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Integrated Headquarters of MoD(Navy)
Directorate of Civilian Personnel Services
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CPT(JCM)/3543/XII/9-M

Mar 2010

**MINUTES OF THE 9TH MAIN MEETING OF NHQ JCM COUNCIL
(XIITH TERM) HELD ON 17 FEB 2010 IN ROOM NO 129-D,
CONFERENCE HALL, SOUTH BLOCK, NEW DELHI**

1. The following were present : -

V Adm MP Muralidharan, AVSM, NM
Chief of Personnel

Chairman, NHQ JCM Council

Official Side

Staff Side

R Adm Pritam Lal SPD(Civ)
Cmde OP Kaura, PDCP
Shri SM Sethi PDCPS

Cmde KN Panpalia CSO(P&A),SNC
Cmde SK Bajaj, VSM CSO(P&A), WNC

Cmde Sunil Thakur CSO(P&A),ENC
Cmde SN Alamanda, CSO(P&A), ANC

Shri BP Dahiya Secretary (JCM)

(S/Shri)
S Muthu Veerappan,AIDEF
Leader, Staff Side
KK Balachandran, AIDEF

GSJ Achuta Rao, AIDEF
B Anjaneyulu, AIDEF
K Vijay Kumar, INDWF
Narendra Kumar, INDWF
Ombir Yadav, BPMS
MV Sathikan, BPMS
AS Parab, CDRA
UR Narasinga Rao, CDRA

Special Invitees

Co-opted Members

R Adm Raman Prabhat, AVSM, VSM, ASD(V)
R Adm RK Shrawat, ASD (MB)

Cmde HS Chopra, PDLs
Capt Mukesh Kumar DFM
Shri Puneet , DONA
Smt Mary C Jaiker , LWC(C)

OPENING ADDRESS BY COP

2. The COP, Chairman of the Council welcomed the official and staff side members to the 9th Main Meeting of NHQ JCM Council and placed on record the gratitude of the House for the valuable contributions made to the deliberations and achievements of the Council by Vice-Admiral NN Kumar, AVSM, VSM, the erstwhile ASD, Mumbai. He wished him all success in his new assignment as CWP&A. The Chairman also felicitated Rear Admiral Raman Prabhat, AVSM, VSM, ASD(V) on his selection for promotion to the rank of Vice Admiral and welcomed Rear Admiral RK Shrawat who has recently taken over as ASD(MB) and attending the meeting of this forum for the first time. He also extended a warm welcome to Rear Admiral Pritam Lal who has recently joined as SPD(Civ). He hoped that with his positive attitude and earlier experience of Naval Dockyards in dealing with the civilian employees and their problems, a further impetus will be given towards addressing the issues of Naval Civilian Employees. Being the last meeting of the extended term of the NHQ JCM Council (XII Term), he looked forward to having all the Staff Side members back in the Forum once again, depending on the nomination by the concerned Federations and CDRA.

3. The Chairman mentioned that Shri Samuel Augustine, Staff Side Member of the forum and rep of AIDEF has still not recovered from indifferent health. Shri BS Reddy, Secretary Staff Side and rep of INDWF has also not been able to come as he is recovering from ill health due to an accident. He wished them speedy recovery.

4. The Chairman placed on record sincere appreciation for all the Official and Staff Side Members for the unstinting support extended for the fruitful functioning of this forum. The Chairman observed with satisfaction that a very mature and cooperative approach towards resolution of problems had been adopted by both the Staff and the Official sides .

5. Thereafter, the Chairman dwelt upon important activities that have taken place recently:-

(a) **DPCs.** The Chairman informed the forum that the Govt. had approved the appointment of Shri GS Bhatnagar to the Higher Administrative Grade and that he would soon assume the appointment of DGONA. Besides, DPCs for the year 2010-11 in respect of the posts of Sr. Naval Store Officer, Sr. Time Scale (INAS), Junior Technical Officer have been held under the aegis of UPSC and that in respect of JAG(F), Sr. Scientific Officer- II, Junior Time Scale are likely to be held shortly. DPCs in respect of Group 'B' Posts were also planned to be completed by end Feb/early Mar 2010. The Command HQs have also been requested to complete the DPCs for 2010-11 as per schedule so that the eligible personnel could be promoted w.e.f. 01 Apr 2010.

(b) **MACP.** 254 MACP cases of Ministerial Staff from WNC and 29 cases of Store House Staff from DLS have been approved by IHQ (Navy). In addition the Naval Dockyard, Mumbai has completed action for grant of ACP/MACP in respect of cadres controlled by them.

(c) **Implementation of VI CPC Recommendations.** As a sequel to the recommendations of VI CPC, Govt. has approved orders for merger of the following posts on 02 Feb 2010 :-

(i) Scientific Assistant-I and Sr. Scientific Assistant as Sr. Scientific Assistant with grade pay of Rs. 4600/-.

(ii) Sr. Store Keeper and Foreman of Stores as Foreman of Stores with grade pay of Rs. 4200/- in both Naval Store and Naval Armament Store Organisation.

(iii) Asstt Foreman and Foreman (G) as Foreman with revised grade pay of Rs. 4600/- in respect of Naval Dockyards, NSRY, NAY, NADs and NAIs.

