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FEDERAL SENTINEL

Editor : D. THEAGARAJAN

DECEMBER 2015

**LET US FIGHT TOGETHER AND WIN TOGETHER
WITHOUT COMPROMISING OUR IDENTITY**

The 7th CPC has given its recommendations to the Government. The recommendations have hit the employees badly. Particularly in P.A./S.A. Cadre the revision is very meager contrary to the expectation.

5th CPC recommended Rs. 4000/- as basic pay for PA/SA cadre of course, it caused anomaly for erstwhile TBOP/BCR cadres. However that is a boon for Pas/SAs.

In 6th CPC, we got very good package. We got Rs. 4200/- as GP for II MAPC. This also created differences between direct recruits and promotes.

The 7th CPC has spoiled all our gains which we earned earlier. We demanded higher pay scale for LSG, HSG II and HSG I grades. This was totally rejected without considering our merits. At the same time, the 7th CPC has recommended a higher pay scales for IP, ASP and SP citing court case and relativity with identical posts in other Department. They conveniently forgot the post of LSG/HSG II/HSG I which are equivalent to IP and ASPOs.

The duties and responsibility of LSG/HSG II/HSG I cadres are more while comparing to IP and SPSOs.

In regard to Postman cadre, our demand was rejected citing the case of constables of

Central Police organisations. They conveniently forgot the vast changes in the duties and responsibilities of the of postman after emergence of IT and modernization projects. Other important demands such as PO & RMS Accountants, MMS cadres, system administrator, Civil & Electrical wing, Circle office cadres and SBCO cadres have summarily been rejected without considering the merits of the demands.

Nature of work in respect of MTS working in Post office & RMS offices is totally different from that of other Central Government Departments. Our demand has not been considered by the 7th CPC in a realistic manner.

In regard to GDS, our demand for inclusion of GDS cadre in the ambit of 7th CPC has been rejected. The views of the Department on GDS cadre is reproduced by the 7th CPC in their report verbatim which shares that 7th CPC is not considering any of our demand based on merits and justification.

The sorry state of affairs is that our Department of Posts did not submit recommendations supporting our demands. This is highly objectionable. It shows the Department is not interested in improving the financial status of the employees. This is unacceptable for ever and unforgettable.

**JOURNAL OF THE FEDERATION OF NATIONAL POSTAL ORGANISATIONS
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After submitting the report to the Government by the 7th CPC, the Department called DJCM Meeting in order to elicit views of the staff side. Now the Department has agreed our demands and assured for taking up the same with Finance Ministry for implementation. This a belated step. We pray to the Department to advocate our demands properly to the Finance Ministry.

All the above factors are not new to Postal employees as well as other Central Government employees. The similar situation was existing during implementation of V CPC. Our united struggle resulted in the increase of 20% wage hike becoming 40% hike.

This ultimately paved way for 54% hike in the 6th CPC.

7th CPC has reduced all our financial benefits under the pretext of rationalization.

NJCA

National Joint Council of Action

4, State Entry Road, New Delhi – 110055

No.NJC/2015/7th CPC December 10, 2015

To

Shri. Pradip Kumar Sinha

Cabinet Secretary

Government of India

Rashtrapati Bhawan Annexe

New Delhi-110001

Sir,

Subject:- 7th CPC recommendations and Charter of Demands – Reg.

We send herewith our suggestions and demands on the recommendation made by the 7th CPC. As indicated when the undersigned met you on 20th November 2015 the central government employees are extremely agitated over the totally retrograde recommendations of the Commission.

The meagre increase of 14% recommended by the 7th CPC is the lowest ever any pay Commission has made. It was the similar recommendation, we would request you to recall, made by the 2nd CPC that triggered a confrontation of an unprecedented nature, leading to a strike action which lasted for five days in the year 1960. In the background of the fact that the 5th and 6th CPC recommendations had resulted in the wage rise of 31% and 54% respectively, the anger, anguish and frustration of the employees are the natural outcome. Unless the minimum wage is re-determined with all consequential benefits, the discontent will not be capable of being addressed effectively.

