

No.3/1/2018- JCA
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment (JCA) Section
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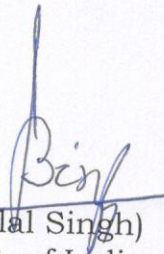
North Block, New Delhi - 110 001
Dated: 8th July, 2019

OFFICE MEMORANDUM

**Subject: Minutes of the Standing Committee Meeting held on 07.03.2019
under the Chairmanship of Secretary (Personnel) – reg.**

The undersigned is directed to forward a copy of the minutes of the Standing Committee Meeting held on 7th March, 2019 in Conference Hall, North Block, New Delhi under the Chairmanship of Secretary (Personnel) for information and necessary action.

Encl.: As above


(Juglal Singh)
Deputy Secretary to the Govt. of India
Tel: 2309 2338

To

1. All Members of the Standing Committee (JCM) as per list attached.
2. Secretary, Staff Side, NC (JCM), 13-C, Ferozeshah Road, New Delhi.
3. General Secretary, AIRF, 4 State Entry Road, New Delhi
4. General Secretary, NFIR, 3 Chelmsford Road, New Delhi

MINUTES OF THE MEETING OF STANDING COMMITTEE HELD ON 07.03.2019 :

The meeting of the Standing Committee of the National Council (JCM) was held on 07.03.2019 at 5.00 p.m. at Room No.119, North Block, New Delhi under the Chairmanship of Secretary (Personnel).

2. **The Chairman welcomed** the participants and stated that meeting of the Standing Committee was held after two years and informed that the agenda for the meeting includes the Action Taken Statement on 31 items deliberated upon in the earlier Meeting held on **03.05.2017** and 49 additional items received from the Staff Side.

3. **Secretary, Staff Side** conveyed his appreciation on the positive note in which the meeting has been conducted and also raised the issues regarding Board of Arbitration Awards and the demand to conduct an early meeting of the National Council (JCM).

4. **Secretary (Personnel)** opened the discussion relating to the items in the agenda and stated that all the agenda items may be deliberated upon one by one, (which are as below) :-

(i) **Item No.12** : Opening of CGHS Dispensaries in Agra, Barrackpore (Kolkata) and Kochi.

Economic Advisor, Ministry of Health and Family Welfare : stated that dispensaries under the Department of Postal and Telegraphs have been taken over by CGHS, Agra for CGHS beneficiaries and would be functional w.e.f 1.4.2019 and extension counter/new CGHS Wellness Centre at Barackpore will start functioning w.e.f. 28.2.2019. He further informed that necessary initiative has been taken for opening CGHS Dispensaries at Kochi which has been approved on August, 2018 and would be functional in the near future. It was decided that this item may be treated as closed.

(ii) **Item No.15** : Central Government Health Scheme: Empanelling of hospitals and streamlining of procedure to provide in-patient treatment to the beneficiaries.

EA, M/o H&FW stated that the demand raised by the Staff Side might be a suggestion. Empanelment of Hospital is a continuous process and as far as possible steps are being taken to streamline the procedure. It is not factually correct that there is only one or two hospitals empanelled under CGHS, in Mumbai. In Mumbai there are 25 hospitals, 22 Eye-clinics and 5 Dental hospitals empanelled under CGHS.

He further informed that in so far as matters relating to the delay in payment of bills to concerned hospitals in case of Pensioners are concerned, the payment are to be made by CGHS of M/o H&FW or the Administrative Ministry may make the payment to those hospitals. By and large, payment

of bills has to be made on time but sometimes payments are delayed due to budget constraints.

- (iii) **Item No. 33** : Disproportionate revision of subscriptions under CGHS, due to the revision of pay and allowances of Central Government Employees on account of the implementation of 7th CPC:

EA, M/o H&FW stated that the last time the CGHS subscription rates were fixed was in the year 2006, but there has been about 140% increase in the salary of the Central Govt. employees, since then. In comparison to the substantial increase in the salary of the Central Govt. employees since 2006, the revision of subscription under CGHS is very less.

- (iv) **Item No.39 & 40 : Direct consultation with Specialists in CGHS / Central Government/State Government Hospitals/ Polyclinics: Continuation of the facility for those CGHS beneficiaries, who were eligible for direct consultation before revision of the Monetary Ceiling, including pensioners and family pensioners.**

EA, M/o H&FW stated that the demand from the Staff Side to increase the monetary ceiling for seeking appointment and for direct consultation with specialists in CGHS etc., has not been considered by the Ministry and order to this effects has been issued vide OM dated 5.12.2017. Therefore, this item may be treated as closed.

- (v) **Item No.41 : Plastic Cards :**

EA, M/o H&FW informed that the distribution of Plastic Cards by and large has been completed. Facility for self printing of CGHS Plastic Card has also been given to CGHS beneficiaries.

- (vi) **Item No.42 : Indication of "Ward entitlement" in plastic cards of pre-01.06.2009 beneficiaries :**

EA, M/o H&FW stated that some pensioners, who are entitled for higher category wards are getting, lower category Plastic Cards. There are few isolated instances, which has been brought to the notice of M/o H&FW. Further, Additional Directors of all City Headquarters have been advised that whenever any beneficiary approaches CGHS for their entitled ward category his/her entitlement should be restored.