(iv) The Staff Side had already forwarded their points to the Departmental Anomalies Committee. The Departmental Anomalies Committee meeting was scheduled to be held on 18 Feb 10. The Chairman hoped that the Anomalies Committee would resolve the outstanding issues to the satisfaction of all concerned.

(d) **Direct Recruitment.** There has been an overall shortage of manpower due to restriction on Direct Recruitment in the past. The process of direct recruitment in the various units/formations of the Navy has been speeded up consequent upon the removal of restrictions w.e.f. 01 Apr 2009. As a step in overcoming the shortages, 234 ASKs in different units in the Navy and 698 USLs in Dockyard, Mumbai have been recruited.

(e) **Amendment of Recruitment Rules.** As a sequel to the implementation of the recommendations of VI CPC the cases for merger of different posts are already under process with MoD and are at different stages of finalisation. The cases for amendment of Recruitment Rules in respect of merged grades are also being initiated.

(f) **Overtime Allowance.** The proposal for reconsideration of OTA and restoration of compensatory allowances while calculating OTA has been taken up with MoD. The matter is being progressed with Ministry of Labour for reconsideration and approval at the earliest. Decision is still awaited.

(g) **CGIT Judgement.** After the MoD accorded approval for implementation of the Award which affects a large number of employees, Commands were requested to forward due-drawn statements for taking up the

case for charged expenditure with the Competent Authority. These were being received progressively. 1656 due drawn statements received from Commands are being processed with IFA and MoD (Fin) to accord charged expenditure sanction.

(h) **Casual Leave for Industrial Employees.** The Govt has approved grant of half day's casual leave to the industrial employees governed by CDS(IE) Leave Rules. However, the system of granting special leave of upto 2 hours on two occasions in a month has been discontinued. The MoD order No. 6(7)/2007-D(Civ-II) dated 02nd Feb 10 has been circulated to Command HQs.

(j) **Employment Assistance Cases.** All 28 Employment Assistance cases received from the three commands have been approved since last JCM Meeting.

(k) **Risk Insurance Scheme.** Civilian employees working in some Defence Organizations and engaged in hazardous operations/process were entitled for Risk Allowance as sanctioned by Govt of India, Ministry of Defence letter 34(1)/99/D(Civ) dated 22 May 02. The Sixth Central Pay Commission had recommended continuation of Risk Allowance till 31 Mar 09 and introduction of Risk Insurance. Since the scheme of Risk Insurance has not been finalized, case has been taken up with the MoD to continue grant of Risk Allowance till 31 Mar 2010 or till the new scheme is implemented which ever is later.

(l) **Adventure/Sports Activities.** In keeping with the spirit of promoting adventure/sports activities amongst civilian employees, Rs. 56 lakhs has been provided during the year 2009-10 as compared to Rs.20 lakhs in 2008-09. The COP expressed confidence that Commands would fully utilize the funds to create lasting sports infrastructure. He further stated that the formation of the All India Naval Civilians Sports Control Board was at its final stage.

(m) **Health.** The Chairman expressed his grave concern for very large number of untimely deaths of Naval Civilian employees, in harness. Although

there is a decrease in number of death cases of naval civilian employees during 2009 (169) as compared to 2008 (199), the number was still considered very high. The Chairman stated that he is aware of the efforts being made by both official and staff side members to encourage employees to undergo Annual Medical Examination (AME) and become members of DCMAF. Premature death of a government employee not only upsets his family but also the organization. Therefore, he expressed the need to educate employees to maintain good health and avoid activities affecting their health adversely. He requested the Staff Side to advise and encourage the employees to take follow up treatment as well as adopt life style changes which are recommended through AMEs.

(n) **Training.** Funds to the tune of Rs. 339 lakhs have been allocated to the Commands for imparting training to the civilian staff. The Chairman requested the Official and Staff Side members to make full utilization of the funds earmarked for the purpose so that skills of civilian staff are honed.

6. The Chairman assured the forum that it would remain his endeavour to ensure that all issues pertaining to the civilian employees are addressed in their best interest as well as in a speedy manner at the Command and IHQ level.

Response from Shri SM Veerappan, Leader, Staff Side

7. Shri SM Veerappan, Leader Staff Side thanked the Chairman for the valuable speech made by him. Shri Veerappan thanked V Adm NN Kumar, former ASD(MB) for the valuable contribution made by him to this forum and welcomed R Adm RK Shrawat, ASD (MB) on his new assignment and attending the meeting for the first time. He also welcomed R Adm Pritam Lal, SPD(Civ) for attending the meeting for the first time. Shri Veerappan thanked ASD(MB) for payment of Arrears of promotees from HSK II to HSK I between 1.1.96 and 19.5.2003 and for conducting DSCs for ACP and MACP cases. He also thanked the ASD (MB) for conducting DPCs for Master Craftsman and placement of HSK I in PB-I with Grade Pay Rs. 2800. He thanked Naval HQ for

completing DPC in time and requested Commands to follow NHQ in this regard. Shri Veerappan thanked Commands for grant of Grade Pay of Rs 1800 to Gp 'D' employees. He requested that left over cases may be expedited. He drew attention of the House to the shortage of Govt Accommodation in Mumbai and requested the Chairman to advise Commands to build more type- II accommodations at Mumbai since the scale of authorisation has gone up from 15% to 35% for Gp 'C' & 'D'. Min of Defence orders on Overtime Allowance has been stayed by the Court in Mumbai and requested that other Commands should be given similar treatment. This would save the employees from approaching the Courts. Shri Veerappan also expressed his concern for the alarming death rate of civilians and pointed out that workers at Unit levels are facing problems while undergoing Annual Medical Check-ups. He also requested that more funds may be sanctioned for sports activities. Naval Dockyard, Mumbai is celebrating its 275th Anniversary. This is a glorious moment for the staff working in ND (MB). He hoped that many activities involving employees will be carried out at ND (MB). In ND (MB) last year 600 people were sent on training whereas this year only 150 people have been trained. Shri Veerappan requested that training activities in ND (MB) be encouraged, so that, more number of employees are benefited.

