grade of Master craftsman in the pay scale of Rs 425-640 was also not implemented by DGAFMS on the grounds that none of the employees were eligible for MCM as there was no HS-I grade. Subsequently, industrial employees of ALC Pune were required to be placed in the ratio 15:10:65 (HS-I:HS-II: Skilled Grade) as per MoD letter dated 15.10.1984 but the same was also not implemented as there was no HS-I grade. 4th CPC had made specific recommendations for the employees of ALC Pune and on the basis of the same, various posts of ALC Pune were given upgraded pay scales. 5th CPC had also made specific recommendations for restructuring of the Tradesman and Supervisory Staff of ALC Pune in line with the workshop staff but the same also not implemented by ALC Pune. 6thCPC has not made any specific recommendation on this issue.

It is clear that no effort was made at any stage to bring parity in the cadre of ALC Pune and those in other Defence Estts till issuance of MoD order dated 20.5.2003 when 25% of the posts of HS grade were placed as MCM. As existing structure of ALC Pune do not fall in line with the policy contained in MoD letter dated 20.5.2003 and 14.06.2010, the structure contained therein cannot be extended to them.

However, in order to overcome the present situation, only option left is that the cadre controlling authority [D(Med)] shall carry out a cadre review/restructuring of the artisan staff of ALC Pune in terms of instructions issued by DOP&T/MoF to bring it in line with artisan staff in other Defence Estts. Accordingly, DGAFMS/D(Med) have already been advised.

Agenda Item No. 9

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

1) At present there is no employment guarantee for the trained Trade Apprentices in the Apprentice Act.1961. In the past the Defence Establishments used to recruit trained Trade Apprentices based on batch wise seniority as and when vacancies arises in the Establishments in which they are trained. This was beneficial both to the organisation since the Establishments were getting trained man power in Defence Production Technology & the Apprentices since they were ensured of a job as and when vacancies arises in the Defence Establishments. Subsequently due to a Supreme Court judgement the Defence Establishments are forced to go for open recruitment drive and to conduct written examination and practical test for selection. The only preference the trained Trade Apprentice is getting is that if the marks obtained in the test are same. Due to this the procedure has become cumbersome and the trained Trade Apprentices are also frustrated and demoralized. In this situation to provide an employment guarantee for the Trade Apprentices in the trained Establishments we propose the following.

a) A provision in the Apprentice Act 1961 may be incorporated to provide at least 50% reservation on batch wise seniority for recruitment as and when vacancies arise in the Establishment in which the Apprentice was trained. Remaining 50% may be kept for open recruitment drive in which the trained Trade Apprentices of the same Establishment can apply at par with other Trade Apprentices.

b) The trained Trade Apprentices of the same Establishments should not be subjected to written examination, since the questions on objective pattern is being asked from the current NCVT syllabus of the relevant trade. The trained Trade Apprentices who have completed the training some 5 to 10 yrs. before are not able to fully answer the questions since these questions were not based on the syllabus which the individual has studied during his Apprenticeship Training. Therefore it is proposed that only practical test to assess the suitability of his knowledge in the relevant trade should be conducted. No scoring mark is required to be given so as to avoid any manipulation. There should be only a 'Pass' or 'Fail'.

After the individual pass the practical test the merit list may be prepared based on the Date of Birth / Age Seniority in UIUOBC/SC/ ST & PH etc. Moreover a training programme may be evolved by the respective institutes to give them a training / coaching prior to the practical test.

The above proposal may please be taken up with the Ministry of Labour by MoD, since the Ministry of Labour is in the process of amending various provisions of Apprenticeship Act.

COMMENTS

Comments have been sought from all the lower formations of Ministry of Defence. After receipt of the same, the matter will be taken with Ministry of Labour for amendment in Apprentice Act, 1961.

Agenda Item No. 10

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

As per the DOP&T guidelines on DPC dated 10th April, 1989 "**..... A vacancy shall be filled in accordance with the 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.**"

From the above it is amply clear pending amendment of Recruitment Rules, no promotion and DPC should be delayed, otherwise the employees will be subjected to undue financial hardship. The DGEME has taken a stand that no DPCs will be held till the RR's are amended. Due to this for the past many years DPC's are not held and promotions are not taking place. This is against the DOP&T's guidelines on the subject matter. It is therefore requested that MoD may kindly issue a general guidelines for holding DPC and promotion in the existing RR till the RR is amended.

COMMENTS: To be responded in the meeting by the concerned Division.

II. Indian National Defence Workers Federation (INDWF) :

Agenda Item No. 1 (New)

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

Ministry of Defence vide their letter No. 11(5)/2009-D(Civ-I) dated 14.06.2010 granted Restructuring of Artisan cadre by bifurcating the last while HS grade into HS-II and HS-I by placing 50% of the sanctioned/authorized posts of HS w.e.f. 01.01.2006 by granting one time relaxation of the conditions i.e. trade test, qualifying service etc., as one time measure up to this period of 14.06.2010 and not beyond the period which was communicated by OFB as informed by MoD ID No. 45/01/2011-D(Estt/NG) dated 30.03.2012 that the matter has been examined and it has not been found possible to extend the one time relaxation of the conditions i.e. trade test etc. as one time measure beyond the period 14.06.2010.

In this respect, we would like to submit that the MoD order was issued on 14.06.2010. After seeking clarification from MoD and the operative instructions were issued by OF Board to all Ordnance Factories vide their letter No. 01/CR/A/1/658 dated 13.12.2010 for implementations of the cadre restructuring of Artisan Staff.

One time relaxation of conditions of trade test and qualifying service etc. which was granted to those IEs of HS-II grade and their promotions to HS-I grade after 14.06.2010 was treated as cancelled after receiving MoD letter No. 45(01)/2011-D(Estt/NG) dated 30.03.2012 for want of trade test after conducting trade test during the year 2012, the promotions were granted to the employees at on later date among the vacancies were available between 01.01.2006 and 14.06.2010, due to which the HS-II grade employees were eligible for placement/promotion after 01.01.2006 and before 14.06.2010 but were granted and cancelled the promotions due to want of trade test.

It is, therefore, requested that one time relaxation in respect of trade test etc. may be granted till 31.12.2010 since the orders were issued during December 2010 or the benefit of promotions be given to those employees from the date of their eligibility as per SRO taking into account of their trade test results which was conducted at a later date for no fault of individuals. It is requested to consider the above proposal and accordingly the sanction to that effect may be issued to benefit these employees who have lost their promotions.

COMMENTS

It is stated that artisan cadre was restructured w.e.f. 1.1.2006 as per MoD letter No. 11(5)/2009-D(Civ-I) dated 14.6.2010, which was addressed to all concerned. 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. 1.1.2006, 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 1.1.2006 to 14.6.2010 (date of issue of order). The question of extending the one time relaxations beyond 14.6.2010 does not arise.

Agenda Item No. 2 New)

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

Alike Railway Recruitment Board for Railways and CEPTM appointed for DRDO, a Central Recruitment Board for recruiting the Group 'C' posts both industrial and non-industrial posts was demanded and the same was agreed to and a proposal was sent to Deptt. of Defence Production about 3 years back. OF Board established an office at Nagpur by deputing/posting the officers for the purpose but till date approval has not been given by DDP.

Due to this delay for a Centralized Recruitment Board for Ordnance Factories, though thousands of vacancies are released for Direct recruitment, this could not be carried out by the Factories as the factories are finding it difficult to scrutinizing the applications, conduct written test etc. as they are not experts in the recruitment process. Due to large number of complaints, the recruitment process was cancelled and inquiries were ordered to verify the complaints. In the process the large number of vacancies kept unfilled for years together.

