"हर काम देश के नाम"

कार्यालय, रक्षा लेखा महानियंत्रक उलान बटार रोड, पालम, दिल्ली छावनी-110010

CONTROLLER GENERAL OF DEFENCE ACCOUNTS



दूरभाष/Ph: 011-25665706, Fax: 25674806 ई-मेल/Email:admin6.cgda@nic.in

No. AN/VI/17022/strike/2023



Date: 18.04.2023

To

All PCDAs/PIFAs/PCA(Fys) CDAs/IFAs/RTCs (Through CGDA website)

Subject: - Intimation about peaceful protest programmes to be observed & submission of memorandum by CDRA & its Constituent Associations to invite the attention of MoD and Concerned Directorates towards inordinate delay in redressal of legitimate grievances of various Group-B & C cadres and common employees for early redressal.

Please find enclosed herewith a copy of Ministry of Defence, Department of Defence, D(JCM) ID No.17(2)/2020-D(JCM) dated 13.04.2023 alongwith enclosures referred therein on the subject matter for information and necessary action.

2. The Ministry of Defence has requested to take all possible remedial and precautionary measures before and during the nationwide strike organized by the Confederation of Defence recognized Associations on 19.04.2023 and 20.04.2023 in the light of DoP&T's instructions issued vide O.M. No. 33012/1(s) /2008-Estt(B)(pt) dated 12.09.2008(Copy enclosed).

(Mugdha Kaur Jaggi) Sr. Dy. CGDA (AN)

Ministry of Defence Department of Defence D(JCM)

Subject:- Intimation about peaceful protest programmes to be observed & submission of memorandum by CDRA & its Constituent Associations to invite the attention of MoD and Concerned Directorates towards inordinate delay in redressal of legitimate grievances of various Group-B & C cadres and common employees for early redressal - regarding.

Please find enclosed herewith a copy of CDRA letter No. HQ/CDRA-CORRS/2022-24/052 dated 27.03.2023 on the above mentioned subject intimating about the peaceful protest programmes that will be on 19.04.2023 & 20.04.2023. Also, they have mentioned that in case, appreciable progress in the redressal of the grievances are not observed during the *month of April & May/2023, CDRA would observed 2nd phase of protest programmes in the month of June/2023.

2. It is requested that all possible remedial and precautionary measures may be taken before/during the nationwide strike organized by the Confederation of Defence recognised Associations on 19.04.2023 & 20.04.2023 in the light of DoP&T's instructions dated 12.09.2008 (copy enclosed).

Encl: As above

(K.C. Meena) Under Secretary(JCM) Tele-2301 1260

Dir.(PC)/Air HQ
Dir.AFMS(Plng.)/DGAFMS
Dir.(Pers)/DGNCC
PM(Pers)/ HQ ATVP
DS(BR-I)
Dir.(Pers)/DRDO
DCMPR/NHQ
DoO(C&S), K.G.Marg, New Delhi
Director(P&C)

MoD ID No. 17(2)/2020-D(JCM) dated 13 .04.2023

Copy to:- PS to all JSs & AFAs

D(Estt./NG), DDP	D(O-II)
D(Navy-II)	D(R&D)
D(GS-II)	D(Med)
D(Air-III)	D(Works-II)
D(Q&C)	D(CG)



File No. 33012/1(s)/2008-Estt(B) (Pt)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

Dated the 12th September, 2008

. DEFICE MEMORANDUM

Subject: - Participation in any form of strike/mass casual leave/boycott of work etc. by Government servants - CCS(Conduct) Rules - regarding.

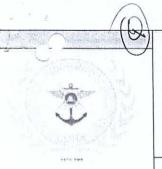
The undersigned is directed to say that the instructions issued by the Department of Personnel & Training prohibit the Government servants from participating in any form of strike including mass casual leave, go-slow etc. or in any way abet any form of strike which will be in violation of Rule 7 of the CCS(Conduct) Rules, 1964. The Supreme Court has also agreed in several judgements that going on a strike is a grave misconduct under the Conduct Rules and that misconduct by the Government employees is required to be dealt with in accordance with law. Any employee going on strike in any form would face the consequences which, besides deduction of wages, may also include appropriate disciplinary action.

