

Minutes of National Anomaly Committee Meeting held on 11.1.2018 – INDWF

Minutes of the Meeting held on 11.01.2018 to discuss the admissibility of the agenda items received from the Staff Side, NC (JCM) for discussion in the National Anomaly Committee (NAC) for the 7th Central Pay Commission

**F.No.11/2/2016-JCA-I(Pt.)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel Training**

North Block, New Delhi
Dated: 16 February, 2018

To

Shri Shiv Gopal Mishra
Secretary, Staff-Side
National Council (Staff Side)
Joint Consultative Machinery for, Central Government Employees
13-C, Ferozeshah Road, New Delhi-110001

Subject: Minutes of the Meeting held on 11.01.2018 to discuss the admissibility of the agenda items received from the Staff Side, NC (JCM) for discussion in the National Anomaly Committee (NAC) for the 7th Central Pay Commission.

Sir,

Please find enclosed a copy of the Minutes of the meeting held under the Chairmanship of Joint Secretary (Establishment) on Thursday the 11th January, 2018 at 1500 hours in Room No. 190, conference Room, North Block, New Delhi with the representatives of Staff Side, NC(JCM) for information and necessary action.

2. As per discussion in the above meeting, Staff Side may please reconsider their views on Item No. 7. A copy of the recording during the meeting enclosed for perusal.

Yours faithfully,
(D.K. Sengupta)
Deputy Secretary to the Government of India
Tel. 23040255

MINUTES OF THE MEETING HELD ON 11.01.2018 TO DISCUSS THE ADMISSIBILITY OF THE AGENDA ITEMS RECEIVED FROM THE STAFF SIDE FOR DISCUSSION IN THE NATIONAL ANOMALY COMMITTEE (NAC) FOR THE 7TH CENTRAL PAY COMMISSION

A meeting was held under the chairmanship of Shri G.D. Tripathi, Joint Secretary (Establishment), Department of Personnel & Training with the representatives of Staff Side of the National Anomaly Committee and senior officers from the other Ministries/Departments concerned at 3.00 p.m. on 11.01.2018 in Room No. 190, North Block, DoPT, New Delhi to consider the admissibility of the 18 items of anomaly forwarded by the Staff-Side of the National Council of JCM for settlement through discussion at the NAC constituted after the Seventh Central Pay Commission. The list of participants is at Annexure.

2. The Chairman welcomed the representatives of the Staff-Side of the National Anomaly Committee and asked Deputy Secretary (JCA) to briefly inform the participants the purpose for convening this meeting.

3. Deputy Secretary (JCA) informed that following the acceptance of the recommendations – to the extent they have been – of the 7th Central Pay Commission by the Government, the National Anomaly Committee has been constituted by DoPT. Subsequently, on receipt of a representation from the Staff Side, NC(JCM), the definition of what would constitute an anomaly has been revised and notified. Therefore, as per the revised scope of definition, anomaly will include the following cases;

a) Where the Official-Side and the Staff-Side are of the opinion that any recommendation is in contravention of the principle or the policy enunciated by the Seventh Central Pay Commission itself without the Commission assigning any reason;

b) Where the maximum of the Level in the Pay Matrix corresponding to the applicable Grade Pay in the Pay Band under the pre-revised structure as notified vide CCS(RP) Rules 2016, is less than the amount an employee is entitled to be fixed at, as per the formula for fixation of pay contained in the said Rules;

c) Where the Official side and the Staff Side are of the opinion that the vertical and horizontal relativities have been disturbed as a result of the 7th Central Pay Commission to give rise to anomalous situation.

4. Deputy Secretary (JCA) mentioned that a letter dated 16.08.2017 had been received from Secretary, Staff-Side proposing to discuss 15 items in the National Anomaly Committee (NAC). Subsequently, another letter dated 31.08.2017 was also received proposing 3 additional items. On examining these 18 items against the three (03) yardsticks as stated in para-3 above, it was felt that while some agenda items clearly fall within the definition of 'anomaly', there are a few which cannot be termed 'anomaly' as such, bordering more, as they are, on the side of 'demands'. There are a few more which apparently by virtue of affecting the interests of one Department should rather be

taken up at the Departmental Anomaly Committee. On sharing the findings of this Preliminary examination with the Secretary, Staff-Side, a communication was received from him suggesting inter-alia, besides giving their own reasons for retaining the same agenda – except one item – for the NAC deliberations, that a meeting be convened to discuss and finalize the items so as to avoid delay in convening the NAC meeting.

