

AGENDA ITEMS FOR 36TH CENTRAL JOINT STAFF COUNCIL MEETING
BEING HELD ON 23.12.2016 AT NASC COMPLEX, NEW DELHI THROUGH
VIDEO CONFERENCEING UNDER THE CHAIRMANSHIP OF HON'BLE
DIRECTOR GENERAL, ICAR

S.No.	Item	Agenda Item as raised by staff side
1.	Immediate Implementation of Union Cabinet Decision in case No. 190/24/97 dated 29.04.1997	<p>a) Making a Unified Administrative Cadre from the level of Assistant/PA at ICAR level w.e.f. 16th June 1997(Union Cabinets decision vide case No. 190/24/97, dated 29-04-1997.</p> <p>b) Immediate implementation of Pay Parity between ICAR Hqrs. and Institutes retrospectively w.e.f. 16th June, 1997 as directed by Union Cabinet.</p> <p>c) Keep recruitment rules in abeyance immediately in respect of all administrative posts from the level of Assistant/PA at ICAR Institutes till the implementation of Union Cabinets decision for unified cadre followed by pay parity.</p> <p>d) Immediate application of common recruitment rules for all the Administrative Posts at ICAR Hqrs. and constituents units i.e. ICAR Institutes till the implementation of Union Cabinets decision for unified cadre followed by pay parity.</p> <p>e) No recruitment be made in ICAR as whole for administrative cadre till the framing of the common recruitment rules for both ICAR Hqrs. as well as its constituents units i.e. ICAR Institutes till the implementation of Union Cabinets decision for unified cadre followed by pay parity.</p> <p style="text-align: right;">ACTION:DS(A)</p>
2.	Immediate disciplinary action be initiated against all the concerned past and the present officers for not implementing Cabinet decision & working against union cabinets decision mentioned at Sr.No. 1(a) to e & its immediate implementation without further delay.	<p>In pursuance of Union Cabinet decision, ICAR implemented only pay parity w.e.f. 16.06.1997 without seeking any approval of the Governing Body of ICAR as Union Cabinet stands above any committee including Governing Body. Disrespecting the Union Cabinets decision, ICAR Hqrs. had again brought disparity w.e.f. 01.01.2016 and question remain answerable to disclose which authority had given approval for disparity and to initiate disciplinary cases against all erring officials(1) for changing recruitment rules in respect of ICAR headquarters(2) reinstating disparity undermining the powers of Union Cabinet(3) for not implementing the Union Cabinets decision in toto(4) not implementing pay parity in spite of 237th GB's approval on 29.06.2016.</p> <p>To implement the Union Cabinet's decisions stated at Point 1(a) to (e), all the concerned officers of ICAR Hqrs. may be shifted to other ICAR Institutes to avoid hindrance and shift the officers of Institute cadres to ICAR Hqrs. for implementation of Union Cabinet's decision in toto within a time-frame.</p> <p style="text-align: right;">ACTION:DS(A)</p>
3.	Implementation of an early cadre review for administrative staff.	<p>(a) Institutes employees are stagnating in one post for more than 15 to 29 years. Only one example of CIRG, Mathura is sufficient to prove the discrimination done by ICAR head quarter in the previous cadre reviews. Nearly 05 LDCs are</p>

		<p>stagnating in the same post for more than 26 to 30 years where as ICAR Hqrs. now looking for 98 posts of UDCs to fill on deputation instead of surrendering these to the Institutes to mitigate stagnation. This also indicates that cadre review was done to mitigate stagnation level completely in ICAR Hqrs. where partially in Institutes. It is also striking fact that no employees of ICAR Hqrs. had retired without promotion for not taking up DPCs in spite of vacancy which is quite contrary to the scenario of Institutes.</p> <p>b) In view of impending importance of Cadre Review for Administration, the report of Cadre Review Committee under the Chairmanship of Shri B.A.Coutinho, IAS(retired & F.A., DARE which held consultation in the first quarter of this year 2016 may be made available on our website and seek opinion from all Institutes including staff representatives. Senior Officers of Admn. And Finance of ICAR Institutes may also be involved in the exercise for doing justice to the large groups of stagnated employees.</p> <p>It is the prerogative of Competent Authority either to accept or reject any Committee's report in toto or partial, but it is necessary to record the reasons therefor. The Cadre Review Committee of Shri Coutinho appears laid down stress on unification of Administrative Cadre and if so, ICAR Hqrs. shall never keep the report of the committee open to all or accept the recommendation at least partially. CJSC, in view of acute stagnation, demands for immediate cadre review for administration</p> <p style="text-align: right;">ACTION:DS(A)</p>
4.	Cadre Review of SSS	<p>Cadre Review of SSS is a long pending issue. This class of employee is the lowest paid and required special attention. Every time assurance is being given by the Council but so far no action has been initiated in this regard. Top priority may please be given for cadre review of SSS. Experience may be given priority over qualification while considering them for higher posts in the system.</p> <p style="text-align: right;">ACTION:DS(A)</p>
5.	Implementing the original recommendations of the Committee headed by Dr.Alagusundaram, DDG(Engg.) meant for removing of anomalies in Technical Service conditions	<p>On demand of CJSC, a Committee was constituted under the Chairmanship of Dr.Alagusundaram, DDG(Engg.) , ICAR for removing anomalies in service conditions of Technical Service rules. The Committee also included the representatives of CJSC and had elaborate discussions on various anomalies. The report that was submitted by the committee was placed before the 237th GB held on 29.06.2016. According to the proceedings of the GB meeting, all concerned were to submit action taken report (ATR) by 16.0-8.2016. It is now demanded to implement the recommendations of the Committee as approved by the GB immediately.</p> <p>CJSC is not aware of the content of agenda based on Dr.Alagusundaram, Committee but ICAR is issuing orders relating to technical service matters which are against the interests of employees by stating with the approval of 237 GB. There was a burning issue on relevant qualification for assessment. Dr.Alagusundaram's committee made recommendation and placed before the GB and the Council had</p>