It is, therefore, demanded to issue approval for appointment of Recruitment Board for Ordnance Factories as well as for all Directorates under MoD.

COMMENTS

The matter is under consideration.

Agenda Item No. 3 (Old)

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 6.2.2014 taken by AS(A)).

"Agenda Point No.5 - Grant of revised ACP benefits to the labourers who have completed 30 years of service by granting an one time exemption of Trade Test. (MoD's recommendation in the matter is pending with DoP&T).

Decision: To get the matter expedited, a meeting with DOP&T is to be held. "

COMMENTS

The proposal seeking one time relaxation for conducting Trade Test in the case of Labourers/Workers, as on date for grant of MACPS benefits on completion of 30 years i.e. from a retrospective date, was referred to DOP&T. DOP&T vide their reference dated 12.2.2014 has inter-alia clarified that for grant of 3rd MACPS benefits to employees completing 30 years as on 1.9.2008, passing of trade test is

not mandatory. However, 'Benchmark' as prescribed in para 17 of the MACPS is mandatory.

Agenda Item 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 6.2.2014 taken by AS(A)).

"Agenda Point No. 7 - Revision of Night Duty Allowance w.e.f. 01.01.1996 and from 01.01.2006 in the 5th and 6th CPC rates respectively by implementing the Court Judgments on the subject.

Decision: Defence Finance will look into the matter expeditiously."

COMMENTS

NDA to the categories identified by MoD is being paid on the basis of DOP&T guidelines. Since 1989 there has been no change in these guidelines and as intimated by DOP&T, the Govt. is in the process of rejecting the Board of Arbitration Award on this issue. As such, MoD cannot take a decision which may be contrary to the stand of DOP&T. Therefore, MoD has taken a conscious decision not to revise NDA based on revised pay structure.

Agenda Item No. 5 (Old)

In DGQA, during the period from 15.09.1995 to 20.9.1999 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 27.9.2013).

"38. 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 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 re-submitted the proposals. This is still pending and may be cleared at the earliest."

COMMENTS

The case regarding grant of higher pay scale to Draughtsman-III of DGQA was taken up with MoD and the same was received back on 29.5.2014 from IF/DS requesting for a copy of MoF O.M.No. 6/1/98-1C dated 1.6.2001. The case file has been resubmitted to AFA(DS) on 2.6.2014 along with copy of desired O.M. Presently the case is under consideration with MoD Fin.

Agenda Item 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.

After implementation of 6th CPC that pre-revised all Group 'D' feeder and promotional post accordance with Recruitment Rules, 1989 SRO 14-E pay scale i.e. Rs 2550-3200, Rs 2610-4000 (S 2A) & Rs 2750-4400 has been merged in Group 'C' revised pay structure of Grade Pay of Rs 1800/- in the 6th CPC w.e.f. 01.01.2006.

As per DOP&T O.M. No. 35034/3/2008-Estt(D) dated 16.11.2009 received vide OFB instruction No. 58/2009/(PCC) dated 18.11.2009 and DOP&T O.M. No. 35034/3/2008-Estt(D) dated 09.09.2010 received vide OFB instruction No. 81/2010/(PCC) dated 13.10.2010 have conveyed on the recommendation of 6th CPC that erstwhile NIE Group 'D' feeder and promotional pre-revised pay scale i.e. Rs 2550-3200, Rs 2610-4000 (S 2A) & Rs 2750-4400, has been merged in the Group 'C' and corresponding pay structure would be Grade Pay of Rs 1800 in the PB-1 in 6th CPC w.e.f. 01.01.2006. Further, it has been directed that promotion or upgradation earned as per R/Rules 1989 SRO 14-E under ACP Scheme w.e.f. 09.08.1999 in these pay scales in the past shall be ignored while considering to MACP w.e.f. 01.09.2008.

After implementation of ACP Scheme w.e.f. 09.08.1999, in accordance with the provisions contained in DOP&T O.M. No. 35034/2/2001-Estt(D) dated 01.06.2001 received vide OFB Kolkata letter No. PA-2631/A/CCC dated 31.08.2001, the second financial upgradation on completion of 24 years regular service shall be allowed at least to the pay scale of Rs 2750-4400 (S-4). However, where NIE Group 'D' civilian employees of the Central Government are Matriculated and are eligible for promotion to the post of LDC, the second financial upgradation in their case shall be allowed at least to the pay scale of Rs 3050-4590 (S-5) under ACP Scheme. Govt. of India, DOP&T O.M. No. 35034/3/2008-Estt(D) dated 09.09.2010 received with OFB Kolkata instruction No. 81/2010/(PCC) dated 13.10.2010 have conveyed on the recommendation of 6th CPC that pre-revised erstwhile Group 'D' feeder and promotional pay scale i.e. Rs 2550-3200, Rs 2610-4000 & Rs 2750-4400 has been merged in the Group 'C' revised pay structure of Grade Pay of Rs 1800 in the PB-1. Further, it has been directed that promotion or upgradation earned under ACP Scheme w.e.f. 09.08.1999 in those pay scales in the past shall be ignored while considering their MACP.

In the light of DOP&T's O.M. No. 35034/3/2008-Estt(D) dated 16.11.2009 received vide OFB instruction No.58/2009/(PCC) dated 18.11.2009, 2nd ACP which was granted to erstwhile NIE Group 'D' Matriculated employees in the pay scale of Rs 3050-4590, has now been considered as MACP-I in the grade pay hierarchy Rs 1900 w.e.f. 01.09.2008 under MACP Scheme and subsequently granted ACP-I & II in grade pay hierarchy Rs 1900, Rs 2000 w.e.f. 01.01.2006 under ACP Scheme and after completion of 30 years regular service granted MACP-III in the Grade Pay Rs 2400 w.e.f. 01.09.2008 or after 01.09.2008 under MACP Scheme, which is not as per financial norms of ACP & MACP Scheme.

Under para 09 of Govt. of India, DOP&T's O.M. No. 35034/3/2008-Estt(D) dated 19.05.2009 received vide OFB instruction No. 43/2009/(PCC) dated 26.06.2009, DOP&T's O.M. No. 35034/3/2008-Estt(D) dated 09.09.2010, received vide OFB instruction No. 82/2010/(PCC) dated 13.10.2010 and OFB instruction No. 90/2011/(PCC) dated 16.06.2011 it has been clarified that since MACP scheme is effected from 01.09.2008, hence after implementation of 6th CPC, ACP will be granted between 01.01.2006 to 31.08.2008 in Grade Pay of next promotional hierarchy under ACP Scheme as per existing Recruitment/Service Rules, 1989.

In the past while implementing ACP Scheme w.e.f. 09.08.1999 in terms of Govt. of India, DOP&T's O.M. No. 35034/1/97-Estt(D) dated 09.08.1999, after completion of 12 & 24 years regular service upgradation was allowed in next promotional hierarchy for the purpose of ACP-I & II w.e.f. 09.08.1999/01.01.2006 to 31.08.2008 and whereas in the 6th CPC, MACP-I, II & III has been allowed after completion of 10/20/30 years of regular service in the hierarchy of the Grade Pay w.e.f. 01.09.2008 under MACP Scheme. As such, past promotion or ACP granted to erstwhile NIE (Group 'D') category before 01.01.2006 should be ignored in the light of OFB Kolkata instruction No. 27/2009/(PCC) dated 16.02.2009, OFB Kolkata letter No. 04/Promotion/All Factory/A/NI dated 23.05.2012 and PC of A(Fys) Kolkata letter No. Pay/Tech-I/01(6th CPC)ACP dated 20.6.2013.

