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A/89492/CPE ITARSI/JCM-IV/DGQA/ADM/JCM

31 Mar 2022

रक्षा मंत्रालय/MINISTRY OF DEFENCE  
(गुआमनि/प्रशा/जेसीएम)(DGQA/ADM/JCM)

**EFFECTIVE USE OF JCM SCHEME- JCM LEVEL IV**

1. A negotiation machinery for Central Government employees was introduced in 1966 for setting up of Joint Councils at the National, Departmental and Local levels. Over the years a large number of issues have been resolved through the mechanism of the Joint Consultative Machinery and Compulsory Arbitration.
2. Accordingly, DoP&T vide OM No. 9/13/2000-JCA dated 12 Oct 2001 followed by DoP&T OM No. 9/13/2000-JCA dated 27 Aug 2002 (copies enclosed) have emphasized to reconstitute the council if not already done. Further, vide OM No. 4/3/2019-JCA dated 18 Aug 2021 (copy enclosed), it has been again reiterated that wherever JCM Council have become defunct, the same may be revived at the earliest. MoD/D(JCM) vide OM No. 7(1)/2000/D(JCM) dated 02 Apr 2002 have laid down guidelines for the constitution of JCM IV Level Council (copy enclosed).
3. In view of above, all Tech Dte are requested to direct DGQA establishments under their jurisdictions to constitute the JCM Level-IV Councils, if not constituted so far or not functional as per provisions laid down in the Min. Of Defence OM No. 7(1)/2000/D(JCM) dt 02 Apr 2002. The meeting of JCM-IV Level Council is required to be held on monthly basis as per existing policy. Hence, minutes of meeting from their respective DGQA establishments may be obtained positively by 10<sup>th</sup> of successive month by the Tech Dtes. The consolidated compiled report may have be furnished to DGQA/JCM by 15<sup>th</sup> of successive month for perusal of DG, DGQA.
4. Suitable instructions as above have may be issued to a all concerned for strict compliance.

-Sd-  
(Chitrasen Yadav)  
Dy Dir(JCM)

<u>DQA(Store)</u>	<u>DQA(Armt)</u>	<u>DQA(R&amp;S)</u>
<u>DQA(M&amp;E)</u>	<u>DQA(CV)</u>	<u>DQA(Veh)</u>
<u>DQA(Ee)</u>	<u>DQA(N)</u>	<u>DQA(L)</u>
<u>Leader Staff Side</u>	<u>Secretary Staff Side</u>	
<u>Rep of CDRA</u>	<u>Rep of BPMS</u>	

**Copy to:-**

TS to DG, DGQA



NO.9/13//2000-JCA  
GOVERNMENT OF INDIA  
MINISTRY OF PERSONNEL, P.G. & PENSIONS  
(DEPARTMENT OF PERSONNEL & TRAINING)  
NORTH BLOCK, NEW DELHI

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NEW DELHI, 12<sup>th</sup> OCTOBER, 2001

OFFICE MEMORANDUM

Sub:- Effective use of JCM scheme.

A negotiation machinery for Central Government employees was introduced in 1966 for setting up of Joint Councils at the National, Departmental and Local levels. Over the years a large number of issues have been resolved through the mechanism of the Joint Consultative Machinery and Compulsory Arbitration .

2. In the 68<sup>th</sup> Report of Department related Parliamentary Committee on Home Affairs on demands for grants (2000-2001), the Committee had inter-alia expressed concern about the heavy pendency of cases before the Central Administrative Tribunals. In this context they recommended that effective use of JCM mechanism and Board of Arbitration be made for resolving grievances. This in turn is likely to bring down pendency of cases in CAT.

3. In view of the above , it is reiterated that effective use of JCM forum may be made for resolution of demands / grievances of staff side, within the ambit of rules prescribed for functioning of the JCM machinery.

( R.K.GUPTA )

Desk Officer (JCA)

To

All Ministries and Departments of the Government of India.



**No.9/13/2000-JCA**  
**Government of India**  
**Ministry of Personnel, Public Grievances & Pensions**  
**( Department of Personnel & Training )**

New Delhi, the 27<sup>th</sup> August, 2002

**Subject: Making effective use of JCM Scheme.**

The undersigned is directed to say that instructions have been issued from time to time for making effective use of JCM Machinery.

