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Secretary

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To,

All Members of the
National Council(Staff Side) - JCM

Dear Comrades,

A meeting of the Standing Committee of National Council -JCM took place on 15/12/2023 under the Chairmanship of Additional Secretary (PP) DOPT, in which officials from various Departments/Ministries participated the following Staff Side Members attended the meeting:-

Shri Shiva Gopal Mishra(Secretary), Shri M. Raghavaiah(Leader), Dr. N. Kanniah, Shri J.R. Bhosle, Shri B.C. Sharma, Shri C. Srikumar, Shri Rupak Sarkar, Shri R. Srinivasan, Shri Tapas Bose,

After the introductory remark of the Chairman on behalf of the Staff Side the following issues were raised:-

1. To issue instructions to the MOD to hold regular meeting with Staff Side to resolve the issues arising after Corporatization of Ordnance Factories. It was also raised by staff side that Standing Committee as well as National Council should be held in time.
2. To issue Government orders to extend the period of Option to switch over to the 7th CPC Pay Scale at least for a period of one year i.e. up to 25/7 / 2017
3. To issue instructions that Service Associations under CCS (RSA) Rule 1993 and Employees Cooperative Societies/ Banks which are covered under the Central Cooperative Societies Act and the respective State Governments Cooperative Societies Act are out of the purview of Rule 15 (1) of the CCS (Conduct) Rules, 1964.
4. Not to withdraw the 3rd MACP in Grade Pay Rs. 4600/- granted to the Industrial Employees of Defence Ministry (Master Craftsman up to 31/12 / 2005 since the same was given based on various Court judgements).
5. Orders to be issued by Ministry of health for extending UGHS benefits to the employees in Industrial Establishments under Western Naval Command Mumbai.
6. Revision of Deposit linked Insurance Scheme under the GPF for Central Government Employees.
7. Restoration of festival advance to the Central Government Employees(Item No.6/ SC/62/23).
8. Extending revised option for the employees who were given entry pay benefit on promotion in the 6th CPC Pay Scale to switch over to 6th CPC Pay Scale w.e.f. 01.01.2006.

9. Extension of LTC-80 one time relaxation in the case of employees who availed LTC to Andaman & Nicobar Island (A&N) by purchasing air tickets from other than authorized agents,

Apart from this the Staff Side also requested that in the matter of implementation of Arbitration Awards, the same should be implemented in accordance with the understanding reached with the Staff Side. Secretary Staff Side also informed the Additional Secretary DOPT about the decision taken in the meeting of the JFROPS to commence an Indefinite Strike in Support of the Demand "Scrap NPS and Restore Pension under CCS (Pension) Rules 1972 to the Central / State Government Employees / Teachers who are covered under NPS".

After the above discussion took place on the 13 agenda points and the decision taken are given below:-

1. Payment of FMA to Pensioners of the National Institute of Ayurveda and bring the employees of the institutes within the ambit of CCS(MA) Rules.

Decision

Staff Side protested against the Government decision to file an SLP in the Supreme Court against the High Court Judgement given in favour of the employees / Pensioners. We demanded that the SLP should be withdrawn and Government should implement the Court Judgement. After discussion Additional Secretary directed the Department of AYUSH to reconsider its decision and explore the possibility of implementing the Judgement considering the less number of employees / Pensioners of the Institute.

2. Restoration of facilities and concession withdrawn by Railways to Senior Citizens.

Decision

Staff Side demanded that to start with at least Central Government Pensioners may be allowed the Railway concessions since they are not eligible for LTC after Retirement. Additional Secretary Stated that it is a policy matter to be decided by the Government and hence Staff Side may raise this in the main meeting of NC - JCM.

3. Pension to be exempted from the purview of income taxation.
4. Disability pension of war heroes to be exempted from Income tax.

Decision

Additional Secretary Informed that Government have not agreed to exempt pension from the purview of income tax. We protested against this stand of the government.

5. Revision of the benefit of Deposit Linked Insurance Coverage from GPF.

Decision

Staff Side protested against the non cooperation of the Department of Expenditure in not settling the genuine demand of the Staff Side. After discussion Additional Secretary desired that the Department of Expenditure and Department of Pension should reconsider the matter and if required to have a meeting with the Staff Side for reaching an agreement on the issue.

6. Enhancement of Bonus Ceiling Limit of Casual Labourers consequent on enhancement of Bonus Calculation Ceiling of Central Govt Employees.

Decision

After discussion it was decided that the Department of Expenditure will issue a circular to all the Ministries/Department to find out the number of casual employees and there after a decision would be taken.

