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(A CONFEDERATION OF DEFENCE, RAILWAYS, POSTAL, AUTONOMOUS BODY, CENTRAL & STATE GOVT EMPLOYEES' FEDERATIONS)  
(A UNIT OF BHARATIYA MAZDOOR SANGH)

SECRETARY GENERAL OFFICE: 2-A, NAVEEN MARKET, KANPUR - 208001, PH & FAX : (0512) 2332222, MOBILE: 09415726924,

**Ref: GENC / CIR / 04**

**Dated: 18.12.2013**

To,  
Hon'ble Prime Minister,  
Government of India,  
New Delhi - 110011

## **MEMORANDUM**

Respected Sir,

Government Employees National Confederation (GENC), an affiliate of Bharatiya Mazdoor Sangh, represents the 02 crores Government employees working in Central Government, State Government and Local Bodies. It has been working since last 45 yrs for the rights and welfare of employees besides taking into consideration the progress and interest of the Nation as well.

Government has declared to constitute the 07<sup>th</sup> Central Pay Commission but it has implemented the 6<sup>th</sup> CPC recommendations with certain anomalies which are yet to be resolved. The National Anomaly Committee constituted for the purpose has not yet settled any anomaly referred to it. The official side has simply rejected some of the important items for the reason best known to them.

Besides, Government has not given due attention to the major issues relating to Government employees. GENC observes that the Government has intended to weaken the unity of Government employees by outsourcing and contracting many of its Group 'C' and 'B' services. This has caused immense damage to the Executive organ of the Constitutional machinery besides potential security threat to the Nation, as the character and antecedents of such employees are not verified by any Government agencies, as is done in the case of Government employees.

Secondly, despite objections and protest against the New Pension Scheme, the Government has passed the PFRDA Act in the Parliament which is against the interest of Government employees. There have been instances of busting of pension funds in abroad resulting in huge losses to the pensioners. GENC has demanded that the Government should continue to pay pension to the Government employees. When EPF beneficiaries, armed forces personnel and People's Representatives (Hon'ble MPs, MLAs) are exempted from New Pension Scheme, there should be no compulsory implementation on the Government employees. GENC demand that the Government employees should be removed from the purview of the PFRDA.

Most importantly, the sky-rocketing prices of various commodities have worsened the inflationary trend in the country and the common man's survival has become nightmare. GENC demand that merger of 50% DA into the Basic Pay for all purposes and increase in the taxable income ceiling upto Rs. 05 lakh under the Income Tax would benefit the Government employees. The detailed Charter of Demands of GENC is annexed for kind perusal.

GENC has been writing to Government to resolve the demands and no actions have been taken so far. To remind the Government about its duty to look into the welfare of Government employees, GENC has organized peaceful agitation programmes of the employees throughout the country. In this context a mass rally is organized at Jantar Mantar, New Delhi on 18<sup>th</sup> December, 2013 wherein the employees from Defence, Railways, Postal, Central Secretariat, State Government and Government Autonomous organizations including Local Self Governance have participated to express their solidarity to the GENC and to demand the Government for early resolving of their long pending demands.

We hope your honour will consider the demands sympathetically and initiate action for resolving the long pending demands positively in time bound manner.

Thanking you.

Sincerely yours

**SADHU SINGH**  
Secretary General

**GOVERNMENT EMPLOYEES NATIONAL CONFEDERATION**  
**(affiliated to BHARATIYA MAZDOOR SANGH)**

**Annexure**

**CHARTER OF DEMANDS**

**1. Merger of 50% Dearness Allowance into Basic Pay:-**

5<sup>th</sup> CPC has recommended that whenever the Dearness Allowance exceeds 50%, it should be merged in the Basic Pay. While 06<sup>th</sup> CPC has also observed that a portion (25%) of DA should be merged whenever it exceeds 50% for certain part of the pay packet. GENC has been demanding that it should be automatic as and when Dearness Allowance crosses 50% mark and should be merged in the Basic Pay, as there is no pay-revision after 04 or 05 years as in the case of Public Sector / Financial Sector employees.

GENC demands that the 50% DA should be merged with effect from 1<sup>st</sup> January 2011.

