

**ALL INDIA DEFENCE EMPLOYEES' FEDERATION**  
**BHARTIYA PRATIRAKSHA MAZDOOR SANGH**  
(RECOGNIZED FEDERATIONS OF DEFENCE CIVILIAN EMPLOYEES)  
**CONFEDERATION OF DEFENCE RECOGNISED ASSOCIATION**

Joint Circular No. : 06/2022

Date : 21.10.2022

To,

All Affiliated Unions of

**AIDEF, BPMS & Affiliates CDRA**

**PROTEST WEEK IN 41 ORDNANCE FACTORIES**  
**FROM 31.10.2022 TO 04.11.2022**

**All the affiliated Unions and Associations are requested to mobilize the employees and make the Protest Week programme a grand success !**

We have already informed you that in a joint meeting of the leadership of AIDEF, BPMS and CDRA held on 04.09.2022 it was decided to observe "Protest Week" in all the 41 Ordnance Factories from 31.10.2022 to 04.11.2022 in protest against the apathy of the Government towards the Ordnance Factories and its employees post Corporatization. Therefore, the affiliated Unions and Associations will be observing the following protest programme from 31.10.2022 to 04.11.2022 in support of the demands given below in all the 41 Ordnance Factories.

- Ø 31/10/2022-To issue pamphlets/publication of posters etc., for educating the employees about the seriousness of the situation.
- Ø 01/11/2022-To conduct Gate meeting explaining the demands.
- Ø 02/11/2022-To wear Protest Black Badge
- Ø 03/11/2022-Lunch boycott by wearing Blackbadge.
- Ø 04/11/2022-To hold massive demonstration during Mustering IN hours/ Lunch break and evening hours depending upon the local situations and to submit Memorandum to the Hon'ble Defence Minister through the Head of the Establishment.

**DEMANDS**

- 1) To settle all the demands of the employees submitted by AIDEF, BPMS, CDRA and UFOE including the withdrawal of NPS to the employees recruited on or after 01/01/2004. (Ref. 22 common issues submitted to the Joint Secretary (Estt.) / MoD as decided in the Steering Committee Meeting of the Departmental Council (JCM) held on 16.09.2022 – copy enclosed for ready reference.)

- 2) To withdraw the indifferent, unhelpful & insensitive attitude of the DDP and some of the CMDs of the Corporations and to immediately set up an Apex Productivity Council for the 7 Corporations at the DDP level and also to reconstitute the IR / Consultative Mechanism at the level of 7 CMDs on the basis of the provisions of Trade Union Act 1926 ID Act 1947, Recognition Rules of MoD, JCM Scheme, Apex Productivity Council constitution etc. with the representations of recognized Federations and CDRA
- 3) To ensure sufficient workload to all the 41 Ordnance Factories and to protect the pay packet of the employees to compensate the loss happened in the wages of the employees due to stoppage of overtime etc.
- 4) To withdraw the illegal / restrictive tender floated by the Army HQ. on 06.10.2022 for procurement of 11,70,159 sets of Newly Designed Digital Combat Uniform by ignoring the Ordnance Factories under TCL in violation of the "Hand Holding" assurance given by the Hon'ble RM.

A copy of the joint Letter dated 21.10.2022 issued by AIDEF, BPMS and CDRA to the Defence Secretary and Secretary (DP) is enclosed herewith for your information and necessary action.

The Memorandum to be submitted to the Defence Minister on 04.11.2022 will be forwarded separately.



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**ALL INDIA DEFENCE EMPLOYEES' FEDERATION**  
**BHARTIYA PRATIRAKSHA MAZDOOR SANGH**  
 (RECOGNIZED FEDERATIONS OF DEFENCE CIVILIAN EMPLOYEES)  
**CONFEDERATION OF DEFENCE RECOGNISED ASSOCIATIONS**

Ref. No. : 159/AIDF/BPMS/CDRA/22

Date : 21.10.2022

To,

**The Defence Secretary****&****Secretary(DP)**

Ministry of Defence

South Block, New Delhi – 110 001.

