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National Council (Staff Side)

Joint Consultative Machinery

for Central Government Employees

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Dated:- 13/05/2026

Shiva Gopal Mishra
Secretary

No. NC-JCM-2026/49 NC

To
All Staff Side NC JCM Members
And Constituent Organizations

Forwarding of the booklet published by the Staff Side of NC-JCM to commemorate the Dimond Jubilee of the JCM Scheme

All of you are aware that the JCM Scheme was established on 28/10/1966 when the 1st Ordinary Meeting and the inauguration of the JCM Scheme has taken place. The year 2026 is the Diamond Jubilee year of the JCM Scheme. 60 years of the JCM Scheme is a long journey. The JCM Scheme since its inception is playing a constructive role in maintaining harmonies Industrial Relation and also in settling various demands of the Central Government employees and pensioners with all its shortcomings due to various region. To commemorate the 60 Glorious years of the JCM Scheme and also for the benefit of the younger generation Trade Union Leaders and officers, the Staff Side have published a booklet in which we have briefly covered the history, the background of the scheme and also the extract from the speeches of the then Home Minister, Labour Minister, Cabinet Secretary and the senior Leaders who attended the 1st inaugural meeting. We are enclosing a copy of the same for your information and for circulating amongst your affiliates all over the country.

49th Meeting of National Council (JCM) held under the Chairmanship of Cabinet Secretary on 11/05/2026

The 49th meeting of the National Council – JCM was held on 11/05/2026 under the Chairmanship of Cabinet Secretary Shri T.V. Somanathan. Chairman Railway Board, Secretary Expenditure, Secretary Personnel, Secretary DDP Secretary Department of Post, Secretary Education, Secretary Health, Member Finance Railway Board and many senior officers from different Ministries and Departments were present in the meeting. The Staff Side was represented by the following members:-

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|----|---------------------------|---|----------------------|
| 1) | Shri. Shiva Gopal Mishra, | - | Secretary Staff Side |
| 2) | Shri. M. Raghavaiah | - | Leader Staff Side |
| 3) | Dr. N. Kanniah | - | Member Staff Side |
| 4) | Shri Guman Singh | - | Member Staff Side |
| 5) | Shri J. R Bhosle | - | Member Staff Side |
| 6) | Shri C. Srikumar | - | Member Staff Side |

7)	Shri Venu P. Nair	-	Member Staff Side
8)	Shri R.D. Yadav	-	Member Staff Side
9)	Shri Mukesh Mathur	-	Member Staff Side
10)	Shri Goutam Mukherjee	-	Member Staff Side
11)	Shri P.K. Patsahani	-	Member Staff Side
12)	Shri K. V. Raghavendra	-	Member Staff Side
13)	Shri Shaik Rahiman	-	Member Staff Side
14)	Shri P.S.Chaturvedi	-	Member Staff Side
15)	Shri Munindra Saikia	-	Member Staff Side
16)	Shri Binod Sharma	-	Member Staff Side
17)	Shri B.C.Sharma	-	Member Staff Side
18)	Shri V Gopalakrishnan	-	Member Staff Side
19)	Shri R.P.Singh	-	Member Staff Side
20)	Shri R G Kabar	-	Member Staff Side
21)	Shri Praveen Chandra Bajpai	-	Member Staff Side
22)	Shri Vinod Mehta	-	Member Staff Side
23)	Shri Rupak Sarkar	-	Member Staff Side
24)	Shri Tapas Bose	-	Member Staff Side
25)	Shri Amal K Das	-	Member Staff Side
26)	Shri R.Srinivasan	-	Member Staff Side
27)	Shri Ravindra s. Reddy	-	Member Staff Side
28)	Shri Mukesh Kumar Singh	-	Member Staff Side
29)	Shri Ajay	-	Member Staff Side
30)	Shri Pradip U. Khadse	-	Member Staff Side
31)	Shri Sivaji Vasireddy	-	Member Staff Side

On behalf of the Staff Side, before the Agenda points were taken up for discussion, the Leader Staff Side, Secretary Staff Side and other Staff Side members raised the following important issues and requested the Cabinet Secretary and the concerned secretaries to settle the issues in a time bound manner

1. At the outset Staff Side extended a warm welcome to the Chairman of the JCM Council and to all the Officers and colleagues in the 49th Meeting of the National Council (JCM). We extend our sincere thanks to the Chairman for accepting our request for convening a special JCM Meeting on the occasion of the Diamond Jubilee of the JCM Scheme. The JCM Scheme has entered in to its 60th Year of existence. The First Pay Commission itself recommended for setting up of a Joint Consultative Committee for the Central Government Employees for discussing and settling their grievances and demands. Since, the Government has not implemented the recommendations, the second Pay Commission also recommended for the same. Unfortunately, this was also not implemented which forced the Government employees to go for a 5 days strike and after the strike series of discussions took place between the Government and the

employees organisations and finally on the inauguration of the Machinery took place on 28.10.1966, when the First Ordinary Meeting of the National Council (JCM).

2. The Staff Side of the National Council (JCM) has published a small Booklet on the occasion of the Diamond Jubilee of the JCM Scheme in which we have given a brief history and the back ground of the JCM Scheme. After going through the old records available in the Office of the Staff Side we have published the message of the then Prime Minister Late Smt. Indira Gandhi and also the extracts from the speeches of the First Chairman of the National Council (JCM) Shri. D S Joshi, the then Cabinet Secretary, the inaugural Speech of Shri. Gulzari Lal Nanda, Former the then Home Minister, Speech of Shri, Jagjivan Ram, then Labour Minister and also speeches from the Staff Side Members who were all senior Trade Union Leaders of Central Government Employees. I request the Chairman and all the Official Side Members to please go through those historical speeches which will give a clear understanding about the scope and the objectives of the JCM Scheme. we also requested the Secretary / DoP&T who is the custodian of the JCM Scheme to publish a document about the 60 years of the functioning of the JCM and the Board of Arbitration to commemorate the occasion of the Diamond Jubilee of JCM Scheme.