Staff Side insisted that considering the difficulties faced by the senior citizens, Ministry of Health may re-consider its decision.

- (vii) **Item No.43 : Grant of one time option to CGHS beneficiaries to opt for entitlement as per their revised Pay in Pay Band :**

EA, M/o H&FW stated that the demand to grant one-time option to pre-1.6.2009 pensioners to opt for re-determination of their ward entitlement based on their notional pay in pay band is not allowed.

(viii) **Item No. 44: Provision of CGHS facility for life time to dependent/ disabled/ mentally retarded children of Central Government Employees/Pensioners :**

EA, M/oH&FW stated that in accordance with Pension Rules 1972, Central Govt. employees/Pensioner's children with special needs and disabilities are allowed family pension, whereas CGHS facilities for mentally/physically disabled married daughters of Central Govt. employees/Pensioners is not allowed. The matter is now being examined, so as to provide CGHS facilities to dependant daughters of the Central Govt. employees / pensioners after their marriage.

(ix) **Item No.45 : Extension of CGHS facilities to retired BSNL employees – follow up action and fixation of rates of contribution & ward entitlement by the Ministry of Health and family Welfare:**

Eco. Advisor, MoH&FW : informed that the CGHS facility is available to retired BSNL employees. Since notification in this regard has not been uploaded on the website of the M/o Health and F.W., retired BSNL employees are not aware of this facility. The information has now been placed on the website of M/o.H&FW.

Secretary, Staff Side stated in reference to item no. 15; regarding empanelling of hospitals & streamlining the procedure to provide in-patient treatment to the CGHS beneficiaries, MoH&FW should consider empanelling maximum number of hospitals as per CGHS guidelines and these hospitals should have door step facilities.

He further informed that the rates fixed by CGHS were so low that the hospitals were refusing to admit the CGHS beneficiaries. Moreover, many reputed hospitals in cities have not applied for empanelment which could benefit CGHS beneficiaries. There is also an issue with disproportionate revision of subscription under CGHS, which was not consulted with the Staff Side, before revision.

He also informed that in the last meeting, Standing Committee Chairman directed that health related issues should be discussed with the Ministry of Health & FW, to arrive at a resolution. Accordingly, 15-20 agenda items related to health issues were considered and the proposals were sent to Ministry of Health for discussion, but so far, no discussions have been held. Chairman stated that Staff Side may send the above agenda items to DOPT for onward transmission to Mo.H&FW for further deliberations in this regard. Secretary, Staff Side further suggested that the orders relating to CGHS beneficiaries are neither uploaded on the website of the Ministry nor copies of the orders were sent to Staff Side, NC (JCM). The M/o.H&FW agreed to take necessary action in this regard.

Secretary, Staff Side also conveyed his appreciation relating to several good measures taken by the Government to expedite the settlement of Hospital bills and modified payment system by CGHS through UTI-ITSL

without initial provisional payments for final settlement of bills. However, he informed that sometimes the UTI-ITSL system does not function properly and retired CGHS beneficiaries face a lot of problems. He asked the M/o.H&FW to consider adopting some other mode of payment to resolve the issue.

Chairman stated that the issues raised by the Staff Side have been taken note of and the matter will be further examined by the Ministry of Health and Family Welfare.

(x) **Item No.3 : Revision of the benefit of Deposit Linked Insurance Coverage from GPF :**

Joint Secretary (Pension) informed that a proposal was sent to Department of Expenditure to consider enhancement of the limit set for Deposit Linked Insurance Scheme, 1976 from Rs.60,000/- to Rs.6,00,000/-. Department of Expenditure requested for clarification and some precedent cases which are with EPFO. Since, Ministry of Labour and Employment has such similar benefits, wherein the limit of DLIS has been enhanced to 6,00,000/- for depositors in EPF, covered under the scheme, the precedent policy of M/o Labour & Employment along with the proposal has now been sent to Department of Expenditure. He further informed that the Department of Expenditure has been reminded to take action expeditiously.

(xi) **Item No.17 & 32 : Extending the benefit of pension revision to the Central Government employees and officials, who are absorbed in the Central Public Sector undertakings :**

This is about the revision of the restored one third pension and notional full pension of Central Govt. employees, who have been permanently absorbed in autonomous bodies and have drawn one time lum-sum terminal benefits equal to 10% of their pension and were granted restoration of one-third commuted portion of pension.

Joint Secretary (Pension) stated that D/oP&PW has issued orders on 23.6.2017 for restoration of full pension to pensioners absorbed in autonomous bodies, including revision after 7th CPC after completion of 15 years from the date of commutation. It was decided that this item may be treated as closed.

(xii) **Item No.18: Revision of Ex-gratia to CPF/SRPF retirees :**

Joint Secretary (Pension) stated that all group 'A', 'B', 'C', and erst-while Group (D) officers are covered under the said scheme. The matter has been reviewed and is being sent to Department of Expenditure for consideration. Before the matter is sent to Department of Expenditure for consideration, Pension disbursing Banks and CPAO has been requested to furnish numbers of such beneficiaries so that financial implication could be calculated. The information is still awaited.

Staff Side requested that since the matter is getting delayed, necessary Govt. orders may be issued at the earliest.

(xiii) **Item No.20: Include unmarried/widow/divorcee sister in the definition of family for family pension :**

Joint Secretary (Pension) stated that the matter has been examined but the demand has not been acceded.

