

प्राजरक्षा भारतीय प्रतिरक्षा मजदूर संघ का मुख पत्र

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राष्ट्रीय अध्यक्ष श्री दिनेश कुमार जी खारा आगरा में समादेशक कार्य अभियन्ता आगरा, दुर्ग अभिर्यता (पूर्व) आगरा के कर्मचारियों से मुलाकात कर समस्याओं के बारे में वार्ती की ।



प्रेशालय UDITORIUN

> नेवल सिस्टम्स एण्ड मैटेरियल डॉ. वाई. श्रीनिवास राव एवं निदेशक डीए<u>मएसआ</u>र हए जेसीएम तृतीय सदस्य आशीष कुमार सिंह डी साथ वातो के



– साधू सिंह

मित्रो जैसा कि मैंने ऊपर लिखा है अभी नहीं तो कभी नहीं हम सभी को अपनी एकता का परिचय देना होगा। पहला कार्यक्रम पदाधिकारियों के प्रवास किन्ही कारणों से नहीं कर पाए है तो सितम्बर के प्रथम सप्ताह में अवश्य ही पूरा कर लें। अभी आपने लोकल समस्याओ को लेकर एक सप्ताह आंदोलन किया है आगे आपको NPS जन जागरण के कार्यक्रम भी करने है। इसलिये सभी गम्भीर हो जाएं और सभी कार्यक्रमों को सफल बनायें।

मित्रो कुछ मुद्दों पर अपनी नीति बहुत स्पष्ट है। हम कॉर्पोरशन के विरुद्ध जो लड़ाई लड़ रहे है उसमें बहुत ही स्पष्ट है जैसा हम लोगों ने अप्रैल 2023 में पूना कार्यसमिति में प्रस्ताव पास किया है कि OFB के जो कर्मचारी 7 DPSU में डीम्ड डेपूटेशन पर है जो 30 सिंतबर 2023 को पूर्ण होगा चूंकि 7 DPSU अभी तक अपनी HR पालिसी नहीं बना पाए इसलिये एक साल और वृद्धि हो रही है। हमारी मांग एक साल की वृद्धि की नही है और न 5 साल की हम अपनी कार्यसमिति में जो प्रस्ताव पास किये है कि OFB के कर्मचारियों को प्रसार भारती की तरह Till to Retirement सरकारी कर्मचारी घोषित किया जाय। 24 अगस्त 2023 को माननीय रक्षा मंत्री महोदय से जो अपना प्रतिनिधिमंडल मिला यही मांग की गई है कि हमें Till to Retirement सरकारी कर्मचारी घोषित किया जाय। रक्षा मंत्री महोदय ने आश्वस्त भी किया है कि एक साल मे अध्ययन करेंगे और फिर निर्णय लेंगे। इसमें किसी तरह का कोई कन्फ्यूजन नहीं होना चाहिये।

मित्रो जनवरी और जुलाई में सेवानिवृत्ति होने वाले कर्मचारियों को एक नोशनल इंक्रीमेंट का मामला सकारात्मक consideration में है।

मास्टर क्राफ्ट्समैन जिन्हें 31 दिसम्बर 2005 तक एसीपी2 प्राप्त हुई उनको MACP3 ,4600 GP में मिली थी उसे withdraw करने के आदेश को वापस लेने हेतु महासंघ ने रक्षा सचिव से वार्ता की है। DOPT में भी चर्चा हुई है उन्हें सपोर्टिंग डॉक्युमेंट्स के साथ सकारात्मक वार्ता हुई।

NPS से OPS 22 दिसम्बर 2003 तक जो नोटिफिकेशन /advertisement हुए उनको ओ पी एस प्रदान करने के सम्बंध में शीघ्र कार्यवाही होगी।

मृतक आश्रितों को नौकरी देने के विषय में भी वार्ता की गयी।

NDA पर लगी सीलिंग 43600 को समाप्त करने पर चर्चा हुई है

अंत में एक निवेदन कि प्रतिरक्षा भारती अपना पत्र हर महीने छपता था इसे E पत्रिका के रूप में छापने के लिए बाध्य होना पड़ा | अब एक अपील करना चाहूंगा कि सभी पत्रिका को पढ़ें और अपने कमें ट्स भी प्रेषित करे |

मित्रो। जैसा कि आप सभी को विदित है कि हम 22 नवम्बर 2023 को NPS के विरोध में और OPS को पूर्नस्थापित करने के लिये एक बडी रैली आयोजित कर केंद्र सरकार को कर्मचारियों की भावनाओं से अवगत कराने जा रहे है। हम लोगों ने इस रैली को सफल करने हेतू कुछ कार्यक्रम तय किये थे जिसका सर्कूलर सभी महासंघो ने जारी किया था। भारतीय प्रतिरक्षा मजदूर संघ ने भी सर्कुलर जारी कर अपने पदाधिकारियों को निर्देश जारी किया था कि महासंघ के सभी पदाधिकारी प्रवास करेंगें और अपनी सभी सम्बंधित यूनियन तक जाएंगे | हम उम्मीद करते है कि इस पहले कार्यक्रम को आप सभी ने सफल बनाया होगा और सभी यूनियन तक पहुंचकर उन्हें 22 नवम्बर की रैली के लिये प्रेरित किया होगा। यह न केवल NPS सम्बंधित कर्मचारियों के लिए आवश्यक है बल्कि संगठन के मजबूती के लिए आवश्यक है। हमने अभी नहीं किया तो आगे कभी नहीं कर पाएंगे । क्योंकि NPS का मुद्दा एक राजनैतिक रूप ले चुका है कर्मचारी भी पूरी तरह से इस मुद्दे के साथ जुड़ चुका है। आज वह लोग भी आंदोलन कर रहे है जो NPS लागू कराने के लिए जिम्मेदार है। जो लोग NPS को लेकर लगभग 17 वर्ष तक चुप्पी मारे बैठे रहे। N JCM में केवल औपचारिकता निभाते रहे। जबकि भारतीय प्रतिरक्षा मजदूर संघ और सम्बद्ध यूनियन शुरू से ही NPS का विरोध करते आ रहे है और अपने विरोधों को देखते हुए सरकार ने कुछ सुधार अवश्य किये जो कि नाकाफी साबित हो रहे है। कोई यह नहीं नकार सकता कि इन सुधारों से कोई लाभ नहीं। क्या ग्रेच्युटी के रूप में सेवानिवृत्ति के समय बड़ी धनराशि मिलेगी। जिसका आदेश इसी सरकार ने 2016 में किया। इसी सरकार ने 2019 में अपना अंश 10 प्रतिशत से बढ़ाकर 14 प्रतिशत किया। जमा हो रही पेन्शन धनराशि में बढोत्तरी होगी जिसका कुछ तो लाभ निश्चित रूप से होता ही। फैमिली पेंशन पुरानी स्कीम में देने के निर्णय से मृतक आश्रितों को लाभ होगा ही। वहीं पर ड्यूटी निभाते हुए मृत्यु होने पर एक्स्ट्रा ऑर्डनरी पेंशन और

परन्तु NPS धारक कर्मचारियों में लगातार रोष बढ़ने का सबसे बड़ा कारण हम सभी को ज्ञात है कि NPS एक नान गारंटेड पेंशन स्कीम है और कर्मचारियों का भविष्य सुरक्षित नहीं है। किसी को भी ज्ञात नहीं है कि कर्मचारियों को कितनी पेंशन मिलेगी। दूसरा असन्तोष का दूसरा बड़ा कारण NPS में एक बार पेंशन निर्धारित होने के बाद कोई बढ़ोत्तरी नहीं होगी इसलिये बढ़ती हुई महंगाई का बुरा असर कर्मचारी को भुगतना पड़ेगा। 80 वर्ष, 85 वर्ष, 90 वर्ष और 100 वर्ष की बढोत्तरी से भी उसे वंचित होना पडेगा।

एक्स ग्रेशिया प्रदान करने के निर्णय भी हुए जो बहुत ही महत्वपूर्ण है।

N JCM के लीडर कहते है कि सरकार ने यह वायदा किया था कि NPS के अंतर्गत पुरानी पेंशन से कम लाभ नहीं होगा। परन्तु आज ऐसा नहीं हो रहा जो कर्मचारी सेवानिवृत्ति हो रहे है उन्हें बहुत कम पेंशन मिल रही है। कर्मचारियों को सेवानिवृत्ति के वाद अपना भविष्य सुरक्षित नहीं दिख रहा है।