**2. Immediate wage revision of the Central Government Employees by setting up the 7th Central Pay Commission:-**

It has been experienced that normally the recommendations of next Central Pay Commission is being effected after 10 years of earlier CPC like 4th CPC was implemented w.e.f. 01.01.1986, 5th CPC was implemented w.e.f. 01.01.1996 and 6th CPC was implemented w.e.f. 01.01.2006 but the recommendations of CPCs were announced after almost 02 years. Thereby only Basic Pay is being revised retrospectively but the other allowances and benefits are being paid from a subsequent date that may be almost 1½ years which causes discontentment among the beneficiaries as they have to face financial hardships. In this duration, Government takes more than 06 months to study the recommendation of CPC by the Group of Ministers/Secretaries. After implementation of recommendations of CPC, several anomalies are being noted and to redress the anomalies, Government set up Anomalies Committees at appropriate level which take almost 02 to 03 years to settle the matter. In such circumstances, the recommendations of 7th CPC should not be implemented later than 01.01.2016 as the recommendations of 6th CPC has been implemented w.e.f. 01.01.2006.

Therefore, GENC demands that the Government should constitute the 7th Central Pay Commission forthwith and that will submit the report in 2014 and anomalies committee will be set up and all the anomalies will be removed within 06 months so that recommendations of 7th CPC may be implemented w.e.f. 01.01.2016.

**3. Abolish the Contract System and regularize the contract workers in all the departments:-**

In the name of outsourcing the services of contract workers are being hired in Government establishments / industries without considering whether process, operations or other work is incidental to or necessary for the industry, whether it is perennial nature, whether it is done ordinarily through regular workmen, whether it is sufficient to employ considerable number of whole time workmen.

GENC, therefore, demands that contract system should be abolished and contract workers should be regularized in all departments.

**4. Extra Departmental Workers & Rural Workers should be granted the status for permanent employees of Postal Department:-**

The Hon'ble Apex Court had held that though such post (extra departmental agent) is outside the regular civil services, there is no doubt it is post under the state. The test of a civil post laid down by this court in Kanak Chandra Dutta's case is clearly satisfied in the case of the extra departmental agents. Thus the highest court of the land has held the ED Agents (now GDS employees) as holder of civil post.

GENC, therefore, demands that Extra Departmental Workers & Rural Workers should be granted the status for permanent employees of Postal Department.

**5. Enhancement of Benefit of Central Government Employees Groups Insurance Scheme to Rs 5,00,000/- minimum:-**

The Central Government Employees Group Insurance Scheme was introduced in Jan 1982 to provide insurance cover to the employees so as to enable their families to get a lump sum amount in the event of employee's death. The scheme also envisages a lump sum payment on cessation of employment. The scheme is wholly contributory and is run on self financing basis. The rates of subscriptions and the insurance cover under this scheme vary for different groups. Subscription under the scheme is apportioned between the insurance fund and the saving fund in the ratio of 30 : 70. The rates of monthly subscription as well as the insurance cover are supposed to be revised periodically. The present rates of subscription and insurance cover for the different categories of employees are Rs. 15/- and Rs. 15,000/- respectively for the lowest category of government employees since Jan. 1990 (i.e. due to implementation of 4th CPC recommendations).

To restore the actual value of insurance cover provided under the scheme, GENC demands that the present amount for various categories should be enhanced to Rs. 5.0 Lakh as a minimum payment to the lowest cadre.

**6. New Pension Fund Regulatory Development Authority Bill (PFRDA) should be scrapped and old pension scheme should be continued:-**

GENC has cited many examples before the Government and Parliamentary Standing Committee about the flaws in the contributory New Pension Scheme (NPS). The meritorious, young and energetic work force joins the Government service only due to job, income and social securities. The provisions of New Pension Scheme have taken away all the securities from Government employees. Besides, the Government has refused to give any guarantee to the return from annuities being invested by the Government employees under the NPS. There have been instances abroad that the Pension Fund Managers defrauded the hard earned income of contributors and played with life of Pensioners. The NPS has no linkage with the cost of living index.

GENC, therefore, demands that the NPS should be withdrawn and the old pension scheme should be restored to employees joined on or after 01.01.2004

**7. FDI should not be allowed in Government Department including Defence & Railways:-**

The Government on 16.07.2013 liberalised FDI limits in twelve sectors: 100 per cent FDI in telecom sector, the government also raised FDI in defence sector from 26 per cent to 49 per cent, in insurance sector from 26 per cent to 49 per cent, in case of PSU oil refineries, commodity bourses, power exchanges, stock exchanges and clearing corporations, FDI will be allowed up to 49 per cent under automatic route, in basic and cellular services, FDI was raised to 100 per cent from current 74 per cent, FDI of up to 100 per cent was allowed in courier services, in credit information firms 74 per cent FDI, etc.

People with vested interest in the machinery are pressing for FDI. It has been observed recently that while the level of FDI tend to be resilient during periods of economic uncertainty, it has the potential of adversely affecting the net capital flow of a developing economy especially if it does not have a healthy and sustainable FDI schedule. It has also been observed that the FDI is leading towards corruption, which is already a threat to our country. The prime and major disadvantage or threat due to FDI in defence sectors is security.