5. The Chairman then requested the leader of the Staff-Side and other members to put across their points of view on the issue.

6. The Leader, Staff-Side, thanked the Chairman for convening the meeting at the suggestion of Secretary, Staff-Side and initiated the discussion by emphasizing that the next meeting of the National Council under the Chairmanship of Cabinet Secretary should be held urgently as more than 7 years have passed since the last such meeting was held. He referred to the background against which the JCM scheme has been institutionalized and stressed that the purpose of JCM is to avoid confrontation between the Government and its employees. He requested that the sentiments of the Staff-Side may be conveyed to the Cabinet Secretary so that the meeting of the National Council, JCM may be held without any further delay. He also suggested that the Cabinet Secretary should meet the Standing Committee of the National Council, JCM soon after the Republic Day celebrations so that the deliberations can be held on all pending issues. The Leader, Staff-Side further stated that there are many issues arising out of the 7th Central Pay Commission's recommendations which are still to be settled to the satisfaction of the Staff-Side. He particularly mentioned about the recommendations relating to New Pension Scheme, Minimum Pay, Fitment Formula, etc.

7. Secretary, Staff-Side also expressed similar views about lack of interaction between the Official-Side and the Staff-Side. He mentioned that the institutions of JCM machinery has become defunct and stated that the meetings of the Standing Committee and the National Council, JCM should be called without any further delay. He also mentioned that the Group of Ministers had met the staff representatives and given some assurances for favourable consideration regarding the Minimum Pay and Fitment Formula. But even after 1-1/2 years, no decision has been conveyed by the Government. He regretted that inspite of the report submitted by NPS Committee, nothing fruitful has been done for bringing new pensioners under defined and guaranteed pension scheme. He stated that based on the assurance given by the group of Ministers, the Staff Side had deferred the call for strike but now it is getting very difficult for them to control the resentments of the staff. He stressed the need for frequent interactions so that each side can appreciate the other's views. He also mentioned that no decision has yet been conveyed on the 6th CPC related unresolved anomalies which, the Staff-Side feels, should be sent for arbitration as the Staff-Side has recorded its dissatisfaction on them.

(Action: D/o Pension & JCA Division, DoPT)

8. The Staff-Side members representing M/o Defence stated that they are on a hunger fast joining with the 4 lakhs Defence Civilian Employees to protest against the various decisions taken by Ministry of Defence against their interest. They lodged their protest

against what they called 'arbitrary' policy decisions made by the Government about outsourcing of jobs hitherto done in the ordnance factories, converting Army Base Workshops to GOCO Model, closure of Station Workshops, Military Farms and Depots under Army Headquarters thereby rendering 31,000 Employees surplus including 9000 employees of Military Engineer Service, granting Uniform Allowance to the soldiers by stopping the practice of getting them stitched through almost 12000 Employees in 5 Ordnance Factories etc. This is against the assurance given by the Defence Ministry in the past to the Staff Side that the jobs being performed by ordnance factories would be outsourced. They also protested against the violation of the direction of Cabinet Secretary by the Ministry of Defence in that the Staff Side has not been consulted before deciding on outsourcing, closure, merger, declaring manpower surplus etc. They demanded that MoD may be directed to immediately hold discussions with the Staff Side and settle the issues in the interest of the Defence Industry and its employees

(Action: M/o Defence)

9. The Staff Side also raised the following issues:-

a) The demand of the Staff Side for extension of the date of option for switching over to 7th CPC Pay Scales from a date on which the employee got promotion/MACP is not yet settled. Necessary instructions may be issued in this regard.

(Action: Establishment Division, DoPT)

b) The Report of the NPS Committee even though submitted to the Government in August, 2017 the Staff Side is not yet given a copy of the same. The same may be given to the Staff Side and a meeting may also be held with the Staff Side by the Government before taking any decision on the recommendations of the NPS Committee.

(Action: D/o P & PW)

c) The Staff Side also pointed out what they felt arbitrariness of the decision of the Government to close down the various printing presses without even holding any discussion with the Staff Side. The employees have been asked to immediately get themselves, relieved and join at faraway places. They added that assurances were given by the Cabinet Secretary at the National Council that the Government would discuss the problems faced by the staff and resolve the same in all cases when the Government decides to wind up any of its functions.

