No.3/2/2023- JCA
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment (JCA) Section

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North Block, New Delhi - 110 001
Dated: 26th December, 2023

To

Shri Shiva Gopal Mishra
Secretary, Staff-Side
National Council, JCM
13-C, Ferozshah Road,
New Delhi-110001

Subject: Minutes of the Meeting under the Chairmanship of Additional Secretary (PP) to discuss the 13 agenda items of the 62nd meeting of Standing Committee of National Council (JCM) - regarding

I am directed to send herewith a copy of the Minutes of the Meeting under the Chairmanship of Additional Secretary (PP) held on 15.12.2023, in North Block, New Delhi to discuss the 13 agenda items of the 62nd meeting of Standing Committee of National Council (JCM), for information and comments.

(Parveen Jargar)
Deputy Secretary to the Govt. of India
Tel. No. 23040249

Copy to

1. General Secretary, AIRF, 4 State Entry Road, New Delhi.
2. General Secretary, NFIR, 3 Chelmsford Road, New Delhi
3. All the Members of the Standing Committee (JCM)

Minutes of the meeting held under the chairpersonship of Additional Secretary (PP) on 15.12.2023 (Friday) at 1:00 pm at North Block, New Delhi.

A meeting was held under the chairpersonship of Additional Secretary (Pers. Policy) on 15th December, 2023 at 1.00 PM at North Block, New Delhi to discuss the 13 agenda items of 62nd Standing Committee meeting. List of participants is at Annexure I.

2. At the outset, the Deputy Secretary (JCA) welcomed the participants and gave the background for convening the meeting. He informed that during the 62nd meeting of the Standing Committee of the National Council held on the 20th September, 2023, it was decided with the approval of the Chairperson (Secretary, Personnel), that the 13 items carried over from the 61st Standing Committee meeting would be discussed in a separate meeting to be chaired by Additional Secretary (PP). As such the current meeting was scheduled. In his introductory remarks, the Chairperson welcomed the participants to the meeting. The Chairperson said that minutes of the 62nd standing committee meeting have been issued and the decisions taken should be complied with and action report sent to DoPT. He also emphasised and requested the representatives of Ministries and Departments to hold regular meeting with staff side. Thereafter Secretary (Staff Side) and Leader (Staff Side) also welcomed and addressed the participants. The key points made by them during their welcome addresses are at Annexure -II.

3. The agenda items and decisions taken thereon are given below:-

(i) Item No.17/SC/22: Strengthening of grievance redressal mechanism. (D/o Pension & PW and D /o AR & PG)

The Director, D/o P&PW gave details on the number of measures taken by the department to strengthen the grievance redressal mechanism for pensioners. He explained that a monitoring system for the progress of grievance disposal was in place. Regular inter-ministerial meetings are held for progress monitoring. Pensioners are informed about case developments through SMS, and feedback from pensioners is obtained. Additionally, he highlighted a comprehensive OM dated August 23, 2023, issued to all Ministries and Departments, emphasizing that cases should be treated and disposed of only after conclusive resolution. DS, D/o AR&PG mentioned the revamping of the mobile version of CPGRAM for increased user-friendliness.

The Staff side raised the issues about pensioners' lack of awareness and poor connectivity in remote areas. The Staff side also raised the issue of departmental council meeting pending for long in D/o P&PW. After deliberation, the following was decided:

1) D/o P&PW would ensure display of calendar for pension adalats on the website of the Ministries/departments and stress upon both quantitative and qualitative grievance disposal.
2) D/o P&PW and D/o AR&PG to raise awareness among pensioners about the grievance redressal mechanism.

(PARVEEN JARGAR)

3) There should be regular departmental council meetings and an early meeting by D/o P&PW with the staff side to address pending issues would be held.
4) D/o P&PW will share the OM dated March 23, 2023, with the Staff side.