Representations, however, continue to be received, especially from the Staff Side, that the meetings of JCM councils are not being held periodically by various Ministries/ Departments. In this connection attention is also invited to this Department's OM of even number dated 12.10.2001 issued in the light of observations in the 68<sup>th</sup> Report of Department Related Parliamentary Committee of Home Affairs on Demands for Grant ( 2000-2001), recommending effective use of JCM mechanism and Board of Arbitration for resolving the grievances of the Government staff. The Committee in its subsequent reports have again emphasized the need to strengthen the JCM machinery.

It may, therefore, be ensured that appropriate steps are taken for making timely and effective use of the above fora.

2. Attention is also invited to this Department's OM No.3/12/94-JCA dated 28.4.1995, according to which JCM Councils in various Ministries/ Departments were allowed to function on the basis of nominations as on 4.5.1995, till the process of verification of membership was completed under the CCS (RSA) Rules, 1993 and the Councils were re-constituted.

It may be ensured that appropriate action is taken expeditiously to re-constitute the Councils, accordingly, if not already done.

3. The Departments were also required to constitute Ad-hoc Departmental Anomaly Committees in accordance with the instructions contained in this Department's OM No.3/46/ 2000 -JCA dated 9.7.2001, in respect of Departments where no Departmental Councils were in existence on the crucial date that is 4.5.1995 or where the Councils were not re-constituted after completion of the process of recognition under the aforesaid rules of 1993. Attention in this connection is also invited to this Department's OM No.2/13/98-JCA dated 24.5.2001 according to which the Departments were required to initiate the process of re-verification of membership in respect of associations on completion of initial period of recognition for 2 years.



Action in terms of the above OM's needs to be expedited, in case action has not been completed so far.

4. Guidelines for recognition of Federations of Service Associations recognized under CCS (RSA) Rules, 1993 have also been notified vide this Departments OM No.2/14/98-JCA dated 3.7.2002. Suitable action in this regard also needs to be completed early.

All Ministries/Departments may accordingly review the above position comprehensively, so as to ensure effective use of the JCM machinery in the interest of employee-employer relations.

( VIDHU KASHYAP )  
Director (JCA)

To

1. All Ministries/Departments of the Government of India.
  2. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi.
  3. All members of the National Council/ Departmental Council of Department of Personnel & Training.
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No.4/3/2019- JCA  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel & Training  
Establishment (JCA) Section

..... North Block, New Delhi - 110 001

Dated: 8 August, 2021

OFFICE MEMORANDUM

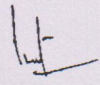
Subject: Non - functioning of Departmental/Office Councils

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The undersigned is directed to refer to this Department's OM of even number, dated 09.06.2021, regarding holding of meetings of Departmental/Office Councils on regular basis with a view to making effective use of the JCM Scheme.

2. The JCM Scheme provides for Departmental Councils at the level of individual Ministries/Departments, and office council in attached and subordinate offices. The Staff Side of JCM, has been remonstrating that regular dialogue with the Staff Side, through the mechanism of Departmental Councils and Office Council are not happening at regular interval. Meetings of Departmental Council / Office Council are essential, as they help in resolving differences between Government and its employees.

3. It is requested that meeting of the Departmental Council/Office Council, may please be arranged to be held on regular basis. Further, wherever Departmental Council/Office Council have become defunct, the same may please be revived at the earliest.

  
(S.P. Pant)

Deputy Secretary to the Government of India  
Tel. No. 2309 4678

To

Joint Secretaries (Admn.) of the all Ministries/Departments

Copy to:

1. Shri Sunil Kumar Mandi, US(R&R,DC), DOPT, Lok Nayak Bhavan, New Delhi
2. Secretary, Staff Side, National Council (JCM), 13-C Ferozshah Road, New Delhi - 110001



(40)

No. 7(1)/2000/D(JCM)  
Government of India  
Ministry of Defence  
New Delhi, the 2<sup>nd</sup> April, 2002.