(Action: M/o Urban Development)

10. The Chairman stated that he has taken note of all the concerns expressed by the Leader, Staff-Side, Secretary Staff-Side and the other representatives of the Staff-Side. He stated that the work on finalizing the comments on the Agenda for the meeting with the National Council, JCM has been going on and another two weeks would be required to finalize the comments and thereafter the convenience of the Cabinet Secretary would

be sought so that the meeting of the Standing Committee can be held in the month of February, 2018. He stated that the purpose of today's meeting was to familiarize with the issues as well as to arrive at a mutually agreed decisions as to which of them should be taken up for discussion and settlement at the NAC so that the first meeting can be convened at the earliest. He further emphasised that the items on which the Government, has held a view different from that of the 7th CPC would not be taken up for discussion at the NAC since the Government decisions on them are well-thought-out and conscious ones. However, where there is a disagreement between what has been recommended and what the 7th CPC should have recommended as part of its policy/principles would figure in NAC discussion.

11. It was seen that there are seven (7) proposed items which clearly fall within the definition of 'Anomaly'. At the conclusion of the discussions, the following was agreed to in respect of the remaining eleven (11) items:

Item No.	Description	Decision
1	Anomaly in computation of minimum wage	In view of the response of Secretary, Staff-Side, the JCA Division will re-examine.
2	3% Increment in all stages	In view of the response of Secretary, Staff-Side, the JCA Division will re-examine
6	Remove Anomaly due to index rationalization	In view of the response of Secretary, Staff-Side, the JCA Division will re-examine
7	Anomaly arising from the decision to reject option No.1 in pension fixation	Sent back to Staff-Side for reconsideration of its views
10	Minimum Pension	The Staff-Side will take up this issue with the Department of Pension & Pensioners Welfare separately. This will not be treated as an anomaly.
11	Date of effect of Allowances-HRA, Transport Allowance, CEA etc	This will be taken up separately as an item in the Standing Committee meeting
12.	Implement the recommendation on Parity in Pay Scale between Sr. Auditors / Sr. Accountant of 1A & AD and organized Accounts with Assistant Section Officer of CSS.	As this was already under examination in the Department of Personnel & Training it would not be taken up for discussion in NAC at this stage. If it remains undecided at the later stage, it will be included for discussion in NAC.
13	Parity in pay scales between Assistants/ Stenographers in field/ subordinate offices and Assistant Section Offices and Stenographers in	The Staff-Side, NC (JCM) will provide additional details

	CSS	
15	Technical Supervisors of Railways	The Staff-Side, NC(JCM) will take up this issue at the Departmental Anomaly Committee of Ministry of Railways.
16.	Anomaly in the assignment of replacement of Levels of pay in the Ministry of Defence, Railways, Mines etc in the case of Store Keepers.	The Staff-Side, NC (JCM) will take up this issue at the Departmental Anomaly Committee of Ministry of Defence. JCA Division will write to Ministry of Defence in this regard.
18.	Anomaly in the grant of DA instalment w.e.f. 01.01.2016	In view of the response of Secretary, Staff-Side, the JCA Division will re-examine.

12. The meeting concluded with a vote of thanks to the Chair.

LIST OF PARTICIPANTS IN THE PRE-NATIONAL ANOMALY COMMITTEE OF THE NATIONAL COUNCIL (JCM) HELD ON 11/01/2018

S.No.	Staff-Side	Official-Side
1	Shri Shiv Gopal Misra	Shri G.D. Tripathi
2.	Shri M. Raghavaiah,	Shri Amar Nath Singh
3	Shri Rakhal Das Gupta	Shri Harjit Singh
4	Shri J.R. Bhosle	Ms. Sujasha Choudhury
5	Shri Guman Singh	Ms. Nirmala Dev.
6	Shri C.Srikumar	Shri Jaya Kumar.G.
7	Shri K.K.N. Kutty	Shri A.K. Jain
8	Shri Sankara Rao	Shri Charanjit Taneja
9	Shri R. Srinivasan	Shri Rajeev Kumar Bahree
10	Shri R.P. Bhatnagar	Shri Ram Gopal

Source: INDWF