

Shiva Gopal Mishra
Secretary

Ph.: 23382286
National Council (Staff Side)
Joint Consultative Machinery
for Central Government Employees
13-C, Ferozshah Road, New Delhi – 110001
E Mail : nc.jcm.np@gmail.com

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All Constituent Organisations of
National Council(JCM)

Dear Comrades,

As indicated in our last circular letter, the final meeting with the 7th CPC was held on 9.6.2015. Earlier on 8th afternoon, the Staff side had met separately to chalk out the course of negotiations. The National JCA also met on the same day. The National Anomaly Committee met on 9th June, 2015 at 3.00 pm under the Chairmanship of Joint Secretary (E) Department of Personnel at Room No. 72 North Block, New Delhi. We give hereunder a brief synopsis of the discussions at all the meetings.

1. **Meeting with 7thCPC**

The following Staff Side members were present at the Meeting:-

Com. M. Raghavaiah(Leader Staff Side – NFIR), **Com. Shiva Gopal Mishra**(Secretary, Staff Side-AIRF), **Com. Guman Singh**, **Com. R.P. Bhatnagar** and **Com. B.C. Sharma**(all from NFIR), **Com. Rakhal Dasgupta**, **Com. J.R. Bhosale** (AIRF), **Com. KKN Kutty**, **Com. M.S. Raja** and **Com. M. Krishnan** (from Confederation and NFPE), **Com. Srikumar** and **Com. R.N. Pathak**(from AIDEF) **Com. Srinivasan** and **Com. Surjeet Singh**(From INDWF).

- (a) **Date of Effect** - The Chairman has made it clear that the Commission would recommend 1.1.2016 as the date of effect of their recommendations. The Commission would finalise its report by end of August and would submit the same to the Government thereafter. They would adopt Dr. Aykroyd formula for the computation of the Minimum wage. To the specific query made by the Staff Side, the Commission said that they would factor the probable increase in the rate of retail prices of the commodities and would arrive at the minimum wage as on 1.1.2016. There had been no reply to the loss of wages to the employees due to the erosion of the real value of wages as there was no interim relief or benefit accrued from the merger of DA. These demands, therefore, stand rejected.
- (b) **Increase in the insurance coverage in cases of death in harness** - The Staff Side recalled the assurance held out by the Commission earlier to have the actuarial assessed by an expert agency to accede to the demand of the staff side to increase the subscription and the insurance coverage. The Staff Side was of the opinion that their suggestion to share the subscription in the ratio of 3:7 was reasonable but in the absence of an expert study, the Government might not accept the same. The commission said that they would explore the possibility of such an assessment by the LIC before finalization of the report.
- (c) **Fitment Formula** - The Commission might accept the suggestion made by the Staff Side in respect of fitment formula with requisite change in the ratio on the basis of the quantum of minimum wage determined.

- (d) In the matters of **rate of increment, quantum of allowances etc.** - The Commission did not come out clearly of their thinking in the matter.
- (e) **Parity in Pension entitlement of the past and present pensioners** - The Commission is yet to make up its mind on the suggestion made by the staff side in the matter. They however said that almost all the Pensioners organizations which met the Commission had pleaded for this and the same is linked with the one rank one pension demand of the Armed forces personnel.
- (f) **MACP Scheme** - The difficulties and anomalies pointed out by the Staff Side and various other organizations have been taken note of by the Commission. The Commission assured to evolve a methodology to resolve the problem.
- (g) **Opposition to the induction of casual/daily rated workers and contracturisation** - The Commission said that they were opposed to the unfair practice of exploitation of labour. For jobs which are of perennial and permanent character, regular workers must be recruited, the Commission added and that would obviate the need for outsourcing and contracturisation. Since most of the outsourced jobs do not require any academic qualification, the Commission was of the opinion that the revival of Group D cadre would help to address the issue. However, the Commission stated that if only the staff side sends in a communication in writing, the Commission would be able to make any recommendation in the matter. The Staff Side reiterated that they are totally opposed to outsourcing, induction of casual workers and contracturisation and the same has been made explicit in their memorandum.
- (h) **Parity in the pay scales between the personnel in the Central Sectt and those in the subordinate establishments** - The Commission stated that they have appreciated the stand taken by the Staff Side in the matter. The Commission was non committal on other issues raised by the Staff Side members.

2. National Anomaly Committee meeting

The meeting was held at Room No. 72 North Block, under the Chairmanship of J.S(E) Department of Personnel and Training. In the initial remarks, the Staff side raised the following issues.

- (a) Though the official side had promised to provide an action taken statement on all issues in the National Council, the same has not been supplied;
- (b) No date for the National Council is indicated.
- (c) No indication of the steps taken to convene the Departmental Councils. The official side had assured of the convening of the Departmental Council of the Ministry of Finance in the last meeting. However, the staff side has not been apprised of any date so far.
- (d) Abnormal delay in replying to the references made to the Ministry of Finance, Department of Personnel from the Railways and other Ministries.
- (e) The necessity to increase the ceiling limit of the rebate in Incometax for the allowances given to the Loco Pilots.
- (f) Non-adherence to the GOI instructions by the Defence Ministry in certain matters.

