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Integrated Headquarters of MoD (Navy)  
Directorate of Civilian Personnel Services  
D-II Wing, Sena Bhawan,  
New Delhi-110011

CPT (JCM)/3543/XII/17-MM

24 Mar 15

**MINUTES OF THE 17<sup>TH</sup> MAIN MEETING OF  
NHQ JCM COUNCIL (LEVEL-III) (XII TERM)  
HELD ON 25 Feb 2015**

1. The following were present:

- |     |   |                                |
|-----|---|--------------------------------|
| (a) | VAdm P Murugesan, AVSM, VSM<br>Chief of Personnel | - Chairman,<br>NHQ JCM Council |
|-----|---|--------------------------------|

**Official Side**

- |     |                            |                           |
|-----|----------------------------|---------------------------|
| (b) | RAdm Pradeep Rana, VSM, NM | - CSO (P&A), HQ ENC       |
| (c) | RAdm Pradeep Joshi, VSM    | - ACOP (AC), IHQ MOD(N)   |
| (d) | Cmde Joginder Chandra      | - PDCP, Member            |
| (e) | Cmde VK Pisharody, NM      | - CSO(P&A), HQ SNC        |
| (f) | Smt RA Sehgal              | - PDCPS, Member           |
| (g) | Sh. Manjot Singh Bindra    | - CCPO, HQ ENC            |
| (h) | Sh. MG Nair                | - CCPO, HQ WNC            |
| (i) | Sh. N Sreekumar            | - CCPO, HQ SNC            |
| (k) | Sh. Amit Kumar             | - Secretary (JCM Council) |

**Special Invitees**

- |     |                    |            |
|-----|--------------------|------------|
| (l) | RAdm SR Sarma, VSM | - ASD (V)  |
| (m) | RAdm SP Lal, VSM   | - ASD (MB) |

**Staff Side**

- |     |                         |                            |
|-----|-------------------------|----------------------------|
| (n) | Sh. K Balakrishnan      | - Leader Staff Side, AIDEF |
| (p) | Sh. N Kumar             | - Secy Staff Side, INDWF   |
| (q) | Sh. BS Reddy            | - INDWF                    |
| (r) | Sh. K Vijaykumar        | - INDWF                    |
| (s) | Sh. PB Panigrahi        | - AIDEF                    |
| (t) | Sh. GSJ Atchuta Rao     | - AIDEF                    |
| (u) | Sh. BB Mohanty          | - CDRA                     |
| (v) | Sh. Jossy K Chirappuram | - AIDEF                    |
| (w) | Sh. PTN Shajeevan       | - CDRA                     |
| (x) | Sh. SK Mishra           | - AIDEF                    |
| (y) | Sh. DRS Satyanarayana   | - BPMS                     |

**Co-opted Members**

**IHQ MOD (N)**

- |      |                   |        |
|------|-------------------|--------|
| (z)  | Capt. S Ramaswamy | PDCMPR |
| (aa) | Capt. Ravi Sirohi | DCP    |
| (ab) | Sh. N Raghuraman  | DONA   |

भारतीय प्रतिष्ठा मजदूर संघ  
मजदूर  
सचिव (मुद्रांकन)  
कार्यालय-मन्त्री सहायक

25/3/15

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**OPENING ADDRESS/CLOSING ADDRESS BY COP**  
**17<sup>th</sup> MAIN MEETING OF NHQ JCM COUNCIL (LEVEL-III)**  
**(XIITH TERM) HELD ON 25 FEB 2015**  
**AT IHQ MoD (N), DELHI**

2. COP, the Chairman, Main Meeting of JCM Council extended a warm welcome to all the Flag Officers, Principal Directors, Official side and Staff Side Members to the 17<sup>th</sup> Main Meeting of NHQ JCM Council (Level-III) (XII<sup>th</sup> Term). He wished the outstation members, a comfortable and pleasant stay. He stated that this was his 4<sup>th</sup> Main Meeting of NHQ JCM Council as COP over a period of two years. With the calendar for JCM being promulgated, the no. of meetings have increased because of which many more grievances of staff side have come to closure. However some are still in progress. The Chairman emphasized that approx 46,000 of strong civilian employees work side by side with Service Personnel, hence positive efforts should be made for resolving their problems. He was of the view that JCM forum is a effective platform for resolving of grievances. Since the JCM facilitates regular interaction with staff side, it ensures healthy industrial relation and raises productivity to an optimum level.

3. The Chairman highlighted following Key Result Areas for the benefit of members.

(a) **Aadhar Enabled Biometric Attendance System (AEBAS)** Aadhar Enabled Biometric Attendance System (AEBAS) is being introduced at IHQ MoD(N) and all Commands. Almost all civilian officers and staff of Navy have enrolled themselves for Biometric attendance. GoI has concluded Rate Contract for supply of Biometric Attendance Terminals and Devices for implementation of AEBAS on 04 Feb 15 and the same has been communicated to all Commands for time bound implementation for Aadhar registration and implementation of AEBAS by all naval civilians.