**Subject : Notice of agitation in the 41 Ordnance Factories – protest week from 31.10.2022 to 04.11.2022.**

**Reference : Joint 156/AIDF/BPMS/CDRA/22 dated 05.09.2022**

Sir,

The AIDF, BPMS and CDRA vide Letter referred above have forwarded the Resolution adopted in our joint meeting held on 04.09.2022, wherein we have informed you about the decision taken for observing "Protest Week" in the 41 Ordnance Factories from 31.10.2022 to 04.11.2022 in protest against the apathy of the Government towards the Ordnance Factories and its employees post Corporatization. Since, so far no positive decision has been taken by the Government on the various issues represented by us we have decided to observe the "Protest Week" as already informed by us. Accordingly notice is hereby given for observing "Protest Week" by the employees of Ordnance Factories as follows in support of the demands given below.

- 31/10/2022 - To issue pamphlets/publication of posters etc., for educating the employees about the seriousness of the situation.
- 01/11/2022 - To conduct Gate meeting explaining the demands.
- 02/11/2022 - To wear Protest Black Badge
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This is for your kind information and favourable action please.

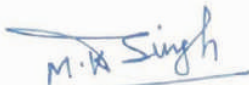
Thanking you,

Yours Sincerely,



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Copy to :

- 1) **The Addl. Secretary(DP)**  
Department of Defence Production  
South Block, New Delhi – 110 001.
- 2) **The Joint Secretary (LS)**  
Department of Defence Production  
South Block, New Delhi – 110 001.
- 3) **The Director General Ordnance**  
Directorate of Ordnance (C&S)  
10-A, S.K.Bose Road, Kolkata – 700 001.
- 4) **The Chief Labour Commissioner (Central)**  
Shram Shakti Bhavan, Rafi Marg, New Delhi – 110 001.

For your kind information  
and favourable action  
please.

**Combined Agenda Point given by the Staff Side of the Departmental Council (JCM) of MoD for discussion in the JCM Meeting to be chaired by Defence Secretary as decided in the Steering Committee Meeting held under JS (E) on 16-09-2022**

**AGENDA**

**Post Corporatization problems, hardships and difficulties being faced by the Defence Civilian Employees of 41 Ordnance Factories who are on deemed deputation.**

**STAFF SIDE BRIEF**

Without prejudicial to the right of the Staff Side to continue to demand withdrawal of the Government decision on Corporatization of Ordnance Factories, the Staff Side submit the following problems, hardships and difficulties being faced by the Defence Civilian Employees of Ordnance Factories who are on deemed deputation.

At the outset we invite the decision of the Government with regard to the service matters of the employees of Ordnance Factories conveyed in Para No. 5 of DDP OM dated 24.09.2021 which is reproduced here for ready reference.

*"Till such time the employees remain on deemed deputation to the new DPSUs, they shall continue to be subject to all the extant rules, regulations and orders as are applicable to the Central Government servants, including related to their pay scales, allowances, leave, medical facilities, career progression and other service conditions."*

Apart from this the Hon'ble Raksha Mantri in the meeting held with the Federations on 16.07.2021 have given the following written assurance.

*"Hon'ble Raksha Mantri assured that the interests of the employees would be protected while implementing the decision of OFB corporatisation. He stated that the service conditions of the employees during the period of deemed deputation would not be affected."*

The above assurances are being repeatedly given by the DDP. Unfortunately the situation in the Factories / 7 Corporations are totally different. The assurances given by the Government to the Federations and to the High Courts are being blatantly violated. Post Corporatization there are many issues which has cropped up within these one year and which needs to be settled urgently. However, despite the representations from the Federations and CDRA the issues are remaining unsettled. Such issues are given below :-

- 1) The United Forum of Ordnance Employees have submitted the demand that all the employees as on 01.10.2021 would remain as Central Government Employees till their superannuation, and that the salary, allowances and pension etc. should be paid for all the Government Employees from consolidated fund of India. The DDP in its Counter Affidavit filed in the High Court the following assurance has been given in Para 47 of the Counter Affidavit.



*"Unless the OFB employees chose to opt for permanent absorption in the new DPSUs, they would continue as Central Government servants and their pay scales, allowances, leave, medical facilities, career progressions and other service conditions will also continue to be governed by the extant rules, regulations and orders, as are applicable to the Central Government servants".*

All the employees were selected on the basis of the respective recruitment rules, and accordingly they have joined various ordnance factories as a Central Government Employee. In their appointment order it is now written that after certain period they will be converted to Corporation employees. Therefore legally all the employees hold the right to render their service till retirement with the status of Defence Civilian Employees / Central Government Employees. All these employees are exclusively trained in Defence production for manufacturing various products required for the Armed Forces. Therefore their presence in the Ordnance Factories is not only in their interest but also in the interest of the Defence preparedness of our country. Therefore there is all justification to retain the employees of all the 41 Ordnance Factories in their respective factories as Defence Civilian Employees / Central Government Employees till their superannuation.