3. The JCM Scheme has completed 60 years. As per the JCM Scheme 3 meetings in a year should take place. However, today is the 49th Meeting of the JCM Council which means in 60 years so far only 49th Meetings are held. No doubt Standing Committee Meetings have taken place but the frequency of that meetings also has been reduced. The position of Department Council JCM of different Ministries are further worse. After 2016 no meeting of the Department Council JCM of Ministry of Defence has taken place. Therefore in the 60th year of JCM, Cabinet Secretary may directly intervene and ensure that in accordance with JCM Scheme, 03 Ordinary Meetings of the National Council (JCM) and the Department Council (JCM) take places in an year, so that the grievances of the Central Government Employees can be settled in a time bound manner and also the employees can regain the confidence on the JCM Scheme.

4. Another important matter of concern due to the non functioning of JCM Council is increasing number of Court cases on Service matters pending in the Central Administrative Tribunals, High Courts and Supreme Courts. In violation of the National Litigations policy, it has now become a routine by all the Ministries and Departments to go on filing appeals, SLP and Review Petitions etc., which consumes years together and the concerned employees gets demoralised and demotivated. The 5th Central

Pay Commission has categorically recommended quoting various Judgments of the Hon'ble Supreme Courts that "decisions taken in one specific case either by the Judiciary or the Government should be applied to all other identical cases without forcing the other employees to approach the Court of Law for an identical remedy or relief". Unfortunately this recommendation of the 5th CPC remains only in the report of the 5th CPC and so far the Government has not accepted and implemented this decision. Recently, after more than 15 years of Legal battle in a matter pertaining to implementation of the provision of Factories Act 1948 in the Defence Industry on Calculation of Overtime Wages, the Government it seems is considering for filing a Review Petition in the Supreme Court despite the fact the SLP was dismissed. I request the Cabinet Secretary to take a series note of this prevailing situation and a decision may be taken to implement the recommendations of the 5th CPC and to avoid Multiplicity of Litigations on Service Matters.

5. The Government of India have constituted 8th Central Pay Commission and the Staff Side of the National Council (JCM) have submitted Answers for the 18 Questions asked by the 8th CPC and also submitted our Memorandum on the Common Service Matters of the Central Government Employees which includes Minimum Pay, Fitment Factor, Rate of Increment, Promotion Policy, on Allowances, On Advances, Facilities, withdrawal of NPS & UPS and also the demands of existing Pensioners. The 8th CPC has invited the Staff Side for a Presentation on our Memorandum and accordingly we placed our demands briefly before the 8th CPC. Copy of our Memorandum has already been submitted to the DoP&T. We request that the Government may support the various demands raised by the Staff Side in its Memorandum. We also request the Cabinet Secretary to impress upon the 8th CPC to have regular interaction with the Staff Side National Council (JCM) and also the constituent organisations of the National Council (JCM) from different Ministries including Railways, Defence, Finance, Postal and CAG etc.

6. A major grievance being faced by the employees of **All India Institute of medical Sciences under the Ministry of Health & Family Welfare** is with regard to non-implementation of many government orders applicable to Central Government employees. The Gazette notification issued by Ministry of health dated 18/10/2019 specifically states that the Rules applicable to the Central Government servants regarding the general conditions of service, pay and allowances, joining time, foreign service terms and orders issued by government of India is equally applicable to the employees of AIIMS also. Unfortunately, the DOPT instructions on posting of spouse in the same station is not being followed by the AIIMS and due

to which the families are getting suffered. Many women employees have reigned from various AIIMS and left their Job under family compulsions. Therefore I request the Cabinet Secretary to look in to the matter and issue instructions to the AIIMS that the DOPT order on spouse posting is equally applicable to the AIIMS located in different parts of the country.

7. There are many important issues in the Agenda points which need discussion and decisions from the Official Side. However, there is one issue which agitates the employees including Retired employees is the Non Implementation of the Arbitration Awards which are pending for years together. We request the Cabinet Secretary at all these awards may be implemented on the basis of proposals given by the Staff Side to the Government.

8. Government may consider for inclusion of the existing pensioners to revision of Pension, and other issues like restoration of commuted portion of pension, enhancement of pension etc and the restoration of old pensione scheme etc in the Terms of reference of 8th CPC.

9. Ministry of Defence is not accepting and forwarding the nomination of a Chargeman category who is in the Grade Pay of Rs. 4200/- (Level 6 of the 7th CPC) to the National Council JCM nominated by AIDEF. Cabinet Secretary may please direct the Ministry of Defence to forwarded the nomination to DOPT.

10. The Government have converted the 41 Ordnance Factories in to 7 Corporations and employees are on deemed deputation in the 7 DPSUs for the past 5 years. The Government of India / Ministry of Defence have given written assurance in the High Court of Madras that the service condition of the employees of Ordnance Factories will be protected till they remain on deemed deputation. The employees and their Organizations have been demanding to publish a notification retaining their services as Central Government employees in the Ordnance Factories till their retirement. So far the same has not been published. Therefore we request the Cabinet Secretary to intervene and arrange to issue instructions to the DDP for publishing a notification for extending the deemed deputation period of the employees of Ordnance Factories till their retirement with all protection of service conditions and benefits.