Chairman advised Department of Pensions and Pensioners' Welfare to re-consider the issue.

(xiv) **Item No.1: Policy formulation for direct appointment of Trained Trade Apprentices of Central Government Industrial Establishments like Railways, Defence etc. as per the amended provisions of Section-22 of Apprentice Act, 1961 :**

Executive Director (IR), Ministry of Railways stated that they have already formulated the policy for direct appointment of Trained Trade Apprentices in 2016 by reserving 20% of posts at level - I.

Staff Side stated that Apprentices Act, 1961 has already been amended and in the amended Act, there is a provision that the Institute which trains the apprentices may consider recruitment at skill level. The Training Institute should formulate a policy in this regard. It is to be noted that in the Government of India, Ministry of Railways and Ministry of Defence, are two major Ministries, where thousands of apprentices are trained every year. However, within the Ministry of Defence, the Navy has amended their Recruitment Rules for providing 60% quota for Recruitment to skilled post for the Navy Trade Apprentices. Therefore similar provision can be incorporated in the RR/SRO of other Directorates in the MoD like Ordnance Factories DRDO, EME etc.

Joint Secretary, Ministry of Defence informed that in the Ministry of Defence, recruitments are being done by the concerned Organizations/ Departments. They follow their own internal guidelines with regard to recruitment of Apprentices. Hence, a uniform policy for recruitment of Ex-Trained Trade Apprentices in all the Defence Industrial Establishments is not feasible.

Chairman stated that in the first instance, the concerned Ministries/Departments have to formulate a policy for direct appointment of Trained Trade Apprentices under the Apprentice Act, 1961 and the percentage of reservation of posts for Apprentices shall be decided.

(xv) **Item No.25: Counting of full service of temporary casual labourers for pensioners and retirement benefits in Railways:**

Executive Director (IR), Ministry of Railways stated that as per the existing instructions, in case casual labourers are absorbed in regular

establishments, half of the service rendered as casual labourer from the date of attaining temporary status till absorption in regular service is counted as qualifying service for the purpose of pension. It was informed by ED(IR) that they follow orders passed by apex court on 24.3.2017, in a SLP filed by Rakesh Kumar Vs. Union of India in the Hon'ble Supreme Court, in which the apex Court directed that "the casual labourers, who are absorbed in regular establishment, half of the service rendered as casual labour from the date of attaining temporary status till absorption in regular service, may be counted as qualifying service for the purpose of pensionary benefits".

Secretary, Staff Side stated that a copy of Supreme court's Judgment may be provided to them for further deliberations with the Ministry of Railways. He further said that temporary status followed by regular absorption without break in service, should be counted for giving benefit to these labourers.

(xvi) **Item No.34: Implementation of 7th CPC recommendations - Upward revision of pay scales of various categories :**

Joint Secretary (Estt.), DoPT stated that DoPT has taken a decision on the issue of up-gradation of posts of Chemical and Metallurgical Assistant (CMA), Chemical and Metallurgical Superintendent (CMS) and Assistant Chemist and Metallurgist (ACMT) and in this regard, an Inter-Ministerial communication has already been sent. Final decision will be communicated to the Ministry of Railways in due course.

Executive Director (IR), Ministry of Railways informed that the matter will be discussed in the next meeting of Allowances Committee and matter will be resolved.

(xvii) **Item No.35 : Acute shortage of doctors in the Railways – Failure of the UPSC to nominate doctors in the Railways.**

Ed (IR) informed that now situation has improved considerably and in support of his viewpoint, he mentioned data about postings of doctors.

Secretary, Staff Side stated that this issue has been settled and agreed to close the item.

(xviii) **Item No.36 : Implementation of Pay Scales recommended by the 7th CPC in case of several other common categories :**

Executive Director (IR), Ministry of Railways informed that action on this item will be taken and issue will be resolved within next 6 months.

(xix) **Item No. 37:** Recommendations of the 7th CPC on the allowances:

Executive Director (IR), Ministry of Railways stated that recommendations in respect of the allowances; viz. Special Train Controllers Allowance to Train Controllers, Risk and Hardship Allowance to Track Maintainers (except additional allowance to Running Staff in Railways) have

been accepted by the Government and orders in this regard have been issued by the Ministry of Railways.

Joint Secretary (Personnel), Department of Expenditure stated that a meeting would be called for in the near future, to consider the issue of grant of additional allowance to Running Staffs of Railways and a decision will be taken, at the earliest.

(xx) **Item No.46: Fixation of pay on promotion to a post carrying higher duties and responsibilities but carrying same grade pay:**

Secretary, Staff Side stated that in the Ministry of Railways it has been seen that in case of promotion of Loco Pilot (Goods) to the post of Loco pilot (Passenger), and Loco pilot (Passenger) promoted to Loco pilot (Mail/Express), and Passenger Guard promoted to the post of Mail/Express Guard are placed in Pay Band II with Grade Pay Rs.4200/- in the revised pay structure w.e.f. 1.1.2006 onwards. The benefit of the promotional pay fixation to the above category of staffs may be extended by the Ministry of Railways.

(xxi) **Item No.49: Inadequate medical facilities & conditions imposed for recognition of Referral Hospitals by the Indian Railways :**

Secretary, Staff Side stated that since Railway Board has delegated the powers to the General Managers/DRM's/CWM, to empanel private hospitals as per need basis, the item may be considered as closed.

