

**ALL INDIA DEFENCE EMPLOYEES' FEDERATION**  
**INDIAN NATIONAL DEFENCE WORKERS' FEDERATION**  
**BHARTIYA PRATIRAKSHA MAZDOOR SANGH**  
(RECOGNIZED FEDERATIONS OF DEFENCE CIVILIAN EMPLOYEES)

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Joint Circular No. : 57/2020

Date : 16.09.2020

To,

**All the affiliated Unions of  
AIDEF, INDWF, BPMS**

**Joint Discussion held on 15/09/2020 under the Chairmanship of Dy.CLC(C),  
Ministry of Labour through VC to discuss the Strike Demands.**

With reference to the Strike Notice submitted by AIDEF, INDWF & BPMS, to go on an Indefinite Strike from 12/10/2020 over the issues of Unilateral decision of the Government to Corporatise the Ordnance Factories., the CLC decided to intervene in the matter and a joint discussion was convened under the Chairmanship of Shri.K.S.Guru, DY.CLC(C), Ministry of Labour, through Video Conferencing. The following representatives attended the discussion on behalf of the three Federations. OFB was represented by DDG/IR and DDP was represented by Dir./P&C

**AIDEF**

1. Shri. S.N. Pathak, President
2. Shri. C. Srikumar, General Secretary

**INDWF**

3. Shri. Ashok Singh, President
4. Shri. R. Srinivasan, General Secretary

**BPMS**

5. Shri. Sadhu Singh, Vice President
6. Shri. Mukesh Singh, General Secretary -

Presiding over the Meeting. The DY.CLC(C) welcomed all the participants and requested the Federations to reconsider their strike decision in the interest of the country and to participate in the discussion process for settling their demands. There after he invited the representatives of the Federations to place their views on the charter of demands. All the representatives effectively placed their views and reasons for opposing the Government's decision to Corporatise the Ordnance Factories. Some of the salient points raised by the Federation representatives are given below:-

- 1) The decision taken by the Government to Corporatise the Ordnance Factories is arbitrary, illegal and unjustified. Based on an agreement reached in the presence of the then CLC(C) on 21/08/2019, the then Secretary(DP) convened a meeting with the Federations on 23/08/2019 and in that meeting the Secretary(DP) informed the Federations that no decision on Corporatisation of the OFB is taken by the Government.
- 2) In the same meeting based on the concerns expressed by the Federations, and the proposal to increase the current level of production to Rs.30,000 Crores within 5 years in the present set up, the Secretary(DP) assured that the same would be considered and also in this regard a High Level Official Committee to interact with the Federations would be set up.
- 3) When the Government set up HLOC, the first Terms of Reference was with regard to the proposal for converting the OFB in to a Public Sector entity. Since this was a violation of the agreement reached with Secretary(DP), the Federations represented against the Terms of Reference and pleaded for deleting the same from the Terms of Reference. However the Govt. has not yet conceded the request of the Federations.
- 4) When the earlier Strike negotiations based on the agreement reached in the presence of CLC(C) was pending, the Govt. on 16/05/2020 announced that the Govt. has decided to convert the Ordnance Factory Board in to a Corporation/Public Sector and that it will be listed in the share market. This is a clear violation on the part of the Govt. and it is a clear case of unfair Labour practise. Therefore pending negotiations of the Industrial Dispute, especially after the intervention of the CLC(C), the decision taken by the Govt. unilaterally is illegal, and violation of the Industrial Dispute Act 1947.
- 5) Apart from the above, the Govt. has violated all the assurances given in the past through the then Defence Ministers, Late George Fernandes, Late Pranab Mukherjee, Shri.A.K.Antony, and Late Manohar Parrikar. The assurance are in writing and recorded minutes are there. The Govt. has also violated its own assurances given in the Parliament. The Govt. has also changed its position that Ordnance Factories should not be Corporatised, considering various implications with regard to National Security and Defence preparedness.
- 6) The entire workforce of OFB have rejected the decision of the Govt. through their mandate in the strike ballot. Even the OFB held a Board Meeting on 31/08/2020 and have recorded their concerns and apprehensions about the future existences of the 41 Ordnance Factories and have forwarded the same to the MoD. However MoD has not considered the concerns expressed by the OFB.