- 2. A Joint Consultative Machinery (JCM) for Central Government employees is already functioning. This 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.
- Therefore, apart from the fact that any form of strike/mass casual leave/boycott of work would be in violation-of the CCS(Conduct). Rules, going on . any form of strike will also not be in the interest of the employees. Accordingly, the undersigned is directed to convey that if any employee or an association/group of employees, under any nomenciature, indulge in any form of strike/boycott of work in pursuance of any alleged demands, or send any letter conveying of their intention to organize any such event, in terms of the provisions mentioned in para-1 above, the salary of such employees for the day/days in question shall not be paid and the details of such employees shall have to be intimated by the concerned office where such an event took place to the Administrative Ministry/Department concerned, within 15 days of such incident for a decision on how to treat the unauthorized absence occasioned by such an action by the employees. This will be without prejudice to any disciplinary action that may be initiated against such employees. All Ministries/Departments are requested to bring the contents of this O.M. to the notice of all concerned offices under them.

(Suneel K. Arora) Under Secretary to the Government of India

To

All Ministries/Departments.



O/o Joint Secretary (Estt/Plg./Parl.) ONFEDERATION

RECOGNISED ASSOCIATIONS

(Recognized by Govt. of India)

National Headquarters

REPRESENTING ALL THE RECOGNISED ASSOCIATIONS IN MINISTRY OF DEFENCE (ARMY, NAVY, AIR FORCE, DRDO, DGQA, OFB, CGDA)

President

SB Chaubey 9450727794

Sr. Vice President G Surva Kumari Vice President

Sondeep Mukhariee Raj Kumar Chauhan M Johnson

General Secretary Ajay 9908031419

Addl Gen.Secretary **NK Pandey**

> Org. Secretary Suresh Kumar

> > Treasurer

P Jeeveshwara Rao

Secretary

K K Shukla

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Om Prakash Sahu

L Anthony Yagappan

K.P Shankara

Narayanan

Zonal Secretary Vinod A Pawar

Indravir Singh

Pramod R. Kamble

A R Pradeep

Anita Balodhi

R B Singh

Subrata Kumar Rov

HQ/CDRA-CORRS/2022-24/052

27th Mar 2023

To

The Secretary

Government of India. Ministry of Defence Room No:101-A, South Block,

NEW DELHI - 110 011.

Sub: Intimation about peaceful protest programmes to be observed & submission of memorandum by CDRA & its Constituent Associations to invite the attention of MoD and Concerned Directorates towards inordinate delay in redressal of legitimate grievances of various Group-B & C cadres and common employees for early redressal.

Ref: CDRA-Resolution No: HQ/CDRA-CORRS/2023, Dtd: 13/03/2023.

Sir.

With reference to the above, long pending legitimate grievances & intimation about peaceful protest programmes to be observed & submission of memorandum the following is submitted for kind information and consideration of the grievances for redressal in a timebound manner.

(A). At present a large number of legitimate grievances related to Group-B & C cadres are pending in MoD, DDP & Concerned directorates for redressal despite of the various efforts made by the concerned Associations & CDRA at Directorates Level as well as MOD & DDP level. Such delay in redressal of the legitimate grievances is not only violation of the laid down rules by GOI /DOP&T regarding DPC, Seniority, SRO & Cadre review etc but it has also lead the cadres into deep frustration & de-motivation. For example, it can be seen that there is no cadre review of Group B & C cadres for the past 20 -50 years. SRO amended is pending since 2003. DPC for promotion from Group-B(Gazetted) to Group-A cadre is not conducted for last 5 years. Keeping in view the inordinate delay in redressal of following legitimate grievances by various authorities CDRA has resolved to observe peaceful protest programmes and 17 submissions of Memorandum as per the programmes given at the end of this intimation letter.