(xxii) **Item No 10: Restoration of Interest Free Advances, withdrawn by the Government based on 7th CPC Recommendations :**

Joint Secretary (Personnel) stated that Seventh Pay Commission in its report had recommended that all interest free advances should be abolished. The recommendations of the Commission relating to the abolition of interest free advances have been accepted by the Government with the exception of interest free Advances for Medical Treatment and Travelling Allowance for the family of the deceased. Travelling Allowance on tour or on transfer and Leave Travel Concessions have also been retained.

Staff Side also raised the demand for the restoring Festival Advance. **Joint Secretary (Personnel)** agreed to reconsider the issue of restoring the Festival Advance.

Staff Side thanked JS (Pers.) for agreeing to reconsider the issue of restoration of Festival Advance to the Central Govt. Employees.

(xxiii) **Item No. 19 : Dispense with the practice of ignoring the fraction while computing Dearness Allowance :**

Joint Secretary (Personnel) stated that the present formula for calculation of DA where the whole numbers with fraction carried forward

while calculating the percentage increase in DA was/is based on the recommendation of the 4th CPC. This method also saves the Government expenditure.

Secretary Staff raised his objection stating that the employee loses his benefit, when the fraction is ignored and carried forward. Therefore it is requested that Dearness Allowance should be paid on the actual DA raise, since DA is to compensate the inflation/price rise.

Joint Secretary (Personnel) though agreed to re-examine the matter, also informed that this may have financial implications and may increase Government expenditure.

(xxiv) **Item No. 21 : Removal of conditions of being at the CHQ for few days in a month to claim the Transport allowance :**

Joint Secretary (Personnel) stated that the Transport Allowance is granted for full month, even if an employee attend office for one day in a calendar month. However, when an employee remains away from Headquarters for full calendar month(s) on duty / tour, he does not get any Transport Allowance. Since the employee has no occasion to commute between place of duty/Headquarters and residence during such calendar month(s), grant of Transport Allowance for that calendar month(s) is not admissible and also not justified. Further, for such period when employee is sent away on duty/tour from his Headquarters to any other place, he gets adequately compensated by grant of Daily allowance for that period. As per 6th and 7th CPC recommendations, Daily allowance is being given as reimbursement for hotel accommodation, food bill and local travel charges.

Staff Side demanded that being at the CHQ for one day, as a condition may be removed similar to the removal of one kilometer condition earlier. The Staff Side further stated that if an employee is away from headquarter for training or tour in a whole calendar month he does not get Transport Allowance. This is not justified because CCA has been abolished and it is subsumed in Transport Allowance implying that the Staff losses CCA as well. The Staff Side further stated that employees, who goes on Child Care Leave also does not benefit due to this condition. They demanded that the matter should be re-examined.

Joint Secretary (Personnel) agreed to re-examine the matter.

(xxv) **Item No.24: Transport allowance in case of Physically handicapped person at double rate and deduction of the same if one is on short leave may be dispensed with :**

Joint Secretary (Personnel) stated that as per Department of Expenditure's OM No. 21/5/2017-E.II(B) dated 07.07.2017, Transport Allowance at double the normal rates is admissible to Physically disabled employees, viz. Visually impaired, orthopedically handicapped, deaf and dumb/hearing impaired and also to employees suffering from spinal

deformity. Otherwise, the general conditions for drawal of Transport Allowance at normal rates apply equally to all Govt. employees. Hence, Transport Allowance at double the normal rates will not be admissible for the calendar months (s) wholly covered by leave for persons with disabilities. In this regard, the Department of Expenditure has not issued any other instructions. He further stated that there are no instructions with regard to having attendants for handicapped employees and if there is any such instances then that should be brought to the notice of Department of Expenditure. The Staff Side agreed to this suggestions.

(xxvi) **Item No. 26 : Extension of benefits of revised pension rules - 2016 in respect of pensioners of Central Government employees in autonomous bodies :**

Joint Secretary (Personnel): stated that Department of Expenditure has issued orders only for Central Government Employees and not in respect of employees belonging to autonomous bodies. In case of Dearness Allowance the orders are issued by administrative Ministries/Departments.

Secretary (Staff Side) pointed out that the employees of autonomous bodies were getting pay scales of Central Government; the problem arose when the Department of Expenditure imposed the condition that 25% of the expenditure will be borne by the administrative Ministries/Department. It is imperative that these Central Government employees in autonomous bodies should be kept on equal footing with Central Govt. employees for the purpose of pay scales and pension.

Joint Secretary (Personnel) stated that there are as many as 680 autonomous bodies where Central Government employees are working and if this demand is accepted the repercussion will be huge. Joint Secretary (Personnel) stated that the Staff Side may keep this demand as a separate issue.)

(xxvii) **Item No. 27 & Item No. 38 : Parity in pay scale of all stenographers, assistants and Ministerial staffs in subordinate offices and in IA&AD and organized accounts cadre with Central Secretariat staffs by upgrading their pay scales :**

Joint Secretary (Personnel) stated that in cases where 7th CPC has recommended downgrading of pay scales of Assistants and Section Officers of CSS, Assistant Nursing Superintendent etc., the Government after considering the recommendations of the Commission decided that those recommendations related to down-grading of posts may not be accepted and normal replacement may have to be allowed in such cases. He further said that a committee has been formed by Department of Personnel & Training to examine the matter.