पर्यावरण संरक्षण

 – शिवेन्द्र सागर शर्मा मीडिया प्रभारी

सिर साटे, रूंख रहे, तो भी सस्तो जांण

गर्दने काट दी। फिर क्या था ? पेड़ो की रक्षा के लिए एक—एक करके 363 लोग शहीद हो गये।

राजा के पास जब यह खबर पहुची तो उन्हें बहुत दुःख हुआ। उन्होंने अपने अधिकारियो की गलती के लिए क्षमायाचना की। राजा ने पेड़ काटने और जंगली जानवरों के शिकार पर प्रतिबन्ध लगाने के लिए ताम्रपत्र पर एक आदेश जारी किया जिसके तहत नियम का उल्लंधन करने पर दंड की व्यवस्था की गयी। अमृता और उनके साथियों की शहादत के बाद राजघराने के सदस्यों ने भी इस क्षेत्र में

शिकार करने की हिमाकत नही की।

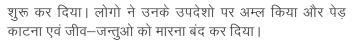
शहीदों की स्मृति में यहाँ एक स्मारक और मन्दिर बनाया गया है। शहीद दिवस पर हजारो विश्नोई एकत्रित होते है और शहीदों के प्रति अपने श्रद्धा सुमन अर्पित करते हैं। एक कहावत प्रचलित है "सर सान्टे , रुख रहे तो भी सस्ता जान" स्थिति आज भी ऐसी ही है कि बंदूक की आवाज कानो में पड़ते ही स्त्री–पुरुष और बच्चे शिकारी की घेराबंदी कर लेते है। अपने परिवार के सदस्य की भाँती मृत जानवर का शोक मनाते है। ऐसी ही वृक्षप्रेमी अमृता, जिनकी शहादत सभी मनुष्यों के लिए प्रेरणादाई है। उनका बलिदान सदैव पर्यावरण

संरक्षण की जब हम बात करते है तो अमृता देवी को याद किये बगैर चर्चा समाप्त नही हो सकती। अब आपके मन में यह प्रश्न उठ रहा होगा कि अमुता देवी ने पर्यावरण सुरक्षा के लिए ऐसा क्या कार्य किया था कि जिसके कारण उन्हें आज भी याद किया जाता। आइये जानते है कि अमृता देवी ने पर्यावरण सुरक्षा के लिए कौनसा अभूतपूर्व कार्य किया था।

यह बात सन 1737 की है। जोधपुर रियासत के अधिकारी खेजडली गाँव आये और आते ही उन्होंने पेड़ काटने का हुक्म दिया।

यह सुनकर गाँववासी परेशान हो उठे। ये विश्नोई समाज के लोग थे जिन्हें प्रकृति से अटूट प्रेम था। गुरु जाम्भोजी विश्नोई समाज के लिए सदैव वन्दनीय रहे है। उन्होंने जीवन जीने के निमित्त 29 नियम बनाये थे और इन नियमो का पालनकर्ता विश्नोई कहलाने लगा।

एक बार 16वी शताब्दी में भयंकर दुर्भिक्ष पड़ा। लोग पेड़ काटने लगे। जंगली जानवरों का भक्षण करने लगे। गुरूजी ने उनका मार्गदर्शन करते हुए कहा कि वनस्पति और जीव–जन्तुओ की रक्षा करने से अकाल की समस्या से निजात पाया जा सकता है। जम्भोजी की शिक्षा ने रंग दिखाना



अमृता देवी इसी विश्नोई समाज में जन्मी और बड़ी हुयी थी। उनको भी पेड़–पौधों से अनन्य प्रेम था। उन्हें गुरूजी का उपदेश भली–भाँती स्मरण था। राजा के अधिकारियों काफरमान सुनकर वो क्रोधित हो गयी। वो और उनकी बेटिया पेड़ से लिपट गयी। उनके पीछे पीछे उनकी अन्य सहेलियाँ भी आ गयी। सिपाहियों ने उनकी सरंक्षण का संदेश देता रहेगा।

राजस्थान और मध्यप्रदेश सरकार का वन विभाग पर्यावरण संरक्षण में अपन योगदान देने वाले व्यक्तियों को अमृता देवी विश्नोई स्मृति पुरुस्कार प्रदान करती है जिसमे एक प्रशस्ति पत्र के साथ 25,000 नकद पुरुस्कार दिया जाता है।

मातृत्व के त्रिविध रूप

– आशीष कुमार सिंह Member JCM-III, DRDO Council

'मातृपूजन' ग्रन्थ का प्रकाशन समारोह दिनांक 4-10-1969 को पुणे में श्री गुरुजी के हाथों सम्पन्न हुआ। इस अवसर पर उन्होंने आदिशक्ति 'मातृत्व' के विविध रूपों का सरल वर्णन करते हुए कहा, ''मातृत्व के सम्बन्ध में कोमलता और पवित्रता के विचार तो सर्वत्र प्रस्तुत किए जाते हैं। रोमन कैथोलिकों में मेडोना और उसके पुत्र येशु के ऐसे चित्र जो हृदय को स्पर्श करने वाले अत्यन्त प्रेमवान हैं, पूजे जाते हैं। अपने यहां ज्ञानदायी, करुणामयी, जगत् का धारण करने वाली होने के साथ—साथ 'विनाशाय सर्वभूतानाम् स्वरूपिणी शक्ति, इन तीनों रूपों में उसका वर्णन हुआ है।

''सर्वज्ञान—प्रदायिनी शक्तिदात्री जगन्माता की वास्तविक भावना के अभाव और केवल स्वार्थ—सीमित दृष्टि से ही उसकी ओर देखने के कारण जीवन पशुतुल्य बनता जा रहा है। कामप्रधान जीवन सुसंस्कृत मनुष्य के जीवन का लक्षण नहीं है। अन्तःकरण में यदि कृतज्ञता का भाव नहीं रहा, तो जीवन जंगली हो जाता है। इसलिए सुसंस्कृत होकर माता के प्रति अपनी भक्ति इन त्रिविध स्वरूपों में नित्य करना अत्यावश्यक है।''

भारतीय नारी का दायित्व

संघ पर प्रतिबन्ध—समाप्ति के पश्चात् दिनांक 26-7-1949 को पुणे नगर की विविध महिला संस्थाओं द्वारा श्री गुरुजी के सम्मान में स्वागत समारोह आयोजित किया गया। अपने उत्तर में श्री गुरुजी कहते हैं, ''अपने राष्ट्र की जीवनधारा अक्षुण्ण रखने का उत्तरदायित्व महिलाओं ने ही सम्भाला है और उसे उन्हें निभाना है। भारतीयत्व की उदात्त भावना, पावित्र्य, राष्ट्रजीवन की श्रेष्ठता केवल घर के अन्दर ही नहीं तो बाहर भी अपने आचरण द्वारा सिखाने का कार्य अपने आप हमें करना चाहिए, ऐसा मेरा विचार है। कला—कौशल, आनन्द, ऐहिक सुख समाधान आदि नव—नवीन कल्पनाएं आपके समक्ष होंगी, परन्तु अपनी संस्कृति के संवर्धन का कार्य अधिक महत्त्वपूर्ण है।

'हम अपने इतिहास में स्त्रियों के महान् पराक्रम की कथायें पढ़ते हैं। उच्चतम आदर्श सामने रखते हैं। आज के युग में भी ऐसे पराक्रम की घटनायें हुई हैं। डेढ़ दो वर्ष पूर्व पंजाब के दंगों में अपने पावित्रय संरक्षण के लिए किया गया पराक्रम चित्तौड़ को पवित्र करने वाले जौहर से भी आगे बढ़ गया। अपने समाज जीवन का आदर्श न छोड़ने का दृढ़ निश्चय, जिसे उपहास से चौके—चूल्हे का जीवन कहते हैं, उसमें भी सम्भव है।

शौर्थशाली, अजरामर कीर्तिवान महिलाओं का अनुसरण दिनांक 27-6-1955 के आर्गेनाइजर में प्रकाशित, चेन्नई की महिलाओं को सम्बोधन में श्री गुरुजी ने कहा, 'प्रत्येक महिला झांसी की रानी बने, यह तो अपेक्षा नहीं कर सकते परन्तु अपने घर की और परिवार की देखभाल तथा साथ ही समाज की कुछ सेवा करना किसी भी महिला के लिए सम्भव है। शांतिपूर्वक सह अस्तित्व की कल्पना युधिष्ठिर द्वारा कौरवों के सम्मुख रखने पर द्रौपदी ने स्पष्ट शब्दों में कहा कि वह सभी प्रकार की भीरुता धिक्कारती है। हर काल में अति श्रेष्ठ मानी जानेवाली जीजाबाई ने, आ सकने वाले संकटों व कठिन समस्याओं को जानते हुए भी अपने इकलौते पुत्र को रणांगण में भेजा। ऐसी महान शौर्यशाली, अजरामर कीर्तिवान महिलाओं का अनुसरण करना चाहिये।''