As per OFB Kolkata letter No. PA-2631/A/CCC dated 28.11.2000 and OFB letter No. 04/ACP/BP/A/NI dated 11.03.2004 under existing R/Rules, 1989 SRO 14-E dated 04.05.1989 and its amendment SRO-149 dated 16.07.1991, for the purpose of promotion, the post of Blue Printer and Record Supplier are feeder grade to the post of Tracer and as per SRO 14-E dated 04.05.2989 Tracer is feeder grade to the post of Draughtsman which has been later on merged with Chargeman-II(T) w.e.f. 10.05.1993 and as per existing R/Rules, 1989 SRO 14-E dated 04.05.1989 and its amendment SRO 148 dated 30.09.2004, for the purpose of promotion, the post of Subedar Durwan is feeder grade to the post of Supervisor/NT(OTS).

As per Para 4 & 5 of OFB Kolkata letter No. 100/MISC/SRO/TRACERS/A/NG dated 21.11.2012 it is very clear that the post of Tracer and Draughtsman is existing in R/Rules, 1989 SRO 14-E till 19.04.2006 and the post of Tracer and Draughtsman deleted from R/rules, 1989 SRO 14-E dated 04.05.1989 by SRO-54 dated 20.04.2006.

In view of the above, after merger of feeder and promotional pre-revised pay scale of erstwhile NIE Group 'D' namely, Rs 2550-3200, Rs 2610-4000 & Rs 2750-4400 in revised Group 'C' Grade Pay Rs 1800 in 6th CPC w.e.f. 01.01.2006, in terms of DOP&T's O.M. No. 35034/1/97-Estt(D) dated 09.08.1999, after completion of 12/24 years regular service up to 31.12.2005, the NIE Group 'D' i.e. (A) Messenger Boy/Orderly/Duftry/Poddar/Blue Printer & Record Supplier cadres are entitled for upgradation in promotional hierarchy for the purpose of ACP-I in grade of Tracer post i.e. Grade Pay Rs 2000 and ACP-II in the Grade of Draughtsman post which has been later on merged with Chargeman-II(T) w.e.f. 10.05.1993 i.e. Grade Pay Rs 4200, (B) Durwan/Female Searcher/Jamadar Durwan/Subedar Durwan cadres are entitled for upgradation in promotional hierarchy for the purpose of ACP-I in grade of Supervisor/NT(OTS) i.e. Grade Pay Rs 2400 and ACP-II in the grade of Chargeman/NT(OTS) i.e. Rs 4200 and (C) other than above NIE 'D' cadres therein no promotional opportunity in R/Rules, 1989 SRO 14-E are entitled for ACP-I and II between 01.01.2006 to 31.08.2008 under ACP Scheme and in terms of DOP&T's O.M. No. 35034/3/2008-Estt(D) dated 19.05.2009 after completion of 10/20/30 years regular service upgradation is allowed in Grade Pay hierarchy for MACP-I, II & III under MACP Scheme w.e.f. 01.09.2008 as per existing R/Rules 1989 SRO 14-E dated 04.05.1989 and its amendment SRO-149 dated 26.07.1991, SRO-148 dated 30.09.2004, just like consideration of ACP & MACP upgradation to other merged feeder and promotional pre-revised pay scale of NG and NIE cadres like Asstt. Foreman and JWM, Chargeman-I & II, Assistant and OS, PA-II & PA-I etc. in 6th CPC Grade Pay, as per clarification issued by DOP&T vide O.M. F.No. 35034/1/97-Estt(D)(Vol.IV) dated 10.02.2000, OFB Kolkata instruction No. 27/2009/(PCC) dated 16.02.2009, OFB Kolkata letter No. 100/MISC/SRO/TRACERS/A/NG dated 21.11.2012 and PC of A(Fys) Kolkata letter No. Pay/Tech-I/01(6th CPC) ACP dated 20.6.2013 under R/Rules 1989 SRO 13-E and SRO 14-E dated 04.05.1989 as under instead of pre-granted ACP-I & II between 01.01.2006 to 31.08.2008 in the Grade Pay of Rs 1900, Rs 2000 & MACP-III in the Grade Pay of Rs 2400 w.e.f. 01.09.2008 :

I. As per existing RRs 1989, SRO 14-E dated 4.5.1989 and its amendment SRO 149 dated 16.7.1991 and OFB Kolkata letter No. 100/MISC/SRO//TRACERS/A/NG dated 21.11.2012 :

		ACP-I	ACP-II	MACPS w.e.f.1.9.2008
Pre-revised pay scale of Orderly, Duftry, Poddar, Blue Printer and Rec. Supplier Cadres	}Merger in }revised }Group 'C' }Grade Pay }Rs 1800/- in }6 th CPC }w.e.f. }1.1.2006	w.e.f. 1.1.2006 in (promotion hierarchy) next grade of Tracer post i.e. Grade Pay 2000/-. As per RRs 1989 SRO - 14(E) dated 4.5.1989 and SRO 149 dated	w.e.f. 1.1.2006 in (promotion hierarchy) i.e. Grade Pay Rs 4200/- in the next grade of Draughtsman post which later merged with C/M-II(T) w.e.f.	MACP-III after 30 years regular service w.e.f. 3.2.2011 in the Grade Pay hierarchy Rs 4600/-.

		26.7.1991 (Tracer post is in existence up to 19.4.2006).	10.5.1993. As per RRs 1989 SRO 14(E) dated 4.5.1989 (Draughtsman post is in existence up to 19.4.2006).	
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II. As per existing RRs 1989, SRO 14(E) dated 4.5.1989 & its amendment SRO 148 dated 30.9.2004.

		ACP-I	ACP-II	MACPS w.e.f.1.9.2008
Pre-revised pay scale of Durwan, Female Searcher, Jam Darwan & Sub. Darwan.	Merger in Group 'C' (Grade Pay Rs 1800/-) in 6 th CPC w.e.f. 1.1.2006.	w.e.f. 1.1.2006 in (promotion hierarchy) next grade of Tracer post i.e. Grade Pay 2000/-. As per RRs 1989 SRO - 14(E) dated 4.5.1989 and SRO 149 dated 26.7.1991 (Tracer post is in existence up to 19.4.2006).	w.e.f. 1.1.2006 in the grade of Supervisor/N T/OTS i.e. Grade Pay Rs 2400/-.	MACP-III after 30 years regular service or after 1.9.2008 in the Grade Pay Rs 4600/-.

III. As per existing RRs 1989, SRO 14(E) dated 4.5.1989.

		ACP-I	ACP-II	MACPS w.e.f.1.9.2008
There is no promotional opportunity for Dhobi, Bhisti Mail, Barber & Masalchi, Jamadar Sweeper & Safaiwala etc. Cadres in RRs 1989.	Merger in revised Group 'C' (Grade Pay Rs 1800/-) in 6 th CPC w.e.f. 1.1.2006	w.e.f. 1.1.2006 in the Grade Pay Rs 1900/-.	w.e.f. 1.1.2006 in the Grade Pay Rs 2400/-.	MACP-III after 30 years regular service or after 1.9.2008 in the Grade Pay of Rs 2800/-.