(b) **Cadre Review Proposals** Updated status of Cadre Review proposals is as follows:-

Srl No	Description Authority	15 <sup>th</sup> MM (03 July 14)	16 <sup>th</sup> MM (28 Nov 14)	17 <sup>th</sup> MM (25 Feb 15)
(i)	Cadre review submitted to MoD/MoD(Fin)/DoF&T	4	15	26
(ii)	Under Process at IHQ MoD(N)	11	16	05
(iii)	Not considered necessary/feasible	08	08	08
<b>TOTAL</b>		<b>23</b>	<b>39</b>	<b>39</b>

(c) **Revision of Recruitment Rules (RRs)**

The present status of revision of RR is as follows:-

Srl No	Description of RRs	15 <sup>th</sup> MM	16 <sup>th</sup> MM	17 <sup>th</sup> MM
(i)	RRs approved and SRO notified	11	13	14

(ii)	RRs under publication/circulation	02	01	00
(iii)	Amendment to published RRs	00	02	04
(iv)	Draft RRs pending with MoD	18	14	18
(v)	Draft RRs with DOP&T for vetting/clarification	04	12	09
(vi)	RRs with Ministry of Law	04	00	02
(vii)	Draft RRs to be forwarded to MoD	08	05	00
<b>Total</b>		<b>47</b>	<b>47</b>	<b>47</b>

(d) **Departmental Promotion Committee (DPC)** IG dated 12 Feb 15 has been issued highlighting the requirement of conducting DPC as per promulgated guidelines. DPCs getting delayed beyond reasonable time or not forwarding the relevant documents leads to civilian employees being promoted incorrectly or retiring before promotion thereby compelling the aggrieved employees to make representations to various authorities. In a number of cases, the employees are forced to file court cases. Apart from timely conduct of DPCs there is a requirement for imparting training to all personnel involved in correct conduct of DPC.

(c) **Naval Civilian Pay and Pension Office (NCPPO)**

(i) Chairman stated that he had Chaired a meeting on 19 Jan 15 at Mumbai with all stakeholders for operationalisation of NCPPO. Directions were given to expedite the process as well as for formulating the Business Rules by 31 Mar 15. A letter to this effect had been sent to NCPPO and WNC vide DCP letter CP(SC)/1890/NCPPO dated 31 Jan 15. The tentative timelines for achieving functionality of NCPPO are as follows:-

S.No	Activity	EDC
(i)	Preparation of Business Rules.	31 Mar 15
(ii)	Formulation and technical vetting of RFP, obtaining BQ, followed by processing of case with CFA for accord of AON/AIP for hiring of consultant	31 Jul 15
(iii)	Tendering on OTE basis with mandatory time for submission of bids, pre-bid conference, tender opening, purchase decision, accord of financial sanction and conclusion of contract	30 Nov 15
(iv)	Development, prototyping and testing and commissioning of new system	31 May 16

(ii) The deliverables at the end of the process outlined above, extending over the next 16-18 months, would be a prototype system for generation of pay & allowances for Non-Industrial and Ministerial personnel. Time lines for subsequent phases, covering additional modules, would become clearer

on completion of the above activities. It should be possible to implement Phase I of NCPPO by end of next year.

(f) **Naval Pension Cell** In last Main Meeting it was decided that a dedicated cell (Naval Pension Cell) be setup at PCDA(N) Allahabad. Analysis of the response received from the Command Headquarters has indicated that the delays are primarily at the unit level and continuous training has been identified as one of the possible solution to the problem. The setting up of Naval Pension Cell for Civilian Employees at Allahabad would be progressed after addressing the issue at unit level.

(g) **Factories (Amendment) Act Bill-2014** The Factories Act Amendment Bill 2014 was placed in Parliament (Lok Sabha) on 07 Aug 2014. The 'Parliament Standing Committee on Labour' after examination have raised certain observations & a meeting with State Govt. Labour Union and Central Govt. was held in Vigyan Bhawan on 19 Feb 2015. It is hoped that concerns of both sides have been ironed out and resolved. Once the Bill is enacted, it will alleviate constraints placed on overtime ceiling and early decision making during any contingency.

(h) **7th Pay Commission** The recommendations on Naval Civilians were submitted to 7th CPC on 09 Sep 14. These were arrived at after consultation with Unions/ Associations and other Stakeholders. No additional inputs worth inclusion in the Report have been received from the Commands, since Sept 2014 till date. As desired by Staff Side, the 7th CPC report has also been provided in CD format to them.

(i) **Annual Medical Examination** The AME scheme has been identified as 'Thrust Area' by the Chief of Naval Staff to achieve 100% participation by civilian employees. The present compliance rate in respect of HQSNC has increased from 31% to 80%, which still requires astute attention. The compliance data is as follow:-

	WNC	ENC	SNC	ANC
16 <sup>TH</sup> MM	82%	81%	31%	85%
17 <sup>TH</sup> MM	83%	90%	80%	95%

Case for extension of AME Scheme of Group 'A' Officers to Group 'B' & 'C' employees of Navy was taken up with MoD. MoD/D(N-II) had advised that case be presented in JCM and the same was forwarded to MoD/D(JCM) vide DCP Note CP(SC)/1890/JCM dated 19 Jan 15. MoD/D(JCM) have intimated that the case does not fall within the perview of JCM and the case has been again taken up with MoD/JS(Navy) on 11 Feb 15.

