

Details of 46th meeting of the National Council, JCM held on 15-5-2010

The 46th meeting of the National Council, JCM was held today at Rail Bhawan, Conference hall under the Chairmanship of Shri K.M. Chandrasekhar, Cabinet Secretary. The 45th meeting was on 14th October, 2006. The 46th meeting was thus held after two and half years, whereas the provisions of the JCM stipulate that the meetings are to be convened once in every four months. i.e. three meetings in a year.

The Chairman welcomed the members and stated that there had been a long delay in convening the meeting. However, he said that the Government had been interacting with the staff side frequently and cited the meeting of the Standing Committee had with him immediately after the 6th CPC recommendations were notified; convened the Standing Committee thereafter under the Chairmanship of the Secretary, Personnel; Government issued orders on the recommendations of the 6th CPC in record time, and ensured that the Anomaly Committee is set up without much loss of time and discussions were held with the Staff side twice in the Anomaly Committee and has agreed to set up a small committee to look into the problems of the MACP. He also stated that the Government's endeavour to resolve the disputes and problems faced by its employees through mutual discussion would continue with a view to maintain cordiality. He then requested the Leader and Secretary, Staff Side to make their initial remarks before the Agenda is taken for discussion.

The Leader, Staff Side thanked the Cabinet Secretary and the Government for taking expeditious decision on the 6th CPC suggestions and expressed his gratitude for his intervention to make improvements in the recommendations of the Commission. However, he touched upon the following issues seeking a resolution;

- (a) Child Care leave. The clarificatory orders issued by the government have in effect nullified the benefit extended to the Women employees by the Commission and the Cabinet. He wanted the clarificatory orders in this regard to be rescinded. He added that if the Government has any practical difficulties in implementing the orders issued in this regard, the same may be discussed with the Staff Side. He assured the Cabinet secretary that the Staff Side will take a very constructive attitude in the matter.
- (b) Children Education allowances. He said that the allowance has been restricted to two eldest surviving children. He wanted the Govt. to reconsider this matter.
- (c) The MACP scheme is supposed to be an improvement over the ACP which was in vogue. However in view of the promotion to the next grade pay stipulated in the new scheme, it has turned out to be less advantageous to many employees. He hoped that the Sub Committee would look into the matter and resolve the issue to the satisfaction of the employees.
- (d) The new concept of Pay band and Grade Pay has created a situation in which the Senior Persons would be drawing lesser pay than their juniors. This matter has been the subject matter of discussion at the Anomaly Committee meeting. Though the Railways by issuing an order have partially set right this anomaly, the issue has not been fully addressed. Since this has created resentment amongst the employees, he wanted the Govt. to look into this matter and resolve the issue.
- (e) Normally after every Pay Commission Govt. used to raise the income taxable limit. This was not done this time, with the result even the low paid employees have come within the ambit of taxation.

- (f) The inordinate delay in convening the National Council and Departmental Councils was pointed out and requested that steps are needed to ensure that the meeting do take place within the stipulated periodicity.

The Staff Side Secretary while speaking raised the following issues for consideration and resolution.

- (a) He said that the harmonious relationship could only be maintained with a continuous dialogue. The JCM was conceived with that idea. Initially the employees were against the idea of JCM but at the insistence of the then Home Minister, they had agreed and the track record has shown that it has helped in maintaining industrial peace in the Governmental sector. He therefore pleaded that the Council meetings should be convened within the stipulated period of time. He added that most of the Departmental Councils have become defunct and anomaly committee were not being set up at that level with the result all items of anomaly which are normally to be addressed at the Departmental levels were being referred to the National Council. He pleaded that the Govt. should take a serious view of this matter and ensures that the Departmental Councils of all Ministries are periodically convened and the National Council apprised of the functioning of the Departmental Councils as it used to be done in the past.
- (b) Arbitration Awards. Arbitration was inbuilt in the JCM scheme. Issues on which agreements could not be reached are to be referred to the Board of Arbitration. Both the Parties are supposed to abide the decision of the Arbitrator. The Govt. is vested with the power of referring the Parliamentary approval for rejection of the awards on certain specific circumstances like the expenditure on implementation of such awards would have a serious deleterious effect on the economy of the country. Of late the government had been referring every award to the Parliament for rejection. Even though it was agreed that such reference would be intimated to the Staff Side well in advance, the same had not been adhered to. He added that recently he was informed of such a rejection of an award being considered by the Parliament on 4th May, 2010. The Staff side was informed of this only on 3rd May, 2010. It was agreed at the National Council that all such awards which had been referred to the Parliament would be recalled and subjected to negotiation with the Staff Side. Two or three rounds of discussions were held with the Staff Side. But no conclusions were arrived at despite the Staff Side agreeing for the modification of these awards. He, therefore, wanted these awards to be re-subjected to further negotiations and decisions taken by mutual consent.
- (c) DOPT has issued recently questionnaire on the functioning of the JCM. The members of the Staff Side had given reply to the said questionnaire. In the light of that he suggested to set up a joint committee to review the scheme with a view to improve its functioning.
- (d) The Grade Pay and Pay band system introduced by the 6th CPC for improving the productivity of Government Services was a revolutionary concept and the same had not been fully grasped by the employees. Therefore, all the grievances that arise from the implementation of the 6th CPC had not been catalogued and presented at one go. He requested that the Govt. should continue to consider the problems of the employees as and when it is presented.
- (e) He said that the recommendation of the 6th CPC was to double all the allowances. He complained that the Government has not done this in some cases for one reason or the other. What is needed is to double this allowance and then work on alternatives. As and when the alternatives are worked, this allowance could be withdrawn. He then enquired about the delay in revising the Medical