असम के जोरहाट नगर में आयोजित विश्व हिन्दू परिषद् के अधिवेशन में दिनांक 28 मार्च, 1970 को सम्पन्न महिला सम्मेलन को उदबोधित करते हुए श्री गुरुजी ने कहा, ''जब कुरुक्षेत्र में युद्ध को जाने के लिए सब लोग सिद्ध हो गए तब माता का आशीर्वाद मांगने के लिए धर्मराज युधिष्ठिर और अर्जुन, भीम, नकुल, सहदेव पांचो पाण्डव एक साथ पहुंचे। कुन्ती ने कहा कि यह धर्म–युद्ध है। क्षत्रिय माता इसलिए सन्तान को जन्म देती है।

जिस क्षत्राणियां पुत्र को जन्म देती हैं वह समय आ गया है। वैर प्राप्त होने पर पुरुषश्रेष्ठ हतोत्साह नहीं होते।

ऐसे समय में माताओं को निर्भीक होकर वीरोचित वृत्ति से अपने धर्म तथा सत्कर्म का पालन करो, इस प्रकार की प्रेरणा देनी चाहिए।'' दाम्पत्य जीवन परस्पर पूरक हो

कु. मुक्ता देशपांडे, मुम्बई को दिनांक 18-6-1951 के पत्र में श्री गुरुजी लिखते हैं, "तुम्हारा नवजीवन उत्तम रहे। दाम्पत्य जीवन में एक दूसरे के मन को समझ कर व्यवहार करना चाहिए। आपस में एक दूसरे के पूरक बनकर जीवन उपयुक्त तथा सुखमय बनाना चाहिए। गृहस्थ जीवन श्रेष्ठ माना गया है। वही समाज का भरण—पोषण करनेवाला है। वह एक महत्वपूर्ण सामाजिक कर्तव्य है, केवल भोगपूर्ति का साधन नहीं। इसका ध्यान रखकर व्यवहार करने से जीवन सुख समाधान से युक्त बनता है। इसी से आवश्यकता के अनुसार समाज सेवा की प्रेरणा की प्राप्ति हो सकती है।''

श्री गुरुजी लिखते हैं, 'माता–पिता को यह जानना चाहिये कि उनके ऊपर बहुत बड़ा दायित्व है। जिस समय उन्होंने किसी जीव को जगत् में प्रविष्ट कराया, उसी समय से उनके ऊपर यह भार है कि वह जीव अपना आत्यन्तिक कल्याण कर सके, ऐसा ही वायुमण्डल उसके चारों ओर रख कर उसे सुयोग्य संस्कारों से पूर्ण करें। इसलिए प्रत्येक गृह में कुछ नियमों का पालन अनिवार्य होना चाहिए। उनका कुछ निर्देश करने का प्रयत्न करता हूँ।

घर का सुयोग्य संस्कारक्षम वातावरण

''सर्वप्रथम सूर्योदय के पूर्व निद्रा त्याग कर, शारीरिक शुद्धि कर, चराचर सुष्टि के स्वपिता, स्वामी, नियन्ता परमेश्वर का, जो कोई ध्यान अपनी श्रद्धा का विषय हो, उसका मनःपूर्वक रमरण करें । अनेक भावपूर्ण स्तोत्र संगुण एवं निर्गुण स्वरूप की आराधना के निमित्त निमित हैं | उनको कण्ठस्थ कर पठन करना और साथ ही हृदय की शुद्धि भावना से उस परमात्मा का कुछ समय तक समाहित चित्त से चिन्तन करना चाहिए। स्नानादिक क्रिया, सूर्य नमस्कार जैसा पवित्र व्यायाम, सात्विक आहार–विहार, कुलाचार – पालन, प्रतिदिन कुछ–न–कुछ दान, समाजसेवा इत्यादि कार्य, कर्तव्य का निरलस पालन, सायंकाल तथा निद्रा के पूर्व ईश–चिन्तन इत्यादि श्रेष्ठ व्यवहार अत्यन्त नियमपूर्वक करना आवश्यक है। माता–पिता को स्वयं इन नियमों का पालन कर घर का वातावरण शुद्धि संस्कार करने के लिए समर्थ रखना तथा केवल शाब्दिक उपदेश मात्र से नहीं तो अपने प्रत्यक्ष आदर्श से बालकों को सत्वगूण प्राप्ति द्वारा सत्तत्व साक्षात्कार के लिए सिद्ध करना अत्यन्त आवश्यक है ।''

PENALTIES AND DISCIPLINARY AUTHORITIES

Penalties

The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a Government servant, namely:—

Minor Penalties-

(i) censure;

(ii) withholding of his promotion;

- Sub-rules (6) and (7) inserted vide G.I., Dept. of Per. & Trg., Notification No. 11012/4/2003-Estt. (A), dated the 23rd December, 2003, published as GSR No. 2 in the Gazette of India, dated the 3rd January 2004 read with Corrigendum, dated the 29th March, 2004, published as GSR No. 113 in the Gazette of India, dated the 4th April, 2004. Takes effect from the 2nd June, 2004 vide Notification of even number, dated the 2nd April, 2004, published as GSR No. 249 (E) in the Gazette of India Extraordinary, dated the 2nd April, 2004.
- 2. Subsituted by G.I., Dept. of Per. & Trg., Notfn, No, 11012/4/2003-Esit. (A), dated the 6th June, 2007 and published as GSR 105 in the Gazette of India, dated the 16th June, 2007.
- (iii) recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government by negligence or breach of orders;
- (iii) (a) reduction to a lower stage in the time-scale of pay by one stage for a period not exceeding three years, without cumulative effect and not adversely affecting his pension.
- (iv) withholding of increments of pay;

Major Penalties—

- (v) save as provided for in Clause (iii) (a), reduction to a lower stage in the time-scale of pay for a specified period, with further directions as to whether or not the Government servant will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;
- (vi) reduction to lower time-scale of pay, grade, post or Service for a period to be specified in the order of penalty, which shall be a bar to the promotion of the Government servant during such specified period to

the time-scale of pay, grade, post or Service from which he was reduced, with direction as to whether or not, on promotion on the expiry of the said specified period—

- (a) the period of reduction to time-scale of pay, grade, post or service shall operate to postpone future increments of his pay, and if so, to what extent; and
- (b) the Government servant shall regain his original seniority in the higher time-scale of pay, grade, post or service.
- (vii) compulsory retirement;
- (viii) removal from service which shall not be a disqualification for future employment under the Government;
- (ix) dismissal from service which shall ordinarily be a disqualification for future employment under the Government:

1. Substituted by G.I., Dept. of Per. & Trg., Notification No. 11012/5/2003-Estt. (A),

Clarification. — Since the penalty to the extent mentioned in Clause (iii) (a) has been carved out of Clause (v) specifically, it does not constitute a major penalty under Clause (v).

[G.I., Dept. of Per. & Trg., O.M, No. 11012/4/86-Estt. (A), dated the 28th May, 1992.]

2. Substituted by G.I. Dept. of Per. & Trg., O.M. No. 11012/4/86-Estt. (A), dated 26th May, 1992, published in the Gazette of India, as S.0. No. 1481, dated the 13th June, 1992.

3. Substituted by G.I, Dept. of Per & Trg., Notification F. No. 11012/2/2005- Estt. (A), dated the 2nd February, 2010, published in Gazatte of India as GSR No. 55 (E), dated the 2nd February, 2010.

Provided that, in every case in which [the charge of possession of assets disproportionate to known sources of income or the charge of acceptance] from any person of any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act is established, the penalty mentioned in clause (viii) or Clause (ix) shall be imposed:

Provided further that in any exceptional case and for special reasons recorded in writing, any other penalty may be imposed.