7. Modification for grievance redressal mechanism.

Decision

Staff Side complained that the grievances of pensioners and family pensioners are not being addressed properly and hence the grievance redressal mechanism in the DOP&PW and all other Ministries should be strengthened and should be properly monitored. DY. Secretary DOP&PW informed that a detailed guidelines in this regard was issued by the DOP&PW. Additional Secretary desired that a copy of the DOP&PW instructions may be forwarded to the Staff Side and the DOP&PW should ensure that the pensioner's grievances should be attended and settled in a time bound manner. Staff side mentioned that as per norms Pension and PW department should hold minimum three meetings during year but instead of continuous persuasions and sending agenda no meeting could be held. Additional Secretary, DOP&T informed that meetings will be arranged.

8. Implementation of Govt. decision on 7th CPC recommendations on Risk Allowance to the Central Govt. Employees including Defence Civilian Employees.

Decision

Staff Side argued that Risk Allowance should be at par with the Risk and Hardship matrix and the left out operations organisations and categories should be included for the payment of Risk Allowance. Additional Secretary informed that the report of the Railway Risk Allowance Committee has been received and the same will be studied. After receipt of Risk Allowance Committee Report of Defence Ministry further Action in this regard would be taken. It was also assured by ADS that the recommendations send by railways will be analysed and hard duty allowance for various categories will be examined and replied shortly.

9. Restoration of the commuted portion of pension after 12 years:

Decision

Staff Side protested against the stand taken by Department of Expenditure that the Staff Side should wait till the next Pay Commission and that now this demand is pre matured. We stated that the Staff Side have already given full justification for restoration of the commuted pension after 12 years and the DOP&PW have already recommended for restoration of the commuted pension after 12 years and hence the issue needs to be settled. After discussion Additional Secretary desired that the DOP&PW and the Department of Expenditure should hold a meeting with Staff Side and if the issue is not resolved then the same can be raised in the main meeting of the National Council – JCM.

10. MACP to be made effective from 1.12006 in implementation of the judgement of the Supreme Court.

Decision

The Supreme Court in two cases have rejected the above matter. Only in the case of Armed Force Personnel the Supreme Court gave a different Judgement and MOD of their own have implemented the judgement for Armed Forces Personnel. The matter will be further studied.

11. Grant of one notional increment for those who retired on superannuation on 30th June,

Decision

Staff Side protested against the undue delay in deciding this issue despite many judgements by the Supreme Court and we demanded that the Government Orders should be issued. Additional Secretary stated that the issue is in an advanced stage of consideration and the DOPT would take a decision in this regard very soon.

12. Applicability of the 7th CPC. Pay revision benefit for those retired on 31.12.2015.

Decision

The Matter is pending before the Supreme Court

13. To specify time frame for the completion of disciplinary cases in the case of pensioners.

Decision

Staff Side stated that there are many disciplinary cases of retired employees remaining unsettled and pending for 5 to 10 years period and hence there should be a time limit fixed for the disciplinary proceedings pending against retired government employees. Additional Secretary informed that the matter is under examination in the DOPT and detailed guidelines will be issue very soon in this regard.

After discussion on the above agenda points we raised the following important issue:

1. After the issue of DOP&PW OM Dated 03.03.2023 on the subject of option for those Central Government employees who were recruited on the basis of Notification / Advertisement issued prior to 22/12/2003 for conversion from NPS to OPS the following anomalies have cropped up and in the lower formations / field units the above OM is not properly implemented.
 - a. Ex Apprentices of Railways and Defence who were recruited directly on batch wise seniority basis in their cases there is no notification / advertisement and hence the vacancies sanctioned for recruitment prior to 22/12/2003 should be treated as notification. This is not happening in the units.
 - b. In the case of Compassionate Appointment also there is no notification and hence the employees recruited on the basis of the Call Letters issued to them / date of application for compassionate appointment etc should be treated as notification. This matter is also remaining unsettled.
 - c. In some cases the senior employees are kept in NPS and the Junior employees are converted to Old Pension Scheme.

To settle all the above issues and for extension of the cut of date for the appointing Authorities to take the decision etc were represented to the DOP&PW by the Secretary Staff Side and have demanded the

DOP&PW to hold a meeting with the Staff Side to decide all the various anomalies in the implementation of DOP&PW OM dated 03/03/2023. However there is no positive response from the DOP&PW. Additional Secretary directed that the DOP&PW should hold a meeting with the Staff Side to resolve the issues represented by the Staff Side.

While concluding the meeting Additional Secretary assured that the meeting of the National Council JCM under the Chairmanship of Cabinet Secretary would take place soon.

With greetings,

Yours fraternally,


(Shiva Gopal Mishra)
Secretary