Response from Sh Ombir Yadav, Member, Staff Side

8. Shri Ombir Yadav welcomed R Adm Pritam Lal, SPD (Civ) and R Adm RK Shrawat, ASD, ND(MB) for attending the meeting for the first time. ND (MB) is completing 275 years, which is a glorious moment for all. He pointed out that HQ ENC is planning Direct Recruitment for AFM. As the 6th CPC had recommended merger of AFM and Foreman and the post of AFM is non existent in ENC the process of Direct Recruitment should be stopped.

Confirmation of the Minutes of the Last Meeting

9. Minutes of the 8th meeting held on 25 Sep 09 were confirmed by the Staff Side.

10. The status in respect of progress on mention items of the earlier meetings and decisions thereon are placed at Appendix 'A'.

11. The meeting concluded with a vote of thanks to the chair.

12. These minutes are issued with the approval of the Chairman.

13. All concerned are requested to forward progress of action taken on the points at Appendix 'A' by 31st March 2010. A monthly progress report is also required to be forwarded thereafter.

(BP Dahiya)
Dir. CPS (JCM)

Distribution:

The Chairman, NHQ JCM Council

MoD/D (JCM)

Army HQ/AG/MP-4(Civ/JCM)

Air Headquarters (PC-4 (JCM)

The General Secretaries, AIDEF, INDWF, BPMS, CDRA

All Official and Staff Side Members and Special invitees and those in attendance.

For posting on the IRFC Website.

Appendix 'A'

(Refers to para 10 of letter No. CPT(JCM)/3543/XII/9-M
dated Mar 2010).

**PROGRESS POINTS RAISED DURING THE NHQ JCM COUNCIL
MAIN MEETING**

<u>Sl No.</u>	<u>Point No.</u>	<u>Point in Brief</u>	<u>Comments</u>
1.	3(1-M)	<p><u>CGIT Judgment</u></p> <p>CGIT, Mumbai Judgement be implemented as the recent Supreme Court Judgement was not applicable in its implementation.</p> <p><u>Shri Samuel Augustine, AIDEF</u></p>	<p>Due Drawn statement of non-petitioners received from Command HQs on progressively basis, are being processed for charged expenditure.</p> <p>Command HQs to take up cases for fixation of pay for the employees who are retiring, so that they may be benefited.</p> <p>Action: DCP/Commands</p>
2.	6(4-M)	<p><u>Regularization of USLs</u></p> <p>Regularization of balance USLs granted temporary status including nine in whose case orders were held in abeyance by HQ ENC.</p> <p><u>Shri BS Reddy, INDWF</u></p>	<p>Consequent to RRM meeting on the subject, MoD is taking a holistic view on the subject after the Apex Court judgement in Uma Devi case.</p> <p>Any specific query relating to ty status if taken by the Staff Side will get clarified from MoD.</p> <p>Action: DCP</p>
3.	1(6-M)	<p><u>Up gradation of Scales 5000-8000/5500-9000 to 6500-10500 pre-revised scale</u></p> <p>Since Govt. accepted the recommendations of 6th CPC, the scale of 5000-8000, 5500-9000 be merged and upgraded to 6500-10500/-. The issue of up gradation has to taken up with MoD (Finance) in terms of</p>	<p>The proposal has already been submitted to the MoD/ D(Fin) for concurrence. Decision of MoD is awaited.</p> <p>Action : DCP</p>

		<p>Clause V of Part B of Gazetted of India, Ministry of Finance.</p> <p><u>Shri Ombir Yadav, BPMS</u></p>	
4.	3 (6-M)	<p><u>Exercise of disciplinary powers</u></p> <p>Exercise of disciplinary powers with regard to IHQ Policy letter CPT (DV)/3118/Policy dated 26 Jun 08 not yet implemented till today.</p> <p><u>Shri GSJ Achuta Rao, AIDEF</u></p>	<p>The revised DGL has already been forwarded to MoD and is expected to be issued shortly.</p> <p>Action: DCPS(D&V)</p>
5.	4 (6-M)	<p><u>Regularisation of Ty Status and employment sponsored daily wage USL of ND (V) and HQ ENC</u></p> <p>16 temporary status USL and 36 daily wage USL sponsored by employment exchange during 1984/85 are working as Ty status and daily wage in ND (V) and another 25 Ty status USL are working in BVY/HQ ENC . Their services to be regularized against the existing vacancies.</p> <p><u>Shri GSJ Achuta Rao, AIDEF</u></p>	<p>Consequent to RRM meeting on the subject, MoD is taking a holistic view on the subject after the Apex Court judgement in Uma Devi case.</p> <p>Any specific query relating to ty status if taken by the Staff Side will get clarified from MoD (Same as at Ser No 2).</p> <p>Action: DCP</p>