After merger of erstwhile feeder & promotional pay scale of NIE 'D' cadres in revised Group 'C' Grade Pays Rs 1800/- in 6th CPC w.e.f. 1.1.2006, G.M./O.F. Muradnagar & G.M./Small Arms Factory, Kanpur already granted financial up-

gradation under ACP Scheme in promotional hierarchy between 1.1.2006 to 31.8.2008 and under MACP Scheme in Grade Pay hierarchy from 1.9.2008 as per existing RRs 1989 SRO 14(E) dated 4.5.1989 and its amendment SRO 149 dated 26.7.1991, SRO 148 dated 30.9.2004 to erstwhile NIE Group 'D' cadres vide OF Muradnagar F.O. Part-I No. 455 dated 11.6.2013 and S.A.F., Kanpur F.O. Part-II No. 380 dated 4.9.2013.

Hence, it is requested to kindly look into the matter and settle the grievances of NIE Group 'D' categories/employees of OF Organization as per existing RRs 1989 SRO 14(E) dated 4.5.1989 and its amendment SRO 149 dated 26.7.1991, SRO 148 dated 30.9.2004 just like that grant of ACP & MACP to other NG/NIE cadre, whose pre-revised feeder and promotional pay scale merged in revised Grade Pay in 6th CPC w.e.f. 1.1.2006, under existing RRs 1989 SRO 13(E) & SRO 14(E) as per OFB Kolkata instruction No. 27/2009/(PCC) dated 16.2.2009, OFB Kolkata letter No. 100/MISC/SRO/TRACERS/A/NG dated 21.11.2012 and PC of A (Fys), Kolkata letter No. Pay/Tech-I/01(6th CPC) ACP dated 20.6.2013.

COMMENTS

The matter has been taken up with DoP&T.

III. BHARATIYA PRATIRAKSHA MAZDOOR SANGH (BPMS)

Agenda Item 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.

ATR for the Steering Committee Meeting dated 15.03.2012 to 16.03.2012 and 19.06.2012 to 20.06.2012 were already circulated to Staff Side before the Steering Committee Meeting which was held on 27.09.2013.

Agenda Item 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.

The requisite comments/ATR have been called for from the concerned Sections/HQ/Orgns. are still awaited from many Sections/HQ/Orgns who are being reminded regularly.

Agenda Item No. 3

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

3(i) Hon'ble CAT Calcutta has passed the directions in OA No.172/2012, dated 16.01.2014 [Indrani Chowdhury & 162 others versus Union of India through Secretary Ministry of Defence, Finance & DOP&T] to grant financial upgradation under the MACP Scheme by ignoring the movement from Highly Skilled to HS- 1 due to restructuring of Artisan Staff in Defence Establishments in modification of recommendations of 6th CPC.

COMMENTS

The issue was taken up with Nodal Department i.e. Deptt of Personnel & Training twice but the same was not agreed to by them.

It is worthwhile to mention here that 17 OAs filed by the Defence Civilian employees of 515 ABW on the similar issue in the CAT Bangalore have been dismissed by the Hon'ble CAT by a single order dated 18.9.2013.

3(ii) Hon'ble CAT Chandigarh has granted the prayer of the petitioner and directed the authorities in O.A. No. 1038/CH/2010, dated 31.05.2011 to grant MACP benefit in the hierarchy of promotional grade. Thereafter, the Union of India represented by the Secretary, DOP&T appealed to the Hon'ble High Court of Punjab and Haryana vide CWP No. 19387 of 2011. This appeal of the DOP&T was subsequently dismissed vide Order dated 19.10.2011. The Government thereafter approached the Hon'ble Supreme Court vide SLP No. 7467/2013, the Hon'ble Supreme Court dismissed the said SLP.

COMMENTS

As per existing Govt. policy, the Central Govt. employees are eligible for getting 3 financials up-gradations in the next grade pay on completion of 10, 20 & 30 years of services respectively. The CAT Chandigarh order quoted by the Staff Side is in different context.

It is stated that D(QS)/Military Farm has referred the similar case (OA No. 904/2012) wherein Hon'ble CAT (PB) in its order dated 26.11.2012 had passed direction for granting MACP in the promotional hierarchy. The matter was referred to DOP&T who had advised to contest the case **as the same was against the Govt. policy.** D/o Legal Affairs had also supported the views of DOP&T.

It is further stated that Hon'ble CAT order dated 26.1.2012 has been challenged by filing W.P. © 4662/2013 in Hon'ble High Court of Delhi. Hon'ble High Court of Delhi has granted stay on Hon'ble CAT order dated 26.11.2012 vide its order dated 26.7.2013. The matter is sub judice.

3 (iii) Ernakulam Bench of Hon'ble High Court of Kerala in WPC No. 21384/2007 directed (on 17.02.2012) to grant all consequential benefits of the ACP Scheme to Casual Workers on the basis of their regularization from the date of initial

appointment (including the services rendered on casual basis). The Hon'ble High Court in their judgement have stated that if any employee entitled to the benefit of the Order, though not a party by name to these proceedings, he may make appropriate representations to the Competent Authority and such representations shall be considered and Orders issued on a case to case basis considering all relevant aspects. It is learnt that for the compliance of above Order, Naval Transport Pool, Mumbai have intimated to the Hqrs, Western Naval Command vide letter No. NTP/ADM/266/1/D, dated 26.10.2013 that an amount of Rs. 26,75,000/- is estimated as an approximate financial implication.

Therefore, you are requested to issue necessary directives to the concerned Authorities so that the Casual employees of all Dtes/ Hqrs of Ministry of Defence including (petitioner/non-petitioner of) Naval Transport Pool, Mumbai may be granted the financial upgradations under ACP / MACP Scheme on the basis of their regularization from the date of initial appointment (including service rendered on casual basis)

COMMENTS

As per existing Govt. policy, only regular service is taken into account for the purpose of ACP/MACP. Hence, casual service rendered by individuals can not be considered for granting ACP/MACP to them.

3. (iv) On 25.07.2013, Hon'ble Supreme Court of India in SLP No.17419/2009 with Civil Appeal No. 1119 of 2013 & SLP (Civil) No. 37255/2012 upheld the decision dated 09.07.2008 passed by the High Court of Calcutta in Writ Petition No. 632 of 2007, which confirmed the judgment dated 09.11.2006 passed by the Central Administrative Tribunal, Calcutta Bench in O.A. No. 939 of 2004. Due to above decision of Hon'ble Supreme Court, the incumbents – Junior Hindi Translators, Senior Hindi Translators & Hindi Officers of Ordnance Factories became eligible for upgraded pay scales (5500-175-9000, 6500-200-10500 and 7500-12000 respectively) notionally w.e.f. 01.01.1996 and financially w.e.f. 01.02.2003. This should be implemented.

COMMENTS :

Upgrade pay scales were granted to the Central Secretariat official Language Services (CSOLS) notionally w.e.f. 01 January 1996 and actual financial benefit w.e.f. 11.02.2003. In this regard, Ministry of Finance, D/o Expenditure had further clarified vide their OM No. File No.70/5/2003-IC dated 29th March 2004 that the upgraded pay scales approved by the Govt. are specific to the posts in CSOLS and cannot be extended to similarly designated posts elsewhere. Further, the issue

regarding grant of upgraded pay scale to the official Language Staff notionally w.e.f. 01.01.1996 and financial w.e.f. 11.02.2003 was further taken up with Ministry of Finance who didn't agree to the same.

However, keeping in view various CATs/Courts decisions have gone in favour of the applicants/also implemented in consultation with Ministry of Finance/LA (Defence) and also the fact that SLP in the case has also been dismissed, DGAQA/D(HAL) have been advised to obtain afresh views/comments of Ministry of Finance in the matter.