CDRA Email id: gscdra@gmail.com , Mob.No:9908031419, ajayodf@c Address: Qtr No: 4091, Type-IV OFMK Estate, Yeddumailaram, Sangareddy-502205(TS)

- 1. Pending DPC for promotions in various directorates:- As per DoPT guidelines every year DPC should be conducted but under DoO(C&S) from JWM to AWM DPC has not been conducted for more than 5 years similarly under DGQA etc AE(QA) &(NQA) to SSO-II since 2016 no DPC, a complete violation of DPC norms and many representations from concerned associations and CDRA but everything in vain, even under rule frame not done
- 2. **Approval of Cadre Review**s of Group-C & B (G & NG) under MoD as per DoPT guidelines once in five years amendments should be conducted but no such type of positive motto seen in except one or two directorates. Before the finalization of the report, in almost all the directorates no cadre reviews held and even if some directorates were initiated without consultation of stakeholders viz.. CGDA, DGQA, DGAQA, DGQA AE cadre review has not happened for 50 years, DoO(C&S) since 20 years no cadre review.
- 3. **Approval of SRO amendments** of Group-C & B (G & NG) of Non-Industrial cadre SRO amendments pending for many years against DoPT guidelines once in every five years. Due to this delay, many cadres DPC and other limited departmental exams cannot be held
- 4. The filling of the civilian vacant posts under MoD including abolished posts in the name of rationalisation under various directorates viz..Navy, Army viz..MES/EME, DoO(C&S),DGQA etc and same restored and filled vacant posts due to manpower shortage and severe workload on existing available manpower.
- 5. Delay in the implementation of Cashless medical treatment for defence civilian employees vide Ltr No: HQ/CDRA-CORRS/2023/45, Dtd:05/03/2023 and same discussed in additional mechanism and JCM meetings.
- 6. Delay in the removal of basic ceiling of Night duty allowance and clarification on NDA at par with the Railway vide CDRA ltr No: HQ/CDRA-CORRS/2023/39 Dt:22/02/2023, DoPT OM no. A-27016/02/2017-Estt.(AL) dated 13.07.2020, stated for Basic ceiling restriction imposed on entitlement for NDA and the same discussed in NJCM meeting and accepted for removal of basic ceiling and meantime DoE issued a clarification to Railway(Railway board Order no. E (P&A) II-2017/HW-1 dated 21.07.2022) on basic entitlement 46,300/- and same MoD has to taken up with DoE for similar clarification extended to MoD but even after many representations and discussions in various meeting but till not happened.
- 7. Applicability of Judgements to similarly placed employees under MoD: MoD vide ID No.4(5)D(CMU)/2018 dtd 7th Sep 2018 regarding implementation of Recommendation No.50 on Applicability of Judgements to similarly placed employees, made by an Expert Committee constituted by Honourable RM to reduce the Litigations, that has been duly endorsed by CGDA". In order to avoid more legal litigations and similarly placed employees to be considered in the light of court verdicts on following cases
 - a) Grant of non-functional upgradation (NFU) grade pay Rs 5400/- and refixation of pay in terms of the judgement of order of Hon'ble high court of madras in writ petition no. 13225 of 2010 dated 06.09.2010 in the case of M. Subramaniam vs UoI and Ors which has been affirmed by hon'ble supreme court of India in civil appeal no. 8883 of 2011 in the matter of UoI vs M. Subramaniam dated 10.10.2017 as per recommendations of 6th CPC and the judgement of order of Hon'ble High Court of Madras in writ petition no. 13225 of 2010 dated 06.09.2010 in the case of M. Subramaniam vs UoI and Ors which has been affirmed by Hon'ble Supreme Court of India in civil appeal no. 8883 of 2011 in the matter of UoI vs M. Subramaniam dated 10.10.2017 may be granted NFU of

GP Rs-5400/- on completion of 4 years regular service in GP Rs-4800/- even if it was attained on ACP/MACP" may be extended to similarly placed officials working under MoD