6.	6(6-M)	<p><u>Training to Group 'D' employees</u></p> <p>As per 6th CPC notification, the Group 'D' employees are to be trained to effect PB-1 with GP of 1800 within six months. But the process is not started. Request compliance of order.</p> <p><u>Shri B Anjaneyuly, AIDEF</u></p>	<p>Command HQ to ensure completion of training & payment of arrears to all Gp 'D' employees by 31 Mar 10.</p> <p style="text-align: right;">Action: DCP</p>
7.	7(6-M)	<p><u>Merger of pay scales as per the 6th CPC notification</u></p> <p>CM-II&I and AFM & FM (Gz) are made identical PB and GP and due to be merged as per the notification. It is requested to take immediate necessary action for issue of revised RRs.</p> <p><u>Shri B Anjaneyulu, AIDEF</u></p>	<p>Merger of AFM & FM has been approved and sanction letter issued. However, proposal for merger of CM-II & CM-I is with Def (Fin) for concurrence. Orders of MoD are awaited.</p> <p style="text-align: right;">Action: DCP</p>
8.	10 (6-M)	<p><u>Pay discrimination among New Entry and Existing employees</u></p> <p><u>Pre-revised Scale</u> 3200-4900 4000-6000 4500-7000</p> <p><u>Grade Pay</u> 2000 2400 2800</p> <p><u>New Entry (B-PM+GP)</u> 8460 9910 11360</p>	<p>No specific case affected under such issue has been received.</p> <p>This issue has also been reflected during the National Anomaly Committee Meeting.</p> <p>The point is closed.</p>

		<p><u>Existing Employees</u> 8060 9840 11170</p> <p><u>Difference</u> 400 70 190</p> <p>Request to take up the case to remove this anomaly.</p> <p><u>Shri B Anjaneyulu, AIDEF</u></p>	
9.	15 (6-M)	<p><u>Over Time Wages as per Factories Act – 1948</u></p> <p>Over Time Wages be paid in revised scales as per Section 59 of the Factories Act – 1948.</p> <p><u>Shri KK Balachandran., AIDEF</u></p>	<p>Ministry of Labour is being requested to decide the case as early as possible.</p> <p style="text-align: right;">Action: DCP</p>
10.	16 (6-M)	<p><u>ACP to all non-petitioners counting of Casual Service to the Storehouse Staff</u></p> <p>The casual service be counted for ACP purpose for non – petitioners also.</p> <p><u>Shri PJDP Wartika, CDRA</u></p>	<p>A comprehensive case for suo-moto extension of judgement to similarly placed non petitioners was taken up with MoD who have rejected our proposal.</p> <p>The point is closed.</p>

11.	1(i) (7-M)	<p><u>Recruitment Rules amendments</u></p> <p>Recruitment Rules amendments after 6th CPC recommendations be done expeditiously after consultation with the Staff Side.</p> <p><u>Shri S M Veerappan, AIDEF</u></p>	<p>As a sequel to the implementation of VI CPC recommendation, merger of various grades has taken place. The cases for merger have already been projected to MoD for approval. The amendment of RRs will be taken up after the approval of merger is accorded by MoD.</p> <p style="text-align: right;">Action: DCP</p>
12.	1(ii) (7-M)	<p><u>Risk Insurance</u> may be introduced in addition to Risk Allowance.</p> <p><u>Shri S M Veerappan, AIDEF</u></p>	<p>The case for continuation of Risk Allowance till such time Risk Insurance Scheme is implemented has been taken up with MoD. Decision is awaited.</p> <p style="text-align: right;">Action : DCP</p>
13.	1(iii) (7-M)	<p><u>Violation of CDS (RP) Rules 2008</u> Promotion from AFM to FM is in violation of CDS (RP) Rules 2008 and deputation as AFM may not be done.</p> <p><u>Shri S M Veerappan, AIDEF</u></p>	<p>Merger has been approved by the Govt of India and sanction letter issued.</p> <p>The Point is closed.</p>
14.	2(7-M)	<p><u>Absorption of Ex Naval Apprentice without age limit :-</u> HQ ENC Naval Dockyard, Visakhapatnam issued notification in Feb 09 for absorption of Ex-Naval apprentices in their Trades.</p> <p>U/R Category 25+1 25+2</p>	<p>The issue has been taken up for legal advice.</p> <p>RRs will be looked into and comprehensive order will be issued to all Command HQs.</p> <p style="text-align: right;">Action : DCP</p>