3. (v) Grant of Higher Pay Scale of Photo Etcher (Graticule) from date of appointment in OLF Dehradun:- 05 IEs of Ordnance Factory Dehradun were granted higher pay scale from the date of appointment in terms of decision of Hon'ble Tribunal in O.A. No.956-69 of 2008 and Hon'ble High Court Nainital decision in W.P. No. 362 of 2011. These 05 IEs after getting Boy Artisen Training were appointed as Optical Worker (Skilled) in the pay scale of Rs. 260-400. The basic contention of these individuals was that they were assigned the work of Photo Etcher (Graticule), which was declared high precision job by ECC and upgraded to the pay scale of Rs. 330-480 from Rs. 260-400. Due to above recommendation, the Hon'ble Tribunal/High Court has given decision and accordingly they were granted upgradation pay scales from the date of appointment.

Quoting the above Order of Hon'ble CAT & High Court of Nainital, 02 employees of OLF Dehradun namely Shri Sanjai Kumar Gusain and Shri Naresh Kumar Tomar have also claimed upgradation pay scales at par with the aforesaid 05 OFD employees with the contention that they were also engaged with the work of Photo Etching (Graticule) while appointed in OFD and were transferred to OLF to carry out the same work. These 02 employees were initially appointed at Ordnance Factory Dehradun on the post of Optical Worker (Skilled) w.e.f. 27.09.1983 & 25.01.1988 respectively and later on transferred to OLF in the year 1995.

Shri Sanjai Kumar Gusain and Shri Naresh Kumar Tomar requested the authorities to grant them higher pay scale from the date of appointment at par with their similarly placed counterparts/colleagues of OFD but the same were not acceded to on the plea that they were not party to the Court case. Vide this Federation's letter No. BPMS/OFB/CZ 23(1/5/L), dated 04.06.2014 OFB has been requested to extend the judicial pronouncement in favour of Non-petitioners, but no avail.

The Stand taken by the authorities is a matter of grant concern for the trade unions as whether concerned Authorities/Departments/Ministries want to add Lakhs or more Court cases filed by each and every Central Government Civilian employees where the courts are already overloaded and several lakhs of litigants are waiting for judgment for decades.

Therefore, it is requested to issue necessary directives to the concerned authorities so that non-petitioner Govt employees (Shri Sanjai Kkumar Gusain and Shri Naresh Kumar Tomar) of OLF who were appointed as Optical Worker (Skilled)

and performed the job of Photo Etcher (Graticule) may also be granted the pay scale of Rs.330-480/- from the date of their initial appointment.

COMMENTS

To be responded in the meeting by the concerned Division.

Agenda Item No. 4

Posting of Physically Handicapped Candidates

Implementation of Govt. Policy in Army Hqrs etc. in respect of Defence Civilians:- Vide O.M.No. AB-14017/41/41/90-Estt (RR) dated 10.5.1990 Govt of India, Ministry of Personnel, Public Grievances and Pensions, DOP&T has communicated that the holders of Group 'C' or Group 'D' posts who have been recruited on regional basis and who are Physically Handicapped, such persons may be given posting, as far as possible, subject to administrative constraints, near their native places within region and requests from Physically Handicapped employees for transfer to or near their native places may also be given preference.

COMMENTS: To be responded in the meeting by the concerned Division.

Agenda Item No. 5

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

COMMENTS

DOP&T had already clarified that since the ceiling of 5% prescribed for compassionate appointment in the Scheme is based on the ruling of Hon'ble Supreme court hence it cannot be relaxed in any case, even as a one time measure.

However, matter has been again taken up with DOP&T for re-consideration consequent upon receiving a number of representations from various Federations/Unions regarding removal/enhancement of 5% ceiling for granting compassionate appointment.

Agenda Item 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 allowances etc. may be settled at the earliest.

COMMENTS

DRDO:- The cadre review proposal of Hindi cadre and Security staff cadre is under consideration.

D(Air-III):- Defence Finance is not involved in the process of framing of RRs. Regarding redrafting of role of Defence Finance, a decision in the matter can be taken in consultation with MoF.

Agenda Item 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 I.D. 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.

COMMENTS

It has been requested vide MoD's aforesaid Note dated 22.10.2013 for holding regular meeting with staff side to sort out their grievances and to furnish the record note discussions of the meetings to D(JCM) in January and July of every year for submitting the same for perusal of Defence Secretary.

Agenda Item 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.

COMMENTS

DRDO:- Minutes of JCM Meetings are being uploaded on DRONA (DRDO Website) covering all the Labs/Estts.

DGQA:- Any instructions issued by the Ministry on the subject will be implemented.

D(Air-III):- As regards use of internet for monitoring grievances, the same is not possible keeping in view the security instructions and limited availability of internet facility in service HQ. However, the grievances received at Air HQ are monitored closely till the redressal of the same. Various online forums such as CAS, AOT, AOA sites in Air HQ are available as a grievance redressal mechanism for service personnel, which runs on local web network of IAF. Similarly, proper grievance redressal/monitoring mechanism is available for grievances received through CPGRAMS.

Agenda Item 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 expeditely.

COMMENTS

The proposal relating to cadre review, RRs, etc. are examined by various Ministries/Departments before finalization. This process of consultation requires considerable period and due to this, proposals get delayed.

Agenda Item No. 10

Remove the artificial restriction of 40 days PLB for AOC, Navy, Air Force, EME & Ordnance Factories. The PLB should not be less than the Adhoc Bonus of 30 days, and all ceilings of payment eligibility of Bonus should be removed.

Comments

i) MGO/OS(Pers), Army HQ

The limit of 40 days PLB for AOC and ceiling on payment eligibility of bonus and payment of PLB vis-à-vis ad-hoc bonus of 30 days is as per Govt. policy in the matter.

ii) DG:EME, Army HQ

PLB is applicable to the Corps of EME which is worked out on an aggregate basis, combined for all Army Base Workshops, based on MHSR (Man Hour Statistical Return). Accordingly, a PLB formula was worked out by this Dte. General. All Group 'C' and erstwhile 'D' employees are covered under PLB Scheme.

iii) D(Air-III)/Air HQ

The eligibility for payment of Bonus the same has been adopted from the provisions of payment of Bonus Act, which are statutory in nature.

Agenda Item No. 11

Para 3.1 of Govt. of India, DOP&T O.M. No. 22011/5/86- Estt(D), dated 10 April 1989 issued 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.”

Hence, all the concerned authorities of Ministry of Defence should be instructed to hold the meetings of DPC regularly.

COMMENTS

i) DRDO

DPC meetings are being held in time in DRDO.

ii) DGQA

Consequent upon publication of R/Rs in r/o Technical, Drawing and Non-Technical cadres in the merged grades as a consequence of implementation of recommendations of 6th CPC, DPC meetings in the above grades are being held regularly w.e.f. the vacancy years 2011-12 onwards. Further, DPC for the above cadres for the vacancy year 2014-15 have already commenced in the various grades.

iii) D(Air-III)/Air HQ

This HQ is facing problems to grant promotion in some grades as the existing RRs of those grades are not in consonance with the existing cadre hierarchy i.e. the existing RRs have become inoperable due to various changes like merger of posts/pay scales, etc. consequent to Pay Commission's recommendations. Therefore, promotion to the grade of MCM and Chargeman is stalled in AF Units. Otherwise, where RRs can be operated in the existing hierarchy, promotions are being effected in accordance with provisions of these RRs. Also, RRs for certain grades of Air Force Civilian Cadres are under revision, the DPCs have been conducted on the basis of extant RRs for those cadres.