- b) Applicability of Navy Assistants scale Rs 5500/- effect from 1-1-1996 in similarly placed employees in all directorates in the light of Supreme court SLP No: Order dtd 27.07.2022 in the SLP 29204 of 2019 and same represented vide ltr No: HQ/CDRA-CORRS/2023/35 dtd:19/02/2023 and grant of pre-revised scale of 5500-9000 w.e.f. 1.1.1996 with consequential benefits and arrears at par with other similarly placed Assistants/ Personal Assistants working in lower formations namely NAVY (Defence Civilians), AFHQ, NIC, CBI, CAT, BPRD, Excise, CSSS and Customs etc
- c) Implementation of Rs 4600/- GP to Sr Auditor Grade as per Hon'ble CAT Allahabad bench O.A No:804/2015-10th May-2022
- 8. Implementation common category common designations under all Directorates: It is brought to your notice that many directorates under Ministry are maintaining different designation nomenclature for the same category. It is to be modified as a common category and common designation principle and to be implemented in all Directorates. CDRA already represented and suggested that Constitute a committee and consulting with stakeholders and concerned directorates to finalize the common nominclature which is at present an appropriate requirement
- 9. **CSD** car entitlement for civilian employees at par with Armed forces vide ref ltr No: HQ/CDRA-CORRS/2022/014, Dtd:04/12/2022 and earlier also represented and same discussed in JS(Estt) additional Mechanism meetings. Discrimination is to be avoided and considered at par with armed forces.
- 10. In ordinate delay of filling compassionate appointments under various directorates filling of compassionate appointments not happening in time bound manner viz..DoO(C&S) after the corporation halted such type of appointments and similarly naval etc.
- 11. One-time relaxation in line with the DRDO and Railway considering the cut-off date as 31-05-2013 of Recognition of certificate awarded by Universities/Professional bodies/institutes in erstwhile Ordnance Factory Board, Kolkata& all withheld promotions against Distance education candidates for CM-JWM may be released immediately- this issue assured by DDP office for settlement and same till date not happened.
- 12. Review the JCM-IV council constitution & Re-allocation of berths to recognised associations in JCM-IV level council under the Ministry of Defence represented to JS(ESTT) vide ltrNo:HQ/CDRA-CORRS/2022/015, Dtd:04/12/2022 and same discussed in additional mechanism meetings, as on date three federations having two seats each except CDRA. Till the new constitution of JCM-IV Councils, two seats to be allocated (two seats unit level) at par with federations where CDRA constituted assns not having representation.
- 13. Delay of granting continuation of recognition to Associations in the light of single window system:-Single window system was introduced for easy granting continuous recognition to assns. But many assns. Files are kept pending and unnecessary queries for many years and the confederation has many times exposed about simplification of granting continuous recognition.

- 4. Non-conduction of additional mechanism meetings, vide Ltr No: HQ/CDRA-CORRS/2022/020, Dtd:23/12/2022 and same discussed in Departmental JCM Steering Committee meeting on 15/09/2022 and as date only JS/LS responded as per additional mechanism guidelines once in six months meetings to be conducted and settled the issues respective joint secretary level falling grievances. Unfortunately, none of the JS is serious about employees' grievances even after many years and MoD guidelines, nobody is bothered.
- 15. Non-conduction of departmental JCM council meetings: Similarly departmental council JCM meetings should be conducted once in four months but since 2015 no such meeting conducted under the chairmanship of the defence secretary. Hope at least this year it will be conducted and already steering meeting held on 15/09/2022 finalised points for the main meeting but till date, the schedule of the main meeting has not been finalised.
- 16. Grievance redressal mechanism for the directorate level Periodical meetings with MoD-recognised Associations same represented to all directorates copy intimated to JS(EStt) vide ltr No: HQ/CDRA-CORRS/2022/009, Dtd:28/11/2022 and AoC/Navy responded and had a meeting with requested assns. Except for DoO (C&S) remaining directorates not having any grievance mechanism for Associations. All Associations not having JCM participation and Gazetted cadre Associations are not in the scheme moreover cadre based issues have to discuss separately hence confederation demanding separate mechanisms should be set up for directorate-level issues with MoD Recogn Associations.
- 17. Issue the DAC passes through DJCM to the recognized associations as per earlier practice in vogue