The same analogy was applied while revised pay scales were implemented for Bank employees. Initially, Government raised Bank employees wage hike to the extent of 10%. But they got 15% wage hike from retrospective effect on account of their tireless efforts and uncompromising struggle.

Now NJCM has given a Clarian call to all our Central Government employees to hold demonstration from 19 to 21 January 2016 at all our work places and handover the copy of the NJCM letter to the Heads of Divisions for onward transmission to cabinet Secretary demanding immediate settlement of the issues.

Now FNPO requests our colleagues to do the demonstration vigorously on the dates stated above.

Let us fight together and win together without compromising our identity.

It is, therefore, necessary that a meeting of the members of the Standing Committee of JCM NC is convened under your chairmanship immediately to discuss the issues we have incorporated in the enclosed charter. Settlement through bilateral negotiation has become the urgent need and requirement.

I have been directed by the meeting of the NJCA held on 8th December 2015 to convey to you the disappointment and resentment of the employees over the recommendations of the 7th CPC. We expect a bilateral negotiated settlement of the issues without delay from the Government. We request you that a mutually agreeable settlement on the issues are brought about latest by the first week of February 2016. I have been asked by the meeting to inform you that the entire Central Govt Employees under the auspices of National JCA will be constrained to go indefinite strike in the first week of March 2016 if the desired settlement through bilateral discussions is not brought about by the first week of February 2016. To facilitate an early resolution of the issues, we expect the government to set up a Committee of Group of Ministers to negotiate with the NJCA immediately.

We earnestly hope that the Government will effectively intervene and bring about a satisfactory settlement much before the first week of February 2016 and avoid an otherwise inevitable confrontation.

Thanking you,

Yours faithfully,
(Shiva Gopal Mishra) ,
Convener

No.NJC/2015/7th CPC
2015

December 11,

and Industrial Centers / Establishments on
19th, 20th and 21st Jan. 2016.

To
All Constitutents of NJCA

The NJCA will meet again on 8th February,
2016 to decide the date of commencement
of the indefinite strike action, if no
settlement is brought about by then.

Dear Comrade

We send herewith the copy of our letter
dated 10.12.2015 addressed to the Cabinet
Secretary intimating him of our
suggestions and demands on the
recommendations of the 7th CPC. A
delegation of the NJCA met the officials
in the DOPT and Department of
Expenditure today to explain the charter
of demands and request for the immediate
convening of the empowered committee
to discuss the issues in the charter with
the NJCA. The National JCA has decided
to embark upon the indefinite strike action
in the first week of March 2016 in case
the Govt does not settle the issues
through bilateral discussions, with the
NJCA. The modified charter of demands
is enclosed. While handing over the letter
cited to the Cabinet Secretary we have
briefed the officials of Departments of
Expenditure and Personnel of the
demands, today.

The NJCA has received innumerable
demands and suggestions concerning
the 7th CPC recommendations. We have
taken a few of the most important which
is of concern to the large number of
employees and which have a general
sweep. The demands placed before the
Government cannot therefore be
considered as exhaustive. We have placed
the demand for setting up of a Committee
of Group of Ministers both at the National
and Departmental level to expeditiously
address the department specific issues
and other matter which are not covered
by the Charter of demands. We request
the affiliates to kindly go through the
report thoroughly and convey to us the
issues to be taken up at the National level
immediately.

The National JCA felt that no discussions
will be possible or fruitful if it is not
backed up with agitations at the field
formations. The NJCA, therefore, calls
upon all affiliates to advise their affiliated
unions, their Branches/divisions/circles/
zones etc to hold demonstration enlisting
the participation of all members and hand
over the copy of the NJCA letter to the
head of offices for onward transmission
to the Cabinet Secretary demanding
immediate settlement of the issues.
Please ensure that the said programme is
carried out at all places on 30th December,
2015. This programme may be followed by
a three days dharna at all State Capitals

During the intervening period, the
affiliates are earnestly requested to
organize meetings at all work places
covering all employees and workers and
explain the demands and the decision to
organize strike action in case the issues
are not settled satisfactorily. The
employees and workers at the grass root
level must have a fair idea and
understanding of the issue, before we
could embark upon an industrial action.
The NJCA website will exhibit the day to
day developments of the negotiations
with the Government on the charter of
demands.