IV. CONFEDERATION OF DEFENCE RECOGNIZED ASSOCIATIONS (CDRA) :

Agenda Item No. 1

Posting Policy of Gp 'C' & Gp 'N' (Non-Gazetted) of E-in-C Branch under Ministry of Defence

(i) It is submitted that Ministry of Defence vide their letter No. 12(1)/70/D(Appts) dated 29th Nov 1972, 32(4)/75/D(Appts) dated 21st May 1975 and 8(3)/92/D(Appts) dated 28th Jan 1994 have clarified on Posting Policy of Gp 'C' & Gp 'B' (Non-Gazetted Staff). It was found that E-in-C Branch are in the process of large numbers of Civilian Staff, consist of JE's, Clerical Cadre, Barracks & Store Cadre etc in the post out from the serving units. It was never found that what benefits will be achieved by the E-in-C Branch is this large numbers of posting, concerned Staff Assns, "All India MES Civilian Engineers Assn" and "All India MES Admin Cadre & Ministerial Staff Assn" (Both Recognised) have represented on this uncalled Posting Policy, which are even not as per functional justification, but not heard by the E-in-C. This issue was also raised in the Army Hqrs JCM-III Level Council and under consideration & pended for next meeting, even then Western Command of E-in-C Branch are in the process of making the posting of nearly 199 JE's & Clerks.

(ii) Comments required by the E-in-C Branch have already been submitted to them & CDRA, an umbrella body & no fruitful decision was taken by them. In the mean time we came to know that a Board of Officers has been ordered/constituted by the E-in-C Branch, in which Staff side have not been included.

(iii) In view of the large numbers of Posting Scheme, it is requested that a meeting at the level of Ministry of Defence may be called in which all Stake Holders may be called & till then all process may please be stayed.

COMMENTS : To be responded in the meeting by the concerned Division.

Agenda Item No. 2

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

(i) It is submitted that National Hqrs CDRA is demanding Office Accommodation of its Office in New Delhi/Delhi Cantt. Presently CDRA activities are being carried out from the house of its Main Office Bearer. Once the then Joint Secretary visited the JCM Bunglow, 18 Lodhi Estate, but no suitable Accommodation was given. A proposal was also given by the representative of ACDRA for vacant Accommodation in Delhi Cantt which was more suitable but no decision was taken by the concerned authorities.

(ii) We are facing too many hardships in running the Official activities of Confederation in the absence of Office Accommodation. In Delhi Cantt, Delhi Area has allotted the 'A' One' Land to the contractors ranging from 500 Square yards to 1000 Square Yards. We have no objection to this but we are demanding only Office Accommodation for CDRA as per the rules in vogue. Kindly consider the issue and decided favourably at the earliest. Concerned authorities of Delhi Cantt Area may be given suitable instruction on allotting the Office Accommodation to CDRA.

(iii) Chairman of the Steering Committee of the Departmental JCM Council is requested for favourable decision please.

COMMENTS : To be responded in the meeting by the concerned Division.

Agenda Item No. 3

Filling up the Posts of Different categories in Different Organization under Ministry of Defence.

(i) It is submitted that nearly all the Organisations of Ministry of Defence are facing acute shortage after the ADRP Cut in the different categories working under Ministry of Defence. Different concerned Assns and Staff Side representatives are raising this issue to fill up the vacant posts but no high level decision was taken. Some of the examples are quoted herewith:

(a) Supdt Stores under Army Ordnance Corps of Ministry of Defence are to be recruited, since after publication of SRO No-17 of dated 31.03.2012.

(b) There is acute shortage of AFV Drivers in the Three Organisations of Army Ordnance Corps under Ministry of Defence. These posts are to be filled from Civilian Motor Drivers (CMD), which is the Feeder Grade of AFV Drivers. Only 17 AFV Drivers are available where as 51 are authorize strength.

(c) Conservancy Safai Karamchari, which has been declared Dying out, requires reconsideration & filling up of deficient posts.

(d) There is acute shortage of MTS Staff almost in all the Organization under Ministry of Defence.

(e) There is acute shortage of Clerical Staff, Storekeeping Staff, Drawing Staff, Technical Supervisory Staff, Cooks, Telephone Operators and Stenographers etc almost in the organizations under Ministry of Defence.

(ii) Chairman of the Steering Committee of the Departmental JCM Council is requested to call a report on the deficiencies against all the Organizations and issue instructions to fill up all the posts of different categories of different Organizations.

COMMENTS

i) MGO OS(Pers), Army HQ

3(a) Action for direct recruitment of Supdt (Store) in AOC has already been intimated. A case for issue of NAC for filling 181 DR posts of Supdt (Store) has been taken up with AG's Branch. NAC awaited. Expedited on 30.6.2014.

3(b) Out of total auth of 32 AFV Drivers, 23 are held. These posts are promotional posts and the vacancy will be filled up by conducting DPC for the year 2015-16 subject to availability of eligible employees in feeder grade.

ii) DG Mech Forces (Pers), Army HQ

We have always been of positive outlook as regards filling up of vacancies of Defence civilians of different categories which exist in various lower formations of the Army by way of recommending to the centralized Agency AG/MP-4(Civ) to issue adequate number of NACs for direct recruitment of eligible persons on the basis of merit as per demands raised by various units/Estts.

iii) DG:EME, Army HQ

All the vacancies occurred post-1.4.2009 have been released and recruitment is under progress.

iv) DRDO

Vacancies released in 2013-14 :-

Administrative Assistant 'A'	-	75
Store Assistant 'A'	-	48
Personal Assistant	-	07
Assistant Hindi	-	06
Assistant Halwai-cum-Cook	-	04
Security Assistant	-	12
Vehicle Operator	-	36
Clerk	-	03
AMS-III	-	112

DRTC vacancies released in 2013-14 :- 818 posts

v) DGQA

All Group 'C' vacancies reported by various establishments of DGQA for the period up to 2013-14 have been released for filling up by the Estt. concerned. Regarding Group 'B' (Non-Gazetted) vacancies from 2011-12 to 2013-14, a case for 448 vacancies has been taken up with SSC for recruitment. The same is under active consideration.

vi) D(Air-III/Air HQ)

The large deficiency is primarily attributable to the complete ban imposed by Govt. on civilian recruitment 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 be filled up on the basis of normal wastages. Therefore, vacancies which occurred after 31.3.2009 are being filled up regularly but, vacancies pertaining to the period prior to 1.4.2009 are lying vacant. Due to large scale civilian deficiencies, the functioning of the Unit under IAF have been adversely affected. To meet the day to day functioning, hiring/outsourcing of manpower is being resorted to. Mod may consider taking a consolidated proposal with MoF for revival of such vacancies, to maintain the functional & operational effectiveness of the Armed Forces.

Agenda Item No. 4

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

(i) It is submitted that 7th CPC has been constituted and Terms of Reference have been published. Secretary of 7th CPC has demanded the Memo of Demands from the Staff Organisations and individuals also. At the time of 6th CPC, a Pay Cell was constituted & demand of Staff examined & recommended. For example an Office Memo was issued in r/o Storekeeping Staff of AOC for upgradation at Entry Level vide its OM No. 9(2)/2007-D(PCC) dated 05 Oct 2007. However the same was not considered by the 6th CPC.

(ii) Now an affective Pay Cell is essential at the Level of Ministry of Defence. It is also essential that a well conversant Officer of the Ministry of Defence who knows the Cadre Structure of different categories of different Orgnisations under Ministry of Defence may please be deputed for this job to grab the opportunity more affectively at this juncture. Some of the Staff Assns & CDRA have already given the Memo to the Pay Cell and some are in the process.

(iii) Chairman of the Steering Committee of the Departmental JCM Council is requested to take a decision on the affective the and well Conversant Officer of the Pay Cell may please be entrusted for this job and Staff Side may also be involved on the up-gradation of different categories of Ministry of Defence.