- **EXPLANATION.** The following shall not amount to a penalty within the meaning of this rule, namely:—
- (i) withholding of increment of a Government servant for his failure to pass any departmental examination in accordance with the rules or orders governing the Service to which he belongs or post which he holds or the terms of his appointment;
- (ii) stoppage of a Government servant at the Efficiency Bar in the time-scale of pay on the ground of his unfitness to cross the Bar;
- (iii) non-promotion of a Government servant, whether in a substantive or officiating capacity, after consideration of his case, to a Service, grade or post for promotion to which he is eligible;
- (iv) reversion of a Government servant officiating in a higher Service, grade or post to a lower Service, grade or post, on the ground that he is considered to be unsuitable for such higher Service, grade or post or on any administrative ground unconnected with his conduct;
- (v) reversion of a Government servant appointed on probation to any other Service, grade or post, to his permanent Service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation;
- (vi) replacement of the Services of a Government servant, whose Services had been borrowed from a State Government or any authority under the control of a State Government, at the disposal of the State Government or the authority from which the services of such Government servant had been borrowed;
- (vii) compulsary retirement of a Government servant in accordance with the provisions relating to his superannuation or retirement;
- 1. Inserted by G.I. Dept., of Per. & Trg., Notification No. 11012/11/86-Ests. (A), dated the 10th June, 1987, published in Gazatte of India, as S.O. No. 1591, dated the 27th June, 1987.
- Subsituted by G.I., Dept. of Per. & Trg., Notification F. No. 11012/2/2000-Estt. (A), dated the 11th October, 2000, published in Gazatte of India as GSR No. 420, dated the 28th October, 2000.

(viii) termination of the services—

(a) of a Government servant appointed on probation, during or at the end of the period of his probation, in

accordance with the terms of his appointment or the rules and orders governing such probation, or

- (b) of a temporary Government servant in accordance with the provisions of sub-rule (1) of Rule 5 of the Central Civil Services (Temporary Service) Rules, 1965, or
- (c) of a Government servant, employed under an agreement, in accordance with the terms of such agreement.
- (ix) any compensation awarded on the recommendation of the Complaints Committee referred to in the proviso to sub-rule (2) of Rule 14 and established in the Department of the Government of India for inquiring into any complaint of sexual harassment within the meaning of Rule 3-C of the Central Civil Services (Conduct) Rules, 1964.

GOVERNMENT OF INDIA'S DECISIONS

(1) Departmental action in respect of misconduct committed in earlier employment.—

It is clarified that the provision of Rule 11 of the CCS (CCA) Rules, 1965, which envisages the imposition of penalties on Government servant for 'good and sufficient reason' is adequate authority for taking action against a Government servant in respect of misconduct committed before his employment if the misconduct committed before his employment was of such a nature as has rational connection with his present employment and renders him unfit and unsuitable for continuing in service. When such action is taken, the charge should specifically state that the misconduct alleged is such that it renders him unfit and unsuitable for continuance in service.

[G.I, M.H.A., O.M. No. 39/1/67-Ests. (A), dated the 21st February, 1967.]

[See also D.G., P&T's orders below Rule 3.]

(2) Action against employees who are later found ineligible / unqualified for their initial recruitment.—

In GID (1) above, it was clarified that departmental action can be taken against Government servant in respect of misconduct committed before his employment. In M.H.A., O.M. No. 5/1/63- Estt. (D), dated 30-4-1965, Ministries / Departments were also requested to he use of the provision of 'WARNING? inserted in the Attestation Form or taking action against Government servant furnishing false information at the time of appointment.

- 2. A question has now arisen as to whether a Government servant can be discharged from service where it is discovered later that the Government servant was not qualified or eligible for his initial recruitment in service.
- Inserted vide G.I., Dept., of per & Trg., Notification No. 11013/2/2014-Estt. (A), dated the 19th November, 2014, published as GSR 822 (E) in Gazatte of India, dated the 19th November, 2014.

The Supreme Court in its judment in the District Collector Sundari Devi [1990 (4) SLR 237] went into this issue and observed as under—

" It must further be realized by all concerned that when an advertisement mentions a particular qualification and an appointment is made in disregard of the same, it is not a matter only between the Appointing Authority and the appointee concerned. The aggrieved are all those who had similar or better qualifications than the appointee or appointees but who had not applied for the post because they did not process the qualifications mentioned in the advertisement. It amounts to a fraud on public to appoint a person with inferior qualifications in such circumstances unless it is clearly state that the qualifications, are relaxable, No Court should be a party to the perpetuation of fraudulent practice."

The Matter has been examined in consultation with the Ministry of Law and Justice and it has now been decided that wherever it is found that a Government servant, who was not qualified or eligible in terms of the Recruitment Rules, etc., for initial recruitment in service or had furnished false information or produced a false certificate in order to secure appointment, he should not be retained in service. If he is a probationer or a temporary Government servant, he should be discharged or his service should be terminated. If he has become permanent Government servant, an enquiry as prescribed in Rule 14 of CCS (CCA) Rules, 1965, may be held and if the charges are proved, the Government servant should be removed or dismissed from service. In no circumstances should any other penalty me imposed.

3. Such discharge, termination, removal or dismissal from service would, however, be without prejudice to the right of the Government to prosecute such Government servants.

(3) Independence and impartiality to be maintained in official dealings,—

In the M.H.A., O.M. No. 41/2/55 (II)-Estt. (A), dated the 23rd April, 1955, instructions were issued emphasizing the need for Government sevants, especially those holding positions of trust and responsibility, remaining not only honest and impartial in the discharge of their duties but also having the reputation of being so. Despite these instructions, it is not uncommon that complaints of favouritism or ill-will shown by officers in supervisory positions towards their subordinates or other members of public are received every now and then.

2. While reiterating the instructions issued in the MHA, OM reffered to above, it is again stressed that a Government servant must be impartial and must not show undue favour or ill-will in his official dealings. If a Government servant is found to misuse his official position or to abet and connive at improper and illegal acts, he would render himself liable for disciplinary action for violation of Rule 3 of CCS (Conduct) Rules, 1964.

[G.I., Dept. of Per. & Trg., O.M. No. 11013/10/93-Estt. (A), dated the 6th October, 1993.]

(4) Disciplinary proceedings against an employee officiating in a higher on ad hoc basis ,—

The question whether a Government servant appointed to a higher post on ad hoc basis should be allowed to continue in the ad hoc appointment when a disciplinary proceedings is initiated against him has been considered by this Department and it has been decided that the procedure outlined below shall be followed in such cases—

- (i) Where an appointment has been made purely on ad hoc basis againsta short-term vacancy or a leave vacancy or if the Governmentservant appointed to officiate until further orders in any other circumstances has held the appointment for a period less than one year, the Government servant shall be reverted to the Post held by him substantively or on a regular basis, when a disciplinary proceeding is initiated against him.
- (iii) Where the appointment was required to be made on ad hoc basis purely for administrative reasons (other than against a short-term vacancy or a leave vacancy) and the Government servant has held the appointment for more than one year, if any disciplinary proceeding is initiated against the

Government servant, he need not be reverted to the post held by him only on the ground that disciplinary proceeding has been initiated against him.

Appropriate action in such cases will be taken depending on the outcome of the disciplinary case.

[G.I, Dept. of Per. & Trg.,O.M. No. 11012/9/86-Estt. (A), dated the 24th December, 1986.]

(5) Action to be taken for latecoming when no casual leave at credit.—

The existing instructions provide for deducting half-a-day's casual leave when a Government servant comes late without sufficient justification and the Competent Authority, Which not considering it as a fit case for initiating disciplinary action, is also not prepared to condone the latecoming. Sometimes, it so happens that a Government servant who comes late without sufficient justification has no casual leave to his credit and it is not, therefore, possible to debit half-s-day's casual leave to his casual leave account. The question has, therefore, been raised by many Ministries and Departments, as to how such a situation is to be met.

2. The matter has been examined in consultation with the Ministry of Law, and it has been decided that if an official who has no casual leave to his credit, comes late without sufficient justification and the Administrative Authority concerned is not prepared to condone the latecoming but does not, at the same time, propose to take disciplinary action, it may inform the official that he will be treated as on unauthorized absence for the day on which he has come late, and leave it to the official himself either to face the consequences of such unauthorized absence or to apply for earned leave or any other kind of leave due and admissuble for the entire day, the same may be sanctioned by the Competent Authority.

[G.I, M.H.A., (D.P. & A.R.), O.M. No. 28034/3/82-Ests. (A), dated the 5th March, 1982.]

(6) Distinction between censure and warning.—

An order of "censure" is formal and public act intended to convey that the person concerned has been guilty of some blameworthy act or omission for which it has been found necessary to award him a formal punishment and nothing can amount to a "censure" unless it is intended to be such a formal punishment and imposed for "good and sufficient reason" after following the prescribed procedure. A record of the punishment so imposed is kept on the officer's confidential roll and the fact that he has been "censured" will have its bearing on the assessment of his merit of suitability for promotion to higher posts.