11. While the Department of Expenditure has already approved for payment of NDA in 7th CPC Basic Pay beyond Rs. 43600 for Railway employees, the same has not been extended to the Defence civilian

employees. The proposal is pending with Department of Expenditure and the same may please be approved.

12. DOPT instructions for holding elected office by the Central Government employees for not more than two tenure / five years is being misinterpreted by the various field units and not allowing the employees to contest elections in the Co-operative society and service Association in violation of the Cooperative society Acts and CCS (RSA) Rules 1993. DOPT agreed to issue clarification in this regard, however so far no such clarification has been issued. The delay is causing unnecessary hardship to the employees. A clarification as demanded by the Staff Side may please be issued.

13. the condition under Rule 10 of CCS (RP) Rules 2016 that the employee should complete 6 months from the date of promotion / MACP for getting the next increment is causing hardship to the employees, since in case due to "dies-non" imposed during this period even for a day postpone the increment of the employee. This conditions may be withdrawn and "dies-non" should not be a bar for grant of increment. Alternatively instead of 6 months, the same may be treated as 180 days for the next increment.

14. Many Departments including the Railways, Workload, New Projects are increasing day by day, however additional manpower is not sanctioned which affects the projects and the work subjecting to work pressure on the existing employees. To meet the manpower shortage the Administration is resorting to out sourcing, privatization etc. this may be stopped and all the available vacancies may be filled up through permanent employment in all Departments.

15. The issue of exemption of TA portion of Kilometrage Allowance from the purview of Income Tax in the case of Running Staff of Indian Railways is pending for quite a long period in the Standing Committee meeting held on 23/04/2025 it was decided that a meeting of Ministry of Railways and Department of Revenue may be fixed to resolve the issue. So far the issue is not resolved. CBDT may arrange a meeting with Staff Side and also with the Railway Board to sort out the issues.

16. Ex-gratia payment to Railway and other employees who died while performing their duty during Covid 19 pandemic due to the virus infection may be considered by the Govt.

Decision given by the Cabinet Secretary (Chairman) on some of the major issues raised above

- 1. To implement the assurance given by the Government in the Madras High Court in the writ petition filed by AIDEF by issuing notification for retaining the service of the Defence Civilian employees of Ordnance Factories as Central Government employees till their retirement**

Considering the demand of the Defence Civilian employees of Ordnance Factories, the matter was discussed in the meeting of the Committee of Secretaries Chaired by the Cabinet Secretary and after considering all the aspects in consultation with the DOPT, DDP and Law Ministry, it has been decided to recommend to the Empowered Group of Ministers to extend the deemed deputation of the employees of Ordnance Factories in the 7 DPSUs till their retirement as Central Government Employees / Defence Civilian employees.

After the recommendation of the Committee of Secretaries, the proposal will be submitted to the EGOM for approval and issuing notification.

- 2. Holding of regular meeting of National Council – JCM and Departmental Council – JCM**

Efforts will be taken to hold regular meetings of the National Council – JCM and instructions will be issued to all the Secretaries for holding regular meeting of the Departmental Council – JCM

- 3. Implementation of Arbitration Awards**

Cabinet Secretary directed that the concerned departments should look into the matter and settle the issue

- 4. Night Duty Allowance in 7th CPC Pay Scale to the Defence Civilian employees**

The proposal of MOD in this regard is being processed in the Department of Expenditure a decision will be taken soon in this matter

- 5. Exemption of TA portion of Kilometrage Allowance from the purview of Income Tax in the case of Running Staff of Indian Railways**

Cabinet Secretary decide that Chairman Railway Board and Secretary Expenditure may sort out the issue

Discussions and Decision on the Agenda Points

1. Full reimbursement of Medical Treatment Expenditure incurred by Central Government Employees governed under CGHS and CS(MA) Rules.

Staff Side insisted that the Central Government employees, their family and pensioners are eligible for free treatment and hence full reimbursement of Medical Treatment may be given as directed by various courts. Non reimbursable items may be included in the items of reimbursement. Rates of Hearing Aids are not revised for more than 12 years. The same needs to be revised. Cabinet Secretary directed that the issues raised by Staff Side may be considered and decision may be taken within three months.

2. Option for Central Government Employees governed under CS(MA) Rules, 1944 to avail the medical facilities either for their Parents or Parents-in-law.

Orders already issued and item closed

3. Reimbursement of the cost of Implantation of Teeth and fixation of Dentures to serving and retired Central Government employees

Staff Side argued that Dentures and implantation of teeth can not be considered as cosmetic items and the same should be reimbursed as the same is essential. Cabinet Secretary directed to examine the mater

4. Revision of Ward Entitlement to those employees retired from service between 01.01.2016 and 31.01.2017 and also to those employees who retired prior to 01.01.2016 but whose Pension was fixed based on the corresponding notional 7th CPC Basic Pay.

Cabinet Secretary directed to examine the mater

5. MACP entitlement of Pharmacist (entry Scale PB-! With Grade pay Rs.2800) in PB-II, with GP of Rs.4200/- Consequent upon the Fast Track Committee

Staff Side argued that the two years period in the Grade pay of Rs.2800 may be treated as a training period and the movment to GP Rs. 4200 may be treated as placement and not promotion and the MACP may be regulated as follows:

1st MACP GP RS.4600/-

2nd MACP GP Rs. 4800/-

3rd MACP GP Rs. 5400/-

Cabinet Secretary directed to examine the Fast Track Committee recommendations and to consider the matter accordingly

6. Implementation of Parliamentary Standing Committee Recommendations on grant of additional Pension to the Pensioners.

Staff Side insisted to implement the recommendations of Parliamentary Standing Committee on enhancement of Pension every five years, to increase FMA to Rs.3000/- PM for pensioners and to establish CGHS wellness Centre in all Districts. Cabinet Secretary directed to refer the first two issues to the 8th CPC and the Health Ministry may consider for additional CGHS Wellness centre.