(k) **Naval Civilian Management Information System (NCMIS)** Keeping pace with the e-governance policy of the government, one of the key thrust areas of Human Capital Strategy has been identified as creation of Naval Civilian Management Information System. Accordingly, computerising the personal and professional records of all Naval Civilians through a web based interface has been initiated at Directorate of Civilian Personnel (DCP). This comprehensive database of approximately 46,000 Naval Civilians will be hosted on Navy Enterprise Wide Network (NEWN) at a centralized location. It will facilitate in

automating standard operations, better management and communication with Commands/Units, timely implementation of various policies and improved efficiency of operations, thereby improving employee satisfaction. The case is in advanced stage of approval of the Competent Authority for procurement/implementation through outsourcing. The project is expected to be completed by December 2015.

(l) **Speech Point No. 85 raised by BPMS in the Main Meeting of the 90<sup>th</sup> Departmental Council (JCM) of MoD held on 29.08.2014** Minutes of the 16<sup>th</sup> Main Meeting JCM Council has been issued in Hindi as promised in the last Main Meeting.

(m) **CGHS Cards to Pensioner** Letter regarding guidelines for providing CGHS Card to pensioners is being issued.

(n) **Training** The Training Doctrine for civilian personnel is under preparation and suggestions have been sought from all stake holders for inclusion in the document.

#### **RESPONSE OF LEADER STAFF SIDE.**

4. Shri K Balakrishnan, Member, AIDEF, Leader of the Staff Side welcomed the Chairman, Official and Staff Side members of the 17<sup>th</sup> Main Meeting of NHQ JCM Council. He thanked the Chairman for the inspirational speech and to COPs team for various achievements listed during the period. Sh. K Balakrishnan brought out that:

(a) Re-structuring of Industrial employees have not been done at Karwar. This should be completed forth with. Employees at Karwar have been deployed for Ty duty to Andaman's. The passage was on board a Naval Ship that took 18 days to reach Andaman's. This neither benefitted the organization nor the employees. He requested that such movement be avoided in future. Chairman agreed and directed PDCP to do the needful.

(b) Pest Control Workers (PCW) is having promotional avenues as per existing RRs. RRs of Health Supdt. clearly stipulate saying that 75% promotions are in DR and 25% in DP from PCW. So they may be given ACP as per the promotional hierarchy.

(c) Navy has been giving advertisement for the recruitment of CMD(OG). In that advertisement HQ SNC mentions 2 years experience in driving heavy vehicle while HQ ENC mentions that only one year experience is required. Such anomalies should not happen in future. Chairman directed that the issue be verified.

(d) Shri SK Singh, JCM Member has not been paid his salary for the last six months. This should looked into and the problem sorted out.

(e) JCM Members raise some problems in the meeting which may sometimes be local points. These should be addressed through Commands. Chairman directed CSO(P&A) and CCPOs to conduct meetings before the Main Meeting with the JCM Members.



- (f) DPCs should be completed in time and all seniority lists be published in advance. All the Commands agreed to complete this in time.
- (g) Amendment of SRO 43/12 be expedited for the recruitment/absorption of Ex-Apprentice /MTS Ministerial/Non-Industrial Staff. Chairman directed that the case be pursued.
- (h) Cashless medical facilities for HQ WNC and HQ SNC be completed at the earliest. Chairman directed that these be completed as early as possible.
- (j) CGEGIS should be deducted @ Rs 60/- for MCM at HQ WNC as they are group 'B' employees. ASD(MBI) agreed to the proposal.
- (k) Matter regarding Ty Duty, TA/DA adjustment claims, medical claims etc are delayed by PCDA(N) by raising unwanted queries. This should be solved at the earliest. ACOP (AC) stated that he will discuss the matter with PCDA(N).

#### **RESPONSE FROM SECRETARY STAFF SIDE.**

5. Shri-Narendra Kumar, INDWF Secretary, Staff Side thanked Chairman for his valuable speech and welcomed the members who were attending the meeting for the first time. He stated that most of the issues had already been covered by Leader Staff Side. He welcomed RAdm SP Lal, ASD(MBI) & RAdm SR Sharma, ASD(V) and conveyed his best wishes for their new assignment.

The Secretary Staff Side further mentioned that the Cadre Reviews and Amendments in RRs should be taken on priority and finalized before outcome of VII<sup>th</sup> CPC. He also requested for extension of facility of smart card to civilian employees after retirement as it was a long pending demand. He requested that the period of Ty attachment of Yard Craft crew of Karwar to Port Blair be reduced. The Chairman agreed to reduce the period. PDGP mentioned that we will get the required sanction for ANC. The Secretary Staff Side appreciated efforts of HQ WNC & ASD(MBI) towards cashless medical facility and requested for its early implementation. Secretary Staff Side requested for posting of AOs at Naval Base Karwar & HQ WNC. He also mentioned that the refusal on promotion should be accepted on case to case basis.

#### **CONFIRMATION OF MINUTES OF THE 16<sup>TH</sup> MAIN MEETING**

6. Minutes of the 16<sup>th</sup> Main Meeting of NHQ JCM Council held on 28 Nov 2014 were confirmed by the Staff Side. It was decided by Chairman that Agenda point No. 11 of 16<sup>th</sup> Main Meeting related to the Review DPCs is to be progressed in the upcoming meeting.