Staff Side reiterated that considering the nature of the job of Stenographers or Assistants, the Ministerial Staffs of subordinate offices and Central Secretariat are the same. It is justified that pay parity is maintained

while considering the matter related to pay scale. The staff side also demanded that the Committee constituted for this purpose may consult the Staff side also before finalizing its recommendation.

(xxviii) **Item No.29: Enhancement of Bonus Ceiling Limit of Casual Labourers, consequent on enhancement of bonus calculation ceiling of Central Govt. Employees :**

Joint Secretary (Personnel) informed that the details have been sought from different Ministries/Departments mainly from Ministry of Defence, M/o Labour, M/o Housing & Urban Affairs etc. and the information is awaited. Once the information is received from these Ministries, the rates of bonus will be enhanced, accordingly. The item has been considered closed.

(xxix) **Item No.4 : Career progression of Data Entry Operator Cadre of DRDO, under Ministry of Defence :**

The representative of Ministry of Defence / DRDO stated that the comments of DoPT, Establishment (RR) are still awaited. The matter will be decided once DoPT provides their suggestions/comments.

Staff Side informed that there is huge stagnation in the cadre of Data Entry Operators and the employees working in the cadre are in the age group of 50 or more. Because of the stagnation, the employees working in this cadre retires even without reaching grade pay of 4600/-. Therefore, it may be considered that the DEO Cadre are treated at par with the Administration and Allied Cadre of DRDO so as to give them promotional opportunities. Further, there are no new recruitment in the cadre and it will be a onetime measure for career progression in respect of Data Entry Operators. The Staff Side requested MoD to consider the matter urgently..

Chairman directed representative of M/o Defence/**DRDO** to take note of it and assured the Staff Side that the matter will be looked into.

(xxx) **Item No. 5 : Recognition of Technical Diploma Course in different discipline of Engineering / Technology obtained through Distance Education Mode for the purpose of LDCE to the Departmental Candidates for appearing for higher post with Grade Pay Rs. 4200/- (Level 6 of 7th CPC).**

Representative of Ministry of Defence informed that this item is not agreed to and DRDO is in the process of framing of New Recruitment Rules, for the same.

Staff Side stated that the decision of not recognizing Distance Education Diploma Courses for appearing in LDCE Examination will demoralize the existing employees for joining higher courses and acquiring

qualifications, which will be beneficial not only to the individual but also to the organization. Even in such instance when the individual acquire a Diploma, he still has to appear for the LDCE Examination and qualify. Therefore DOP&T may consider this aspect and issue a general instruction to all Ministries to recognize Diploma in Engineering acquired through Distance Education Mode from a govt. recognized institution/university.

(xxxix) **Item No. 7 : Endorsement of Higher Education, not mentioned in the PVR Forms or in the Service Records of the Employees :**

Staff Side stated that if the criteria for qualification is graduation and candidate has post graduate degree, the qualification is left out, as there is no sufficient space provided in the Attestation Form.

The Representative of Ministry of Defence stated that sufficient space is provided in attestation form for providing information of educational qualification. Candidate can also attach a separate sheet with details if he is having more number of qualifications. He further stated that the candidates intentionally suppresses their qualification.

JS(Estt.), DoPT enquired from representative of M/o Defence whether there is any bar to endorse higher qualification, and MOD informed that there is a limit set as criteria. The Staff Side informed that there should be no bar as the Hon'ble Court has quashed the bar set by MoD.

Chairman asked Staff Side to give specific instances of the difficulties faced by the candidates, so that appropriate changes can be considered.

(xxxix) **Item No. 8 : Correlation of the hourly rates of Industrial Workers of Ordnance Factories based on 6th CPC pay scale w.e.f. 01.01.2006 :**

The Representative of MoD, Deptt. of Defence Production stated that the matter has been considered in consultation with Department of Expenditure and decision was taken to the effect that it may not be agreed.

Staff Side raised their objection on this and stated that there was a huge delay in examining the matter based on the recommendation of 6th CPC in 2008, and hourly rates of Industrial Workers were revised in 2014 and these rates are from prospective date. But, after so many years of delay, now it is informed that the matter has not been agreed to by the Department of Expenditure. They further informed that after the implementation of 7th CPC w.e.f. 01/01/2016, till date, the hourly rate of the Industrial workers of Ordnance Factories is not yet correlated and still pending with MoD. Such delay results in huge loss to the Industrial Workers.

Chairman assured that Joint Secretary (Personnel), D/o Expenditure has agreed to re-examine this issue again.

(xxxiii) **Item No.9: Provision of encashment of Earned Leave to the Ex-Servicemen, who are re-employed in Industrial Establishment as Industrial Worker :**

Representative of the Ministry of Defence informed that orders have been issued in this regard. Thereafter, the Staff Side agreed to close this item.

(xxxiv) **Item No.47: Provision of Aadhar Card to Retired Central Government Employees staying in the NE Region:**

Staff Side informed that serving as well as retired Central Government employees are facing difficulty in issuance of Aadhar Card in NE States and it is urged that, due steps may be taken to issue Aadhar Card in favour of retired as well as serving Central Government employees.