With greetings,

Yours fraternally,
Shiv Gopal Misra, Convener

CHARTER OF DEMANDS

1. Re-compute the minimum wage on the basis of the actual commodity prices as on 1.7.2015 and factor the Dr. Aykroyd formula stipulated percentages for housing and social obligations, children education etc. Revise the fitment formula and pay levels on the basis of the so determined minimum wage;

We are not in agreement with the methodology adopted by the 7th CPC in computing the minimum WAGE. We give hereunder briefly the reasons thereof.

1. The retail prices of the commodities quoted by the Labour bureau is irrational, imaginary and even absurd in respect of certain articles at certain places. The Staff Side had objected to the adoption of those rates in its meeting with the Commission on 9th June, 2015.

2. The adoption of 12 monthly average of the retail prices is contrary to Dr. Aykroyd formula. Same is the case with the reduction effected by the Commission on housing and social obligation factors. The house rent allowance is not a full compensation of the expenditure incurred by an employee for obtaining an accommodation. Therefore, no reduction on that count in arriving at the minimum wage is permissible. We may cite the minimum wage computation made by the 3rd CPC in this regard, The employees were in receipt of HRA even at that time. But still the 3rd CPC, and rightly so, adopted the 7.5% as the factor for housing. In respect of the addition to be made for children education and social obligation as per the Supreme Court judgement, (25%) the Commission has reduced the percentage to 15% on the specious plea that the employees are separately given children education allowance. The Children education allowance is not a full reimbursement of the expenses one has to incur. After the liberalization of the Education Sector where private parties were allowed to set up universities and colleges, the expenses for education had increased heavily. No concession or allowance is granted to the employees for educating the children beyond the higher secondary levels. The earlier Pay Commission has only tried to compensate a little in the increasing cost of education and that too at the primary level, since even the Governmental institutions had started charging abnormal tuition and other fees.

3. The website maintained for the Agriculture Ministry depicts the retail prices of commodities which go into the basket of minimum wage computation. Even though the rates quoted by them vary from the real retail prices in the market, it provides a different picture. If one is to take the rates quoted by them for different cities and make an all India average of the prices as on 1.7.2015, it will work out to Rs. 10810. It will result in the computation of the minimum wage of Rs. 19880. Adding 25% for arriving at the MTS scale, it will rise to Rs. 24850. To convert the same as on 1.1.2016,

1. 3% will be added as suggested by the 7th CPC. The final computation will be Rs. 25,596, when rounded off shall be Rs. 26000.

4. The Andhra Pradesh State Pay Commission in its report has taken the commodity prices at Rs. 9830.- as on 1.7.2013 which works out to a minimum wage of Rs. 18080. The wage of MTS will then be Rs. 22600 as on 1.7.2013, The Corresponding figure for 1.1.2016 shall be Rs. 26758, rounded off to Rs. 27000.

5. The Staff side had computed the minimum wage as on 1.1.2014 at Rs. 26,000, taking the commodity price at Rs. 11344. The rates were taken on the basis of the actual retail prices in the market as on 1.1.2014 (average prices of 8 Cities in the country) substantiated by the documentary evidence of Cash bill obtained from the concerned vendors. As on 1.12016, the minimum wage work out to Rs. 29339, rounded off to Rs. 30,000.

6. The 5th CPC adopted the rate of growth in the economy (as reflected in the increase in the per capita net national produce at factor cost) over a period of ten years to arrive at the increase required to be made to arrive at the minimum wage. The per capita NNP at factor cost registered an increase of 65.28% over a period of ten years in 2013-14. If we apply the same percentage to the emoluments (Pay +DA) as on 1.1.2016 (assuming that DA will be 125% as on that date), the minimum wage as on 1.1.2016 for an MTS will have to be Rs. 26030, rounded off to Rs. 27000.

