

भारत सरकार
कारपोरेट कार्य मंत्रालय

पाचवां तल, 'ए' विंग, शास्त्री भवन,
डा. राजेन्द्र प्रसाद रोड, नई दिल्ली।
दिनांक 10 फरवरी, 2015

कार्यालय ज्ञापन

विषय - समेकित एसोसिएशन को मान्यता से संबंधित कंपनी विधि प्रशासन कर्मचारी एसोसिएशन (सीएलएईए) के प्रस्ताव के संबंध में

मुझे यह कहने का निदेश हुआ है कि सीएलएईए ने इस मंत्रालय में एक प्रस्ताव प्रस्तुत किया है जिसमें उन्होंने प्रादेशिक निदेशक/कंपनी रजिस्ट्रार/शासकीय समापक के कार्यालयों में कार्यरत समूह 'ख' और समूह 'ग' कर्मचारियों को मिलाकर एक एसोसिएशन की मान्यता के लिए अनुरोध किया है। नियमानुसार सभी समूह 'ग' कर्मचारी समूह 'ग' कर्मचारी एसोसिएशन के लिए ही संयुक्त परामर्शी तंत्र (जेसीएम) की सुविधा प्राप्त कर सकते हैं। किंतु, यदि समेकित एसोसिएशन बनाया जाता है, तो मंत्रालय के समूह 'ग' कर्मचारी जेसीएम सुविधा के तहत लाभ प्राप्त नहीं कर सकेंगे। जेसीएम सुविधा संबंधी अक्सर पूछे जाने वाले प्रश्न, जिसमें अन्य बातों के साथ-साथ, जेसीएम के अधीन उपलब्ध सुविधाएं दी गई हैं, संलग्न हैं। समूह 'ख' और समूह 'ग' कर्मचारियों का समेकित एसोसिएशन बनाने के लिए सीएलएईए के प्रस्ताव पर अंतिम निर्णय लेने से पहले, मंत्रालय, इस मंत्रालय के समूह 'ग' कर्मचारियों की इच्छाएं जानना चाहता है।

2. सभी प्रादेशिक निदेशकों से अनुरोध है कि वे इसे परिचालित करते हुए अपने प्रशासनिक नियंत्रण के अधीन प्रादेशिक निदेशक/कंपनी रजिस्ट्रार/शासकीय समापक के कार्यालय में समूह 'ग' कर्मचारियों को संयुक्त परामर्शी तंत्र (जेसीएम) स्कीम के तहत उपलब्ध लाभ के बारे में बताएं। यह स्पष्ट रूप से बताया जाए कि समूह 'ख' और समूह 'ग' कर्मचारियों को मिलाकर एक एसोसिएशन बनाए जाने पर संयुक्त परामर्शी तंत्र (जेसीएम) स्कीम की सुविधा उपलब्ध नहीं होगी। समान एसोसिएशन के मुद्दे पर कोई आपत्ति इस मंत्रालय को इस कार्यालय ज्ञापन के जारी होने के एक माह के भीतर भेजी जाए।

संलग्नक : यथोक्त।



(राकेश कुमार)

अवर सचिव, भारत सरकार

दूरभाष - 23383507

1. सभी प्रादेशिक निदेशक।
2. ई-गवर्नेंस प्रकोष्ठ : इस ज्ञापन को कर्मचारी कॉर्नर/विविध मद के अधीन रखने का अनुरोध है।

FREQUENTLY ASKED QUESTIONS (FAQs)

1. What is Joint Consultative Machinery?

The scheme of Joint Consultative Machinery is a platform for constructive dialogue between the representatives of the staff side and the official side for peaceful resolution of all disputes between the Government as employer and the employees. The scheme was introduced in 1966 with the objectives of promoting harmonious relations and securing the greatest measure of cooperation between the Central Government as the employer and the employees in matters of common concern and with the object of further increasing the efficiency of the public service combined with the well being of those employed. The scheme is a non statutory one mutually agreed upon between the staff side and the official side.

2. What is the applicability of the JCM Scheme?

The scheme covers all regular civil employees of the Central Government, except:

- (a) The Class -I services;
- (b) The Class-II services, other than the Central Secretariat Services and the other comparable services in the headquarters organisation of the Government;
- (c) Persons in industrial establishments employed mainly in managerial or administrative capacity, and those who being employed in supervisory capacity drawing salary going beyond grade pay of Rs.4200/- per month;
- (d) Employees of the Union Territories; and
- (e) Police personnel.

3. What is the structure of the Joint Councils under the JCM Scheme?

The scheme provides for setting up of Joint Councils at the National, Departmental and Regional / Office levels. The National Council, chaired by the Cabinet Secretary, is the apex body.

4. How are staff side members selected for various Joint Councils?

The representatives of the staff side for various Joint Councils are chosen / selected from members of the recognized service associations/ unions.

5. What is the time schedule for holding meetings of the National/Departmental Councils?

As per the JCM Scheme, ordinary meeting of the National Council/ Departmental Council may be held as often as necessary as but not less than once in four months.

6. How recognition is granted to the staff associations?

The Department of Personnel & Training being the nodal department for matters relating to Joint Consultative Machinery and Compulsory Arbitration, has notified Central Civil Services (Recognition of Associations) Rules, 1993 for the purpose of granting recognition to various service associations. Recognition is actually granted by the concerned Ministry/ Department in accordance with the CCS (RSA) Rules, 1993.

In case of any doubt or confusion, the matter is referred to the JCA Section of the Department of Personnel & Training for clarification/ advice.

7. What are the facilities available to recognised associations?

The recognized associations/ unions enjoy certain facilities like:

- (a) Negotiations with the employer;
- (b) Correspondence and meetings with the head of the administrative departments;

- (c) Provision of accommodation for the associations subject to availability;
- (d) Facility of special casual leave up to 20 days in a year to the office bearers of the associations.
- (e) Payment of T.A/ D.A for attending officially sponsored meetings; and
- (f) Facility of seeking transfer of Chief Executive of the Union / association to the Headquarters of the appropriate head of administration.

8. What will happen if there is no agreement between the staff and the official side?

If there is no agreement between the staff and the official side on an arbitrable issue, then the matter is to be referred to the Board of Arbitration if so desired by the staff side.

9. What are the issues on which arbitration is possible?

The arbitration is limited to the following issues:

- (a) Pay and allowances;
- (b) Weekly hours of work ; and
- (c) Leave

10. Is the award given by the Board of Arbitration binding on the parties?

The award given by the Board of Arbitration is binding on the Government as well as the staff side subject to the overriding authority of the Parliament. The award can be modified/ rejected only with the approval of the Parliament through a formal resolution on grounds affecting national economy or social justice.