		<p>OBC Category 25+1+3 25+2+3 SC/ST Category 25+1+5 25+2+5</p> <p>Due to this age restrictions, U/R Category vacancies are not filled by other castes i.e. OBC/SC/ST. In U/R Category also, in HQ WNC & HQ SNC absorption of apprentices taking place without age limit.</p> <p>Ex-Naval Apprentices can be useful at Defence Establishments only. They were trained for various Trades such as Radio, Radar, Sonar, Gyro, Control Computers, Weapon Fitter, GT Fitter, Offices, Mechanic Control and are not suitable for out side employment. Hence it is requested that directions be given to HQ ENC Administration to absorb Ex-Naval apprentice without age limit.</p> <p><u>Shri B Anjaneyalu, AIDEF</u></p>	
15.	3(7-M)	<p><u>Amendment to Recruitment Rules of TSS as per DOP&T Orders</u></p> <p>As per GOI Min of Public Grievances and Pension DOP&T Letter No. AB 14017/61/2108 dated 24 Mar 09. As per the CDS (R.P) Rules 2008 some of the pre-revised pay scale have been merged and some other are up graded. TSS of Navy CM II and I are merged with identical grade Pay Rs. 4200/- and AFM has</p>	<p>As a sequel to the implementation of VI CPC recommendation, merger of various grades has taken place. The cases for merger have already been projected to MoD for approval. The amendment of RRs will be taken up after the approval of merger is accorded by MoD(Same as at Ser No 11).</p> <p style="text-align: right;">Action :DCP</p>

		<p>been up graded to FM pay scale with senior grade pay (i.e. 4600/-) 4 tier structure has been made 2 tier only. But HQ ENC is holding the DPCs for the Identical Grade Pay/Pay scale without any promotional benefit. Hence, it is requested that Recruitment Rules should be amended accordingly, on priority basis.</p> <p><u>Shri B Anjaneyalu, AIDEF</u></p>	
16.	4(7-M)	<p><u>Up-gradation of Fire Fighting Staff:</u></p> <p>Up-gradation of Fire Fighting Staff in pre-revised scale of 3050/- as per Vith CPC Recommendation which has been accepted by Govt of India but not implemented in Navy till date.</p> <p><u>Shri N Kumar, INDWF</u></p>	<p>Def (Fin) after examining the proposal has opined that MoD to consolidate the proposal of three services in order to take a holistic view in the matter. Navy's proposal has been forwarded to MoD/D(Civ.I) for necessary action.</p> <p style="text-align: right;">Action : DCP</p>
17.	7(7-M)	<p><u>Instructions to Command HQs/units to provide computers</u></p> <p>All Govt letters concerning civilians in the Navy should be uploaded on Navy Website and to enable the JCM members to access the same, provisions should be made for availability of computers for at least two hours a day to the Staff Side JCM Members.</p> <p><u>Shri MV Sathikan, BPMS</u></p>	<p>General letters of information nature have already been placed at Local Area Network. The information is meant for all civilian employees including reps of Unions/ Associations and Staff Side Members of JCM III & IV Level Council. All DOP&T notifications are also available in the open domain on the website of Ministry of Personnel. Various other details including seniority lists, DPC panels etc are also put up on irfc website for information of and access by all.</p> <p>The point is closed.</p>

18.	1(8-M)	<p><u>Extending of option facility.</u></p> <p>Option facility be extended for the employees, who are willing to forgo their VIth Pay Commission arrears to avail Rs.4200/- Grade Pay after completion of 24 years. In the interest of individual losing higher grade pay for a span of few months.</p> <p><u>Shri BS Reddy, INDWF</u></p>	<p>The issue has been raised at National Anomaly Committee and decision is awaited.</p> <p>The point is closed.</p>
19.	2(8-M)	<p><u>Implementation of Reservations for PHC.</u></p> <p>In the recent past Govt. has issued directions to all Central Govt. Organizations to implement PHC reservations in all cadres (Ref. No. 36012/23/2009-Estt(Res) dated 04 May 09. Latest position on implementation of the same may be intimated.</p> <p><u>Shri BS Reddy, INDWF</u></p>	<p>Govt instructions on reservation of PHC are being implemented.</p> <p>The Point is closed.</p>
20.	3(8-M)	<p><u>DPC/DSC not held since Jan 2008 for the benefit of ACP.</u></p> <p>(a) The DPC is generally conducted twice in a year. ND(MB) has not conducted any DPC/DSC for the benefit of ACP since Jan 2008. Moreover the employees let at the time of DPC of ACP in Jan 2008 not included till date. The matter was discussed in 6th SC meeting held on 19th Mar 09.</p> <p>(b) Fixation of Pay and Grant of Grade pay is still pending. For employees granted the</p>	<p>(a) There was ambiguity with regard to functioning of promotional norms before granting financial up gradation under MACP, which has now been cleared. Now DSC will be conducted as per schedule.</p> <p>(b) HQ WNC has been requested to clear the pending cases by 31 Mar 10.</p> <p>Action : HQ WNC/ND(MB)</p>

		<p>same, they have not this received between 01st Jan to 31ST Aug 08. The employees have not received their Due & Drawn Statement.</p> <p><u>Shri Narendra Kumar, INDWF</u></p>	
21.	4(8-M)	<p><u>Up-gradation Group 'D' Staff</u></p> <p>Up gradation of Group 'D' Staff/employees is not completed till date. Due to this the employees are still getting lower Gray Pay than they are entitled.</p> <p><u>Shri Narendra Kumar, INDWF</u></p>	<p>Command HQ to ensure completion of training & payment of arrears to all Gp 'D' employees by 31 Mar 10.</p> <p>Action: DCP</p>
22.	5(8-M)	<p><u>Loss of increment on grant of EOL on PA.</u></p> <p>The individuals who availed/granted EOL on PA after 01st Jan 06 for any year are losing their next increment. This was implemented in a hurry without considering the fact that the order was issued on 26th Mar 09. Any such order should be communicated to the employees early before its implementation. Moreover, some employees have sufficient leave balance in their account but their leave was converted in EOL without their knowledge.</p> <p>Shri Kumar requested that all such leave may be regularized as a one time measure and efforts should be made to withdraw/amend such orders.</p> <p><u>Shri Narendra Kumar, INDWF</u></p>	<p>The issue has been raised at National Anomaly Committee.</p> <p>The point is closed.</p>