7. In para 4.2.9 of the report, the Commission has given a table depicting the percentage increase provided by the successive Pay Commissions, according to which the 2nd CPC

had made a paltry increase of 14.2%. The 3rd CPC gave a rise of 20.6, 4th 27.6, 5th 31.0 and 6th CPC 54%. While the per centage increase had been in ascending order all along, the 7th CPC has sought to reverse that trend ostensibly for reasons unknown. It is was the meager increase of 14% provided for by the 2nd CPC that triggered the volatile situation in the civil service and led to all India strike encompassing all employees which lasted for 5 days in 1960. We do not know whether the 7 CPC really intend to create such a scenario once again.

8. In the case of Bank, Insurance and many other Public Sector Undertakings wage revision takes place once in 5 years. In the recently concluded agreement, Bank employees were provided more than 15% increase.

9. After the implementation of the Pay Commissions Report the AP State Employees have been given a wage structure based on a minimum wage far above the level of Central Government employees. In their case also wage revision does take place once in 5 years.

It could be seen from the above that the computation of minimum wage by the 7 CPC is prima facie wrong and computed on untenable premises and incorrect data. The minimum wage therefore requires re-computation and revision. Once the minimum wage gets revised, the fitment formula, the multiplication factor applied for determining the pay levels and the pay matrix itself will have to consequently revised.

Determination of Pay Level Minimum

It is seen that the 7th CPC has applied varying multiplication factors for different pay levels. The 6th CPC has taken the emoluments in the private sector to hike the salary of officers by applying different yardstick to compute the pay bands disturbing the vertical relativity while the 7th CPC has further accentuated the gap of differences in wages between officers and employees. This being unacceptable we urge upon adoption of uniform multiplication factor for determining pay levels.

2. Revise the pay matrix basing upon the revised minimum wage and rounding off the stages to the next hundred. Accept the suggestion made

by the Staff Side in its memorandum to 7 CPC for de-layering viz. to abolish the pay levels pertaining to GP 1900, 2400 and 4600.

In our memorandum to 7th CPC the staff side had requested for de-layering by abolition of Grade Pay of Rs 1900, 2400 & 4600. The pay levels pertaining to GP 1900, 2400 and 4600 may be abolished and merged with the next higher levels.

3. Revise the rate of increment to 5 % and Grant two increments in the feeder cadre levels as promotion benefit.

The rate of increment has been pegged down to 3% by the 7th CPC. At this rate an employee will not be able to double his pay even after 30 years. The demand of the staff side to increase the rate of increment to 5% to be accepted.

Promotion from one cadre to another is a rare phenomenon in government services especially in lower grades. If one to be awarded only an increment amounting to 3% of pay, it might not become a sought after affair and will in fact act as a de-motivating factor. This apart, in most of the Govt. Departments, promotion is followed by posting to a different location. Those who are posted to unclassified cities or from Metro cities to towns will financially suffer due to such mandatory transfer on promotion. This is because of the fact that the rate HRA, Transport Allowance etc vary from one station to another. The financial benefit on promotion must be, therefore, at least two increments i.e. 10% of the pay.

4. Fill up all vacant posts by holding special recruitment drive

5. MACP to be treated as financial up-gradation, without any grading stipulation; to be provided on the basis of the promotional cadre hierarchy of the concerned department; increase the number of MACP to five on completion of 8, 15, 21, 26 and 30th years of service. Reject the Efficiency Bar stipulation made by 7th CPC. Personnel promoted on the basis of Examination should be treated as fresh entrants to the cadre.

6. Upgrade the LDCs in all departments as UDCs for it is stated by the Commission that the Government has stopped recruiting personnel to this cadre.

The cadre of LDC, after the introduction of MTS has presently overlapping functions. Most of the specific functions have also become obsolete on introduction of computerized diarizing and maintenance register. There is no specific need for this cadre in any of the offices. While future recruitment can be stopped, which the government has conveyed to the Commission, what has to be done to the existing cadre is not mentioned. It is therefore necessary that the existing incumbents be promoted as UDCs by upgrading all posts of LDC as UDCs.

7. a) Parity to be ensured for all Stenographers, Assistants, Ministerial Staff in subordinate offices and in all the organized Accounts cadres with Central Sectt. By upgrading their pay scales (and not by downgrading the pay scales of the CSS)

b) Drivers in all Government offices to be granted pay scale on par with the drivers of the Lok Sabha.