There may be occasions, on the other hand, when a superior officer may find it necessary to criticize adversely the work of an officer working under him (e.g., point out negligence, carelessness, lack of thoroughness, delay etc.) or he may call for an explanation for some act of omission or commission and taking all circumstances into consideration, it may be felt that, while the matter is not serious enough to justify the imposition of the formal punishment of 'censure', it calls for some informal action such as the communication of a written warning, admonition or reprimand. If the circumstances justify it, a mention may also be made of such a warning, etc., in the officer's confidential roll. However, the mere fact that it is so mentioned in the character roll does not convert the warning, etc., into 'censure'. Although such comments, remarks, warning, etc., also would have the effect of making it apparent or known to the person concerned that he has done something blame worthy and to some extent, may also affect the assessment of his merit ams suitability for promotion, they do not amount to the imposition of the penalty of 'censure' because it was not intended that any formal punishment should be inflicted.

The fact that a mere informal ' warning' cannot be equated to a formal ' censure' should not, however, be taken as tantamount to suggesting that a written warning may be freely given without caring whether or not it is really justified. It is a matter of simple natural justice that written warnings, reprimands etc., should not be administered or placed on an officer's confidential record unless the authority doing so is satisfied that there is good and sufficient reason to do so. Paragraph 6 of the M.H.A., O.M. No. 51/5/54-Ests. (A), dated the 27th January, 1955, provides detailed guidance in the matter of recording adverse remarks in confidential reports. It may be reiterated here that in the discharge of the responsible task of recording the confidential reports, every reporting officer should be conscious of the fact that it is his duty not only to make an objective assessment of his subordinates' work and qualities but also to see that he gives to his subordinates at all times the advice, guidance and assistance to correct their faults and deficiencies. If this part of the reporting officer's duty has been properly performed, there should be no difficulty about recording adverse entries because they would only refer to the

defects which have persisted in spite of reporting officer's efforts to have them corrected. If after having taken such care the reporting officer finds that for the purpose of truly objective assessment mention should be made of any warning, admonition, etc., issued, especially those which have not produced the desired improvement, it is his right and duty to so mention them. In the process of bringing the defects to the notice of person concerned, where an explanation is possible, an opportunity to do so should be given. This cannot, however, be equated to the formal proceedings required to be taken under Rule 55-A (now Rule 16) of Central Civil Services (Classification, Control and Appeal) Rules, nor the warning given amounts to the imposition of a formal penalty.

[G.I., M.H.A., O.M. No. 39/21/56-Ests. (A), dated the 13th December, 1956.]

Continue for next month ...

UNITED FORUM OF ORDNANCE EMPLOYEES (UFOE)

[A United forum of AIDEF, BPMS, CDRA and IOFSOA to safeguard Services]

Ref. No. : 02/UFOE/MoD/2023 Date ; 18th August, 2023

To,

The Defence Secretary

&

Secretary(DP)

Ministry of Defence,

South Block, New Delhi - 110 001.

Subject: Request for issuing notification to retain the status of the Employees of Ordnance Factories who are on deemed deputation with the 7 ordnance Factory Corporation/DPSUs as Central Government Employees/Defence Civilian Employees till their retirement.

Reference :

- 1) UFOE Letter No. 01/UFOE/D/RM, dated 8th March 2022 addressed to the Hon'ble Defence Minister.
- 2) UFOE Letter No. 01/UFOE/MoD/2023, dated 14th March 2022 addressed to the Hon'ble Defence Minister.
- 3) MoD/DDP OM No.1(5)/2023 /EGoM/DP(M&P) dated 08thAugust 2023

Sir,

The AIDEF, BPMS, CDRA and IOFSOA vide the

Letters referred at 1 and 2 above have jointly represented that all the employees of Ordnance Factories as on 01,10.2021 who were on deemed deputation would remain as Central Government Employees/Defence Civilian Employees till their retirement from service in the 7 Ordnance Factory Corporations / DPSUs. However, till date no notification have been issued by the MoD / DDP in this regard. In the meantime MoD vide OM referred at 3 above have issued instructions to extend the period of deemed deputation of all the employees of erstwhile OFB (Group A. B & C) to 7 new DPSUs including transfer of all employees (Group A. B & C) at Directorate of Ordnance (Coordination & Services) under DDP by another 01 (one) year w.e.f. 01% of October, 2023, on same terms and conditions as issued earlier vide DDP OM No. 1(5)/2021/OF/DP(PIg-V)/02 dated 24.09.2021.

You will appreciate that the demand of the entire workforce of the Ordnance Factories who are on deemed deputation is that all of them should remain as Central Government Employees / Defence Civilian Employees in the 7 Ordnance Factory Corporations / DPSUs till their retirement from service with the following protection of service conditions as we have already mentioned in our Letter dated 08" of March, 2022 addressed to the Hon'ble Defence Minister.

- That All the employees of Ordnance Factories as on 01/10 2021 would remain as Government Employees till their retirement in the 7 Ordnance Factory Corporations / DPSUs,
- 2) That salary, allowances and pension etc should be paid for all the Government employees from Consolidated Fund of India (CFI).
- The pension contribution of employer in case of all the Government employees covered under New Pension Scheme (NPS) Is to be paid from CFI and not from any other fund.
- 4) The promotion prospects / career progression / medical and all other facilities / service conditions etc., of all the Government employees of Ordnance factories has to remain the same as it was available on 01/10/2021, till the retirement of last of the government employee of the Ordnance Factories.

It is pertinent to mention that the Government of India have already extended the above benefits in the past to the Government employees of All India Radio and Doordarshan when both these Government Institutions were converted to a corporation, namely- Prasar Bharti.

In view of the above it Is once again requested that the MoD / DDP may kindly issue a notification in this regard at the earliest.

Thanking you,

Labour in National Spirit

Rigveda is the oldest human literature in the world, marking the dawn of human genius in history. The concept of labour who built the whole world is personified as "Viswakarma" in Rigveda. Rigveda (10.81-82) says Viswakarma is the creator of everything. He is raised to the status of God for the sacrifice he has made for creating the world. For gaining strength of Devas for accomplishing the great work, Viswakarma himself opted to become the havis to be sacrificed in the fire of Sarva Medha Yagnya, says Rigveda (10.81.6)

Rigveda mentions about several great people who were self-model of sacrifice. Just as Viswakarma did. Parampurush, Brihaspati, Dadhichi and Yama have self-sacrificed in various Yajnas for the betterment of the world. Thus, the Indian work culture stands on the footing where both the employer and the employeesacrifice for each other and also for the cause of the nation. Sacrifice is not one way traffic, so is work culture. It is a part of National culture. Bharatiya Mazdoor Sangh has shaped its holistic approach as "Rashtra hita, Udyog hita and Mazdoor hita" ie., welfare of the Nation, Industry and workers. All the three have to progress together. The thought of progress of either one alone at the cost of another does not fit into this paradigm. This is the holistic tripartite culture India proposes.

India strongly needs Nationalist trade unions. Except BMS other trade unions fall under two categories. The communist unions leave no opportunity in siding with the anti national forces. Noncommunist unions take neutral stand when National issues are debated. The reason is

C. K. SAJINARAYAMN

that such trade unions have to report to their political bosses on policy issues. Very recently the Central Trade Unions from five countries participated in BRICS Trade Union Forum meeting held in China. The meeting was held at a time when India-China ties were shaken. ACFTU, the one and only Chinese Central Trade Union sponsored by the Government, wanted a paragraph to be added to the draft declaration congratulating BRI initiative. It was only BMS representative B. Surendran, National Organising Secretary, who gave written objection to it saying that Indian Government with strong reservations about it did not participate in the Chinese initiative. The representatives of Communist trade unions viz. CITU, AITUC and AICCTU supported the Chinese stand on the Chinese soil. INTUC took a neutral stand. But because of strong objection of BMS representative, the BRICS Trade Union Forum had to drop that paragraph. Trade Unions except BMS did not find anything shameful to play politics outside India; especially on Chinese soil! This is a dangerous trend. Hence the slogan raised by BMS "Nationalise the Labour" assumes importance.

Towards a Resurgent India

In a Capitalist system that is vigorously followed in India, especially in its extreme form of Corporate Capitalism, the Trade Unions are forced to adhere to the rules of game of the present paradigm of competition, fight, show of strength etc. But time will come when the worker, the common man, the farmer, the tribal, the marginalised will decide their own destiny and shape the destiny of the Nation. Let us work for that beautiful time to come.