OFFICE MEMORANDUM

Subject : **Constitution of JCM IV level Councils – Regarding.**

The undersigned is directed to refer to this Ministry's of U.O.No 7(2)/66/D(Lab) dated 24<sup>th</sup> July 1967 regarding constitution of third and fourth level JCM Councils in the Ministry of Defence and to state that the JCM Scheme provides for allotment of seats only to the Unions affiliated to the then two existing recognized Federations viz. All India Defence Employees Federation (AIDEF) and India National Defence workers Federation (INDWF). However, with the recognition of third Federation, viz. Bhartiya Pratiraksha Mazdoor Sangh (BPMS), the need for making suitable amendments in the provisions of the scheme was felt. Instructions were issued in the past vide this Ministry's OM of even no dated 22<sup>nd</sup> August, 2001, revising the composition of the 4<sup>th</sup> level JCM council. However, due to the representation made by the Federations and some administrative difficulties, it was decided vide this Ministry's O.M. of even number, dated 1<sup>st</sup> Oct, 2001 to defer the reconstitution of the 4<sup>th</sup> level JCM Council on the basis of the revised provision and maintain status-quo, until further orders.

2. In their representation to the Govt., the Federations have requested not to reduce the seats allotted to their affiliated Unions at the IV level and if need be, the total number of seats for the Staff Side be increased from 6 to 8. Representations were also received from the Staff Associations recognised on an All India basis that the Branches of the Association functioning in an Establishment may also be given representation irrespective of the fact that the association is representing at third level.

3. After due consideration of the representations received from the employees' organisation, it has been decided to increase the number of seats for the Staff Side in the 4<sup>th</sup> level JCM Council from six to eight. It has also been decided that besides giving representation to the Unions affiliated to the three recognised Federations, seats be allotted to other independent Unions not affiliated with any recognised Federation and Branches of the Recognised Staff Associations without making any



unwieldy one so as to make it functionally efficient. A copy of the revised composition of the 4<sup>th</sup> level JCM Council is enclosed. The revised composition will be applicable to all such Councils which have already completed their tenure or will complete their tenure in future.

*H.S. Nanda*  
( H.S. Nanda )  
Under Secretary to the Govt. of India  
Tel: 301-1260

Dir(JCM), AG's Branch/Army Hqrs.  
Dir(PC)/Air Hqrs.  
Dir(IR)/OFB, Kolkata  
DDG(Adm in)/DGDE  
Dir (SAG)/DGQA

DCP/NHQ  
Dir(MS)/DRDO  
Dy. CGDA(AN)  
Dir(Plg) DGA FMS  
Dir(Admn.)/DGAQA

Copy to:

All members of the Staff Side of the Departmental Council (JCM) of the Ministry of Defence.

The General Secretary,  
AIDEF/INDWF/BPMS/Associations



# CONSTITUTION OF THE FOURTH LEVEL COUNCIL FOR DEFENCE CIVILIANS UNDER THE JOINT CONSULTATIVE MACHINERY

## 1. OBJECT

The object of the Council is to promote harmonious relations and to secure the greatest measure of co-operation between the Government in its capacity as employer and the general body of its employees in matters of common concern and further to increase the efficiency of services combined with the welfare of those employees.

## 2. SCOPE AND FUNCTIONS

Discussions at the fourth level would be between the administration and the civilian employees of various Directorates, Departments and Establishments of the Ministry of Defence, excluding Public Sector Undertakings. The scope of the Council will include all local matters relating to conditions of work, welfare of employees, improvement of efficiency and standards of work with particular reference to the local conditions. Matters which have some local significance but which are essentially of a general nature may not be discussed at this level.

## 3. COMPOSITION

At the Fourth Level, the Defence establishment will negotiate with representatives of the employees. The Council will consist of not more than 8(eight) members on the Staff Side and 5(five) members including the Chairman on the Official Side. The distribution of the Staff Side seats will be as under:

- (i) In an installation where there are Unions affiliated to the three recognised Federations, each Union which is recognised or which though unrecognised fulfils the conditions of recognition will be allowed to nominate two representatives each and 2 representatives will be elected by the workers representatives in the Works Committee.
- (ii) In an installation where there are Unions affiliated to only two recognised Federations, each Union which is recognised or which though unrecognised fulfils the conditions of recognition, will be allowed to nominate two representatives each and 2 representatives will be elected by the workers representatives in the Works Committee. The remaining two seats will be allotted by the Chairman of the Council to the largest Union which is recognised or which though unrecognised fulfils the conditions of recognition and not affiliated with any of the recognised Federations/ largest branch(es) of the recognised Staff Associations;