The question of Parity, as has been rightly mentioned by 7th CPC, is a settled matter. It is the Department of Personnel which the cadre controlling Department for CSS cadre that unsettles the parity every time. The recommendation to downgrade the CSS is however not acceptable. What is required is to grant higher pay levels at par with CSS ministerial and stenographer cadres and other similarly placed cadres in the field/subordinate offices and IA&AD & Organized Accounts cadres.

8. To remove existing anomaly, the annual increment date may be 1st January for those recruited prior to 30th June and 1st July in respect of those recruited prior to 31st December.

9. Wage of Central Government Employees be revised in every 5 years

10. Treat the GDS as Civil Servant and grant them all pay, allowances and benefits granted to regular employees on Pro -rata basis

11. Contract/casual and daily rated workers to be regularized against the huge vacancies existing in various Government offices.

12. Introduce PLB in all departments. All existing bilateral agreement on PLB must continue to be in operation.

13. Revise the pension and other retirement benefits as under:-

(a) Parity between the past and present pensioners to be brought about on the basis of the 7th CPC recommendations with the modification that basis of computation to be the pay level of the post / grade/ scale of pay from which one retired; whichever is beneficial.

(b) Pension to be 60% of the last pay drawn in the case of all eligible persons who have completed the requisite number of years of service.

(c) The family pension to be 50% of the last pay drawn.

(d) Enhance the pension and family pension by 5% after every five years and 10% on attaining the age of 85 and 20% on attaining the age of 90.

(e) Commuted value of pension to be restored after 10 years or attaining the age of 70, whichever is earlier. Gratuity calculation to be on the basis of 25 days in the month as against 30 days as per the Gratuity Act.

(f) Fixed medical allowance for those pensioners not covered by CGHS and REHS to be increased to Rs. 2000 p.m.

(g) Provide one increment on the last day in service if the concerned employee has completed six months or more from the date of grant of last increment.

14. Exclude the Central Government employees from the ambit of the National Pension Scheme (NPS) and extend the defined benefit pension scheme to all those recruited after 1.1.2004

15. In the absence of any recommendation made by 7th CPC, the Government must withdraw the stipulated ceiling on compassionate appointments

16. Revise the following allowances/advances as under in place of the recommendations made by the 7th CPC :

The 7th CPC has recommended to abolish large number of allowances and interest free advances without going into the exact relevance in certain departments where the allowances are provided for. The allowances which are stated to be subsumed and which are clubbed with other s also require consideration. If these allowances are withdrawn, it might affect adversely the very functioning of the Department itself in certain emergent situation. Of the allowances mentioned in the report for abolition, we have

mentioned hereunder those pertaining to civilian employees which require to be retained.

In respect of advances the Commission appears to have taken a shylock view of the matter. Most of the under mentioned advances are required to meet out contingencies which the employees cannot manage to organize. These advances are, therefore, to be retained.

(i) Allowances

(a) Retain the rate of house rent allowance in place of the recommendation of the Commission to reduce it.

(b) Restructure the transport allowance into two slabs at Rs. 7500 and 3750 with DA thereof removing all the stipulated conditions.

(c) Fixed conveyance allowance: This allowance had no DA component at any stage.. This allowance must be enhanced to 2.25 times with 25% DA thereon as and when the DA crosses 50%

(d) Restore the island Special duty allowance and the Tripura Special compensatory remote locality allowance.

(e) The special duty allowance in NE Region should be uniform for all at 30%

(d) (f) Overtime allowance whenever sanction must be based upon the actual basic pay of the entitled employee

(g) Cash handling /Treasury allowance. The assumption that every transaction in Government Departments are through the bank is not correct. There are officials entrusted to collect cash and therefore the cash handling allowance to be retained.

(h) Qualification Pay to be retained.

(i) Small family norms allowances; (j) Savings Bank allowance (k) Outstation allowance

(l) P.O. & RMS. Accountants special allowance.

(m) Risk allowance (n) Break-down allowance.