> (The writer is former National President, Bharatiya Mazdoor Sangh)

India

REGD. NO. D. L.-33004/99 EXTRAORDINARY PART I - Section 1 PUBLISHED BY AUTHORITY NEW DELHI, THURSDAY, JANUARY 31, 2019/MAGHA11, 1940

MINISTRY OF FINANCE (Department of Financial Services) NOTIFICATION New Delhi, the 31st January, 2019

F. No. 1/3/2016-PR.— In partial modification of para 1(i) of Ministry of Finance's Gazette Notification No. 5/7/2003-ECB-PR dated 22nd December, 2003, based on the Government's decision on 6th December, 2018 on the recommendations of a Committee set up to suggest measures for streamlining the implementation of National Pension System (NPS), the Central Government makes the following amendments in the said notification, namely :-

(1) In para 1(i) of the said notification, for the words "The monthly contribution would be 10 percent of the salary and DA to be paid by the employee and matched by the Central Government", the words "The monthly contribution would be 10 percent of the Basic Pay plus Dearness Allowance (DA) to be paid by the employee and 14 percent of the Basic Pay plus DA by the Central Government" shall be substituted.

(2) The following provisions shall be inserted after para 1(v) of the said notification, namely:-

CHOICE OF PENSION FUND AND INVESTMENT PATTERN IN TIER-I OF NPS AS UNDER:

(vi) Choice of Pension Fund: As in the case of subscribers in the private sector, the Government subscribers may also be allowed to choose any one of the pension funds including Private sector pension funds. They could change their option once in a year. However, the current provision of combination of the Public-Sector Pension Funds will be available as the default option for both existing as well as new Government subscribers.

(vii) Choice of Investment pattern: The following options for investment choices may be offered to Government employees: -

- (a) The existing scheme in which funds are allocated by the PFRDA among the three Public Sector Undertaking fund managers based on their past performance in accordance with the guidelines of PFRDA for Government employees may continue as default scheme for both existing and new subscribers.
- (b) Government employees who prefer a fixed return with minimum amount of risk may be given an option to invest 100% of the funds in Government securities (Scheme G).
- (c) Government employees who prefer higher returns may be given the options of the following two Life Cycle based schemes.
- (A) Conservative Life Cycle Fund with maximum exposure to equity capped at 25% LC-25.
- (B) Moderate Life Cycle Fund with maximum exposure to equity capped at 50% LC-50.

(viii) Implementation of choices to the legacy corpus: Transfer of a huge legacy corpus of more than Rs. 1 lakh crore in respect of the Government sector subscribers from the existing Pension Fund Managers is likely to impact the market. It may be practically difficult for the PFRDA to allow Government subscribers to change the Pension Funds or investment pattern in respect of the accumulated corpus, in one go. Therefore, for the present, change in the Pension Funds or investment pattern may be allowed in respect of incremental flows only.

(ix) Transfer of legacy corpus in a reasonable time frame: PFRDA may draw up a scheme for transfer of accumulated corpus as per new choices of Government subscribers in a reasonable time frame of say five years.

प्रतिरक्षा भारती

Once PFRDA draws up this scheme, change in the Pension Funds or investment pattern may be allowed in respect of the accumulated corpus in accordance with that scheme.

COMPENSATION FOR NON-DEPOSIT OR DELAYED DEPOSIT OF CONTRIBUTIONS DURING 2004-2012:

(x) In all cases, where the NPS contributions were deducted from the salary of the Government employee but the amount was not remitted to CRA system or was remitted late, the amount may be credited to the NPS account of the employee along with interest for the period from the date on which the deductions were made till the date the amount was credited to the NPS account of the employee, as per the rates applicable to GPF from time to time, compounded annually.

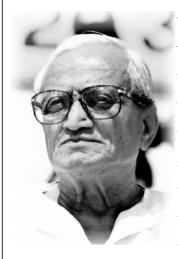
(xi) In all cases where the NPS contributions were not deducted from the salary of the Government employee for any period during 2004-2012, the employee may be given an option to deposit the amount of employee contribution now. In case he opts to deposit the contributions now,the amount may be deposited in one lump sum or in monthly installments. The amount of installment may be deducted from the salary of the Government employee and deposited in his NPS account. The same may qualify for tax concessions under the Income Tax Act as applicable to the mandatory contributions of the employee.

(xii) In all cases where the Government contributions were not remitted to CRA system or were remitted late (irrespective whether the employee contributions were deducted or not), the amount of Government contributions may be credited to the NPS account of the employee along with interest for the period from the date on which the Government contributions were due till the date the amount is actually credited to the NPS account of the employee, as per the rates applicable to GPF from time to time. Instructions to this effect may be issued by the Department of Expenditure/ Controller General of Accounts. All such cases of delay may be resolved within a period of three months.

2. The above provisions shall come into force with effect from 1stApril, 2019.

MADNESH KUMAR MISHRA, Jt. Secy.

Note : The main notification was published in the Gazette of India, Extraordinary, Part-I, Section 1, vide notification No. 5/7/2003-PR dated the 22nd December, 2003.



राष्ट्रहित की चौखट के अन्तर्गत, मजदूरों के हित का एकमात्र उद्देश सामने रखकर काम करने वाला संगठन होने के कारण भारतीय मजदूर संघ के कार्यकर्ता की दो तरफा जिम्मेदारी हो जाती है। राष्ट्र के सामने वह मजदूरों का प्रतिनिधी है तो मजदूरों के सामने वह राष्ट्र का प्रतिनिधी है जो मजदूरों को बताता है कि राष्ट्र के कष्ट क्या है? राष्ट्र की आकांक्षाएं क्या है? राष्ट्र के लिए क्या— क्या करना आवश्यक है? इन दोनों तरह की जिम्मेदारीयों का निर्वाह करना बहुत कठिन काम है। केवल अपनी यूनियन के सदस्यों के लिए मजदूरों की आर्थिक मांगो को लेकर कुछ उसकाने वाले भाषण देना सरल काम है। लेकिन भारतीय मजदूर संघ के कार्यकर्ता का बहुत कठिन है, क्योंकि राष्ट्र के सामने मजदूरों का प्रतिनिधित्व ओर

मजदूरों के सामने राष्ट्र का प्रतिनिधित्व वह कर रहा है और इस दृष्टी से हमारे कार्यकर्ताओं को बार – बार स्वाध्याय वर्ग की आवश्यकता प्रतीत होती है।

> राष्ट्र ऋषि श्रद्धेय दत्तोंपन्त ठेंगड़ीजी



F.No. 31011/17/2023-Estt.A-IV, Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, Pers. Policy (A-IV), New Delhi, dated 10 August, 2023

Subject: Central Civil Services (Leave Travel Concession) Rules, 1988 — clarifications/ modifications in the LTC instructions regarding.

The undersigned is directed to refer to DoPT's OM No. 31011/11/2015- Estt.A-IV dated 12.05.2016 on admissibility of catering charges in respect of rail journey performed on LTC and OM No. 31011/12/2022-Estt.A-IV dated 29.08.2022 regarding booking of Air Tickets on Government Account in respect of LTC.

2. Keeping in view the several references, grievances, etc. in respect of different issues flagged in these OMs, the matter has been considered in consultation with the Department of Expenditure and decided as below:

- **Reimbursement of Catering charges in case** (i) of LTC - Keeping in view the fact that Indian Railways is now providing options to the traveller to avail catering facility or not, it has been decided that wherever employees opt for catering services while booking the tickets for the eligible trains for the purpose of LTC, the reimbursement of catering charges shall be allowed.
- **Reimbursement of Cancellation charges** (ii) levied by the airlines/travel agents - It has been decided that both types of the cancellation charges, viz. (i) cancellation charges levied by the airlines & (ii) cancellation charges levied by the three authorized travel agents for utilization of their portals/platforms, if any, shall be reimbursed on the ground of official exigencies only.
- (iii) Booking of Air tickets through three Authorized Travel Agents viz. IRCTC, BLCL & ATT even in case of the employees not entitled for air travel under LTC - It has been decided that the Government employees not entitled for air travel but wish to travel by air, are no longer required to mandatorily book their air

tickets through these three travel agencies viz. M/s Balmer Lawrie & Company Limited (BLCL), M/s Ashok Travels & Tours (ATT), Indian Railways Catering and Tourism Corporation Ltd. (IRCTC) only as the reimbursement is restricted to the actual air fare or the entitled train/bus fare for the shortest route, whichever is less. In case of cancellation of tickets, cancellation charges shall be borne by the Government employees concerned. However, in case of Special Dispensation Scheme, the Government employees not entitled for air travel under LTC, but wish to travel by air to the intended place of visit in NE region, UTs of J&K, Ladakh, A & N, are required to book their air ticket through three ATAs only.