Despite the above no Government orders are issued for retaining the employees as Defence Civilian Employees / Central Government Employees till their retirement from service. It is requested that necessary Government orders in this regard at par with the employees of Prasar Bharti may be issued. It is also pertinent to mention here that the ITS Officers of BSNL are given this benefit.

- 2) Rule 37A of the CCS(Pension) Rules deals with the payment of Pension on absorption consequent upon conversion of Government Department into a single Public Sector Undertaking. This CCS(Pension) Rules shall be applicable to the Government Servants who have been appointed on or before 31<sup>st</sup> day of December, 2003. It is pertinent to mention here that more than 40 thousand employees of the Ordnance Factories were appointed after 31<sup>st</sup> December, 2003, and for them this very rule itself will not be applicable. Therefore, transferring the employees of the Ordnance Factories to the newly created seven Corporations on Deputation / Foreign services under Rule – 37 A of the CCS(Pension) Rules is illegal and hence it needs to be withdrawn. However, no orders have been issued by the DDP in this regard. It is therefore requested that necessary Government orders in this regard may please be issued.
- 3) Post Corporatization of Ordnance Factories many Factories in the YIL and TCL are suffering without sufficient workload. So far as the TCL is concerned there will not be any workload from 2023 – 2024 onwards. The Hon'ble RM while discussing with the Federations on 16.07.2021 have categorically assured through the then Secretary (DP) that the Government has plans to handhold the new DPSUs.



However, despite repeated representations so far no workload on nomination basis is allotted to the TCL. Therefore, it is requested that as assured by the Hon'ble RM and Secretary (DP), full workload may be provided to all the 41 Ordnance Factories including the TCL Group of Factories. To our shock and surprise now it is seen instead of allotting the Combat Uniform Digital print as a set of Jacket, Trouser and Cap for male (Q3) to the TCL Group of Ordnance Factories the Army Headquarters have gone for a open tender for 11,70, 159 set of Combat Uniforms. This will kill the 4 Ordnance Factories under TCL and ultimately it will become sick. Therefore to save the 4 Ordnance Factories under TCL the above tender may be cancelled and the indent may be placed on the TCL group of Factories.

- 4) While all other Central Government Employees are getting the benefit of 7<sup>th</sup> CPC Pay Scale the Industrial Employees of Ordnance Factories who are deployed on Piece Work System continue to work on the Piece Work hourly rate correlated on the basis of 6<sup>th</sup> CPC Pay Scale. The joint proposal given by the then OFB and the Federations prior to Corporatization was rejected by the DDP and the employees continue to work in 6<sup>th</sup> CPC hourly rates. This is illegal and unjustified. Therefore, Government orders have to be issued for correlating the hourly rates in 7<sup>th</sup> CPC Pay Scale as the employees are remaining Central Government Employees on deemed deputation.
- 5) In violation of the Cabinet decision and commitment given before the Hon'ble High Courts two Corporations (IOL & TCL) have unilaterally enhanced the weekly working hours from 44¾ to 48 hours. This was challenged in the High Court and at present TCL have issued instructions suspending its Order for 48 hours weekly working hours. It is therefore requested that DDP may issue a common instructions for maintaining the working hours as 44¾ hours per week in all the 41 Ordnance Factories.
- 6) Post Corporatization many Factories have stopped working overtime including in those Factories where sufficient workload is available. Due to this the employees pay packets have been considerably reduce and they are all facing undue financial hardship. Therefore, wherever workload is available those Factories may be asked to work overtime.
- 7) The Corporations are taking arbitrary decisions on various service matters of the employees / which affects the employees without even holding any discussion with the recognized Federations. The Corporations may be directed to not take any policy decision concerning the employees without holding discussions with the Federations and CDRA.
- 8) Consultative Mechanism / IR Mechanism are being constituted in violation of the Trade Union Act 1926, Recognition Rules of the MoD and the JCM Scheme. Despite

the DDP directions nominations are not being asked from the Federations. It is requested that the Consultative Mechanism / IR Mechanism in the 7 Corporations should be constituted in consultation with the Federations and CDRA and also as already directed by the MoD. It was also our demand that an Apex level IR / Productivity Council should also be constituted at the level of Addl. Secy of DDP with the representatives of recognized federations, CDRA, CMD's of 7 Corporations and DGO (C&S). This demand is very genuine and it needs to be considered favorably.