23.	6(8-M)	<p><u>Exclusion of HRA while calculating OT Rates.</u></p> <p>HRA is not of a compensatory nature allowance. HRA has been taken in to account for calculation of overtime under the Factory Act, 1948 since the Act was implemented from its inception. Till date HRA has been included along with DA for calculation and all of a sudden a new interpretation has been given to exclude HRA resulting in heavy loss to the employees. It is requested to review this.</p> <p>Shri Narendra Kumar, INDWF</p>	<p>The issue is being monitored regularly with Ministry of Labour. Decision awaited.</p> <p>Action : DCP</p>
24.	7(8-M)	<p><u>Non execution of decision taken in JCM Council.</u></p> <p>The decisions taken into the JCM Council SC/Main are not executed.</p> <p><u>Regarding transfer of handicapped employees:</u></p> <p>It was decided that due consideration will be given but same was not considered in the case of Shri TT Dharmalan, 15830, SSK. On the subject, a letter has been written by member staff side, but it is unfortunate that it was not even replied till date by any authority. The same was experienced in past also.</p> <p>Shri Narendra Kumar, INDWF</p>	<p>Individual cases may not be raised in this forum and be taken up with concerned Cadre Controlling Authority.</p> <p>The point is closed.</p>

25.	8(8-M)	<p><u>Exercising of Option for ACPs Awarded From 01 Jan 2006 to 31 Aug 2008.</u></p> <p>(i) The Administrative Authorities of Eastern Naval Command are insisting that employees of Eastern Naval Command exercise option for granting of Grade Pay on ACP benefits to the individuals contrary to the Govt Orders with regard to fixation of pay on granting ACP prior to 31 Aug 08 as indicated in GOI, Min. of Finance OM F. No. 1/1/2008-IC dated 13 Sep 2008 (Para 2 (a) and Para 9 of DOP&T OM No. 35034/3/2008-Estt(D) dated 19 May 09 regarding MACP which inter alia stated that :-</p> <p><u>Extract of Min of Fin OM dt. 13 Sep 08</u></p> <p><u>Para 2(a)</u> - In case the Govt servant opt to get his pay fixed from his date of next increment, then, on the date of promotion, pay in the pay band shall continue unchanged, but the grade pay of the higher post will be granted. Further re-fixation will be done on the date of his next increment i.e. 1st July. On that day, he will be granted two increments, one annual increment and the second on account of promotion.</p>	<p>MoD have clarified that fixation of pay in the revised pay structure subsequent to 01 Jan 2006 will be carried out in accordance with Rule 11(1) of CDS(RP) Rules 2008, which stipulates that pay in the pay band will be fixed by adding the basic pay applicable on the later date, the dearness pay applicable on that date and the pre-revised dearness allowance based on rates applicable on 01 Jan 2006. This has been communicated to Commands vide IHQ/DCP letter No CP(P)/8416/VI CPC/ Policy Corr dt 28 Jan 2010 for necessary action.</p> <p>The point is closed.</p>
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Extract of DOP&T OM
No.35034/3/2008-Est(D) dt. 19
May 09

Para 9 – Any interpretation/clarification of doubt as to the scope and meaning of the provisions of the MACP scheme shall be given by the department of Personnel & Training (Estt-D). The scheme would be operational w.e.f. 01.09.2008. In other words the financial up gradations as per the provisions of the earlier ACP scheme of Aug 1999 would be granted till 31.08.2008

(ii) As per the above Govt of India instructions, it is specially carried out that the Grade Pay of higher post will be optional. Also the financial up-gradation as per the provisions of the earlier ACP scheme of Aug 1999 would be granted till 31.08.08. Hence there is no ambiguity in granting ACP during 01.01.06 to 31.08.08. However, calling for option of the individuals for pay fixation benefit and further financial benefits by Eastern Naval Command authorities is not in compliance of the directives by the Govt of India.

(iii) In this context, it is pertinent to mention that all other Defence Organizations and Central Govt Departments have implemented the above Govt. Orders immediately on receipt. Whereas in ENC, exercising of Option by the individual has been raised which would cause

		<p>great financial loss to the individual while granting Grade Pay.</p> <p>(iv) This has caused utmost confusion in all the units/establishments under ENC. In view of the above, it is requested that necessary clarification orders may please be issued immediately to HQ ENC to follow the directives issued by the Govt of India in letter and spirit.</p>	
26.	9(8-M)	<p><u>Counting of the service of apprentice period towards Pension.</u></p> <p>(i) In accordance with the Min of Defence letter No. DY/0442/PC 1/NHQ/11393/D (Civ-II) dated 30 Nov 77, sanction of the President of India was accorded to the counting of apprentice service rendered by the apprentices in the Naval Dockyard from the date of attaining the age of 18 years towards pension.</p> <p>(ii) Contrary to the above order, the apprentice service rendered by the ex-apprentices in Naval Dockyard and those who were subsequently absorbed against the sanctioned posts has not been counted for Pension & Retirement/Terminal benefits.</p> <p>(iii) It is, therefore, requested that the apprentice service may please be counted for Pension and other benefits for those individuals at least who are in service henceforth.</p> <p><u>Shri GSJ Achuta Rao, AIDEF</u></p>	<p>As per rule 16 of CCS(Pensions) Rules, 1972, service as apprentice shall not count for pension.</p> <p>The Staff Side stated that there are specific orders regarding Naval apprentices. It was directed that Staff Side to provide copy of the orders.</p> <p style="text-align: right;">Action : Staff Side</p>