Allowance for outpatient treatment for pensioners. The Official side intervened and said that the said allowance would be revised to Rs. 300 p.m. and the orders would be issued soon. The entire Staff Side resented this decision in the light of the fact that even the Health Ministry's suggestion was to raise it to Rs. 500/- on the basis of the per capita OPD expenses.

- (f) He then referred to the orders issued by the Government to the effect that future promotion to the cadre of LDC would only be from among those who are qualified in the XII Std. Examination. He said that while this could be a stipulation for future recruits, it cannot be applied for the existing employees as it would be impossible for them to acquire the said qualification.
- (g) Even though the fast Track committee has done a commendable job in the case of Master Craftsmen, the same has not been implemented in Defence so far.
- (h) He wanted the Govt. to waive the bonafide transport allowance granted to the employees of Lucknow and Jaipur which has been ordered to be recovered on the basis of the audit objection, especially in the background that in the case of those who had gone to the Court, the relief has been granted.
- (i) He specifically drew the attention of the official side to the letter the Staff Side had written in the case of those Group D employees died or retired before getting the benefit of training and assignment of Grade pay of Rs. 1800. He wanted them to be treated as deemed to have been trained and benefit of Grade pay of Rs. 1800 extended to them with effect from 1.1.2006

The Chairman, responding to the points made out by the Secretary and leader stated that the same has been noted and necessary action would be taken by the Govt. and communicated. In the case of convening the Departmental Council meetings, he said that he would write to All Secretaries of the Govt. of India to immediately convene the Departmental Council meetings/Anomaly Committee meeting.

The agenda items were taken up then for discussion. We give hereunder the decisions taken on each of the items that came up for discussion.

Item No.1. Reimbursement of Ayaa charges – delegation thereon: Agreed. Orders issued.

Item No.2. Reimbursement of expenditure towards implantation of special types of stents like cipher stent etc. in case of CS(MA) beneficiaries – delegation thereon:. Orders issued delegating powers to the HODs

Item No.3. Pathological and diagnostic procedures: Diagnostic centres identified and recognized for the City of Jaipur.

Item No. 4. Grant of FMA in lieu of out door treatment facilities. The facility of extending FMA benefit to CGHS Card holders who are beyond the age of 70 would be considered. It was also stated that the Govt. would be issuing orders shortly raising the FMA from Rs. 100 to 300 for all pensioners covered under CSMA rules.

Item No.5.Relocation of one CGHS dispensary in Wadi area under the jurisdiction of Municipal Corporation Nagpur. Decision in the matter would be taken soon.

Item No. 6. Specialized consultation in PU hospital like Ispat Hospital, HEC Hospital and CCL Hospital, Ranchi. The matter is under consideration to permit the CGHS beneficiaries to avail the treatment in the above mentioned hospitals subject to an overall ceiling.

Item No. 7. Supply of free diet to employees and their dependant under treatment for TB Leprosy, Mental, Illness, Cancer and HIV/AIDS, Renal Dialysis therapy, Thalassaemia. Orders issued.

Item No. 8. Sanction of incentive allowance to Central Government employees working in extremists infested areas. Not agreed.

Item No.9 Declaration of Gandhinagar as Link City of Ahmedabad. Final decision by the next meeting.

Item No. 10. Up-gradation of Jamnagar as B.2. Town with effect from 14.2.2006. The Department of Expenditure will reconsider the matter.

Item No.11. Up-gradation of Bangalore City with effect from 16.1. 2007. The Department of Expenditure will reconsider the matter.

Item No.12. Anomaly in fixation of revised pension. Not agreed.

Item No.13. Eligibility of Family pension to Widow/Divorcee Daughter/unmarried Daughter who are now eligible for payment of family pension for inclusion of names in PPOs issued much earlier. Govt. will issue a general clarification order soon.

Item No.14. Grant of family pension in case of Missing Pensioners after two months. Instead of two months, Govt. has agreed to reduce the period to 6 months.

Item No.15. Grant of half day casual leave facility for industrial employees. It was agreed that the condition imposed in the order would be removed.

Item No. 16. Relaxation of Upper age limit for departmental candidates for appointment to Group C Posts. In the light of extension of superannuation age to 60 years, the upper age ceiling for this purpose would be raised by two years.

Item No. 17. Rate of Stitching charge of liveries requires to be increased. Agreed to be considered and raised in 2011.

Item No.18. Casual labourers (Grant of Temporary Status and Regularization) scheme- on implementation of. The matter is under consideration.

Item No. 19. Restricted holidays for Industrial workers. Not agreed to.

Item No. 20. Applicability of CCS(RSA)Rules 1993 to the workers employed in Defence Establishments. The Defence Ministry will seek legal opinion and would take appropriate decision.