- 3. The claim of reimbursement in respect of LTC journey is to be settled as per the above instructions, however the cases which have already been settled, need not be reopened.
- In so far as the persons serving in the Indian 4. Audit and Accounts Department are concerned, these instructions are issued in consultation with the Comptroller and Auditor General of India, as mandated under Article 148(5) of the Constitution of India.
- 5. Hindi version will follow.

F.No. 31011/15/2022-Estt-A-IV, Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training (Establishment A-TV), New Delhi, Dated 11th October, 2022

Subject :Central Civil Services (Leave Travel Concession) Rules, 1988 — Relaxation to travel by air to visit North East Region, Jammu & Kashmir, Ladakh and Andaman & Nicobar extension beyond 25.09.2022 - reg.

The undersigned is directed to refer to this Department's OM No.31011/3/2018-Estt.A-IV dated 08.10.2020 regarding relaxation to travel by air to visit North East Region, Jammu & Kashmir, and Andaman & Nicobar, and to say that in relaxation to CCS (LTC) Rules, 1988, the scheme allowing Government servants to travel by air to North East Region (NER), Union Territory of Jammu and Kashmir (J&K), Union Territory of Ladakh and Union Territory of Andaman & Nicobar Islands (A&N) is extended for a further period of two years, w.e.f. 26 September, 2022 till 25th September, 2024.

2. The above Special Dispensation Concession is subject to the following terms & conditions:

- (i) All eligible Government servants may avail LTC to visit any place in NER/A&N/J&K/ Ladakh against the conversion of their one Home Town LTC in a four years' block period.\
- (ii) Government servants, whose Home Town and Headquarters/place of posting are same, they are not allowed the conversion of any Home Town LTC as they are not eligible for the Home Town LTC facility.
- (iii) The Government servant whose Home Town is situated in NER/A&N/J&K/Ladakh will also be allowed conversion of Home Town LTC for availing this Scheme to visit any place in any one of the three regions out of the above mentioned four regions except the region wherein his/her Hometown is situated.
- (iv) Fresh Recruits are also allowed conversion of one of the three Home Town LTCs in a block of four years, applicable to them to visit NER/A&N/ J&K/Ladakh. In addition, they are allowed one additional conversion of Home Town LTC to visit UT of J&K/ UT of Ladakh in a block of four years.
- (v) Government servants entitled to travel by air may avail this concession from their Headquarters in their entitled class of air by any airlines subject to the terms and conditions as enumerated in DoPT's OM. No. 31011/12/2022-Estt.A-IV dated 29.08.2022 (copy enclosed).
- (vi) Government servants not entitled to travel by air are allowed to travel by air in Economy class by any airlines subject to the terms and conditions as enumerated in DoPT's OM dated 29.08.2022 in the following sectors:-
- (a) Between Kolkata/Guwahati and any place in NER.
- (b) Between Kolkata/Chennai/Visakhapatnam and Port Blair.
- (c) Between Delhi/Amritsar and any place in J&K/Ladakh.

Journey for these non-entitled employees from their Headquarters upto Kolkata/ Guwahati/Chennai /Visakhapatnam/Delhi/ Amritsar shall be undertaken as per their entitlement.

(vii) Air travel by Government employees to NER,

J&K, Ladakh and A&N as mentioned in para (v) and (vi) above is allowed whether they avail the concession against Anywhere in India LTC or in lieu of the Home Town LTC, as permitted.

- (viii) Government servants not entitled to travel by air are also allowed to travel by air in Economy class by any airlines to any place in NER/A&N / J&K/ Ladakh from their Headquarters directly, however, the reimbursement will be subject to the conditions as enumerated in DoPT's OM No. 31011/ 12/2022-Estt.A-IV dated 29.08.2022.
- (ix) The instructions regarding booking of air tickets through authorized travel agents, best available fares, slots, booking time, advances, reimbursement, etc., as mentioned in DoPT's OM No. 31011/12/2022-Estt.A-IV dated 29.08.2022 will also be applicable for this Special Dispensation Scheme.

3. All the Ministries/Departments are advised to bring it to the notice of all their employees that any misuse of LTC will be viewed seriously and the employees will be liable for appropriate action under the rules. In order to keep a check on any kind of misuse of LTC, Ministries/ Departments are advised to randomly get some of the air tickets submitted by the officials verified from the airlines concerned with regard to the actual cost of air travel vis-a-vis the cost indicated on the air tickets submitted by the officials.

4. In so far as applicability of this extended scheme to the persons belonging to Indian Audit and Accounts Department is concerned, a separate communication will be issued after the comments/concurrence from the O/o C&AG is received as mandated under Article 148(5) of the Constitution of India.

F.No. 814/JCM/C&P/22-23, Government of India, Ministry of Defence, Department of Defence Production, Directorate of Ordnance (C&S), Kolkata, Dated 2nd August, 2023

Subject : Grant of Special Leave up to two hours (with wages) to the industrial employees governed by CDS(IE) Leave Rules - Regarding.

An issue has been raised by the Staff side/JCM-III Level Council on the subject during the 4* JCM-III Meeting at DoO(C&S), Kolkata, held on 23/06/2023.Text of the same is as under:

"E:10.11. Staff side intimated that in the new wage

package of the IEs, the provision for making two-hours' short leave with wages for two occasions in a month has not been included due to which employees are denied their wages for the short leave period. "

2. In the above context, attention is drawn to para-5 of DDP O.M. No. 1(5)/2021/OF/DP (PLG-V)/02 dated 24/09/2021 which is as follows:

"Till such time the employees remain on deemed deputation to the new DPSUs, they shall continue to be subject to all the extant rules, regulations and orders as are applicable to the Central Govt. Servant, including related to their pay scales, allowances, leave, medical facilities, carrier progression and other service conditions."

3. It is requested to direct all units under the DPSUs to follow applicable statutory provisions/rules orders (enclosed MoD OM No. 6(7)/2007-D(Civ.-II) dt. 02/02/2010 & 28/09/2010).

No.6(7)/2007-D(Civ-ID, Government of India, Ministry of Defence, New Delhi, Dated 28.09.2010:

Subject: Restoration of Special Leave of upto two hours (with wages) on two occasions in a month. :

The undersigned is directed to refer to Ministry of Defence O.M. No. 6(7)/2007/D(Civ-I1), dated 02.02.2010, regarding grant of half-day Casual Leave to the industrial employees governed by COS(IE) Leave Rules, 1954.

As per decision taken in the 46" Ordinary Meeting 2. of the National Council (JCM) held under the Chairmanship of Cabinet Secretary on 15.05.2010, the matter regarding restoration of Special Leave of upto two hours (with wages) on two occasions in a month for receiving medical attention/treatmnent in cases of 'injuries/sickness net arising out of work granted vide Ministry of Defence OM. No. 23(6)/58/D(Civ-I]), dated 07.10.1958 has been considered in consultation with the Department of Personnel & Training. It has now been decided'to restore the earlier system. of granting special leave of upto two hours (with wages) on two oceasions in a month. Para 3¢i) of Ministry of Defence O.M. No. 6(7)/2007/D(Civ-I1), dated 02.02.2010 stands amended to this extent.

No.6(7)/2007-D(Civ-II), Government of India, Ministry of Defence, New Delhi, Dated 2nd February 2010

Subject: Grant of half day Casual Leave to the industrial employees governed by CDS(IE) Leave Rules 1954 - regarding.

Staff side raised a demand that the Industrial employees of the Ministry of Defence should also be permitted to avail half day's casual leave, at par with other Central Government employees/on-industrial employees. Presently they are entitled to full day's cagual leave only, subject to the ceiling prescribed by the Gr-vernment on the number of casual leave in this regard. In tenns of Ministry of Defence instructions issued vide No.23(6V58 D(Civ-If) dated 7.10.1958, Industrial employees are also entitled.to no hours Special Leave at a time with wages, limited to two occasions in a month, in cases of injuries/sickness not arising out of work.

2. The matter has been considered in consultation with Ministry of Personnel, Public Grievances & Pension, Department of Personnel & Training and staff side also.