#### **PROGRESS POINTS/AGENDA POINTS/MENTION POINTS**

7. Subsequently the progress on Agenda Points and Mention Points of 16<sup>th</sup> JCM Council were taken up for discussion. The discussion and decisions on Progress Points of 16<sup>th</sup> Main Meeting are placed at Appendix 'A'. The discussion and decision on Agenda Point of 17<sup>th</sup> JCM is placed at Appendix 'B'. The discussion on Mention Points of 17<sup>th</sup> JCM are placed at Appendix 'C'.

### CLOSING ADDRESS BY COP

8. In his closing address Chairman thanked everyone for their active participation and valuable views on the points/issues discussed. He stated that issues, such as Cadre Review proposals and Revision of Recruitment Rules being complex, require consultation with a number of stakeholders, and assured that all out efforts will be made to bring them to closure as early as possible.

9. Chairman suggested that all Staff Side and Official Side Members should get connected by e-mail through internet for faster communications or Whatsapp, as the Staff Members don't have ready access to Naval Unified Domain network. He emphasized that harmonious relations should be maintained between the Command HQs and employees. He also requested that Commands must institute a mechanism whereby meeting with JCM members are held once in three month. He urged that all issues be brought to a logical end and wholesome conclusion for the benefit of Navy, through mutual dialogue and consultations.

### VOTE OF THANKS

10. The Meeting was concluded with a Vote of Thanks to the Chair by the Secretary NHQ JCM Council.

11. All concerned are requested to forward progress of action taken on the points at Appendix 'A', 'B' & 'C' by end of 15 Apr 2015. A monthly progress report is also required to be forwarded thereafter.

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

13. Hindi version will follow

  
(Amit Kumar)  
Secretary  
NHQ JCM Council

### Distribution

SO/COP, Chairman, NHQ JCM Council  
SO/ACOP(AC)  
MoD/D(JCM)  
HQ ENC, HQ WNC, HQSNC, HQ ANC, ND(MB), ND(V)  
Army Headquarters (AG/MP-4(Civ/JCM))  
Air Headquarters(PC-4/JCM)  
The general Secretaries-INDWF, AIDEF, BPMS, CDRA  
All Official & Staff Side Members  
IRIC.

### Internal

PDCCP, PDLS, PDONA, PDNAM, PDEE, DND, PDNAI, DOA (Civ), PDFM, PCDA(N)

UPDATED STATUS ON POINTS  
13<sup>TH</sup> MAIN MEETING OF NHQ JCM COUNCIL  
HELD ON 25<sup>TH</sup> FEB 2013

Sh. BS Reddy, INDWF

1. Regularization of USLs.

Decision. Point is closed. Matter will be followed and progress will be intimated to Staff Side.

Action: Command HQs/DCP

Shri Narender Kumar, INDWF.

2. Restructuring of NAD Staff, i.e. ARL and FAR and Grant of MCM Grade.

Decision. Point is closed. Progress will be intimated to Staff Side.

Action: DCP/DGONA

UPDATED STATUS ON POINTS  
14<sup>TH</sup> MAIN MEETING OF NHQ JCM COUNCIL  
HELD ON 21 OCT 2013

Shri K Balakrishnan, Leader Staff Side, AIDEF.

1. Undue Delay in Pension Benefits.

Decision. Point is closed. DCP will issue directives to Command HQs for provisional pension.

Action: DCP

Shri K Vijaykumar, INDWF.

2. Issues Relating to Sukhani/Syrang of Lascar.

Decision. Point is closed. Progress will be informed to Staff Side.

Action: DFM/DCP/HQ SNC

UPDATED STATUS ON AGENDA POINT  
15<sup>TH</sup> MAIN MEETING OF NHQ JCM COUNCIL  
HELD ON 03 JULY 2014

K Balakrishnan, AIDEF.

Point No. 1.

Four Grade Structure of Civilian Motor Drivers.



Decision. Point is closed. Progress will be informed under Cadre Review proposals clubbed together and carried forward in 17<sup>th</sup> Main Meeting.

Action: DCP

UPDATED STATUS ON MENTION POINTS  
15<sup>TH</sup> MAIN MEETING OF NHQ JCM COUNCIL  
HELD ON 03 JULY 2014

1. Sh. Narendra Kumar, Secretary Staff Side, INDWF.

General Pool Accommodation (CGS Quarters, Mumbai)

Decision. Point is closed. Progress will be intimated to Staff Side.

Action: DCP/HQ WNC

2. Shri PTN Shajeevan, CDRA.

Amendment of Bye-Laws of AINCA (All India Naval Clerks Association).

Decision. Point is closed. Progress will be intimated to Staff Side.

Action: DCPS/HQ SNC

3. Shri Jossy K Chirappuram, AIDEF.

MACP for Artisan Staff.

Decision. Point is closed. Matter should be taken with PCDA(N) in quarterly meetings.