In this regard, it is to intimate that CDRA has resolved to vide resolution (copy enclosed) under reference to observe the following peaceful protest programmes & submission of memorandum by CDRA & its Constituent Associations to invite the attention of MoD and Concerned Directorates towards inordinate delay in redressal of legitimate grievances of various Group-B & C cadres and common employees for early redressal. All CDRA Constituent Associations & their Branches shall observe the following peaceful protest programmes:

1st Phase of Protest Programmes

- (i). Intimation by the CDRA constituent Associations would be given to the concerned Directorates & MOD about the grievances and peaceful protest programmes on or before 31/03/2023.
- (ii). Intimation letter to the Head of the Unit on 18/04/2023 by the branches.
- (iii). Wearing of demand badges by all members on 19/04/2023 & 20/04/2023.
- (iv). Submission of the memorandum by branches addressed to Secretary/MoD & Concerned directorate through the head of the Unit on 20/04/2023.

2nd Phase of Protest Programmes

In case, appreciable progress in the redressal of the grievances are not observed during the month of April & May/2023, CDRA would be bound to observe 2^{nd} phase of protest programmes in the month of June/2023 after prior intimation.

Thanking you,

Sincerely yours

(AJAY) General Secretary

Member Staff Side National Council (JCM) Member Staff Side Departmental Council (JCM)

Copy To:

1.	Hon'ble Defence Minister
+3	Ministry of Defence, 104, South Block, New Delhi-110011
2	Hon'ble Minister of State for Defence,
	Ministry of Defence, 114-A, South Block, New Delhi-110011
3.	Secretary, Personnel, Public Grievances & Pensions (PPG&P),
	Govt. of India, Room No-112, North Block, New Delhi - 110 001
4	The Secretary & Chief Defence Staff
5	Department of Military Affairs, South Block, New Delhi-110011.
3	Secretary, Defence Production, Ministry of Defence
	Govt. of India, South Block, New Delhi-110 011
6.	DGO/DOO(C&S)
	10-A, S. K. Bose Road, Kolkata-01
7	All Jt. Secretaries, Ministry of Defence
	Govt. of India, South Block, New Delhi-110 011
8	All Head of the Directorates/HR, Ministry of Defence
	IHQ Army, Navy IHQ, Airforce HQ, HR/DRDO, CGDA, DDG/IR
	DOU(C&S), ADG/DGQA, ADG/DGAOA, DGNAI DGDE DG/FME
	Ed/OS, E-III-C/MQ MES
9	ALL CMD'S/DPSUs of MIL, AVNL, AWEL, OIL, GIL, TCL & YIL
10.	Under Secretary/D(JCM)
	Govt. of India, B-Wing, Sena Bhawan New Delhi-110 011
11	Secretary Staff Side (NJCM), New Delhi
12	General Secretaries of All CDRA Constituent Associations
	- Stat Constituent Associations



CONFEDERATION OF DEFENCE RECOGNISED ASSOCIATIONS

(Recognized by Govt. of India)

National Headquarters

REPRESENTING ALL THE RECOGNISED ASSOCIATIONS IN MINISTRY OF DEFENCE (ARMY, NAVY, AIR FORCE, DRDO, DGQA, OFB, CGDA)