(ii) Item No. 6/SC/22: Restoration of the commuted portion of pension after 12 years of service.(D/o Pension &PW)

The staff side demanded for restoration of the commuted portion of pension after 12 years of service. D/o Pension & PW informed that a proposal for reduction in restoration period of commutation was referred to the Department of Expenditure. However, D/o Expenditure returned the proposal stating it to be premature. DS, D/o Expenditure clarified that they had received a proposal from the Department of P&PW proposing that the matter relating to reduction in the restoration period for commuted pension maybe referred to the next CPC. As the CPC has not yet been constituted, the proposal was returned. It was decided that the Department of Pension & PW may consider sending a fresh proposal to Department of Expenditure. If required Department of Expenditure may convene a meeting with the Staff Side.

(iii) Item No. 14/SC/22: Payment of FMA to Employees and Pensioners of the National Institute of Ayurveda and bring the employees of the institutes within the ambit of CCS (MA) rules.(M/o AYUSH)

Dir, M/o AYUSH informed that an SLP was filed in the Hon'ble Supreme Court of India. Hon'ble Supreme Court of India vide order dated 08.01.2021 stayed the operations of the impugned orders passed by Hon'ble CAT and Hon'ble High Court of Rajasthan. The case is pending and yet to be listed for further hearing in Supreme Court. It was suggested that this matter may be reviewed at the level of Secretary, M/o AYUSH in the light of orders passed by Hon'ble CAT and Hon'ble High Court of Rajasthan and a decision may be taken regarding contest or withdraw of the SLP in the matter.

(iv) Item No. 3/19/SC: Maximum coverage under the Deposit Linked Insurance Scheme (Insurance Scheme for Central Government Employees) may be increased from Rs. 60,000 to Rs. 6.00 lakh. (D/o Expenditure)

It was observed that this item was considered in the 62nd meeting of Standing Committee and in view of the justification put forth by the staff side, it was decided to reconsider the issue in Department of Expenditure. DS, D/o Expenditure informed that they were waiting for the proposal in this regard from D/o P&PW.
It was decided that the staff side will submit a proposal with justification to D/o P&PW who will examine it and refer to D/o Expenditure.

(v) Item No. 28/SC/22: Restoration of facilities and concession withdrawn by Railways to Senior Citizens. (M/o Railways)

JD, M/o Railways, informed that the Government gave subsidy of Rs. 59,837 crores on passenger tickets in 2019-20. This amounts to concession of 53% on an average, to every person, travelling by Railways. This subsidy is continuing for all passengers.

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PRVEEN JARGAR)
Deputy Secretary

Further concessions beyond this subsidy amount are continuing only for the categories of Divyangjans, Students and patients. At present there is no proposal to restore concession to senior citizens. In view of the position explained by the Ministry of Railways, it was decided to close this item.

(vi) Item No. 11/SC/22: Pension to be exempted from the purview of income tax. (D/o Revenue, CBDT)

On the demand for exemption of pension from Income Tax, D/o Revenue, informed that policy of the Government is to simplify the Income Tax Act, 1961 by removing exemptions and incentives, while, at the same time reducing the rates of taxes. Therefore the proposal could not be agreed to. It was decided to close the item.

(vii) Item No. 24/SC/22: Disability pensions of war heroes to be exempted from Income Tax. (D/o Revenue)

The Staff Side demanded that the Disability pensions of war heroes be exempted from Income Tax. D/o Revenue informed that a court case on the subject is pending before the Hon'ble Supreme Court and the Hon'ble Court, in its Order dated 30.08.2019, has directed to maintain status quo, pending further consideration. It was decided to wait for the outcome of the case. Meanwhile the item stands closed.

(viii) Item No. 29/19/SC: Enhancement of Bonus ceiling limit of casual labourers consequent on enhancement of Bonus ceiling of casual Central Government employees. (D/o Expenditure)

With regard to the demand of the Staff Side to enhance bonus for casual labourers, it was noted that earlier in the 61st Meeting of the Standing Committee, Department of Expenditure had informed that they needed data on the number of casual workers working in Ministries and Departments to take a policy decision. It was also decided in that meeting that Staff Side would furnish the requisite information. The Department of Expenditure informed that this data was still awaited from Departments/Ministries. It was decided that a communication seeking requisite data will be issued by Department of Expenditure to the Departments/Ministries and a copy of the same will also be shared with the Staff Side.