Action: DCP/HQ SNC

*[As per directives given by COP, the Progress Points of 13<sup>th</sup> Main Meeting, Progress Points of 14<sup>th</sup> Main Meeting and Agenda/Mention Points of 15<sup>th</sup> Main Meeting were taken in preparatory meeting, chaired by PDCPS on 24 Feb 2015. All points were discussed in detail and both sides agreed to close these points before holding the Main Meeting. It was decided that action taken will be informed to Staff Side. As regards mention points, Chairman agreed that one point per member will be raised and minuted. However the concerned HQ/Estt/Professional Dte will take action on the same and inform the concerned JCM Member and Secy/Leader Staff Side. A copy also be endorsed to DCPS(JCM) for information and record]*

to letter No.CPT(JCM)/3543/(XII)/17-MM dated 24 Mar 15

**UPDATED STATUS ON AGENDA POINTS**  
**16<sup>TH</sup> MAIN MEETING OF THE NHQ JCM COUNCIL**  
**HELD ON 28 NOV 2014.**

**SHRI K BALAKRISHNAN, AIDEF and Leader Staff Side,**

**1. Non Implementations of JCM Decisions.**

a) Tradesman (Mate). After detailed discussions in the JCM, IHQ Ministry of Defence (Navy) has promulgated orders for changing the Designation of MTS (Ind) as Tradesman (Mate) for the Industrial Employees of Ministry of Defence (Navy). But the same has not been implemented in NADs under IHQ Ministry of Defence (Navy). It is, therefore, requested that the same may please be implemented at all NADs under the Navy at the earliest.

**Comments(DONA).** Following is recommended:-

(i) Uniform designation Tradesman (Mate) may be implemented for new recruits only and all existing Tradesman (Mate) of respective trade in NADs may maintain their respective seniority in their group and move on to skilled level of respective trades/groups.

(ii) RRs of Storekeeper (erstwhile Assistant Store Keepers) and Ammunition Mechanic II may be amended to include Tradesman (Mate) with minimum one year experience in respective field, viz Stores or Ammunition.

**Comments (DCP).**

(i) Confirmation regarding implementation of Revised Designation of Tradesman (Mate) in respect of SSL/USL was sought by 27 Nov 14 from Commands.

(ii) Command HQ in turn requested NADs to forward confirmation by 10 Jan 15. Reply awaited. Reminder issued on 17 Feb 15.

**Decision.** Instructions regarding uniform designation of Tradesman (Mate) will be issued by DCP.

**Point is closed.**

**Action: DCP/DONA**

b) Restructuring of Industrial Staff at Karwar. NHQ JCM Council has taken a decision and directed the authorities concerned to implement the restructuring order of Industrial Staff at Karwar before 31<sup>st</sup> December 2013. But sorry to state that till date the process has not been completed. Request implement the restructuring order of Industrial Staff immediately at Naval Area Karwar.

**Comments (DONA).** This point is the same as mentioned in Para 1(a) above for re-designation of semi skilled employees as 'Tradesman Mate' in respect of long pending Department Qualifying Tests. It is stated that these have since been conducted by FOK.

**Comments (DCP).** HQ WNC has been requested to forward current progress/status vide letter CP(NG)/3757/JCM dated 09 Dec 2014. Reminder sent on 29 Dec 14 and Fax has also been sent on 07 Jan 15.

**Decision.** Combined seniority list of Artisan Staff will be finalized and restructuring will be completed by 31 Mar 2015.

Point is closed.

**Action: DCP/DONA/HQ WNC**

## **2. Promulgating Unauthorized Orders by Headquarters, Southern Naval Command, Kochi.**

**Banning Trade Union Activities at Hospitals and Training Establishments.** Southern Naval Command has promulgated an order banning Trade Union activities in Hospitals and Training Establishments. As per the existing order of Minister of Defence, there is no ban for Trade Union activities in the Hospitals and Training Establishments. Only some restrictions have been imposed on those establishments. For removing that restriction, the Federations had already discussed with Hon'ble Defence Minister and Defence Secretary on 6 February 2014, since the decision is still pending, the ban is against the spirit of the discussions. It is, therefore, requested to withdraw the order of HQSNC at the earliest.

**Comments (HQ SNC).** As per HQ SNC Letter CS 1060/3/A dated 12 May 2014 AINCA, AINTSSA, AINDA and CDRA have represented against the ban on conduct of Association activities and membership of employees working in Naval Hospitals & Training Centres. Associations are recognized under CCS(RSA) Rules and holding membership in a service Association, in a particular unit or Estt is not specified in the Rules.

**Comments (DCPS).** Granting of Trade Union rights to Civilian Employees in Hospitals and Training Institutes under Armed Forces and areas covered under SRO 17-E has been raised as Additional Agenda Point 2 in 90<sup>th</sup> Departmental Council JCM of Ministry of Defence held on 29 Aug 2014. The position of the Ministry is that the issue has been raised since long. Hon'ble RM in 2008 has also given a reply to Leader Staff Side stating that Estt. in states of J&K (under SRO 17-E) are operational areas fighting hostile elements. The activities will create problems in smooth functioning of these Estts. Military Hospitals/Training Institutes cannot be compared with Civil Hospitals/Training Institutes as providing essential services impact directly the operational preparedness/readiness, morale and discipline of the Army. MoD have stated that it may not be possible to agree to the proposal. MoD Order No. 1(7)/71/D(Lab) dated 23 Feb 1972 excludes under mentioned categories of civilian employed by or in the service of the regular Army subject to the Army Act 1950 clause (I) of Section 2 of Act for the continuance of their membership or association with existing Trade Unions or Service

Associations and to become members of, or be associated with Trade Unions or Service Association which may be formed hereafter.