President SB Chaubey 9450727794

Sr. Vice President
G Surya Kumari
Vice President

Sondeep Mukharjee Raj Kumar Chauhan M Johnson

Ajay 9908031419

Addl Gen.Secretary
NK Pandey

Org. Secretary Suresh Kumar

Treasurer

P Jeeveshwara Rao

Secretary

K K Shukla

Mahendrapal Singh Baghel

Om Prakash Sahu

L Anthony Yagappan

K.P Shankara

Narayanan

Zonal Secretary

Vinod A Pawar

Indravir Singh

Pramod R. Kamble

A R Pradeep

Anita Balodhi

R B Singh

Subrata Kumar Roy

Resolution

No. HQ/CDRA-CORRS/2023, Date: 13/03/2023

After appropriate discussion in 2nd National Executive Meeting of CDRA being held on 13th March/2023 through VC, on the long pending grievances of various cadres & efforts made by CDRA as well as the constituent associations, it is unanimously resolved to observe the following peaceful protest programmes & submission of memorandum by CDRA & its Constituent Associations to invite the attention of MoD and Concerned Directorates towards inordinate delay in redressal of legitimate grievances of various Group-B & C cadres and common employees for early redressal of the grievances. All CDRA Constituent Associations & their Branches shall observe the following peaceful protest programmes:

1st Phase of Protest Programmes

- (i). Intimation by the CDRA constituent Associations would be given to the concerned Directorates about the grievances and peaceful protest programmes on or before 31/03/2023.
- (ii). Intimation letter to the Head of the Unit on 18/04/2023 by the branches.
- (iii). Wearing of demand badges by all members on 19/04/2023 & 20/04/2023.
- (iv). Submission of the memorandum by branches addressed to Secretary/MoD & Concerned directorate through the head of the Unit on 20/04/2023.

2nd Phase of Protest Programmes

In case, appreciable progress in the redressal of the grievances are not observed during the month of April & May/2023, CDRA would be bound to observe 2nd phase of the protest programme in the month of June/2023 after prior intimation.

Contd...2

CDRA Email id: gscdra@gmail.com , Mob.No:9908031419, ajayodf@gmail.com Address: Qtr No: 4091, Type-IV OFMK Estate, Yeddumailaram, Sangareddy-502205(TS)

List Of the Long Pending Legitimate Grievances

- 1. Pending DPC for promotions in various directorates
- 2. Approval of Cadre Reviews of Group-C & B (G & NG) under MoD
- 3. Approval of SRO amendments of Group-C & B (G & NG) Non-Industrial cadres
- 4. The filling of the civilian vacant posts under MoD including abolished posts in the name of rationalisation under various directorates
- 5. In order delay in the implementation of cashless medical treatment for defence civilian employees
- 6. In order delay of removal basic ceiling of Night duty allowance and clarification on NDA at par with the Railway
- 7. One-time relaxation in line with the DRDO and Railway considering the cut-off date as 31-05-2013 of Recognition of certificate awarded by Universities/Professional bodies/institutes in erstwhile Ordnance Factory Board, Kolkata & withheld promotions against Distance education candidates for CM-JWM may be released immediately.
- 8. Applicability of Judgements to similarly place employees under MoD cases
 - a) Grant of non-functional upgradation (NFU) grade pay Rs 5400/-
 - b) applicability of Navy Assistants scale Rs 5500/- effect from 1-1-1996 in similarly placed employees in all other directorates under MoD
 - c) Implementation of Rs 4600/- GP to Sr Auditor Grade as per Hon'ble CAT Allahabad bench O.A No:804/2015-10th May-2022
- 9. Implementation of common category common designations under all Directorates:
- 10. CSD car entitlement for civilian employees at par with Armed forces
- 11. In ordinate delay of filling compassionate appointments
- 12. Review the JCM-IV council constitution & re- allocation of berths to recognised associations in JCM-IV level council under the Ministry of Defence
- 13. Delay of granting continuous recognition to Associations in the light of single window system
- 14. Non-conduction of additional mechanism meetings,
- 15. Non-conduction of departmental JCM council meetings:
- 16. Grievance redressal mechanism for the directorate-level Periodical meetings with Recog Service Associations
- 17. Issue the DAC passes through DJCM to the recognized associations as per earlier practice in vogue.

CDRA-constituted Associations along with the above MoD-level issues and Directorate-level pending cadre issues will be forwarded to the concerned directorate and the same copy forwarded to MoD on or before 31/03/2023.

With Profound Regards,

Sincerely yours

(S B CHAUBEY)

President

(AJAY)

General Secretary