- 9) Grant of compassionate appointment to the dependents of the deceased employee has been stopped without any reason and without any Government Orders in all the 41 Ordnance Factories. The families of the deceased employees are suffering due to this insensitiveness. Assurances are being repeatedly given that the issue would be sorted out by the DDP. However, till date no directions are issued by the DDP for grant of compassionate appointment in the Ordnance Factories. Necessary instructions in this regard may be issued without further delay. In fact the Federations and CDRA have proposed the solution for this. The selected candidates for compassionate appointment can be issued appointment order by the DDG of Field Unit Office as appointing authority and thereafter like all other employees they may also be posted in the respective Ordnance Factories on deemed deputation.
- 10)
  - a) Post Corporatization based on the direction of the DDP, the DOO(C&S) held discussions with the Recognized Federations and CDRA on the Cadre Review Proposal for all category of employees was submitted to the DDP for approval. At present it is understood that the DDP has taken a decision not to process any Cadre Review Proposals of the employees. This is a clear violation of Government Policy and DOP&T Instructions. Therefore, it is requested that all the Cadre Review Proposals including that of the Hospital Staff may be approved.
  - b) Stenographer cadre is a dead end post in the Ordnance Factories since there is no line up promotion for them beyond level 8. In the Central Secretariat and OFB Headquarters (DOO (C&S)) this category has got line up promotion to enter the Group A level. Majority of the private secretaries are retiring in the Grade Pay of Rs.4,600 (Level 7). Urgent cadre review has to be done to this cadre.
  - c) **SRO:** SROs of different cadres including Group-B(NG) are pending for approval since long. As a result, the career progression of cadres is stagnated. Although, the replies against the queries raised by DDP/MoD have



- been answered but settlement of this issue is still afar. It has to be placed here that due to non-availability of SRO, the LDCE for JWM(NT), the LDCE for JWM(SG) are not being done for the past few years keeping the posts vacant.
- d) DPC from JWM to AWM:- **DPC for Promotion from JWM to AWM** against the Years 2019, 20, 21 & 22 including Supplementary DPC against the left-out vacancies of the years up to 2018 which could not be filled during previous DPC due to retirement/death. Approx. 200 Vacancies of Promotion Quota for 04 consecutive years (2019, 2020, 2021 & 2022) are lying vacant and DPC is not being held. **matter may please be taken up with UPSC from your level.**
  - e) **Filling up of all vacant posts** (including DR Vacancies) in the posts of AWM, JWM/SG, JWM, Chargeman, NIE'S & IEs by DR/Promotion through one time Relaxation in concerned SROs keeping in view the shortage & functional requirement.
  - f) **LDCE- JWM(SG):** 30% of the posts (Approx: 600 posts) earmarked to be filled through LDCE since the year 2018 are lying vacant in the name of non-availability of SRO and other petty reasons. It is highly injustice to stagnate the promotional avenues. Therefore, it is requested to conduct the LDCE for filling above vacancies at the earliest.
- 11) The employees of Ordnance Factories are governed under OFMR. However, despite this the Government is making attempt to handover the Hospitals to some other Agencies. Almost all the Ordnance Factories are accident prone and post Corporatization also many accidents have taken place in the Ordnance Factories. Therefore, the Ordnance Factory Hospitals should continue to function under the control of DoO(C&S).
  - 12) The Ordnance Factory Schools are not only serving for the cause of the children of the Factory Employees and their grand children but for also serving for the socially and economically downtrodden children especially girl children for their education. Abruptly the admissions for 1<sup>st</sup> Standard is closed in many schools and the Government is considering to handover the school to other agencies. This decision may be reconsidered and the schools should continue to function under DoO(C&S) and admissions to 1<sup>st</sup> Standard may be restored.
  - 13) Despite Government orders of Ministry of Health the Hospital Staff are not being paid HPCA / PCA based on 7<sup>th</sup> CPC Pay Scale.
  - 14) Non implementation of the direction of the various CATs for inclusion of HRA and Transport Allowance while computing OT Wages under Section 59 of the Factories Act and payment of arrears to the concerned employees. While in some Factories