7. Removal of the condition imposed under Rule 54 (iv) of CCS(Pension) Rules, 1972 (now 2021) with regard to payment of Family Pension to the physically disabled / crippled children.

Staff Side insisted that No Income Certificate from the Medical Board or from Civil Authorities should not be insisted from the physically disabled / crippled children since such certificates are not issued by the concerned authorities. Therefore, without insisting for income certificate family pension may be sanctioned. Cabinet Secretary directed Department of Pension to examine the matter and to take a logical and practical decision in this regard

8. Issues relating to implementation of the DOP&PW OM Dtd. 03/03/2023 on the subject of coverage of Pension under CCS (Pension) Rules 1972 (now 2021).

Staff Side argued the following:-

- i. Vacancy sanction / release letter by the concerned Ministry / Department may be treated as notification if it is issued prior to 22/12/2003. Similarly in the vacancy sanction letter issued on the same date to the lower formations, but out of that sanction, certain percentage of vacancies are notified prior to 22/12/2003 and the remaining vacancies are notified after 22/12/2003. Such anomalies needs to be rectified and hence the employees recruited against vacancies released prior to 22/12/2003 may all be brought to the Old Pension Scheme.

- ii. In the Case of employees recruited on compassionate ground, if their date of application for Compassionate Appointment is prior to 22/12/2003 then such employees also be brought under the Old Pension Scheme.

Cabinet Secretary desired that as regards point (i) Staff Side may give a detailed note and as regards Point (ii) It was agreed that if the candidates are fulfilling's eligibility criteria like qualification and had applied before 22/12/2003 and if they had been appointed even after 01/01/2004 they should be treated in OPS. Secretary DOE / DOP&PW agreed to get implement it a weeks time.

9. Revise the Definition of 'Family' to include Widowed Dependant Daughter-in-law for claiming Family Pension

Cabinet Secretary desired to DOP&T to examine the matter in consultation with Law Ministry

10. Family Pension should not be reduced to 30% of the Notional Pay of the Deceased Government Employee / Pensioner

Cabinet Secretary desired the same may be referred to the 8th CPC

11. Grant of retrospective promotions in case the Appointing Authorities delay holding DPCs and effecting promotions.

Staff Side argued that in many Departments despite the DOPT instructions and Calander on DPC, are not conducting DPC's and effecting promotions due to which employees suffer a lot for no mistake of theirs. Staff Side members from Defence stated that in the Military Engineer Service the promotions of Industrial employees are delayed between 3 to 5 years. They should be given Notional retrospective promotion. Staff Side members from other Ministries also complained about delay in promotion. Cabinet Secretary desired that strict instructions in this regard may be issued by DOPT to all Ministries and Staff Side from Defence may give example cases from MES for examination.

12. Illegal ban on Compassionate Ground Appointment in the Ministry of Defence to be lifted and to continue Compassionate Ground Appointment from the year 2021 onwards

Staff Side from Ministry of Defence protested against the illegal ban on Compassionate Appointment for the past 5 years and the families of the deceased employees are struggling financially and hence a decision need to be taken in this meeting. Cabinet secretary stated that due to corporatization of Ordnance Factories recruitment in Govrnmrnt cannot take place, however compassionate appointment cannot be stopped and hence Secretary DP in consultation with the Law Ministry may issue instructions for granting Compassionate Appointment in the new DPSUs within a short period.

Staff Side of Defence also submitted that in the name of rationalization of post in the Army Compassionate Appointment is not taking place and the ban should be lifted. Cabinet Secretary directed Additional Secretary Defence to look in to the matter.

13. Rationalization of the policy regarding recovery of wrongful/excess payment made to Government Servants

Staff Side complained that despite Supreme Court Judgment and DOPT Instructions, employees and retiring employees are harassed by imposing recovery of huge amount on the plea of excess payment made many years before. This force the employees to approach Court of Law and get relief from the illegal recovery. The concerned units / lower formations are not forwarding the proposals for waiver of recovery fearing for fixing of responsibility. Cabinet Secretary Directed that strict instructions may be issued to all ministries / departments to follow the DOPT instructions. The Staff Side also requested that for waiver of recovery for amount more than Rs.200,000/- may also be delegated to the concerned ministry / department

14. Not allowing the benefit of favourable Service Litigation judgments to the similarly placed employees, even if passed by the Apex Court:

Cabinet Secretary desired that the Staff Side may forward a list of such judgments which are implemented only to the petitioners and not for similarly placed employees.

15. Parity in the Pay Scale of Fire Fighting Staff of Central Government at par with the Delhi Fire Service Government of National Capital Territory of Delhi.

Cabinet Secretary directed to examine the matter and also to refer the same to 8th CPC

16. Reimbursement of Children Education Allowance to the Central Government Employees whose Children were admitted in 1st Standard at PM Shri Kendriya Vidyalaya School -Reg

Cabinet Secretary directed to issue fresh instructions with clarity

17. **Regional Recruitment of non-Gazetted Staffs:**
Cabinet Secretary assured that the matter will be considered in consultation with Ministry of Law

18. Grant of Pay Fixation Benefit under FR-22 (1)(a)(1) to those employees who are promoted after availing the benefit of MACP.