(ix) Item No. 21/21/SC: Grant of Risk Allowance to Central Government employees including Defence Civilian Employees w.e.f., 1/7/2017 and inclusion of new hazardous activities in the list for grant of Risk Allowance. (DOP&T)

It was noted that DoP&T has issued orders for grant of Risk Allowance at revised rates w.e.f. 3/11/2020. Department of Expenditure was of the view that this benefit cannot be given with retrospective effect. The Staff Side brought to the notice that there was a disparity of risk allowance rates between the Fire Service employees and the employees of Defence and Railways engaged in hazardous activities. It was also brought to the notice by the Staff Side that Ministry of Railways and Department of Defence had constituted a Committee in this regard. It was decided to take up this matter with Ministry of Railways and Ministry of Defence.

(x) Item No. 8/SC/22: MACP to be made effective from 1.1.2006 in implementation of the judgment of the Supreme Court. (DOP&T)

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Section Officer

On the demand regarding implementation of MACP w.e.f. 1.1.2006, as has been done in the Defence Ministry on the basis of the judgment of the Supreme Court, it was informed that the Supreme Court in its Orders dated 05.03.2020 and 28.04.2021 overturned its earlier Order, dated 08.12.2017 which allowed grant of MACP with effect from 01.01.2006 in the case of Balbir Singh Turn and others, which formed the sole ground for the claim to extend similar benefit to Central Govt. civilian employees. An OM dated 13.7.2021 from DoPT has been issued advising to dispose of cases in the light of Supreme Court Judgement.

It was noted that judgement of the Supreme Courtwas discussed with Department of Expenditure and Department of Legal Affairs. However, in view of the categorical directions by the Court, the demand could not be agreed to. It was decided to close the item.

(xi) Item No. 9/SC/22: Grant of one notional increment for those who retired on superannuation on 30th June (DOP&T)

It was noted that in CA No. 2471 of 2023 @ SLP (C) No. 6185/2020, the Supreme Court in its Orders dated 11.04.2023 had given judgement in favour of petitioner and subsequent SLP filed by the Government had been dismissed by the Supreme Court. It was informed that the judgement of the Supreme Court was under consideration in DoPT in consultation with nodal ministries. The Staff Side urged to expeditiously resolve the issue and issued necessary Government orders.

(xii) Item No. 10/SC/22: Applicability of the 7th CPC Pay revision benefit for those retired on 31.12.2015 (DOP&T)

With regard to the demand for applicability of the 7th CPC Pay revision benefit for those retired on 31.12.2015, it was noted that an SLP on the subject was pending with the Supreme Court. Since the matter is *sub-judice*, the item may be closed.

(xiii) Item No. 23/SC/22: To specify timeframe for the completion of disciplinary cases in the case of pensioners. (DOP&T)

It was noted that Department of Personnel and Training (DoPT) is already seized of the matter and there is a focus on addressing various issues and considering adjustments to the definitions of minor and major penalties. The primary goal is to simplify procedures, especially for minor penalties, ensuring a more prompt resolution. To ensure timely resolution, extensive work is underway on multiple fronts. A dedicated working group within DOPT has submitted a comprehensive report which is under consideration. There is a commitment to streamline the procedure so that disciplinary proceedings against the pensioners are, by and large, concluded within a maximum period of three years. It was decided to close the item.

<u>Other items raised by the Staff Side :-</u>

Anomalies and implementation of DOP&PW OM dated 03.03.2023

Staff Side drew attention towards several anomalies cropped up from the DOPP&W OM dated 03.03.2023 regarding option for conversion from NPS to OPS. Moreover, in the lower formations / field units the above OM is being not properly implemented.

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a. In case of Ex Apprentices of Railways and Defence who were recruited directly on batch wise seniority basis, 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.

It was decided that DOP&PW will hold a meeting with the Staff Side to resolve the issues represented by the Staff Side.

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Annexure- 1

LIST OF PARTICIPANTS.

Chairmanship: Sh. Manoj Kumar Dwivedi, Addl. Secy (PP), DoPT.