- 3. Accordingly, the following clarifications are issued:-
 - i) Industrial employees will be entitled to halfday's casual leave, at par with other Central Government employees/non-industrial employees subject to the ceiling prescribed by the Government an the number of casual leave in a year. However, as casual leave is not a recognized form of leave, it will not form part of CDS (industrial Employees) Leave Rules, 1954, which govern the other kinds of recognized forms of absence.
 - (ii) The system of granting Special leave of upto two hours (with wages) on two occasions in a month is discontinued.

4. The above instructions may please be circulated to all concerned offices, for information, necessary action and guidance.

F. No. 1 (3)/EV/2020, Government of India, Ministry of Finance, Department of Expenditure, New Delhi,

Dated 26th August, 2021

Subject: Applicability of Gazette Notification No.1 /3/2016-PR, dated 31.01.2019 issued by the Deptt of Financial Services (DFS), Ministry of Finance to the employees of Central Autonomous Bodies covered under NPS.

The undersigned is directed to refer to Department of Financial Services' Gazette Notification No.1/3/2016-PR dated 31.01.2019, inter-alia, enhancing the employer's share of contribution for Central Government NPS subscribers from 10% to 14% w.e.f. 01.04.2019. Consequent upon issuance of the said notification, PFRDA as well as Ministries/ Department have sought clarification from this Department, if the notification dated 31.01.2019 is applicable to the NPS borne employees of the Central Autonomous Bodies.

2. The employees of Central Autonomous Bodies (CABs) are not Central Government employees and therefore the afore said provisions of the notification dated 31.01.2019 is not directly and automatically applicable in respect of CAB employees. Also, as CABs are financially dependent on grant-in-aid from the Central Government for this administrative and establishment expenditure any such enhancement in the employer's contribution having budgetary implications warrants prior approval of the Central Government. It may be noted that NPS was introduced in respect of employees of CABs through a separate order of this Department O.M. No. 1(13)/E.V/2001 dated 13.11.2003.

3. However, it has been observed that despite no prior sanction from the Ministry of Finance, the employer's contribution was enhanced to 14% of Pay & DA in respect of employees of a number of CABs. It is brought to notice that such internal and suo-moto decisions by the CABs/ Administrative Ministries are contrary to the Delegation of Financial Powers and tantamount to unauthorized expenditure. Any recurrence of such unauthorized and improper decision will result in enforcement of personal accountability of the administrative and financial staff of the organization/ Ministry and the Head of the organization thereof through disciplinary action and/or financial recoveries.

4. The issue has further been examined by this Department and taking in to consideration all the factors, it has been decided that the notification dated 31.01.2019 may be extended to the employees of Central Autonomous Bodies. The date of effect will be same as applicable in case of Central Government employees i.e. 01.04.2019. The administrative Ministry / Departments are directed to ensure that while implementing the enhanced share of contribution among the autonomous bodies, the financial implications shall be borne by the Government in the same manner, as was decided to be borne while implementing the pay revision benefits to employees of autonomous bodies in terms of the 7! CPC recommendation as enumerated vide this Department's order No.1/1/2016-E.III(A), dated 13.01.2017.

4. This has the approval of Hon' ble Finance Minister.

F.No. 31011/12/2022-Estt-A-IV, Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training Establishment A-TV Desk, New Delhi, Dated 29th August, 2022

Subject : Instructions on booking of Air Tickets on Government Account in respect of Leave Travel Concession (LTC) - regarding.

The undersigned is directed to refer to the above mentioned subject and to state that in view of the disinvestment of Air India consolidated instructions issued consequently by Department of Expenditure vide O.M. No. 19024/03/2021- E.IV dated 16.06.2022, which is also applicable in case of air hourney in respect of LTC, it has been decided that :

- i. In all cases of air travel in repect of LTC, air tickets shall be purchased only from the three Authorized Travel Agents (ATAs), namely:
 - (a) M/s Balmer Lawrie & Company Limited (BLCL)
 - (b) M/s Ashok Travels & Tours (ATT),
 - (c) Indian Railways Catering and tourism Corporation Ltd. (IRCTC).
- ii. The choice of the travel agent for booking of ticket from the three authorized travel agents is left open to the Ministry/Department and the official in case of self booking, based on convenience and service quality. No agency charges/convenience fees will be paid to these ATAs.
- iii. Government employees are to choose flight having the best Available Fare on their entitled travel class which is the Cheapest Fare available, preferably for Non-stop flight in a given slot, mentioned below, at the time of booking. They are to retain the print-out of the concerned webpage of the ATAs having flight and fare details for the purpose of the settlement of the LTC claims.
 - (a) On the day of travel in the desired 3 hour's slot of following time band 00:00 hours to 03:00 hours to 06:00 hours, 06:00 hours to 09:00 hours, 09:00 hours to 12:00 hours, 12:00 hours to 15:00 hours, 15:00 hours to 18:00 hours, 18:00 hours to 21:00 hours, 21:00 hours to 24:00 hours.
 - (b) With provision of optimizing within a 10% price band, for convenience and comfort.
- iv. Employees are encouraged to book flight tickets at

least 21 days prior to the intended date of travel on LTC, to avail the most competitive fares and minimize burden on the exchequer.

- v. Employees are also encouraged to avoid unnecessary cancellations. Cancellations made less than 24 hours before intended travel on LTC, will require the submission of a self-declared justification by the employee. All the three ATAs have been directed to provide zero/nil cancellation charges. Till then, cancellation charges are to be reimbursed for all cases where cancellation was due to the circumstances/reasons beyond the control of Government employee.
- vi. Employees should preferably book only one ticket for each leg of intended travel on LTC. Holding of more than one ticket is not allowed.
- vii. While tickets may be arranged by the office through the travel agent, employees are encouraged to make ticket booking digitally through the Self Booking Tool/online booking website/portal of these 3 ATAs only. Employees must register their official Government Email-Id with these three agencies to book their air tickets digitally through above modes for travel by any airlines.
- viii. In case of unavoidable circumstances, where the booking of ticket is done from unauthorized travel agent/website, the Financial Advisors of the Ministry/Department and Head of Department not below the rank of Joint Secretary in subordinate/attached offices are authorized to grant relaxation.
- ix. No Mileage Points will be generated against travel on Government account.

Provisions for Advances

- i. Government employees entitled for air travel, may apply for LTC advance with the print-out of the concerned webpage of authorized travel agency having suitable flight and fare details while tracking the fare of the flight under the three hour time slot, as mentioned at Para 1 (iii) (a) above, at least 30 days prior to the intended date of journey.
- ii. Government employees not entitled for air travel and wish to travel by air but not under the Special Dispensation Scheme, may apply for LTC advance with reference to Rail/Bus fare.
- iii. Those Government employees who are not entitled for air travel but who wish to travel by air under the Special Dispensation Scheme, may apply for LTC advance with reference to Rail/Bus

fare from their Headquarters/place of posting up to Kolkata/ Ouwahati/ Chennai/ Visakhapatnam / Delhi/Amritsar plus air fare (indicated in print-out of the concerned webpage of authorized travel agency having suitable flight and fare details) from the relevant railhead in Kolkata/ Guwahati/ Chennai/ Visakhapatnam/ Delhi/ Amritsar till the place of visit in North East Region/Union Territory of Jammu & Kashmir/ Union Territory of Andaman & Nicobar/Union Territory of Ladakh.

Provisions for Reimbursements

- i. In case, at the time of actual booking of the ticket after receiving the advance, there is any difference in fare owing to the time gap between request for advance and grant of advance, the difference in fare will be adjusted at the time of settlement of LTC claim.
- ii. In all cases wherein the non-entitled Government employees travel by air under Special Dispensation Scheme directly from their Headquarters/place of posting to the place of visit in NER/J&K/A&N/Ladakh, the Government employees must take the print-out of the concerned webpage having flight and fare details of the flight for relevant railhead viz. Kolkata/ Guwahati/ Delhi! Amritsar/ Cherinai/ Vishakhapatnam to the place of visit viz. NER or UT of J&K or UT of Ladakh or UT of A&N within the same time-slot where the direct flight has been booked for the purpose of reimbursement. In case the flight tickets are not available in the same slot, the print out of the details of the flights available in the next slot may be retained.

In such cases, the reimbursement will be restricted to the actual air fare for the direct journey or the fare entitled under Special Dispensation Scheme, whichever is less.

iii. Government employees not entitled for air travel and wish to travel by air but not under the Special Dispensation Scheme, are also required to book their air ticket through only the three ATAs mentioned above irrespective of booking time limit. However, the reimbursement will be restricted to the actual air fare or the entitled train/bus fare for the shortest route, whichever is less.

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