Cabinet Secretary Directed to examine the views expressed by the Staff Side and if required to refer to 8th CPC

19. Withdrawal of the provisions of the FR 56(J) / (i) and Rule 48 of the CCS (Pension) Rules, 1972 since it is being largely misused.

Staff Side protested against the misuse of FR 56(J) / (i) and Rule 48 of the CCS (Pension) Rules, 1972 to victimize employees especially the Trade Union Leaders. Staff Side from defence quoted some example cases. After discussion Cabinet Secretary desired that fresh instructions in this regard should be issued to ensure that the above provision are not misused.

20. Eradication of injustice to Casual, Contract and Outsourced workers: providing them the right to form a union in terms of Article 19.1(c) of the Constitution of India: Regularisation of all casual, contingent and outsourced workers.

Staff Side may give details with justifications where ever the DOPT instructions for regularising the casual workers are not implemented. There is no ban for forming Unions or Associations by the Contract workers.

21. Determination of minimum qualifying service for promotion to different non-gazetted grades :-

After discussion Cabinet Secretary directed that DOPT should issue instructions to incorporate the provision of retaining the existing residency period in the new RR for the existing employees and for revision of the residency period from one post to another may be considered separately by DOPT

22. Recognition of Various Service Associations are Pending since long time despite Rules Compliance

Cabinet Secretary desired that wherever Court cases are not there such cases may be considered for granting recognition.

23. Implementation of the provisions of Maternity Act 1961 to the Women Central Government Employees.

Cabinet Secretary desired that the matter may be examined and if required the same may be referred to 8th CPC

24. Removal discrimination on compassionate appointment by removing 5% ceiling.

Staff Side raised the following issues

- i. The ceiling of 5% may be removed and it should be 100% at par with Railways
- ii. In the Defence Ministry since no direct recruitment is taking place in Group C posts, 5% resultant vacancies are not taking place due to non availability of candidates for promotion / retirement etc in the DR post and hence no vacancy is earmarked for Compassionate Appointment. Therefore 5% of the available vacancies in the DR posts may be taken in to account.
- iii. In the Defence ministry in the 5% earmarked vacancies for civilian employees, the dependents of Armed Forces personnel are appointed on Compassionate Grounds even though for calculating 5% vacancies the vacancies in Armed Forces post are not taken in to account. This needs to be rectified.
- iv. While Calculating 5% vacancies only the vacancies in the DR Post of Group "C" is considered, where as while granting Compassionate appointment even the dependents of Group 'B' and Group 'A' deceased employees are appointed in the 5% quota of Group C. Therefore while calculating 5% the vacancies in Group B and Group A posts also should be taken in to account.

Responding to the above demand of the staff Side the Cabinet Secretary stated that increasing the 5% quota is a policy matter and hence it needs lot of examination. As regards the points (ii), (iii) and (iv) DOPT and MOD may examine the same.

With greetings,

Yours fraternally


(Shiva Gopal Mishra)
Secretary

JCM



60 YEARS

OF
JOINT CONSULTATIVE MACHINERY
&
COMPULSORY ARBITRATION SCHEME

60 GLORIOUS YEARS
OF SERVING THE NATION,
CENTRAL GOVERNMENT EMPLOYEES AND PENSIONERS

A TRIBUTE TO THE FOUNDERS OF THE JCM SCHEME

Published by

STAFF SIDE OF NATIONAL COUNCIL (JCM)

BRIEF HISTORY OF THE JCM SCHEME, ROLE, AIMS, OBJECTIVES AND
ACTUAL FUNCTIONING :

One of the terms of reference of the First Pay Commission (Justice Varadachari Commission) set up in 1946 was –

Setting up “the machinery for negotiating and settling questions relating to the conditions of the service”

The said Commission in its Report submitted in 1947 indicated its general approach to the above issues as under:-

“Government must recognize the importance of convincing its employees that their representations and grievances will receive due and immediate consideration. We lay particular stress on this point because the evidence before us disclosed absolute distrust, not to say despair, on the part of most grades of public servants as to their representations.”

The Commission made some far-reaching and constructive suggestions to create machinery for settling grievances and even suggested voluntary arbitration if negotiations fail. These suggestions were on the pattern of Whitley Machinery in U.K.

The Government, did not accept these suggestions on the plea that the introduction of machinery on lines of Whitley Councils in U.K. was premature.

Again, when the Second Pay Commission was set up in 1957, the above terms of reference was reiterated. This commission also recommended the setting up machinery to resolve differences between Government and its employees.

Due to serious differences between Government and its employees on question of Need- Based Minimum Wage and the formula for neutralizing the rise in the cost-of-living Index recommended by the Second Pay Commission, the employees went on General Strike in July 1960. (From 11th July 1960 to 16th July 1960). One of the demands included in strike notice was the setting up of machinery for Joint Consultation and Negotiation on the pattern of Whitley Machinery in U.K.

In 1963, the Government announced their decision to set up a Joint consultation and Arbitration Machinery. A draft scheme was published and circulated

on 5th November 1963, all major Federations (32 organizations) after a joint meeting of their leaders gave their initial reactions to Government draft scheme. A committee of seven leaders was appointed which was authorized to seek clarifications and modifications on certain agreed points.

The Labour Minister met these leaders on 26th April 1964. The staff representatives fully explained the modifications demanded by them and also made it clear that the preconditions like "Abjuration of strike" was not acceptable to them. Series of meetings were then held but the stalemate continued.

On the 3rd May 1965, Shri. Guljari Lal Nanda, the then Minister for Home Affairs met representatives of Organizations in which he agreed not to insist on abjuration of strike as a precondition and instead suggested that the Government and the Unions may make Joint Declaration of intent about the approach of each side to the Machinery. Thus, the deadlock was broken. Further discussions led to finalization of the Machinery with certain modifications and the Joint Intent.