(o) Night patrolling allowance.

(p) Special Compensatory hill area allowance.

(q) Special allowance for Navodaya Vidyalaya Staff. (r) Dress Allowance ceiling to be raised to Rs. 32,400/- p a (s) Nursing Allowance to be raised to 2.25 times of Rs 4800/- (t) All fixed allowances must be raised to 2.25 times as per the principle enunciated by the Commission.

(u) The erroneous statement in Para 9.2.5 to be corrected. Vide OM No. 13018/1/2009-Estt (L) dated 22.07.2009, DOP, P&W, the leave period for Child adoption has been increased to 180 days

(v) Restore the allowances abolished for the reason that it is either not reported or mentioned in the Report by the Commission

17. Advances

Restore the following advances and revise the same to 3 times.

(a) Natural calamity advance;

(b) Festival Advance

(c) LTC and TA advances

(d) Medical advance

(e) Education advance.

(f) Vehicle advances including cycle advance

18. The stipulation made by the 7th CPC to grant only 80% of salary for the second year of CCL be rejected and the existing provisions may be retained

19. 50% of the CGEIS premium to be paid by the Government in respect of Group B and C employees.

20. Health insurance to be introduced in addition to CGHS/REHS and CCS(MA) benefits and the premium to be paid by the Government and the employee equally.

21. Reject the recommendations concerning PRIS

22. Full pay and allowances to be provided for the entire period of WRIL .

23. The conditions stipulated in clause (4) & (5) under Para 9.2.37 be removed

24. Reject the recommendation made by the 7th CPC in Para 8.16.9 to 8.16.14 concerning dress allowance to PBOR as otherwise the five Ordinance Equipment factories under OFB will have to be closed down.

25. Set up a Group of Ministers' Committee to consider the anomalies including the disturbance of the existing horizontal and vertical relativities at the National level and Departmental/Ministry level with provision for referring the disputed issues to the Board of Arbitration under the JCM scheme

26. To increase the promotional avenue for Technical and other Supervisory staff.

FROM THE DESK OF SECRETARY GENERAL

You are aware that our affiliates are not paying quota to our Federation in time as per Federation constitution. Our annual income is not equal to the monthly income of the other Federation.

My repeated requests and pleas have not yielded any result.

FEDERAL SENTINEL

10th Federal congress directed me to publish Federal Sentinel as far as possible every month. I am prepared to publish every month. This is not a big burden for me. Only problem is lack of finance.

GDS ISSUES :

The Department has appointed a committee under the Chairmanship of Sri Kamlesh Chandra, Ex-Member (P), Postal Services Board for recommending wage revision to GDS. The united struggle of both FNPO and NFPE did not yield any result to include GDS cadre in the ambit of 7th CPC.

We went on strike for four days in the year 1993 to appoint Justice committee for GDS. But we were unable to implement recommendation of Justice Talwar committee despite our united struggles.

We know under what circumstances Natarajamurthy committee was appointed. After our objection over the Natarajamurthy committee recommendation, the Department later on appointed Gopinath committee for GDS. We know what was the main objection of NFPE and its GDS union at that time before the Gopinath committee. We do not want to reveal all the unsavoury incidents at this stage. But FNPO and its affiliated NUGDS union will never compromise on the matters of welfare of GDS at any cost without losing identity of NUGDS.

CLARION CALL BY NJCM :

NJCM which met on 8-12-2015 decided to hold demonstration from 19 to 21 January 2016 in all work places (Branch, Division, Region and Circle) in protest against the unfavourable recommendations of 7th CPC. On 30-1-2016, all Divisional Secretaries are requested to handover the copy of NJCM letter to their respective Heads of Divisions. Copy of NJCM letter, Circular and other details are published elsewhere.

DJCM CALLED BY THE SECRETARY, DEPARTMENT OF POSTS

The Chairperson, Postal Services Board called DJCM Meeting to discuss the recommendations of 7th CPC. Our objections have been conveyed under a joint Memorandum. Our Memorandum will be published in January 2016 issue.

Yours Fraternally,



(D.Theagarajan),
Secretary General



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