COMMENTS

A well conversant Officer (Under Secretary) knowing the Cadre Structure of different categories and different organization of MoD and having experience of dealing with the work of Pay cell during 6th CPC has been posted in D(Pay Cell).

Agenda Item No. 5

Grant of Parity/Upgradation of Pay Scale/Pay Band/Grade Pay to the Storekeeping Staff of Ministry of Defence at par with Storekeeping Staff of Indian Railways

(i) It is submitted that Ministry of Railway (Railway Board) used to carry out the Cadre Reviews of different categories & upgrade lower posts into the higher one. It was found that Storekeeping Staff of Ministry of Defence was at higher level in comparison to Indian Railways at the time of 1st & 2nd Pay Commissions. Railway Board carried out different Cadre Review after that and before the next Pay Commission & upgraded the Cadre by merging the lower post to higher grades, by this way, all these grades/categories also get the benefits of Pay Commission. Keeping in view of this situation a point of grant of Parity/upgradation of Pay Scales/Pay 40/Grade Pay of Storekeeping Staff of Ministry of Defence at par with the Storekeeping Staff of Indian Railways, was sent thrice by the Ministry of Defence as a Departmental Specific Recommendation as per 6th CPC Part-1, Para-7 but the same was not approved by the Ministry of Finance, Department of Expenditure. On this issue, all Confederation/Federations, jointly raised this issue to the Ministry of Defence before 6th CPC and even with the Committee of Secretaries but not resolved.

(ii) Chairman of the Steering Committee of the Departmental JCM Council is requested to consider this issue and favourable decision may please be taken to resolve this disparity.

COMMENTS

The issue regarding up-gradation of pay scale of Storekeeping staff from Rs 3050-4590 (GP of Rs 1900) to Rs 5000-8000 (GP of Rs 4200) at par with the Storekeeping staff in Indian Railways, was taken up with MoF a number of times but the same was not agreed to by them.

Agenda Item 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.

(i) It is submitted that the Cadre Reviews proposals of different categories of Ministry of Defence have not reached to finalization. Some are pending since long at the level of Unser Dtes, some are at the discussion stage and some are at the

level of Administrative Section of Ministry of Defence, some are at the level of Defence Finance and some are Ministry of Finance, Department of Expenditure.

(ii) It is requested that Staff Side have discussed at the National Level that Cadre Review may not be hold up on the plea that 7th CPC have been constituted. At the level of Ministry of Defence all Cadre Reviews are to be finalised well in advance before the outcome/recommendations of 7th CPC.

(iii) It is further submitted that Ministry of Railway (Railway Board) used to carry out the Cadre Reviews of different categories & upgrade lower posts into the higher one. In comparison to Indian Railways at the time of 1st & 2nd Pay Commission, Ministry of Defence Staffs are in better position than the Railways Staffs. Railway Board carried out different Cadre Review after that and before the next Pay Commission & upgraded the Cadre by merging the lower post to higher grades, by this way, all these grades/categories also get the benefits of Pay Commission. Keeping in view of the above an Affective Mechanism may please be created under Ministry of Defence for carry out the regular Cadre Reviews of different Dtes and different categories. A monitoring Cell for Cadre Review may also created at the level of Ministry of Defence and the level of Dtes and concerned Administrative Sections of Ministry of Defence for this purpose.

(iv) Chairman of the Steering Committee of the Departmental JCM Council is requested to consider this issue and arrange to forward all outstanding cases of categories pending at the different levels under Ministry of Defence for further action to Ministry of Finance, Department of Expenditure and a meeting at the appropriate level of Ministry of Finance, Department of Expenditure may be arranged by Ministry of Defence so that they can grant the approval.

COMMENTS

i) MGO OS(Pers), Army HQ

(a) Storekeeping :- The upgraded pay scale and revised designation (as recommendations of 6th CPC) in r/o fire fighting staff in AOC have already been approved, concurred and implemented in consultation with MoD, Def (Finance) and MoF vide Govt. letter dated 30.6.2010. However, in the said letter the FED 'A' and FED 'B' posts have not been included in the existing hierarchical structure of fire fighting staff. To include both the FEDs grade in upgraded/replacement pay scales under existing cadre structure, a case was initiated on 26.11.2009 and the same is under consideration with MoD/D(O-II).

(b) Clerical cadre :- The cadre review of Clerical Cadre in AOC was completed on 23.9.2011. The new cadre structure has already been implemented in AOC.

(c) Store Keeping :- The proposal for cadre review of Store Keeping Staff in AOC was initiated in December 2008. The same is still under consideration with MoD.

(d) **AFV Drivers** :- The proposal for cadre review of AFV Drivers category of AOC is under consideration with MoD.

(e) **Tradesman** :- The proposal is cadre review/up-gradation of certain Tradesman from semi-skilled category was initiated on 9.3.2012. The same is still under consideration with MoD.

The cadre review of other staffs will be taken up in due course. The mechanism of effective mechanism in MoD to carry out regular cadre reviews after every Pay Commission as per the Indian Railways, will be deliberated after reports of 7th CPC.

ii) DG Mech Forces (Pers), Army HQ

We are of the opinion that cadre reviews of different categories of employees of MoD must be completed on priority well before the 7th CPC submits its recommendations so that the maximum possible number of employees could get benefits of their enhanced status as per the 7th CPC. This measure is already being adopted by the Indian Railways.

iii) DG:EME, Army HQ

Proposals of cadre review of 10 categories in Corps of EME had been initiated and are under progress with MoD.

iv) DRDO

Cadre review proposal should not be linked with 7th CPC.

v) DGQA

The case file has been resubmitted to DFA(DS) on 2.7.2014.

vi) D(Air-III/Air HQ)

This HQ is reviewing the cadre of civilian employees of IAF from time to time. Presently following cases of cadre review proposals have been forwarded to MoD for approval:-

(i) **Civilian Admin Cadre:** As per suggestions of MoD, a cadre review committee was constituted under chairmanship of ACAS(PA&C) to look into the matter in detail. The committee submitted its report to MoD with approval of PSO concerned.

(ii) **Civilian Storekeeping Cadre:** A cadre review committee was constituted under the chairmanship of ACAS(PA&C) as done in case of Civil Admin Cadre. Recently, the report is submitted to MoD with approval of PSO concerned.

Agenda Item No. 7

Increase the Direct Recruitment Post Age Limit from 25 Yrs to 27 Yrs in Different Organizations (Lower Formations) under Ministry of Defence.

(i) It is submitted that Govt of India has increased the Upper age Limit by two years i.e. from 25 yrs to 27 yrs in all the departments of Central Govt. But in the lower formations some of the Departments have increased the upper age limit from 25 yrs to 27 yrs. Action of Ministry of Defence, some are at the level of Defence Finance and some are Ministry of Finance, Department of Expenditure.

(ii) This benefit may please be extended to other lower formations offices as they have not increased this upper age limit for the Direct Recruitment posts which are also Advertise in the Employment News. They are not treated them as Direct Recruitment. It is very painful that they are treating them on separate footings. This disparity should be removed from the other lower formations Organizations in which they have not increased the upper age limit.

(iii) Chairman of the Steering Committee of the Departmental JCM Council is requested to consider this issue and suitable instructions may please be issued to all concerned Directorates immediately of lower formations to increase the upper age limit.