Representative from the Department of Electronics & IT informed that 2300 centers has been opened in North East Region out of which 1500 were opened last year and over 1.6 crore people were enrolled and provided Aadhar Card, in NE Region.

Staff Side stated that they are satisfied with the progress made in this regard and agreed to close this item

(xxxv) **Item No.30: Non-grant of eligible paid weekly off and compensation for national holidays to Casual Labours, c/o Salarjung Museum, Hyderabad:**

The Representative of the M/o Culture informed that orders in this regard has already been issued and the matter has been settled.

Staff side requested for a copy of the instructions issued by the Ministry of Culture sent to the Office of the Staff Side.

(xxxvi) **Item No.48: Deduction of House Rent on flat rates without providing equal facilities :**

Staff Side informed that House Rent is being deducted from Railwaymen and other Central Government Employees on flat rates fixed by the Nodal Ministry. But facilities like underground drainage, provision for flushing facilities in toilets, supply of water etc., have not been provided equally in all the quarters.

It is, therefore, urged that, repairing/construction of underground drainage systems may be considered, flushing facilities in toilets be provided and adequate supply of water, through pipeline may be facilitated. Till such time these facilities are provided, the same amount of House Rent should not be deducted in lieu of these facilities.

Staff Side further stated the facility is not according to plinth area and the license fee is charged according to the latest orders of M/o Housing

& Urban Affairs. They have specially mentioned that quarters of M/o Railways are very old and in a very bad condition and yet they are taking charges from employees as per latest norms.

The representative of M/o Housing & Urban Affairs stated that this item is partially related to their Ministry and the Ministry of Finance as the House Rent Allowance (HRA) Rules are administered by the Ministry of Finance. Further, M/o Housing & Urban Affairs only notifies the rate of license fee to be recovered from the allottees of General Pool Residential Accommodation (GPRA). Accommodations are constructed and classified as per the plinth area norms. The upgradation of different types is done to provide the various facilities in tune with present day living and is an ongoing process. Government has taken steps to provide new multi-storied constructions in place of low-rise constructions and making provision to provide facilities in tune with present plinth area norms under redevelopment projects. The basic facilities like toilet flush system, drainage system etc. are adequately provided.

Representative, M/o Railways requested the Secretary (Staff Side) to discuss the matter in next Departmental Council meeting.

(xxxvii) **Item No. 2: Promotional prospects of MTS :**

The Staff Side stated that 10% promotional quota in MTS grade is very low and it should be increased by 20%. In most of the cases the employee join as MTS and retire as MTS without any promotion. Therefore, promotional opportunities for them may be provided.

Joint Secretary (Establishment) stated that there is 4-tier promotional structure for MTS, and once the MTS is promoted to the grade of LDC, he is eligible for further promotion in subsequent grades.

Chairman stated that the Staff Side has brought this issue for the first time and the matter will be considered in due course and Staff Side will be informed accordingly.

(xxxviii) **Item No. 6 : Implementation of the recommendation of 6th CPC with regard to Limited Departmental Competitive Examination for posts in Group "B" and Group "C" :**

Joint Secretary (Establishment) stated that instructions in this regard are very clear for LDCE, for which the post in immediate feeder grades and other posts with certain eligibility conditions (namely; educational qualifications and residency period etc.), depending upon the grade pay of the feeder grades are prescribed. Normally residency period is half of the period required for promotion as prescribed. For LDCE being eligible for all posts in the feeder grade without residency, this provision is not justifiable. For example; for the purpose of LDCE conducted for the post with Grade pay 4200/-, both posts in Grade Pay 2800/- and 1800/-, are treated equally as per 6th CPC recommendation, if accepted.

Staff Side stated that M/o Defence is not allowing LDCE Exam. for those who possess higher qualification. As a result all these employees retires in same grade.

Staff Side demanded that qualified Departmental candidates may be allowed to appear for LDCE without any restrictions, since the employee is considered for promotion through LDCE, only after qualifying the examination.

Chairman directed M/o Defence to send a proposal at the earliest to amend the RRs in this regard.

(xxxix) **Item No.11: MACP to the employees, who have completed 10/20/30 years on the date of their retirement :**

Joint Secretary (Establishment) stated that the instruction in this regard is very clear and as per MACP scheme three financial up-gradations to be granted on completion of 10/20/30 years of regular service from the date of entry or whenever a person spends 10 years in the same grade pay. As such relaxation on length of service would be a deviation from the basic concept of MACP scheme and its practicability.

Staff Side stated that above instructions causes injustice to the employee who work whole month and not allowed any benefit because of one day. The Staff Side requested that the matter may be looked into.

Joint Secretary (Establishment) stated that this issue cannot be agreed to, at this stage as there are lot of court cases in this matter.

(xxxx) **Item No.13: Removing the anomalous situation in the representation of JCM :**

Staff Side requested that at least all non-gazetted employees should be considered for inclusion in the JCM Scheme.

Joint Secretary (Establishment) stated that the J.C.M. Scheme covers all regular civil employee's of the Central Government except Class-I and the Class II services, other than the Central Secretariat Services and the other comparable services in the Government organization and its HQs. He further stated that the matter to include Group B employees for coverage under JCM Scheme is presently under examination.

Representative, D/o.IA&AD informed that in IA&AD, all Group B Non-Gazetted cadres are under JCM Scheme.