- the judgments are implemented in many Factories the judgments are not getting implemented. This is a discrimination and hence direction needs to be issued by DDP / MoD for implementing the above mentioned Court Judgments.
- 15) In accordance with MoD instructions two meetings of the Additional Meeting Mechanism should be held under the Chairmanship JS(LS). However, the same is not being held.
  - 16) **DOO(C&S), Kolkata (OFBHQ) Employees station protection:** DOO(C&S) Kolkata employees are relentlessly facing threat of transfers, since corporatization, significant number of DoO(C&S) employees has already been reduced. Moreover, additional workload has now been assigned to the subject employees (viz. PMG etc.). Accordingly, in this scenario, willing transfers should only be considered and remaining employees may be considered for posting /deployment in the nearby Central Government Offices or organizations within the state. It has been gathered that a concrete proposal in this regard has been forwarded to JS/LS which may be taken up to address the issue. Hence, this setup may be considered for re-deployment or should be allowed to continued till completion of deemed deputation period. The employees of DOO (C&S) may also be utilized DDP office related works or DPSU's works in the same place.
  - 17) Employers contribution to NPS should be continued from the Government and should be made from Consolidated Fund of India for all of erstwhile OFB Employees who are Governed under the NPS.
  - 18) **Unrest triggered at the Directorate of Ordnance (Coordination & Services):** 41 JWMs has been arbitrarily transferred to the corporation in a pick and choose method. This decision has been challenged in the court of law. Review this decision and same may be withdrawn. The DOO(C&S) formed in place of OFB Headquarters, having main office at Kolkata, is expected to continue in a long run, so employees having native place at Kolkata, may suitably posted in this office.
  - 19) **Violating rules and victimisation of the employees against existing govt rules by DPSUs:** It is seen that out of all the DPSUs created by dismantling erstwhile OFB, YIL and other DPSUs is keener on bullying the employees than on increasing productivity. It seems as if the employees are living on the mercy of the DPSUs. Employees are being targeted and victimized every now and then unprecedentedly. Transferring out employees has become a way to punish/victimize the employees. It is well known fact that the Supreme Court of India has upheld in numerous cases that transfer cannot be the means of victimization or punishment which the government has also given cognizance. One JWM from MSF has been transferred to OF Bhusawal without any reason. One Industrial employee from O F



- Bhusawal transferred to O F Dum Dum. one Chargeman from GIF, Jabalpur has been transferred to MSF, Ishapore and recently One JWM transferred to OFAJ to OF Bhusawal without any valid/legitimate reason. Such type of punitive actions should be stopped and the employees who are transferred in a vindictive manner should be brought back to the factories from where they are posted out.
- 20) Despite the instruction of DDP in majority of the Corporations the request of the employees for compassionate ground transfer, transfer to the station where spouse is working in accordance with the DOP&T instructions and mutual transfer etc., are not being considered. DDP's instructions and guidelines may be strictly followed by all the 7 Corporations and all the pending transfer applications of the employees may be considered favorably on a time limit manner.
  - 21) In accordance with section 7 of the Payment of Wages Act Authorized deductions from the salary of the employees include recovery towards Co-operative societies, LIC, Post office savings , deduction to various insurance schemes. Despite this the Corporations are violating the Payment of Wages Act and denying to recover the amount due to the above institutions. Instructions may be issued to all the 7 Corporations to follow the provisions of Payment of Wages Act.
  - 22) In accordance with the Government orders issued by DDP approving the present PLB formula, the PLB is paid to the employees of all the 41 Ordnance Factories based on the average performance of Piecework profit of the 41 Factories. However the PLB for the employees of Ordnance Factories for the year 2021-22 was paid on the basis of the average piece work profit of the respective corporations resulting in discriminative PLB to the employees of Ordnance Factories for the first time. This discrimination should be removed by following the previous formula / system.

All the above issues of the Defence Civilian Employees who are on deemed deputation with the 7 Ordnance Factory Corporations needs to be resolved at the earliest. Chairman of the Departmental Council (JCM) is requested to discuss all the above issues and settle the same in the interest of the employees and harmonious Industrial Relations.

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