27.	10(8-M)	<p><u>Payment of OTA on revised Pay & Allowances.</u> Payment of OTA on revised Pay & Allowances and also the arrears from 01 Jan 06 as per the Section 59 of the Factories Act 1948 be given.</p> <p><u>Shri B. Anjaneyulu, AIDEF</u></p>	<p>The case is being monitored progressively with Ministry of Labour and decision awaited.</p> <p style="text-align: right;">Action : DCP</p>
28.	11(8-M)	<p><u>Merger of posts of CM-II and CM-I and also AFM and FM(Gz).</u> Issue of orders by IHQ(Navy) on merger of posts of CM-II and CM-I and also AFM and FM(Gz) and similarly placed posts as per the orders of DOP&T be done expeditiously.</p> <p><u>Shri B. Anjaneyulu, AIDEF</u></p>	<p>Merger of AFM & FM has been approved and sanction letter issued. However, proposal for merger of CM-II & CM-I is with Def (Fin) for concurrence. Orders of MoD are awaited. (Same as Sr. No. 7)</p> <p style="text-align: right;">Action: DCP</p>
29.	12(8-M)	<p><u>Implementation of Revised Trade Structure (RTS) in Southern Naval Command.</u></p> <p>Necessary steps/Appeal in the Apex Court, may be made in connection with the implementation of Revised Trade Structure (RTS) in Southern Naval Command.</p> <p>The Honourable CAT Ernakulam bench has quashed the NHQ letter dated 12/12/2007 and 28/01/08 in respect of TRS in the OA No. 149 of 2009.</p> <p>It is resulting in a lot of administrative problems and adversely affected the Sheet Metal workers and Platers in their promotion to the post of HS and MCM.</p> <p>It is suggested to merge the Sheet metal worker trade and the</p>	<p>Merger will only be possible if functional requirement of both the post is same. However, DFM is being requested to examine this issue and forward comments so as to take action accordingly.</p> <p style="text-align: right;">Action : DCP/DFM</p>

		<p>Plate trade and designate as Plater from 04th August 2006.</p> <p><u>Shri Balachandran, AIDEF</u></p>	
30.	13(8-M)	<p><u>Absorption of Ex-Naval Apprentices against the vacancies of Tradesman skilled in Southern Naval Command.</u></p> <p>Absorption of Ex-Naval Apprentices against the vacancies of Tradesman skilled in Southern Naval Command as per SRO 150/2000 dated 01st June 2000 as amended vide SRO 262/2002 dated 09th September 2002.</p> <p>As per the above referred SRO 60% vacancies of Tradesman (SK) are being filled by absorption of Ex-Naval apprentices in the designated trades and the remaining 40% by promotion from the eligible employees in the feeder grades in the case of Non-designated trades 90% absorption and 10% promotion.</p> <p>Unfortunately the absorption was stopped by the HQ SNC authority recently for want of clarification in the age limit of absorptionist.</p> <p>The Honourable Supreme Court judgment as reported to AIR 1995 (SC) 1115 is not relevant and not applicable in this case. As per the existing RR applicability of the age limit of the absorptionist was already ordered/clarified by the Honourable CAT Ernakulam Bench and IHQ, MoD(Navy).</p>	<p>The issue has been taken up for legal advice.</p> <p>RRs will be looked into and comprehensive order will be issued to all Command HQs.</p> <p>Action : DCP</p>

		<p>It is requested to direct the HQ SNC authorities to comply with the RR and fill up the vacancies as done previously at the earliest.</p> <p><u>Shri Balachandran, AIDEF</u></p>	
31.	14(8-M)	<p><u>Privilege /Weightage in recruitment of Gr. C and D posts for wards of civilian employees of Navy:</u> Policy on the subject may please be introduced to provide weightage in the recruitment of Group C&D to wards of civilian employees of Navy at par with uniform personnel.</p> <p><u>Shri Ombir Yadav, BPMS</u></p>	<p>Recruitment of Gp C & D civilian posts is governed by the Govt Rules on the subject wherein there is no provision of providing weightage to wards of civilian employees unless a Employment Assistance cases.</p> <p>The point is closed.</p>
32.	15(8-M)	<p><u>Exclusion of HRA, TA and Small Family Allowance for the purpose of computing Over Time:</u> OM No. 14(1)/2000/D(Civ-II) dated 26 Jun 09, issued by Ministry of Defence is not in order as MoL misconceived the meaning of wage in terms of sub clause (ii) of section 59 of Factories Act 1948. Supreme Court has also delivered the Judgment in context of computing Over Time. Request to project the issue to the Ministry for review of the decision in the matter.</p> <p><u>Shri Ombir Yadav, BPMS</u></p>	<p>Ministry of Labour is being requested to decide the case as early as possible (same as Sr. No. 9).</p> <p>Action: DCP</p>