The Official Side stated that the Action taken Statement was almost ready but for certain comments from Certain departments. The same would be sent to the staff Side and another meeting held to discuss the course of action required on items where no agreement could be reached. The JS (per) stated that some of the references received from the Railways had been sent back to them for clarification before a final decision is taken. Regarding increase in the rebate ceiling under the Income tax Act, the matter would be referred to the revenue department and requested the staff side to appreciate that the same has to be

considered in a wider perspective. Thereafter the agenda items, which had not been discussed even once were taken up.

- (i) Anomaly in the Pay Band and Grade Pay assigned to the Group B Officers of the Audit, Income Tax, Accounts, Central Excise and Customs and Postal Departments. (Agenda Item No. 1 and 8 taken together.) Despite agreeing that there existed an anomaly in the matter, the official side expressed their inability to proceed further in the matter as the Group B Officers were beyond the ambit of the JCM scheme. However, they agreed that the Govt. would submit take up the issue specifically with the 7th CPC. Com. Shiva Gopal Mishra said that the Govt. must consider a JCM set up for the promote officers as their cases are not heard or discussed at any other forum. Com. Kutty said that the items were introduced as early as in 2009 and it was not correct on the part of the official side to state that the same would be referred to the 7th CPC. Normally the Pay Commission would not entertain to consider the anomalies of the earlier Commissions. However, after some discussions, it was concluded that the Govt. must take up the issue with the 7th CPC, in spite of the fact that the Commission has almost reached its concluding stage.
- (ii) Anomaly in the pay and Grade Pay of Data Processing Assistants Grade A.. The official side did not agree with the contention that the assigning of higher grade pay to certain categories of officers (7450-11500 and Grade Pay4600) was arbitrary. The Government, they added, had acted upon the recommendation of the 6th CPC. They also said that only in those cases where the pre-revised pay scales were in 6500-10500 such up-gradation had been made. In the case of DPA Grade A, they were in the pre revised scale of pay of Rs. 5500-9000.
- (iii) Item No.3. Grant of Grade pay of Rs. 4200 to Lab Technicians. The official side said that the orders have been issued in the matter.
- (iv) Item No.4. Up-gradation of Pay Band and Grade pay of LDCs and UDCs.

The Staff Side made the following points in support of the item:-

- (a) The Grade pay of Rs. 1900 assigned to LDCs by the 6th CPC was without any logic and without appreciating the existing vertical relativity between Group D and LDCs and LDCs and UDCs.
- (b) While creating the non functional grade in the grade pay of Rs. 4200 in the Central Secretariat, the Department of Personnel, which is the nodal department for all matters concerning the common categories, did not extend the benefit to the UDCs in the Subordinate offices.
- (c) The Staff side also pointed out the Department while restructuring the cadre of stenographers in the Central Sectt. earlier, had extended the benefit to all Stenographers in the subordinate offices.

The official side stated that it was not possible for them to address the issue, whatever may be its justification in the background of the setting up of the 7th CPC. They however, assured to make a reference specifically to the Commission.

- (v) Item No.5. Senior Clerks in DMS to be assigned grade pay of Rs. 4200. The matter was stated to be sub-judice. Staff Side, however, stated that, with the change in Recruitment Rules, they should brought at par with the Railways.
- (vi) Item No. 6 and 12. The two agenda items being identical were take up together. The Staff side pointed out the glaring discrimination in the matter. They also stated that the number of employees involved is very small. On behalf of the Postal Department it was stated that the recruitment qualification in the

Postal Department was VIII Standard and ITI whereas in other establishment, the academic qualification stipulated was X Standard. The Staff side contested the same pointing out that no person is entitled to be admitted to ITI without having X standard qualification. They pointed out that the merger of Artisan Grade I and Charge hand was the root cause of the problem. The official side took the stand that in any case the anomaly cannot be removed at this stage and have to wait till the 7th CPC recommendations are made.

- (vii) Item No. 7. Parity in pay scales between the Central Sectt. and subordinate offices. The official side said that the up-gradation of the pay scale of Central Sectt. Assistants were on well found grounds. The Government had considered the repercussion of the said decision and therefore, the decision is not possible to be either reversed or extended to any other category of employees. They added that perhaps the 7th CPC before whom the matter is already agitated by the employees organizations of the subordinate offices might take a decision in the matter.
- (viii) Item No. 9 and 10. Higher grade pay for Medical Assistants and Store keepers. The Defence Ministry was asked to submit a detailed note to the Ministry of Finance indicating the duties and responsibilities assigned as also the recruitment qualifications stipulated in the RR to enable them to reconsider the issue.
- (ix) Children Educational Allowance for any two children. The official side stated that the deviation made in identifying the eldest two children was consciously done taking into account the National Population policy and various other factors and is not likely to be changed. Regarding the claim for reimbursement of expenses incurred in the nursery class, as such institutions or classes are not linked to any Educational Boards, the official side said that they would look into the matter with a view to find a solution thereof.

Comradely yours,



(Shiva Gopal Mishra)
Secretary (Staff Side)
NC/JCM
&
Convener