These categories are:-

- (a) Non-Combatants (Unenrolled) and civilians employed in the Unit Lines and Messes.
- (b) Civilians employed in the Units/Establishments located in the State of J&K, Himachal Pradesh, Punjab, Haryana, Rajasthan, Gujarat, Assam, Tripura, Meghalaya, Manipur, Nagaland, Districts of Darjeeling, Jalpaiguri, Cooch Bihar, West Dinajpur, Malda, Murshidabad and Birbhum of West Bengal, and other forward areas, or in Units or War Establishment.
- (c) Civilians employed in Training Establishments and Military Hospitals which do not fall under the purview of the Industrial Disputes Act
- (d) Civilians employed in any of the following:-
  - (i) Movement Control Groups and Areas/Units
  - (ii) All Units located at ports

IHQ MoD(N) cannot change the MoD Order being outside the scope of JCM-III and may not take a stand differing with the stated position of the Govt.

**Decision.** Clarification sought from MoD. Outcome received from MoD will be informed to the Staff Side. However HQ SNC will re-examine the issue.

Point is closed.

**Action: DCPS/HQ SNC**

### **POINTS RELATED TO CADRE REVIEWS**

(Point No 3 & 8)

#### **Point No. 3 - SH. NARENDRA KUMAR, JNDWF**

Career Progression of Stenographers Cadre. The Cadre Review Proposal, Submitted by All India Naval Stenographers Association, and Duly Recommended by WNC/IHQ MoD (N) for Creation of 03 Posts of Sr PPS's and 06 Posts of PPSs, has been Rejected by the Ministry of Defence.

#### **Point No. 8 - SH. BB MOHANTY, CDRA**

Cadre Review of Technical Supervisory Staff, Drawing Staff, Clerical Staff, Stenographer Staff and Civilian Technical Officers.

**Decision.** All points related to Cadre Review are to be clubbed together. Progress will be informed to the concerned JCM member and Secy/Leader Staff Side by Cadre Controlling/Professional Directorates.

**POINTS RELATED TO REVISION OF RRS**

(Point Nos. 4, 5 & 6)

**Point No. 4 - SH. PTN SHAJEEVAN, CDRA**

Recruitment Rules of Office Superintendents of Navy.

**Point No. 5 - SH. PTN SHAJEEVAN, CDRA**

Recruitment Rules of Categories of Group 'A' and Group 'B' Posts in the Library Discipline.

**Point No. 6 - SH. DRS SATYANARAYANA, BPMS**

Promotions to LDC, UDC and Office Superintendent (erstwhile Assistant) in Eastern Naval Command.

**Decision.** All points related to Revision of RRs are to be clubbed together. Progress will be informed to the concerned JCM member by Cadre Controlling/Professional Directorates.

**SHRI BB MOHANTY, CDRA.**

**7. OTA Arrears for Technical Supervisors in HQ ENC and HQ SNC on Par with HQ WNC.**

**Decision.** OTA is paid by all Command HQs regularly.

Point is closed.

**9. Grant of Compensation to Non-Industrial Staff Working Beyond 40 hrs in the Industrial Establishments of Indian Navy.**

**Status (DCP).** As per IHQ MoD(N) Fax Message CP(P)/2080/OTA dated 02 May 14, all employees posted at Industrial Establishments are to be paid OTA at single rate between prescribed working hrs and 48hrs per week upto 39 hrs per quarter and upto 75 hrs per quarter for extra work done beyond 9 hrs per day or 48 hrs per week.

**Status (DCPS).** OTA is to be regulated for Non-Industrial Employees (NIE) in accordance with the provisions of GOI, MoD Letter No. 14(2)/76/D(Civ-II) dated 25 June 1983 provided they are already covered by the said scheme. Paras 6(d) (i) & (ii) are relevant in this regard. If not covered by the scheme, time rate will be applied for work in excess of prescribed working hrs but not in excess of 48 hrs per week / 9 hrs per day. For OTA exceeding 48 hrs per week / 9 hrs per day, HoD has to certify that NIEs have similar working hrs and holidays, as industrial staff. JCDA(N) in Oct 2012 further indicated that, an NIE be declared a 'worker' under Factories Act, 1948 to claim OTA. It is for the unit to provide the same.

**Decision.** AINTSSA will forward a proposal regarding compensation within 10 days and the same will be forwarded to MoD for clarification.

Point is closed.

**Action: Staff Side/DCP**



*(Agenda Point No. 11 of 16<sup>th</sup> Main Meeting is to be progressed as decided by Chairman)*

**Review DPCs of Technical Supervisory Staffs and Subsequently the Review DPCs of Artisan Staff w.e.f. 28 Aug 2008, Consequent to the Merger of Posts in Technical Supervisory Cadre.**

**Comments-(HQ WNC).** ND (MBI) vide letter DYP/P/9798/DPC/14-15 dated 05 Aug 14 informed that Review DPCs are in progress and the same has been intimated to IHQ/MoD(N) vide Headquarters letter CS(II)/2577/DPC/TSS/2013-14 dated 02 Sep 14.