33.	16(8-M)	<p><u>Violation /Non-Compliance of OM No. 36(41)/71/10763/D (Lab) dated 06 Nov 1971 (Containing provisions of facilities of Recognized Unions) by office of the ASD (MB):</u> In this regard letter No. RRKS/Gen/NB/01 dated 14 Oct 2008 was addressed to Admiral Superintendent Naval Dockyard, but no action has been taken by the ASD (MB). Lastly same was raised to COP, Chairman of this Council having all enclosures on 22 May 09, Unfortunately nothing has been responded till date and unrecognized Unions are being allowed to display their Notice Boards in the premises of Dockyard at par with Recognized Unions by granting undue favour to them. This is wilfully committing 2 violation of MoD Order on the subject, Request for appropriate action for wilfully committing unfair labour practice under schedule V of ID Act, 1947 and violation of MoD Order in the subject.</p> <p><u>Shri Ombir Yadav, BPMS</u></p>	<p>The matter is under consideration of LWC, Mumbai.</p> <p>The point is closed.</p>
34.	17(8-M)	<p><u>Invitation to the workers representatives at JCM during VIP visits :</u> Invitation to the workers representatives of JCM during VIP visits and for invitation for important functions conducted at local station/Command HQ. Earlier practices have been discontinued. The matter may please be looked into.</p> <p><u>Shri MV Sathikan, BPMS</u></p>	<p>Necessary instructions have been issued to all concerned.</p> <p>The point is closed.</p> <p><u>HQ WNC</u></p>

35.	18(8-M)	<p><u>Counting Casual Service of Non-Petitioners</u> :</p> <p>A favourable order has been obtained from the Hon'ble Supreme Court for regularization of casual service of non-petitioners in respect of civilian employees of the Navy. The order is a blessing to the Navy. But the same is not implemented. It is requested that the same may be looked into on priority.</p> <p><u>Shri K Vijay Kumar, INDWF</u></p>	<p>Due Drawn statement of non-petitioners received from Command HQs on progressively basis, are being processed for charged expenditure.</p> <p>Command HQs to take up cases for fixation of pay for the employees who are retiring, so that they may be benefited. (Same as Sr. No. 1).</p> <p>Action : DCP</p>
36.	19(8-M)	<p><u>Inclusion of House Rent Allowance for the purpose of calculating Overtime:</u></p> <p>HRA was included for arriving at total emoluments for the purpose of calculating OT allowance. This has been discontinued as per recent directive from the IHQ, Navy. The implementation of all such cases may be effected only after clear cut directive from the concerned Ministry.</p> <p><u>Shri K Vijay Kumar, INDWF</u></p>	<p>Ministry of Labour is being requested to decide the case as early as possible (same as Sr. No. 9 & 32).</p> <p>Action: DCP</p>
37.	20(8-M)	<p><u>Cadre Review</u> :</p> <p><u>Ministerial and SH staff</u> : This is a frequently heard point. It becomes more significant after acceptance of 6th CPC recommendations and the subsequent implementation of MACPS. Employees from these categories got a normal promotion after 25-27 years. Their grievances were minimized to a greater extent by the</p>	<p>Directives were issued by IHQ of MoD (Navy) to Commands/Dockyards in Jul 07 to constitute Cadre Review Committees to review and restructure all civilian cadres. The Cadre Review Committees' Reports have been received duly factoring in the 6th CPC recommendations. Cadre Review proposal in respect of Fire Engine Drivers has been initiated with MoD.</p>

		<p>implementation of the 5th CPC by giving next hierarchical scale of pay. But the very purpose of such a recommendation is defeated by the new ACP Scheme (i.e MACPS). Here, an employee gets merely a difference of only 100/- in their grade pay on getting the 1st ACP. Cadre review of these categories would be the best option in the present circumstance . All out effort may be made to clear the cadre review.</p> <p>Shri K Vijay Kumar, INDWF</p>	<p>The proposal in respect of Design Officers/Staff, Hydrography Staff, Civilian Education Instructors and Translation Cadre (Russian/English) is under examination in DCP. Proposals from other Cadre Controlling Authorities has been expedited.</p> <p style="text-align: right;">Action : DCP</p>
38.	21(8-M)	<p><u>Enhancement of tariff rates for Medical Treatment:</u> The existing tariffs for the reimbursement of medical bills were fixed years ago. The expenses on medical treatment had gone up by many folds. Necessary steps may be taken to enhance the tariff rates.</p> <p>Shri K Vijay Kumar, INDWF</p>	<p>This issue needs to be taken up with National JCM Council as this is applicable across all the ministries.</p> <p>The point is closed.</p>
39.	22(8-M)	<p><u>Technical Supervisory Staff of Navy may be restructured as follows from 01-01-2006.</u></p> <p>AFM to be in PB-2 with grade pay of Rs. 4600/- as Foreman.</p>	<p>GOI vide sanction letter CP(P)/8416/VI/CPC /TECH/2008/134/US(MP)/D(N-II)/ 10 dated 02 Feb 2010 for revision of pay scale of Assistant Foreman from 6500-10500 to 7400-11500 with grade pay of Rs. 4600 issued.</p> <p>The point is closed.</p>