(xxxxi) **Item No.14: Recognition under CCS(RSA) Rules, 1993. Inordinate delay in the grant of recognition and Streamlining of procedures and fixing time frame for taking decisions :**

Joint Secretary (Establishment) stated that all departments have been requested that the applications for recognition received by them may

be examined and disposed of in a time bound manner. Also, any shortcomings may be brought to the notice of the applicant association at the earliest, so that they can make necessary amendments and the applications may be disposed in a time bound manner.

Staff Side stated that all Departments should follow the guidelines of DoPT on recognition and streamlining of procedure. Specifically, the Ministry of Defence may be asked to follow the DOPT's instruction in the matter, as far as the "Workers" are concerned, since they cannot form associations under the CCS(RSA) Rules 1993, as the Rule is not applicable to them.

Chairman asked the Ministry of Defence to follow DOP&T's rules & instructions in the matter as far as "Workers" are concerned.

(xxxxxii) **Item No.23: Delegation of authority to the State Welfare Co-ordination Committee to determine at least 5 holidays :**

Joint Secretary (Establishment) stated that the matter is under consideration.

5. Staff Side also raised the discussions on the Action Taken statements (ATS) on the minutes of the Standing Committee Meeting, which was held on 03/05/2017 :

i) Item No.4 : No Privatization, PPP of FDI in Railways and Defence Establishments:

Staff Side member from MoD stated that the Ordnance Factories, DGQA, and other Army Establishments are under severe crisis, since Defence Ministry have decided to declare 286 items being manufactured in Ordnance Factories as Non-core and to outsource the same. Similarly many Army units are declared to be closed and Army based workshops are going to be converted to GOCO Model. More than 30 thousand employees are likely to be displaced.

Staff Side requested that Defence Ministry may re-consider all the above policy decisions and should hold negotiations with Staff Side in this regard. **Staff Side members of Railways** also expressed similar concern.

Chairman desired that the respective Ministries may discuss the matter with the concerned Staff side and to resolve the issue represented amicably.

ii) Item No.6: No ban on Recruitment/Creation of Posts.

Staff Side stated that even though there is no ban on recruitment, large number of posts are lying vacant and the work to be done by permanent workers are being outsourced. They demanded that all the Ministries may be advised to fill up the posts lying vacant.

Chairman stated that there is no ban to fill up the vacant posts and all Departments can take steps for filling up of vacancies based on their requirements.

iii) Item No.7: Scrap PFRDA Act and re-introduce the Defined Benefit Statutory Pension Scheme:

Staff Side told that they reiterate their stand in that, the NPS should be scrapped and the Defined Guaranteed Pension under the CCS(Pension) Rules, 1972 should be restored to the employees, who were recruited on or after 01/01/2004. They also demanded that GPF facility may be provided to the NPS governed employees on an optional basis.

Chairman desired that the Dept. of Pension may consider the demand in reference to GPF of the staff side.

iv) Item No.10: Revive JCM functioning at all levels as an effective negotiating forum for settlement of demands of the Central Govt. employees:

Staff Side complained that inspite of repeated instruction from DOP&T meetings of the Departmental Council (JCM), the meetings by Union forums/federations are not taking place as per time schedule, resulting in accumulation of unsettled grievances and increase in court cases on service matters.

Staff Side demanded that it may be made mandatory, that all the Departments shall hold minimum two meetings of the Departmental Council(JCM), even though the scheme provides for 3 meetings in a year.

Chairman agreed and reiterated that the instructions on these lines, relating to the concern of the Staff Side should be looked into by all the Ministries/Departments.

v) Item No.11: Remove the arbitrary ceiling on compassionate appointments.

Staff Side placed the following views:-

- a) The 5% ceiling may be increased to at least 10%.
- b) Dependants of employees who dies/medically incapacitated while performing his duty; eg. like accident on workplace etc., should be granted immediate appointment on compassionate grounds, as a special case without including the same in the 5% ceiling limit.
- c) In the MoD, compassionate appointment to the service personnel are granted within the 5% of Civilian vacancies which is not justified and their appointments may be adjusted from amongst the vacancies of the service personnel.

Chairman agreed to consider the above proposal of the staff side.

vi) Item No.12: Ensuring five promotions in the service career:

Staff Side stated that many of the cadres are not even getting 3 promotions in their service career. This problem will be resolved to some extent if the MACP is granted in the promotional hierarchy, instead of hierarchy levels in the pay matrix.

Official Side stated that the matter is subjudice, as the case is pending before the Hon'ble Supreme Court.

vii) Item No.14: Reduction of one day Productivity Linked Bonus (PLB) to the employees of OFB & DGQA under Department of Defence Production against the Cabinet decision and Government orders.

Staff Side stated that inspite of the Govt. orders issued on the basis of Cabinet approval, the employees of Department of Defence Production, are eligible for 41 days Productivity Linked Bonus (PLB). However despite the recommendations by the Hon'ble Defence Minister, the Department of Expenditure is reducing one day PLB for the past 11 years, and is approving only 40 days PLB. Similarly in case of EME also such reduction is taking place every year.