Sl. No.	OFFICIAL SIDE	Sl. No.	STAFF SIDE
1.	Sh. Ravindra Kumar, Director (Pension)	1.	Sh. M. Raghavaiah Leader, Staff Side
2.	Sh. Pramod Kumar, Dir (D/o P&PW)	2.	Sh. Shiva Gopal Mishra Secretary, Staff Side
3.	Ms. Asha Chauhan, Director (M/o Ayush)	3.	Dr. N. Kanniah, Member
4.	Sh. MuraliBhavaraju, Dir (Pay) (DoP&T)	4	Shri B.C. Sharma, Member
5.	Sh. ParthsarathyBhaskar, DS, DARPG	5.	Sh. R. Srinivasan, Member
6.	Sh. Umesh Kumar Agarwal, Deputy Secy. (D/o Expenditure)	6.	Sh. J.R. Bhosale, Member
7.	Smt. GulveenaBadhan, Deputy Secy. (D/o Expenditure)	7.	Sh. C. Srikumar, Member
8.	Sh. Ram Dutt, Dy. Secy. (L&A), DoP&T	8.	Sh. Rupak Sarkar, Member
9.	Sh. S.N. Bharti, DS(PP), DoP&T	9.	Sh. Tapas Bose, Member
10.	Ms. YashuRustagi, DS(AVD.I/D), DoP&T		
11.	Sh. Parveen Jargar, DS (DoP&T)		
12.	Sh. Hem Chander, Jt. Dir (M/o Railway)		
13.	Sh. Pankaj Kumar, SO/E(LR)I, Railway Board		
14.	Sh. Mahesh Chandra Tiwari, ITO, D/o Revenue		

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Annexure II

Key Points made by Secretary (Staff Side) and Leader (Staff Side)

Shri Shiva Gopal Mishra, Secretary, Staff Side, extended welcome to the Chairperson and Members of the Standing Committee on behalf of the Staff Side. He emphasized the significance of the Joint Consultative Machinery (JCM) established as a platform for addressing various issues through formal meetings.

I. Key Points Raised by Secretary, Staff Side:

1. The Secretary, Staff Side, called for the effective utilization of the Joint Consultative Machinery (JCM) scheme, emphasizing the importance of regular meetings for the Standing Council and Departmental Councils.

2. He drew attention to the agenda items that have been discussed during the 62nd Standing Committee meeting held on 20thSeptember, 2023 and emphasized on expeditious follow up action on the following items:-
   a) The Defence Ministry may hold regular meeting with Staff Side to resolve the issues arising after Corporatization of Ordnance Factories.
   b) The proposal for 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 may be reconsidered.
   c) Clarification on applicability of Rule 15 (1) of the CCS (Conduct) Rules, 1964to office bearers of 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 may be issued.
   d) 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).
   e) to extend CGHS benefits to the employees in Industrial Establishments under Western Naval Command Mumbai.
   f) Revision of Deposit linked Insurance Scheme under the GPF for Central Government Employees.
   g) Restoration of festival advance to the Central Government Employees.
   h) 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.
   i) Extension of LTC-80 one time relaxation in the case of employees who availed LTC to Andaman & Nicobar Island by purchasing air tickets from other than authorized agents

3. He urged to hold regular meetings Standing Committee and Departmental Councils as per the JCM scheme to efficiently resolve departmental issues.

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4. The drew attention to the vacant posts in Ministry of Railways including post of the DG and requested to fill it.

5. He raised the issue of old pension in Ministry of Railways and drew the attention towards.

II. Key Issues Raised by Leader, Staff Side:

1. He urged for fresh dated from Cabinet Secretary to hold National Councils meeting.

2. He urged that expeditious action may be taken on the decision of the meeting held under the Chairmanship of AS(PP) on the Board of Arbitration Awards.

3. He raised the issue of grievance redressal mechanism for pensioners and urged that instructions issued by the D/o P&PW should be complied by all Departments and Staff Side should be intimated.

4. Kilometer Allowance provided to Loco Pilots and Assistant Loco Pilots in the Ministry of Railways may be exempted from income tax on the lines of Travelling Allowance (TA).

5. Railway Ministry's proposals relating to grant of revised Qualification Pay for Nursing Personnel who acquire higher qualification and revised cadre structure for Pointsmen category in Railways (duly providing matching money value) may be considered expeditiously.

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