- 7) The Federations have so far submitted more than 17 representations to the Govt. and none of the representations was addressed by the DDP.
- 8) Due to the above mentioned circumstances the Federations were forced to take this decision for commencing the Indefinite Strike w.e.f. 12/10/2020.
- 9) The Federations have given alternative proposal to the Government, i.e. to appoint an Expert Committee to study and recommend the improvement required to be done in all the areas like productivity, efficiency, accountability and autonomy etc. in the present Govt. setup itself.
- 10) The 80,000 employees of Ordnance Factories are recruited through various selection process as Central Govt. Employee with the status of Defence Civilian Employees. Many of them have resigned from PSUs and have joined Ordnance Factories to become a Central Govt. Employee. Changing the status of these employees and converting them in to employees of Public Sector is a clear violation of the appointment order itself. Such change of employer cannot be arbitrarily decided by the Govt. in violation of the Supreme Court Judgments in this regard.
- 11) The Govt. after its unilateral decision to Corporatise the Ordnance Factories, have appointed a consultant for implementing its decision even though two complaints against the EOI cum RFP is filed with the CVC, pointing out various irregularities. The Federations have also represented on this issue. Thereafter when the EGoM is constituted with the Terms of Reference for converting the OFB in to a single DPSU or as multiple DPSUs, the Federations on 09/09/2020 have represented against this Terms of Reference to the Chairman of the EGoM, Viz., the Defence Minister. On this representation also we have not received any reply from the MoD.
- 12) Finally the Federations would like to conclude that when a conciliation under the ID Act of 2019 is already pending before the Govt. as employer and another conciliation has now started, the CLC(C) may advise the Govt. to maintain status quo ante as on 23/08/2019, when the Defence Secretary assured that Govt. has not taken any decision to Corporatise the Ordnance Factories. Accordingly the Govt. may be advised to withdraw its unilateral decision to Corporatise the Ordnance Factories and continue negotiations with the Federations on the alternative proposals given by the three Federations. If the Govt. accepts this and withdraw its decision, then the Federations are ready to defer the Strike decision and sit with the Govt. for discussions on all issues other than Corporatisation of the Ordnance Factories.

After the Federations submitted the above views, the Dy.CLC(C) asked the Dir./P&C to offer his comments on the points raised by the Federations. The Dir./P&C

stated that discussions were already held with the Recognised Federations and since the Govt. have already constituted Empowered Group of Ministers Committee, the EGoM will discuss with all the stakeholders including the Federations. The DY.CLC(C) advised him to arrange a meeting of the Federations with EGOM before commencement of the Indefinite Strike. The Dir/P&C assured that he will put up the proposal to his higher authorities. Thereafter the Dy.CLC(C) adjourned the proceedings for 09/10/2020.

**Decision taken in the Joint meeting of the AIDEF, INDWF, BPMS & CDRA held on 15/09/2020 through VC**

A joint meeting of the three Federations was held on 15/09/2020 through VC at 18.00 hrs. the following representatives attended the meeting.

**AIDEF**

1. Shri. S.N. Pathak, President
2. Shri. C. Srikumar, General Secretary

**INDWF**

3. Shri. Ashok Singh, President
4. Shri. R. Srinivasan, General Secretary

**BPMS**

5. Shri. Sadhu Singh, Vice President
6. Shri. Mukesh Singh, General Secretary

**CDRA**

7. Shri. B.B. Mohanty, General Secretary, CDRA.
8. Shri. Ajay, Joint Secretary, CDRA.

Presiding over the meeting, Shri.S.N.Pathak, President/AIDEF welcomed all the participants and expressed his views about the deliberations which has taken place on 15/09/2020 in the meeting convened by the Dy.CLC(C) to discuss the Strike demands of the Federations. Thereafter the meeting discussed about the future course of Action to be taken by the Federations, review of the preparations of the strike in the Ordnance Factories and also about the situation in the other Directorates about the issue of taking Strike Ballot and issuing of Strike Notice etc. The meeting also discussed about the progress on the local JACs meeting with the people's representatives and Political Leaders and also about the signature campaigning programme from amongst the Public living in and around the Ordnance Factories. After discussion the following decisions were taken.

- 1) Some of the Unions in MES, EME, Depots and Airforce have not yet taken the Strike Ballot and hence they have not issued the Strike Notice. In accordance with the Recognition Rules for the Trade Unions of Defence, Strike Notice can be served within 14 days before the commencement of the strike. Therefore all the affiliated Unions in the MES, EME, Depots, Airforce, if they have not yet taken Strike ballot, may take the strike Ballot immediately and ensure that the Strike Notice is served on or before 05/10/2020, since the Strike in their case will be held on 19/10/2020.
- 2) A Joint letter will be submitted to the CLC(C) after receipt of the minutes of the meeting insisting that pending the earlier conciliation proceedings of Aug. 2019, and the present conciliation proceedings pending before the CLC(C), the Govt. should maintain the status quo ante as on 23/08/2019 and withdraw its unilateral decision to Corporatise the Ordnance Factories.
- 3) In the joint discussion convened by the Dy.CLC(C) on 17/09/2020 to discuss about the Strike demands of the other Directorates, the Federations should insist that the MoD is showing apathy towards its own employees and inspite of the best efforts the demands of the employees of the other Directorates are remaining unsettled and hence all the demands should be settled by the MoD. Moreover the Federations will also bring to the notice of the CLC(C) about the non-conducting of JCM Meetings, Additional Mechanism meetings, Non-responding to the representations of the Recognised Federations etc.
- 4) The Office Bearers of the Federations in different areas may personally monitor the preparations of both the indefinite strike of Ordnance Factories and the one day strike by the other Directorates.
- 5) As regards the meeting convened by the new DGOF & Chairman on 18/09/2020, the Federations will insist that, since the OFB has already recorded its concerns and the impact of Corporatisation on the OFB Organisation in the Board Meeting held on 31.08.2020, the OFB should continue to pursue the same with the Government and should once again convey to the Government about the unanimous view of the workforce of the Ordnance Factories that they will not accept the Corporatisation of the OFB.



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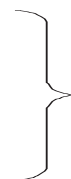
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Copy also to :

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For your kind information please