COMMENTS

i) MGO OS(Pers), Army HQ

Age limit for direct recruitment against civilian post in AOC is strictly as per relevant RRs. DOP&T has already clarified that the instructions regarding increase in age issued vide DOP&T Notification No. 15012/6/98-Estt.(D) dated 21.12.1998 are not applicable in case of Group 'C' & 'D' civilian employees selected locally and on regional basis without a uniform method of written test and interview. In this connection AG's Branch Note No. 15330/RR/ORG 4(Civ)(A) dated 4.8.1999 is referred.

ii) DG:EME, Army HQ

Recruitment Rules for all Group 'C' posts have been revised and age of direct recruitment has been prescribed as 25 years for posts carrying grade pay of Rs 1800, 1900, 2000, 2400 and 2800 as per DOP&T's O.M. No. AB/14019/48/2010-Estt(RR) dated 31.12.2010.

iii) DGQA

In all cases of direct recruits up to Group 'B' posts, the upper age limit is 27 years as per respective SROs and in certain technical grades the upper age limit is 30 years. However, in case of MTS in SRO 02 dated 11.12.2013 the age limit of direct recruits is 18 to 25 years.

iv) D(Air-III/Air HQ)

Govy. 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 the 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 locality or a region, the enhancement of age limit by 2 years is not applicable for lower formation to IAF. MoD has also clarified that since the recruitment to most of the Gp 'C' and '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 OM dated 21.12.1998 is not applicable for the method of local recruitment.

Agenda Item No. 8

Recruitment in Civilian Store Keeping Cadre of Indian Air Force Through a Centralised Recruitment Agency Like SSC to Inculcate Transparency And Quality to Match the Contemporary Recruitment of Trade Job:

A number of references/representations are being received from branch associations of AFSA (I) asking for the need of centralized recruitment for the post of Store Keeper [erstwhile ASK] and Superintendent (Store) [erstwhile Store Keeper] to be made through **Staff Selection Commission (SSC)**. It is strongly felt that the recruitment in this cadre should be made through a centralized recruitment body like SSC to bring standardization viz-a-viz the enhanced quality of staff to be recruited in the Cadre, while giving due consideration to the aspect of transparency in the recruitment process. This proposal shall definitely provide for an efficient and supporting backbone for the Logistics branch of IAF in the ever dynamic work culture while building up capable work force for Indian Air Force. This will also curb the possibilities of irregularities in local recruitment. The proposed step of recruitment through an independent and Centralised Recruitment Agency like SSC will effectively curb the possibilities of any irregularities and ensure transparency in the recruitment process

COMMENTS

6th CPC has recommended for recruitment of Gp'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(RRE) dated 19.8.2011.

Agenda Item 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.

The modern time requirements seek manning of effective, skilled and suitably qualified logisticians in Logistics branch to cater to various tasks emerging from the wide facets of fast changing logistics activities as well as emerging of sophisticated technical stores which are the outcome of technical innovations. It is imperative to give recognition to the fact that the skills required for performing a job should match the contemporary requirements. Accordingly, the **minimum qualification at the entry level in CSK cadre** for the post of Superintendent (Stores) [erstwhile Storekeeper] should be fixed as **graduation coupled with diploma in engineering or Material Management**. Personnel with technical background will be able to cater to the logistics requirements of this ever dynamic and technically advanced Indian Air Force, which is critically, directly and strategically concerned with the national security.

COMMENTS

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 or 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 incorporated at different AF stations for the employees of storekeeping staff.

Agenda Item No. 10

Extension of Facility to Air Force Units Civilians for Reimbursement of Expenditure Incurred on Purchase of Brief Case/Hand Bag

Recently, the civilian staff and Air warriors at Air HQs, drawing grade pay of Rs.4600/- or more (irrespective of their post/rank), have been permitted to purchase brief case/hand bag. It is a welfare measure and a welcome step too. Extension of this facility to the Units' Staff of Air force will bring in coherence and provision of the said welfare measure to other qualifying employees as well. This matter was raised in JCM 3rd level at Air HQ and discussed in main meeting and it is advised by Secretary Official side that this point to be raised in Departmental Council JCM.

COMMENTS: To be responded in the meeting by the concerned Division.

Agenda Item No. 11

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

(i) It is imperative to say that the Cadre of Civilian Store Keepers was introduced in Indian Air Force in 1932. The cadre has been playing a vital role since its induction in the Air Force for maintaining all logistics systems used in this Force with utmost sincerity, dedication through provisioning of equipments, supply and up keeping the storage system on high standard by using high techniques and vast knowledge. This cadre is handling high valuable, sophisticated and imported stores such as spares for fighter Air Crafts, Radar, Communication, Test Equipments AF NET and all ADGES systems etc. History is evident that his cadre always participated in all the exercise conducted by the Indian Air Force from time to time such as operation "PRAKRAM" INDO-US War practice and operation "VIJAY" (Kargil War).

(ii) In coherence with ever-dynamic system modification and modernization of IAF have been under going including vast variety of weapons and other systems and technical up gradation, the CSKs have always been a supporting pillar to fulfill all logistics requirements.

(iii) We have this rare opportunity to place this proposal to increase the strength of Civilian Store Keeping (CSK) staff in logistics branch of Indian Air Force to provide an appropriate workforce coherent with the latest up gradation and enhanced technological advancement and diversification of logistic activities. The Civilian Store Keeping (CSK) staff is performing the duty as performed by Equipment Assistant/Logistics Asstt trade of combatant category of logistics branch in IAF. The main duties and responsibilities of an individual working in logistics branch (either a CSK category or uniform personal are same) like storage of items, provisioning/ procurement, packing, preservation and proper supply of items to the consumer flight/ field units. The proposed transformation of the existing establishment is proposed mainly for three reasons, namely-first, this will save huge revenue for the ex-chequer since Civilian Store Keeping(CSK) staff is paid lesser amount as compared to that of the combatants, secondly, the civilian CSK staff, by virtue of their employment conditions, remain posted at one station/office for longer period as compared to their combatant counterparts, resulting in more perfection and enhanced efficiency by virtue of time factor and thirdly, since civilian Store Keepers manning the logistics branch, on account of their waiver from performing other field duties (which their combatant counterparts are to perform besides their trade job) are able to devote much time to their trade job.

COMMENTS

At present there is a ban on creation of additional posts. Accordingly, the point is beyond the purview of this 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. The issue of increase in higher level posts is being considered through matching/saving.

Agenda Item No. 12

Non-Demanding of Agenda Points from Associations, Non-Circulation of Policy Letters, Schedule of Meeting & Minutes of Steering Committee/Main Meeting

It is observed that circular regarding holdings of Steering Committee/Main Meetings of Departmental Council JCM at Ministry level are not being sent to Air Force Storekeepers Association (India). It is also seen that policy letters which were to be received earlier from D(CIV) Section of MoD, unfortunately have been stopped for last few years and even minutes of Steering Committee/Main Meetings are not being forwarded to this Association. It is requested that copy of Circulars, Policy letters and minutes of Steering Committee/Main Meetings may please be forwarded to this Association.

COMMENTS

Circulars regarding holding of steering Committee/ main meeting of the Departmental Council (JCM) to be held on 01.08.2014 and 29.08.2014 have been forwarded to CDRA also besides others. Minutes of Steering Committee/main meeting of JCM will also be forwarded to CDRA and to other concerned Federations.

Agenda Item No. 13

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

It is revealed that other Ministries have opened their Website including JCM forum/column but JCM portal/column is not available in the MoD Website. It is suggested that either JCM column may be added in Ministry Website or new Website can be designed for Departmental Council JCM so that all Policies, Circulars, and Minutes of Steering Committee/Main Meeting can be accessed/downloaded.

COMMENTS

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

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