- (iii) In an installation where there is a Union affiliated to only one recognised Federation, which is recognised or which though unrecognised fulfills the conditions of recognition, will be allowed to nominate two representatives and 2 representatives will be elected by the workers representatives in the Works Committee. The remaining four seats will be allotted by the Chairman of the Council to the two largest Unions which are recognised or which though unrecognised fulfill the conditions of recognition and not affiliated with any of the recognised Federations/ largest branches of the recognised Staff Associations;
- (iv) In an installation where there is no Union which is affiliated to any of the three recognised Federations, two representatives will be elected by the workers representatives in the Works Committee and two seats each will be allotted by the Chairman of the Council to the two largest non-affiliated Unions which are recognised or which though unrecognised fulfill the conditions of recognition; and remaining two seats to the largest branches of the recognised Staff Associations;
- (v) In an installation, if there is only one Union, affiliated to a recognised Federation or otherwise, which is either recognised or fulfills the conditions of recognition, it will be allowed to nominate four representatives and two representatives will be elected by the workers representatives in the Work Committee. The remaining two seats will be allotted by the Chairman of the Council to the two largest branches of the recognised Staff Associations;
- (vi) In the case of an installation, where there is no Union at all either independent or affiliated to either of the three Federations and there is also no eligible branch of any recognised Staff Association, then representatives of the Staff Side, upto a maximum of 6 seats will be elected directly by the Staff Side members of the Works Committee.
- (vii) In a Defence Unit/Installation, where no Works Committee functions under the existing provisions, the distribution of seats meant for the representatives of the Works Committee will be made by the Chairman of the Council to the existing Branch(es) of recognised Association(s) and/or Unions which are recognised or which though unrecognised fulfill the conditions of recognition and are not affiliated with any of the three recognised Federations.
- (viii) In a Defence Unit/Installation, where there is no Unions either recognised or fulfilling the conditions of recognition and there is also no Works Committee functions, no Council will be constituted.



**Note I :** The Chairman of the Council of the Fourth Level shall be the administrative Head of the Installation/ Unit or the formation covered by the Council.

**Note II :** No person who is not an employee or an honorably retired employee of the Central Government shall be a member of Joint Councils. Government may permit an ex-employee to be a member of a Joint Council after examining the merits of each individual case.

**Note III :** The Staff Side representatives will be nominated for a term of 3 years but there will be no bar to re-nomination. Vacancies caused by death, retirement, resignation, transfer, promotion to non-entitlement category etc. will be filled for the unexpired term.

Unions/Branch Associations may replace on the Joint Council such of its representatives as have ceased to be its office bearers at annual election or by exigencies such as a vote of no confidence.

**Note-IV :** Vacancies, if any, arisen in the Council while complying with the aforesaid provisions will be kept unfilled.

**Note V :** An unrecognised Union which has already submitted its documents for recognition, will only deem to be "fulfilling the conditions of recognition".

**Note VI :** If an unrecognised Union allotted seats in terms of "fulfilling the conditions of recognition" is not able to secure recognition during the currency of its term in the Council, it will not be considered "fulfilling the conditions of recognition." during subsequent terms of the Council. However, if the Chairman of the Council is satisfied that the delay in according recognition to the Union was beyond the control of the Union, he may allot seats to the Union.

**Note VII :** In case of non-acceptance of the claim for recognition, the seats allotted to an unrecognised union in terms of "fulfilling the conditions of recognition." will be withdrawn forthwith and allotted to other eligible Unions/Branches of Associations as per the aforesaid provisions. Such a Union will not be allotted seats in subsequent term till it is recognised by the Government.

## PERIODICITY

The meetings at the Fourth Level shall be held once a month.



## 5. QUORUM

The quorum shall be  $1/3^{\text{rd}}$  each of the strength of the Official and Staff Side.

## 6. LEADER & SECRETARY, STAFF SIDE

The Staff Side members will elect their Leader and Secretary by a simple majority.

## 7. AGENDA

- (i) The Agenda for a meeting shall be prepared under the orders of, and approved by the Chairman.
- (ii) The Agenda for an ordinary meeting shall be circulated to all members not less than one week before the meeting.

## 8. MINUTES

The minutes of the meeting will be finalized under the directions of the Chairman in the usual manner and copies thereof will thereafter be circulated to members of the Council.

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