GENC, therefore, demands that FDI should not be allowed in Government Department including Defence & Railways.

**8. Enhance the interest rate of General Provident Fund:-**

Govt. Employees are getting interest @ 8.5% only on their GPF for the last year whereas earlier this rate of interest was 12%. The Reserve Bank of India has increased their Repo and Reverse Repo rate from time to time in the recent past. The rate of interest on Personal Loan, Auto Loan, Home Loan and Corporate Loan has also been increased. The Central Govt. gains the interest on employee's GPF money by investing the same in different sectors. Therefore, the employees should also get benefit of their growing money. Whenever, the reserve Bank increases its repo and reverse repo rates, the banks increase their rate of interest on different types of loans. The rate of interest on GPF should also be increased accordingly.

GENC, therefore, demands to increase the rate of interest on GPF @ 10% so that GPF account holders may get their rightful justice.

**9. MACP benefit on completion of 10, 20 & 30 years service should be given in the promotional hierarchy:-**

In O.A. No. 1038/CH/2010 the Hon'ble CAT Chandigarh vide its order dated 31.05.2011 granted the prayer of the petitioner and directed the authorities to grant MACP benefit in the hierarchy of promotional grade. Thereafter, the Union of India represented by the Secretary, DoP&T appealed to the Hon'ble High Court of Punjab and Haryana vide CWP No. 19387 of 2011. This appeal of the DoP&T was subsequently dismissed vide order dated 19.10.2011. The Government thereafter approached the Hon'ble Supreme Court vide SLP No. 7467/2013, the Hon'ble Supreme Court dismissed the said SLP. In view of the above, the issue now stands settled that eligible employee needs to be given MACP benefits in the promotional hierarchy only.

GENC, therefore, demands that necessary directives should be issued to all concerned so that financial upgradation may be granted in promotional hierarchy under MACPS.

**10. There should be 02 dates of annual increment, i.e. 01<sup>st</sup> January & 01<sup>st</sup> July, so that all the employees may be granted the incremental benefit on completion of 12 months:-**

The provisions of F.R. 26 confers the right to be granted next increment on completion of 12 months and as per FR 24 an increment shall ordinarily be drawn as a matter of course unless it is withheld. But, Rule 10 of CCS (RP) Rules, 2008 states that employees completing 06 months and above in the revised pay structure as on 1<sup>st</sup> July will be eligible to be granted the next increment whereby an employee who is appointed after 01 Jan to 30 June in any year will get his next annual increment on completion of 13 months to 17 months of regular service.

GENC, therefore, demands that there should be 02 dates of annual increment, i.e. 01<sup>st</sup> January & 01<sup>st</sup> July, so that all the employees may be granted the incremental benefit on completion of 12 months.

**11. All Cadre Review & Cadre Restructuring of Central, State Government & Autonomous Bodies employees should be expedited:-**

It has been noted that the nodal Ministry (DoP&T) have issued instruction for periodical Cadre Review on every 05 yrs but it has not been complied ever by any Ministry/Directorates and not only this but the proposal of Cadre Review are kept in pending since long.

GENC, therefore, demands that a permanent cell of empowered officers from concerned Ministry, Finance, Law, Labour, DoPT etc. should be constituted in all the Ministries so that the Cadre Review & Recruitment Rules of Group 'B', 'C' & 'D' may be revised expeditely.

**12. Group 'C' pay scales (3050 – 3200) & (3200 – 4900) should be merged and upgraded to the Grade Pay of Rs. 2400/- and pay scales (4000 – 6000) & (4500 – 7000) should be merged and granted the Grade Pay of Rs. 2800/-:-**

The 6<sup>th</sup> Central Pay Commission has recommended to merge the pre-revised the pay scale for erstwhile Group 'D' employees and upgrade the incumbents to the Grade Pay of Rs. 1800/-. Further, the pre-revised pay scales of Rs. (5000-8000) & (5500-9000) and Rs. (6500-10500) & ( 7450-11500) have been recommended to merge and upgrade. But the 6<sup>th</sup> CPC has not recommended to merge any of the pay scales of Rs. (3050 – 4590), (3200 – 4900), (4000 – 6000) and (4500 – 7000). This has caused great injustice to the incumbents of these categories. The provisions of MACP Scheme added insult to injury as the MACPS envisages merely placement in the immediate next higher grade pay in the hierarchy of the recommended revised pay bands and grade pay.