The inauguration of the Machinery took place on 28.10.66 when the first Ordinary Meeting of the National Council JCM was held.

Message of the Honorable Prime Minister late. Smt. Indira Gandhi read out in the inaugural meeting of National Council JCM held on 28.10.1966 by Shri. D.S. Joshi then Cabinet Secretary.

"I am happy that the Joint Consultative Machinery for Central Government employees is being inaugurated today. This is a welcome step."

"Government employees are members of the family of Government. They have an important role to play in the furtherance of programmes for the economic and social development of the country, and generally in serving the interests of the people."

I have every hope that the scheme being inaugurated today will be worked in a spirit of cooperation, understanding and goodwill on the part of all concerned. I wish the scheme every success."

Extract from the speech of Shri. D.S. Joshi then Cabinet Secretary.

"With regard to the scope and functions, it has been decided that the scope of the Councils will include all matters relating to conditions of service and work, welfare of the employees and improvement of efficiency and standards of work."

"One of the provisions of the scheme is that the official side will conclude matters at meetings of the Councils and will not reserve them for later decision by Government. This is a very important provision. The meaning of it is that Government will authorize the official side to as large an extent as possible to negotiate with power to make offers, and to come to conclusions."

Extract from the speech of Shri. Gulzari Lal Nanda, then Home Minister.

"For about 25 years I had been associated with the working class. I identified myself with their aims and struggles and it is a life-long habit that I feel a sense of satisfaction, when any set of employees gain something. It is true also that whatever gives genuine satisfaction to employees is also a real gain to the Government as long as it is in harmony with the broad interests of the Nation."

"The scheme is being launched in the hope and faith that the level of performance as well as satisfaction on the part of the staff will rise and the whole nation profit by it. The scheme has, therefore, three important aspects. It provides a machinery and procedure for resolving differences which might arise, in a climate of goodwill and cooperation. It creates a forum for discussion of matters of common interest, specially the means by which we can make an increasingly effective contribution for the good of the nation. This object is to be achieved through the medium of the Joint Councils at various levels."

Extract from the speech of Shri. Jagjivan Ram then Labour Minister:

"Sometimes, when we refer to Government servants as employees, I wonder who are the employees. After all what is Government the Ministers or the Secretaries, Class I Officers, Class II Officers or Class IV Officers? I should imagine it is the collective wisdom of all these classes together that constitutes the Government: if so where is the employer and where is the employees? Who is the employer? To me I am also an employee of the tax-payer. Mr. Joshi (Cabinet

Secretary) is as much an employee of the Government as a Daftry in the Secretariat; both are paid by the same tax-payer, and have to discharge certain responsibilities that have been placed upon them for the benefit of the tax-payer, who pays them. Look at these things from that wider aspect. The distinction between employer and employees in the Government services will disappear into thin air and, therefore, you have to think that all of us are engaged in the common endeavor of serving the national interest, of proving ourselves to be an effective instrument for the implementation of the objective that the nation has placed before itself; for this purpose, a harmonious relation between the various strata or the various classes of the Government services – I will prefer to call them public services – is very necessary.”

“I will protect every such right of mine and resist the slightest danger of its being injured, abridged or restricted from any side though I might not have to exercise it throughout my whole life. Similarly, the right of strike of the working class has to be preserved and protected.”

Extract from the speech of Ms Maniben Kara (AIRF)

I congratulate the Government for inaugurating the scheme whereby a machinery has been created for the workers to speak to the Government and have some bargaining between the two. As a matter of fact, this machinery was originally meant for Civil Servants, but I am very happy that with the persuasive manner of Shri. Nandaji, for which I am also equally grateful that he has assured that the privileges enjoyed by the Industrial Workers will be retained and not cut by any manner.

I would say that Shri Jagjivan Ram expressed the end of bureaucracy. It reminds me of one fine incident. Many of your, shall I say, secretaries, Under Secretaries say “the Ministers may come and go, but we shall always remain” and that makes our task very difficult. Let me hope sir that the day will soon come when the attitude of the officers will change and as soon as it changes, on the part of all the employees sitting here I can assure you that cooperation will not be lacking because our first and foremost loyalty is to the democratic country of ours.

Extract from the speech of Shri. A P Sharma (NFIR)

It is a decisive and progressive step towards establishing amicable relations between the two sides, which is absolutely necessary for establishing industrial peace and rendering continuous and sincere service to the community.

Since Arbitration is now available on four very important matters like Pay & Allowances, Leave and Hours of work, I still wonder, what will happen to other disputes. The purpose with which this Joint Consultative Machinery is being launched upon will not be effectively served till and until the spirit of this machinery permits discussions on all matters including those which are presently non-arbitrable.

Extract from the speech of Shri. S Madhusudan (Civil Aviation Employees Association)

It would only be in the fitness of things that we start a machinery of this type in that atmosphere. Unfortunately, some of our friends, some of the organizations have not yet joined this Joint Consultative Machinery (All India Defence Employees Federation refused to Join the JCM Scheme, since after the 1960 strike the Permanent Negotiating Machinery was withdrawn and AIDEF demanded that the Government should restore back the PNM to the Defence Civilian Employees). They have some difficulties. I am sure the Government also appreciates that some of them have got very genuine difficulties. I would suggest, sir, that a committee consisting of both sides of National Council go through this question and settle them satisfactorily so that these friends of ours who are outside would also be able to participate in this Machinery and the entire lot of 22 Lakhs of Central Government employees would be in this Machinery.