**Decision.** Point to be progressed.

**Action: DCP**

**SHRI SK MISHRA, AIDEF**

10. **Implementation of Govt. of India Instruction i.e. M.H.A. O.M No. F2/9/59-ests(A) dated 27 May 1961 & dated 30 May 1962.** The above OM states that "In all cases where the circumstances leading to a Government servant's reinstatement reveal that the Authority which terminated his service, either wilfully did not observe, or through gross negligence failed to observe the proper procedure as explained above, before terminating his service, proceeding should be instituted against such authority under Rule 16 of the CCS (CC&A) Rules and question of recovering from such authority the whole or part of the pecuniary loss arising from the reinstatement of the government servant should be considered". Whereas the power of appointment and disciplinary are vested with those authorities, whose service condition are not under the preview of CCS (CC&A) Rules-1965. Hence implementation of Govt. of India Instruction i.e. M.H.A O.M No. F2/9/59-Ests (A) dated 27 May 1961 & dated 30 May 1962 is not feasible. As a result the Government servants serving under the condition of CCS (CCA&A) Rules-1965 are burdened with pecuniary loss in our department. There by request for the delegation of appointment and disciplinary powers to the Authorities whose service condition is under CCS (CC&A) Rules-1965 or any other policy/order may be granted to save the civilian employee in the Navy from burden with pecuniary loss.

**Comments (HQ ENC).** Ministry of Defence have issued a presidential order vide letter 5(18)/79/D(Lab) dated 13 Sep 79 and delegated disciplinary powers to various Naval authorities including Civilian Officers serving in ND(MBI)/ND(VZG) in this regard IHQ letter CPT(DV)/3118/Policy dated 26 Jun 08 is also relevant.

**Comments (DCPS).** Delegation of power and policy thereto falls within the purview of the DOP&T. The disciplinary Authority exercises the delegated powers of Govt. of India irrespective of Cadre and as per executive post. The Disciplinary channel has ample scope to appeal to the Appellate, Reviewing and Revisionary authorities, in case of miscarriage of justice. The system is time tested and takes care of the issues brought forth by the JCM Member.

**Decision.** Level-II issue.

**Point is closed.**

11. Amendment of Transfer Policy in Respect of Staff Controlled by IHQ/MoD(N). The Transfer Policy for the staff members belonging to Drawing Office, Store House, Civilian Educational Instructor, etc are controlled by IHQ/MoD (N). There is no common transfer policy passed till date. Whereas the Transfer Policy is in force for some category of staff members. But the said transfer policy is not in accordance with Govt. of India orders. Out of this the Transfer Policy existing for some categories belongs to Vth CPC tenure. And there after large changes are made in the grade and post. Hence, it is requested that the Transfer Policy be suitably amended.

Comments (DCP). Draft Guidelines for transfer in respect of Gp "A" & "B" officers & Gp "C" Staff have been promulgated vide IHQ/DCP(G) fax message dated 24 Dec 14. Feedback/Comments requested from Command by 30 Jan 15. Comments have been received from WOT Kochi and AINCTOA and awaited from Commands and other Associations.

Decision. Comments from Command HQs/Association are still awaited. Comments of Federations/Confederation will also be taken for formulation of policy.

Point to be progressed.

Action: DCP

**UPDATED STATUS ON MENTION POINTS**  
**16<sup>TH</sup> MAIN MEETING OF NHQ JCM COUNCIL**  
**HELD ON 28 NOV 2014**

**1. SHRI PB PANIGRAHI, ND (MBI)**

Illegal and Arbitrary Alteration of Leave. Illegal and arbitrary alteration of leave without consultation with Work's Committee Members and illegal deduction of wages was done for PMs visit on 16 Aug 2014. Request Special Casual Leave be granted for those who did not attend duty on 23 Aug 2014 in lieu.

Comments (HQ WNC) ND(MBI) has intimated that considering the security scenario during the Prime Minister's visit for commissioning of INS Kolkata it was decided to maintain the limited movement of men and material on 16 Aug 2014 was declared as Holiday. However, for the purpose of maintaining legal sanctity of the Factories Act towards the minimum number of working hours, 23 Aug 2014 (being 4<sup>th</sup> Saturday) was declared as working day in lieu of the holiday declared on 16 Aug 2014, within the administrative powers vested by the head of the organization. Also while executing above decision all the statutory Labour Laws were taken into consideration while maintaining the high precautionary security measures during the visit of Hon'ble Prime Minister. The above change in working days was promulgated well in advance to elevate in-convenience to the organization and the employees of the yard.

Matter should be resolved locally.

**2. SHRI SK SINGH, ND (MBI) BPMS**

Victimization of Trade Union Office Bearers

Comments (HQ WNC) ND(MBI) has intimated that the recognized Unions and Association have already been attended/responded to on their correspondence and granted audience by ASD(MBI). Also, the HODs have been attending the Office Bearers of Unions/Associations regularly to address the grievances.

Matter should be resolved locally.