GENC, therefore, demands that Govt should issue necessary order for merger of the pre-revised pay scales of Rs. (3050 – 4590) & (3200 – 4900) and upgraded to Rs. 2400 GP and Rs. (4000 – 6000) & (4500 – 7000) merged and granted Rs. 2800 GP.

**13. Service conditions like retirement age, pay & allowance of State Government & Autonomous Body employees should be at par with Central Government employees:-**

It has been noted that Central Government constitutes the CPCs time to time which study the various aspects of service conditions and give its valuable recommendations in the interest of employees, organizations and country and Govt accept / implement them whereas State Governments do not comply the recommendations of CPCs which creates discontentment amongst the employees.

GENC, therefore, demands that service conditions like retirement age, pay & allowance of State Government & Autonomous Body employees should be at par with Central Government employees.

**14. All the vacant posts of Central, State Government & Autonomous Body should be filled up forthwith:-**

Around 30% posts were either abolished or vacant in various Government departments since long due to implementation of Annual direct Recruitment Plan (ADRP) and recently due to 'Observance of Austerity Measures imposed by the Ministry of Finance' which states that (i) there will be a total ban on creation of Plan and Non-Plan posts, (ii) posts that have remained vacant for more than a year are not to be revived except under very rare and unavoidable circumstances and after seeking clearance of department of Expenditure. This is causing considerable shortage of human resources in various departments, hampering the working and output of the Govt. Organizations. Many Government departments have engaged retired personnel against these vacant posts as consultants, which is adding up the woes to rising unemployment situation in the country.

GENC demands that all vacant posts along with posts abolished or surrendered in various establishments of Central Government, State Government and Autonomous Bodies should be filled on priority by lifting the ban on direct recruitment.

**15. Remove the Bonus ceiling of Rs. 3500/- and all should be given the Bonus on the basis of Basic Pay plus D.A.:-**

Minimum salary of Government employees has been fixed Rs. 5200 plus 1800 Grade Pay and besides that Dearness Allowance is also payable to neutralize the price rise. Hence, all the employees are drawing wages not less than Rs. 7000 plus DA per month and in such circumstances, Bonus ceiling of Rs. 3500/- is illogical.

GENC, therefore, demands that the Bonus ceiling of Rs. 3500 should be removed and Bonus should be paid on the basis of Basic Pay plus D.A.

**16. All employees should be paid Gratuity at the rate of 30 days per month instead of 15 days and remove the ceiling of 33 yrs:-**

The Payment of Gratuity Act amended so that employees may be paid gratuity at the rate of 30 days per month instead of 15 days and remove the ceiling of 33 yrs because the new entrants are joining the job in early ages due to better education facilities and the payment of double amount of gratuity will make the employees, staff and officers more prosperous which will give a better return to the society.

**17. Interim Relief @ Rs. 7000/- per month per employee should be granted:-**

Till date Govt has not announced the orders for merger of 50% DA with Basic Pay as it has been earlier as per recommendations of 5<sup>th</sup> CPC but announced to set up 07<sup>th</sup> CPC though formal notification is still awaited, in such circumstances all the employees should be granted interim relief @ Rs. 7000/- per month.

**18. Three promotions in 15 yrs of qualifying service:-**

Assured Career Progression Scheme and Modified Assured Career Progression Scheme have given 02 & 03 financial upgradations in 24 yrs & 30 yrs regular service respectively to provide 'Safety Net' to deal with the problem of genuine stagnation and hardship faced by the employees due to lack of adequate promotional avenues. For better career prospects, at least 03 financial upgradations should be granted in 15 yrs regular service.

**19. Recruitree and Promotee should be granted entry pay at par:-**

The pay on promotion should not be less than the entry pay in the revised pay structure for direct recruits appointed on or after 01.01.2006 as per Section II, Part-A of First Schedule of Notification of Ministry of Finance (Department of Expenditure), dated 29<sup>th</sup> Aug, 2008.

**20. Liberalize the Compassionate Appointment scheme by removing the artificial 5% restriction and grant Compassionate Appointment 100%:-**

Govt. of India, DoP&T O.M. No. 14014 / 6 / 94- Estt (D) dated 09th Oct 1998 read with O.M. No. 14014/23/ 99- Estt (D) Dated 03rd Dec 1999 has a provision to give a compassionate appointment to one of the dependent for the survival of his family, if the employee unfortunately dies during his service period; leaving his family behind to survive, but it is limited to 5% of the vacancies. Due to this, a large number of wards are waiting for their appointment on compassionate grounds to lookafter the family.

Hence, BPMS demands to Liberalize the Compassionate Appointment scheme by removing the artificial 5% restriction and grant Compassionate Appointment 100%.