As I can assure you sir that when the country faces a crisis the Central Government employees will not lag behind the other sections of the community. But sir, at the same time, the economic distress which is being faced especially by the so-called middle or the white-collared class is so great that the situation is fast developing when they are almost being eliminated. I am sure in the National Council the discussions would take place in an atmosphere of goodwill, mutual confidence and mutual trust. No machinery can function when one side feels or one side takes an attitude a partisan attitude. If a spirit of give and take spirit of accommodation, sprit of understanding prevail in the discussions in the National

Council I am sure, sir that it will not only succeed but it will create peace in the Central Services which would automatically increase efficiency and I can assure you on behalf of the employees that they would always willingly extend their hand of cooperation and of course, as you will appreciate, it requires the other hand to take it and I am sure the official will take it.

Extract from the speech of Shri. D Gnaniah (NFPTE)

We have always felt that a good constitution alone is not going to be a sure guarantee for the success of any institution. Rather than a good constitution, what is more important is the spirit and the results it produces, that is going to determine the success of any institution.

We are not happy that some of our fraternal organizations (AIDEF) even though many of them feel that there are one or two difficulties which are rather creating some kind of hesitation on their part to come together along with us to participate in the JCM, I have no doubt that all of them do want an effective negotiating machinery and it an effective negotiating machinery and it an effective negotiating machinery and it is not as if that they are opposed in principle to a machinery of this kind by they have their own problems, some of them pertain only to their own departments and I am sure that with some goodwill on the part of the official side as well as the Government and with the help of some of us it would be possible to resolve those issues and all those organizations also can be brought within the fold of the JCM. So that a good beginning many be made.

Extract from the speech of Shri R N Pathak (INDWF)

Now in future this Consultative Machinery I hope will give us a chance to defend all cases of the Civilian Defence Employees who may be working in any part of the Country. This scheme, I hope will also give us chance to allow the Defence Civilian Employees who may be working either in the Navy, Air Force or in the Army.

AIDEF boycotted the JCM Scheme up to 1972, Protesting against withdrawal of Permanent Negotiating Machinery.

The All India Defence Employees Federation, the pioneer Federation of Defence Civilian Employees has not joined the JCM Scheme protesting against the withdrawal of the PNM, which was available to the Defence Civilian Employees till the 1960 strike. While the PNM was restored for the Railway Employees, the same was not restored to the Defence Civilian Employees. However, after series of discussions since the Ministry of Defence agreed to have Four Tier JCM System in the Defence Ministry, the AIDEF joined the JCM Scheme during the year 1972.

Aim of the JCM Scheme

With the object of promoting harmonious relations and of securing the greatest measure of cooperation between the Government, in its capacity as employer, and the general body of its employees in matters of common concern, and with the object. Further, of increasing the efficiency of the public service, the Government of India have decided to establish a machinery for Joint Consultation and Arbitration of unresolved difference.

Objective of the JCM Scheme

The scheme has been introduced with the object of promoting harmonious relations and of securing the greatest measure of cooperation between the Government, in its capacity as employer, and the general body of its employees in matters of common concern, and with the object, further, of increasing the efficiency of the public service.

Scope of the JCM Scheme.

The scope of the Joint Councils includes all matters relating to conditions of service and work, welfare of employees and improvement of efficiency and standards of work, provided, however, that (i) in regard to matters of recruitment, promotion and discipline, consultation is limited to matters of general principles only and (ii) individual cases are not considered. While the National Council deals only with matters affecting Central Government Employees generally, such as pay of

common categories of staff, allowances, etc., the Departmental Council deals with matter affecting only the employees in the Ministries / Departments concerned. The Office / Regional Councils deal with regional or local issues only.

Frequency of Meetings.

- 1) The ordinary meetings of the Council shall be held as often as necessary, and not less than once in four months. A notice of an ordinary meeting shall be sent to all members not less than Fifteen days before the date of the meeting.
- 2) As far as may be possible, the date of the next ordinary meeting shall be fixed at each meeting of the Council.
- 3) Meetings of the Joint Council at Office Level shall be held at least once in two months.
- 4) A Special Meeting of the Council may be called by the Chairman on his own or on a request from either the Official Side or from the Leader of the Staff Side. A notice of such a meeting shall be sent to all members not less than 10 days before the date of meeting.

ARBITRATION

Scope :-

Compulsory Arbitration under the scheme shall be limited to :

- a) Pay and Allowances,
 - b) Weekly Hours of Work and
 - c) Leave
- of a class or grade of employees.

Awards of Board of Arbitration

Subject to the overriding authority of Parliament, recommendations of the Board of Arbitration will be binding on both sides.

If for reasons to be recorded in writing the Central Government is of opinion that all or any of the recommendations of Board of Arbitration should on grounds affecting national economy or social justice be modified, the Central Government shall, as soon as may be lay before each House of Parliament the report of the Board containing such recommendations together with the modifications proposed and the reasons, therefore and thereupon Parliament may make such modifications in the recommendations as it may deem fit. Modification may extend to the rejection of a recommendation.

Orders made by the Government in pursuance of recommendations of the Board of Arbitration shall, unless otherwise specified in those recommendations or modified by mutual agreement, remain in operation for a period of 3 years.

Actual Functioning of the JCM Council.

After 60 years of the setting up of the JCM Scheme for the Central Government employees and the JCM Scheme is celebrating its Diamond Jubilee we have to critically analysis the actual functioning of the JCM Council for identifying the grey areas and to come with suggestions and solutions for strengthening and improving the JCM Scheme. Successive Central Pay Commissions have appreciated the role played by the JCM in maintaining harmonious Industrial Relations in the Government of India and have recommended that the JCM Scheme should be further strengthened.