Appendix 'B'

to letter No.CPT(JCM)/3543/(XII)/17-MM dated 24 Mar 15

**AGENDA POINT FOR THE 17<sup>TH</sup> MAIN MEETING**  
**NHQ JCM COUNCIL (LEVEL-III) (XIITH TERM)**  
**HELD ON 25 FEB 2015 AT IHQ MoD(N).**

**SHRI K BALAKRISHNAN, AIDEF and Leader Staff Side.**

**1. Promotion to the Post of Chargman(CM) (Ammunition Work Shop)** As per the existing RR of CM (AWS) 75% is by promotion and 25% is by DR. AM-I is the feeder post with residency period of eight year. Due to Court Cases and various other reasons employees were not in a position to attend the DQE from AM-II to AM-I. Now that court case and other hurdles were over and employees promoted to the post of AM-I. The employees had already qualified for promotion to the post of CM(AWS) also, but had not completed the residency period of eight years. Now vacancies are available but nobody is eligible for further promotion to the post of CM (AWS) due to non completion of residency period of eight year in AM-I. It is, therefore requested that one time relaxation may please be granted taking into consideration their combine service in AM-II and AM-I.

**Comments (HQ SNC):** The promotion vacancies in the grade of CM (AWS) posts in NAD(A) are being filled up by this Headquarters on receipt of directives and roster points from IHQ of MoD (N)/DGONA following the recruitment rules of the post. Only 08 CM (AWS) are borne against the sanctioned strength of 11 and personnel are available in the feeder grade of CM (AWS). However, they do not have the requisite qualifying service of 08 years in the grade of AM-I as per the Recruitment Rules for promotion to the post of CM (AWS). In case combined service is considered it will be the benefit of the individuals concerned as well as the organization.

**Comments (HQ WNC):** It is recommended to consider one time relaxation for promotion to the post of CM (AWS) considering the combined service of MTS (Ammn)(SSK), AM-II & AM-I instead of combined service of AM-I & AM-II only. It is also pertinent to mention that many individuals will retire before completion of qualified service for promotion to the post of CM (AWS) if one time relaxation is not granted. The organization is facing huge shortfall of CM (AWS) and Ammunition Mechanics-I. Similar relaxation for residency period for promotion to the post of AM-I considering total service of MTS(Ammn)(SSK) and AM-II may also be considered accordingly.

**Comments (DONA):** The following are submitted:-

- (a) Efforts to fill up regular DR vacancies of CM(AWS) have already been initiated.
- (b) Once 'DP' vacancies are released for DR by applying failing which clause, all 35 DP vacancies can be filled.
- (c) In such eventuality promotional/ prospects of AWS Industrial Staff would be severely affected.

Hence it is proposed that one time waiver of MoD may be sought to fill up the DP vacancies by AM-1 (AWS) industrial staff with combined experience of 20 years subject to qualifying through DQE, after which, the unfilled DP vacancies can be filled by DR, if any left out.

**Comments (DCP)** The proposal for taking up the case for relaxation with MoD/DoP&T is being submitted for approval of COP.

**Decision**— Proposal of Staff Side (combined experience of 12 Yrs in spite of 20 Yrs) was agreed by DONA and same will be forwarded to DCP for onward submission to MoD.

Point to be progressed.

**Action: DCP/DONA**



Appendix 'C'

to letter No.CPT(JCM)/3543/(XII)/17-MM dated 24 Mar 15

**MENTION POINTS FOR THE 17<sup>TH</sup> MAIN MEETING**  
**NHQ JCM COUNCIL (LEVEL-III) (XII<sup>TH</sup> TERM)**  
**HELD ON 25 FEB 2015 AT IHQ MOD(N)**

1. **Shri BB Mohanty, CDRA**

Non Payment of Salary of newly recruited Chargeman at ND(MBI).

2. **Shri BS Reddy, INDWF**

Issue of Shoes: Product of Ordinance factory may be taken and directives be issued accordingly.

3. **Shri P B Panigrahi, AIDEF**

Advertisement of Medical Specialist in Newspapers at Karanja.

4. **Shri SK Mishra, AIDEF**

Policy letter related to ACP, MACP & Promotion dated 26 Jun 2008 has not accepted by ND(V).

5. **Shri DRS Satyanarayana, BPMS**

Recognition of INCMS

6. **Shri GSJ Atchuta Rao, AIDEF**

Non-implementation of JCM decisions.

7. **Shri Jossy K Chirappuram, AIDEF**

Amendment in SRO 43/12, relating to Artisan Staff.

(6) (1)

**PROPOSED CALENDAR FOR MAIN MEETING AND STEERING  
COMMITTEE MEETINGS OF NHQ JCM COUNCIL (LEVEL-III)  
(XII TERM) 2015**

	STEERING COMMITTEE MEETING	MAIN MEETING
MEETINGS PROPOSED	16 <sup>th</sup> Steering Committee Meeting 22 Jan 2015	17 <sup>th</sup> Main Meeting 25 Feb 2015
	17 <sup>th</sup> Steering Committee Meeting June 2015	18 <sup>th</sup> Main Meeting Aug 2015
	18 <sup>th</sup> Steering Committee Meeting Oct 2015	19 <sup>th</sup> Main Meeting Dec 2015