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SECRETARY GENERAL OFFICE: 2-A, NAVEEN MARKET, KANPUR - 208001, PH & FAX : (0512) 2332222, MOBILE: 09415726924,

New Delhi, 18<sup>th</sup> December 2013

## **Mass Demonstration of Government Employees before Parliament**

Thousands of Government employees from all over the country belonging to Defence, Railways, Postals, Central Secretariat, Account and Audit, all State Governments, all Government Autonomous Bodies and Local Self Governments have staged a mass demonstration on 18<sup>th</sup> December 2013 at Jantar Mantar, New Delhi under the banner of Government Employees National Confederation (GENC) an affiliate of Bhartiya Mazdoor Sangh (BMS) demanding immediate merger of 50% DA with the basic Pay, withdrawal of New Pension Scheme, ban on out sourcing, privatization and contracterization in Government Establishment etc. A charter of demands along with a memorandum was submitted to the Hon'ble Prime Minister of India by a delegation led by Shri K. N. Sharma, President of the confederation and representatives from constituent Federations: BPMS, BPEF, BRMS, KKS, RRKS and BSSKS.

Shri Nagendra Singh, General Secretary, Delhi Pradesh BMS welcomed the Government Employees. Inaugurating the mass demonstration Shri Baij Nath Rai, National General Secretary BMS appealed to the Government employees to unite against the anti-employees policies of the Government. He praised the leading and important role of GENC in the implementation of the recommendations of 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> CPC, introduction of ACP & merger of 50% DA with Basic Pay by previous Governments.

Addressing the rally, Vice President BMS & I/c GENC, Dr. B.K. RAI equated the Privatization and outsourcing of work in Government Establishments with the outsourcing the Governance of the country in the hands of MNCs.

Shri Narendra Tiwari, President, BPMS mention that the privatization has aggravated the menace of corruption in the Governance and criticized that the Government has compromised its role as model Employer by handing over its responsibility of ensuring social security through New Pension Scheme (NPS). He demanded for immediate withdrawal of Government Employees from the purview of NPS.

Shri Shivakant Mishra stated that all employees should be paid Gratuity at the rate of 30 days per month instead of 15 days and remove the ceiling of 33 yrs and demanded to increase the rate of interest on GPF @ 10% so that GPF account holders may get their rightful justice. Shri Ramanand Tripathi stated that FDI should not be allowed in Government Department including Defence & Railways, service conditions like retirement age, pay & allowance of State Government, Autonomous Bodies employees should be at par with Central Government employees.

Shri Sadhu Singh, Secretary General of GENC stated in his speech that the Government has given no consideration to contain the rising inflation and the salary classes are facing the brunt of the Price rise. Due to the price rise DA has increase and crossed 50% within 5 years of the revision of Pay packet of Government employees but DA has not been merged with Basic Pay w.e.f. 01/01/2011. Now Government has announced to constitute 7<sup>th</sup> CPC but notification has not been issued till date, so he demanded Rs. 7000/- Per Month should be paid as interim relief. Moreover, the anomalies arisen out of the implementation of 6<sup>th</sup> CPC recommendations are yet to be resolved. The committees constituted for the purpose have given no consideration to the genuine demands and the so called JCM leaders have least interest in resolving the disputes.

Addressing the rally Shri Prakash Javadekar, M.P. expressed the solidarity with the agitating employees and assured that the genuine demands will be raised in the Parliament and unsettled issues will be settled if BJP comes to the power. Shri Rakesh Singh, M.P. has stated that he is well versed to the grievances of Government employees particular in Defence as at least 7 Defence Establishments are in his Parliamentary constituency. He also reflected his concerns over the limitation of 5% compassionate appointments, granting of Government Employees status to extra departmental workers of Postal Departmental.

Shri Mukesh Singh, Secretary/BPMS stated that the ceiling of 5% of direct recruitment as per order of the Hon'ble Supreme Court of India for compassionate appointment is not acceptable as the Parliament has overruled the judgments of SCI from time to time like Banks Nationalization case, Privy Purse case & Shahbano case etc. and not convening the meeting of National Council (JCM) question marks on the competency of the highest Govt Official, i.e., Cabinet Secretary of India

The rally was also addressed by Shri Mahendra Jain, Vice President-State Employees, Shri Manmohan Sharma, Postal, Shri Chandra Mohan, Central Employees, Shri Mangesh Desh Pandey, Railways, Shri Tankar Kaushal, Autonomous Body and Shri Yogendra Kumar Rai.

**SADHU SINGH**  
Secretary General