Even though as per the scheme 03 ordinary meetings of the JCM should be held in a year within 60 years of the JCM Meetings, so far only 48 ordinary meetings of the National Council (JCM) have taken place. The 49th Meeting is scheduled on 11th of May 2026. This means in 60 years instead of 180 meetings only 49 meetings have taken place. No doubt meetings of the Standing Committee of the National Council (JCM) are taking place but not frequently. Another issue of concern is decisions taken in the meeting are not implemented in its true spirit and inordinate delay take place in issuing Government Orders for implementing the decisions.

There are many awards of the Board of Arbitration which are pending with the Government for decisions for years together, which defeats the purpose of Arbitration. The 5th Central Pay Commission has specifically recommended that since inordinate delay is taken by the Government to accept the Awards of Board of Arbitration, a specific time limit of 01 year or till the conclusion of the 02 sessions of

Parliament following immediately after the date of Award, whichever is later be prescribed for implementation of such Awards.

However, the above recommendations are not accepted by the Government and implemented. Due to all these shortcomings in the functioning of the JCM Council, employees become demoralized and are forced to approach Court of Law for getting their grievances settled. This dilutes the important of the JCM Scheme.

In the Diamond Jubilee Year of the JCM Scheme Government should ensure that the JCM Scheme is strengthened and it is activated and the Chairman of the National Council (JCM) and Departmental Council (JCM) of the various Ministries and Departments to ensure that the JCM Scheme function effectively, meetings are held regularly in accordance with the Time schedule, decisions are taken in the meetings itself and implementation of such decisions should be ensure in an time bound manner. Facilities should be provided by the concerned Departments for the Staff Side Members and their Organizations for their effective functioning.

Cabinet Secretary being the Chairman of the National Council (JCM) may constitute a committee of the JCM which can study the short comings / aberrations in the JCM Scheme and come out with appropriate recommendations so that the JCM Scheme can cover maximum number of Central Government Employees, since at present the Scheme is restricted to Group "C" employees and in Group "B" up to Level 6 (GP- Rs. 4200/-) and a major chunk of Non-Gazetted employees are left out. By removing these anomalies and aberrations JCM can become an effective bipartite machinery for the Central Government Employees.

Shiva Gopal Mishra
Secretary

List of National Council (JCM) Staff Side Members.

1)	Shri. Shiva Gopal Mishra	-	Secretary Staff Side
2)	Shri. M. Raghavaiah	-	Leader Staff Side
3)	Dr. N. Kanniah	-	Member Staff Side
4)	Shri Guman Singh	-	Member Staff Side
5)	Shri J. R Bhosle	-	Member Staff Side
6)	Shri C. Srikumar	-	Member Staff Side
7)	Shri Ch. Sankara Rao,	-	Member Staff Side
8)	Shri Venu P. Nair	-	Member Staff Side
9)	Shri Amit Kumar Ghosh	-	Member Staff Side
10)	Shri R.D. Yadav	-	Member Staff Side
11)	Shri Mukesh Mathur	-	Member Staff Side
12)	Shri Goutam Mukherjee	-	Member Staff Side
13)	Shri P.K. Patsahani	-	Member Staff Side
14)	Shri Pijush Chakraborty	-	Member Staff Side
15)	Shri S.N.P. Srivastava	-	Member Staff Side
16)	Shri K. V. Raghavendra	-	Member Staff Side
17)	Shri Shaik Rahiman	-	Member Staff Side
18)	Shri P.S.Chaturvedi	-	Member Staff Side
19)	Shri Munindra Saikia	-	Member Staff Side
20)	Shri Binod Sharma	-	Member Staff Side
21)	Shri B.C.Sharma	-	Member Staff Side
22)	Shri V Gopalakrishnan	-	Member Staff Side
23)	Shri R.P.Singh	-	Member Staff Side
24)	Shri Ashok Kumar Sharma	-	Member Staff Side
25)	Shri R G Kabar	-	Member Staff Side
26)	Shri Praveen Chandra Bajpai	-	Member Staff Side
27)	Shri Vinod Mehta	-	Member Staff Side
28)	Shri Rupak Sarkar	-	Member Staff Side
29)	Shri Tapas Bose	-	Member Staff Side
30)	Shri Amal K Das	-	Member Staff Side
31)	Shri R.Srinivasan	-	Member Staff Side
32)	Shri Ravindra s. Reddy	-	Member Staff Side
33)	Shri K.Balakrishnan	-	Member Staff Side
34)	Shri Mukesh Kumar Singh	-	Member Staff Side
35)	Shri Ajay	-	Member Staff Side
36)	Shri Pradip U. Khadse	-	Member Staff Side
37)	Shri Sivaji Vasireddy	-	Member Staff Side

Former Secretary (Staff Side)

1.	Shri J.P.Chaubey	03/06/1971 to 20/11/1975
2.	Shri O.P. Gupta	21/11/1975 to 24/04/1976
3.	Shri S. Madhusudan	25/04/1976 to 25/08/1977
4.	Shri Umraomal Purohit	26/08/1977 to 27/02/2014

Former Leader (Staff Side)

1.	Shri A.P. Sharma, M.P.	03/06/1971 to 11/10/1974
2.	Shri T.V. Ananndan, M.P.	21/11/1975 to 07/07/1985
3.	Shri Seshi Bhushan Rao, MLC	27/10/1988 to 15/07/1995
4.	Shri Mahandra Pratap	03/12/1999 to 19/01/2005