JS (Pers), Dept. of Expenditure stated that the issue is under consideration and in consultation with Dept. of Defence production/MoD. The staff side requested for an early decision in the matter.

viii) Item No.15: Grant of one time relaxation to the Central Govt. Employees who have availed LTC-80 and travelled by air by purchasing ticket from authorities other than authorized agents:

Staff side proposed that: **a)** If the employee has actually travelled in Air India flight, then the LTC-80 fare of the journey day may be paid to him irrespective of the fact that ticket was purchased from authorized Agent or not. Any excess amount over and above the LTC-80 fare can be recovered;

b) No disciplinary action and stoppage of future LTC may be taken; **c)** A general instruction in this regard may be issued to all the Departments to regularize all the pending LTC-80 cases as above.

Chairman agreed to consider the demand of the staff side.

ix) Item No.16: Grant of House Rent Allowance to the employees who have vacated government quarters:

Staff Side said that they are grateful for the Govt. Order dated 05/03/2019 issued by the Dept. of Expenditure on the subject matter. However there is a difficulty in implementing this order, in the Min. of Railways & Defence, as these Ministries have their own residential colonies and it is also mentioned in the ibid order that "*whenever feasible*". This

provision may have to be deleted, so that the employees who have vacated the quarters due to less facilities etc., are able to avail HBA from various sources etc., and are entitled for HRA.

Joint Secretary(Pers) agreed to consider the proposal of the staff side.

- x) **Item No.17: Restoration of interest free advances which was withdrawn by the Government based on 7th CPC recommendation:**

Staff Side requested that atleast festival advance to the Central Govt. employees should be restored.

Joint Secretary (Pers) Dept. of Expenditure agreed to consider the demand of the staff side.

- xi) **Item No.19: Grant of 3rd MACP in GP:Rs.4600 to the Master Craftsmen (MCM) of Defence Ministry, who are holding the post of MCM in the pre-revised pay scale of Rs.4500-7000 as on 31/12/2005.**

Chairman desired that Addl. Secretary, DOP&T may hold a meeting with the officials of MoD to settle the matter.

- xii) **Item No.20: Carrying forward of Earned Leave by Defence Industrial employees on transfer/appointment from Non-industrial to industrial establishment.**

Staff Side stated that the MoD has to carry out an amendment in the Leave rules of Industrial employees and it is understood that the matter is pending with DOP&T for concurrence.

Chairman desired that the issue may be settled at the earliest.

- xiii) **Item No.23: Review of the income criteria for the dependent parents of Government employees in the wake of the recent legislation of "Maintenance and Welfare of Parents and Senior citizens Act 2007":**

Staff Side requested to consider removing the enactment of the above act by the Parliament, to enable the dependent parents of Govt. employees to avail medical treatment, since the Act has made it mandatory for the Children to care for their parents at the old age. The CAT Ernakulam Bench has also given a judgment in this regard.

Chairman desired that the Min. of Health may review this issue.

- xiv) **Item No.25: Withdraw the stringent conditions, unilaterally imposed by the govt. on grant of Modified Assured Career Progression (MACP) in promotion and grant of MACP on promotional hierarchy.**

Staff Side informed that the DOP&T instructions for "very good" grading for grant of MACP is being implemented retrospectively, since MACP

is considered based on the previous 5 years APAR. A clarification may be issued in this regard to implement the DOP&T instructions in this regard from a prospective date. The Office of the Delhi Court have issued similar clarifications. Moreover in the case of Industrial workers there is no APAR and their promotions are based on Trade Test and performance. Therefore necessary instructions may be issued by DOP&T in this regard, since many employees are being denied the benefit of MACP.

xv) Item No.26: Removal of ambiguity in fixation of pay of re- employed ex-servicemen and grant of the same benefit extended to commissioned officers who are below officers rank.

Staff side requested to consider and issue orders on the subject matter.

xvi) Item No.27: Permission to opt for pay fixation in the revised pay structure on a date after the date of issue of CCS(RP) Rules 2016 notification (25.07.2016) in case of employees whose promotion becomes due after 25/07/2016.

Staff Side reiterated their request that all the Central Govt. employees who got promotion/MACP after 25/07/2016 and the employees who have already given option before the promulgation of CCS(RP) Rules, to avail the promotion benefit from 01/07/2016, after availing the annual increment in the lower pay scale, may be given one more option to switch over to the 7th CPC pay scale. Once the switch over happens, these employees will surrender their arrears after availing this option and the govt. will not have any problem in this regard.

Chairman desired that Dept. of Expenditure may consider the demand of the staff side.

6. Further Staff Side raised the following issues:

- a) The assurance given by the Group of Ministers chaired by the Home Minister to look in to the demands of the Staff Side with regard to the minimum pay and fitment factor related to 7th CPC by constituting a high level committee. This has not been implemented and there is a total resentment amongst the Central Govt. employees. Therefore the concern of the Govt. employees is brought to the notice of the Govt.
- b) Govt. orders are not yet issued on the revision of Risk Allowance and Night Duty Allowance based on 7th CPC pay scales. The same may be issued at the earliest.

Concluding Remarks

The Hon'ble Chairman concluding his remarks that;

- (i) All the issues mentioned by the Staff Side have been noted and concerned Ministry/Department will take suitable action.

- (ii) Next Meeting of Standing Committee will be called soon. Cabinet Secretary will also be requested to convene 47th National Council (JCM) shortly.
- (iii) Latest instructions/circulars furnishing of copies of OM's to the office of Staff Side of JCM will be circulated regularly.