		<p>issued clarification vide its Lr. No. 19(1)/16-Estt.IV dated 19.08.2016 making the decision effective prospectively. The issue of relevance was a doubt in the existing rules and the decision taken on the issue was a mere clarification and hence no logic is seen in fixing an effective date. The agenda is to settle an issue benefitting affected employees by a clarification. CJSC demands withdrawal of condition of effective date as it is confusing/misleading the DPC/Assessment Committees and forfeiting the service rendered by an employee.</p> <p style="text-align: right;">ACTION:DS(TS)</p>
6.	Demand for restoration of the three advance increments given by the Union Cabinet to technical employees	<p>Employees of Technical category, under Technical Service Rules of ICAR as approved by the Union Cabinet to grant up to 3 advance increments in place of promotion as recommended by the Technical Assessment Committee. But Council withdraw the provision limiting the same to one increment and also started recovery of payments made in excess of one increment. The while episode is unwarranted and to be restored immediately.</p> <p>It is also necessary to not here that any financial benefit to be extended to the employees of ICAR Institutes is always prospective whereas any financial reduction is retrospective and this reflects the attitude of the ICAR Hqrs. Now ICAR is saying that the withdrawal of advance increments was done with the approval of the Governing Body ignoring the fact that the Union Cabinet is above our GB.</p> <p>Council takes such decision without consulting the CJSC and mentally prepares the top brass of ICAR to defend the decision when the matter was made as an agenda item in the CJSC meeting. How many decision makers are willing to retreat the decision with great humiliation when they come to know they were not properly guided.</p> <p style="text-align: right;">ACTION:DS(TS)</p>
7.	Rotational Transfer Policy to be strictly implemented for ICAR Hqrs. staff	<p>CJSC has been demanding for Rotational Transfer Policy exclusively for ICAR Hqrs. in view of self-proclaimed "Central Secretariat Services(CSS) that attracts DoPT guidelines and instructions of Central Vigilance Commission.</p> <p>This rotational transfer policy is asked primarily to avoid creation power cantered officers for their long standing in a particular post thus leading to corruption as well as harassing the official opposing such acts. The CVC & DoPT are reiterating frequently for adoption of rotational transfer policy for the same reasons. It is also to be noted here that CSS status, the rotational transfer policy assumes greater importance. CSS not only gives benefits but also tags observance of many policies and procedures laid down by GOI from time to time.</p> <p>In the year 2015, Council made few transfers from headquarters to Institutes and vice-versa and claimed of implementing transfer policy in 34th CJSC meeting under agenda item No. 2 But in reality, the transfers were made between ICAR Hqrs. to Institutes located in New Delhi(IARI)/KAB and vice versa.</p>

		<p>In 35th CJSC meeting the rotational transfer policy for ICAR Hqrs. was placed in agenda 1(a) but without discussing on the subject and misleading the house talked about conclusion of INTRA-INSTITUTIONAL TRANSFERS of Institutes employees within 03 months by the Committee under the Chairmanship of Dr.A.K.Srivastava, Director, NDRI.</p> <p>CJSC knows very well that ICAR Hqrs. does not want to discuss ROTATIONAL TRANSFER POLICY as they lose control over the Institutes. But framing of Rotational Transfer Policy for ICAR Hqrs. is demanded making guidelines for mobility of officers of Hqrs. to ICAR Institutes and vice-versa for the reasons explained above and to implement CVCs instructions and DoPTs directions.</p> <p style="text-align: right;">ACTION:DS(A)</p>
8.	<p>Framing a uniform transfer policy for all categories of officials in ICAR system in a transparent and justified manner without any prejudice to stop the harassment of elected IJSCmembers & employees</p>	<p>CJSC has been demanding since long for formulation of guidelines and instructions to bring out a Uniform Policy in order to check and prevent harassment of elected Institute Joint Staff Council Members and also employees in general. The recent vindictive transfers of Shri Rajesh Daiya of CIAH and Shri A.K.Prusty of CIFA are examples of harassment. Our demand is to frame guidelines as per DoPT instructions in respect of transfers</p> <p>The transfer policy is also meant for mobility of employees of all categories, namely administrative, technical and skilled supporting covering both inter and intra-institutional transfers. Council constituted a committee for doing this task under the Chairmanship of Dr.Srivastava, Director, NDRI wherein CJSC Secretary (Staff Side) and Secretary (Staff Side) HJSC were also included. The transfer policy document on intra-institutional transfers as per the terms of reference. Council has failed to include inter-institutional transfers in the terms of reference.</p> <p>The TPC submitted its report on intra-institutional transfers and the same was placed before the 237th GB held on 29.06.2016. Council vide communications No. TS 19(11)/2016-Estt.IV dated 06.09.2016 new transfer policy guidelines. The major deviations between the report and the issued guidelines are:</p> <ul style="list-style-type: none"> - The TPC had recommended for inclusion of Secretary (SS), IJSC or his nominee but the guidelines issued completely ignored the recommendation. - According to the new guidelines that the IJSC members can be transferred in organisational interest defeating the very purpose CJSC demand for transfer policy to check & prevent harassment being faced by IJSC members. In 34th CJSC meeting, under agenda item No. 1 it has been decided not to transfer IJSC/CJSC members and to reiterate the same by issuing fresh circulars. Similarly, in 35th CJSC meeting held on 01.03.2016, Hon'ble Chairman, CJSC had clarified that no IJSC/CJSC members would be transferred during their tenure period and necessary action be taken against the erring

		<p>Directors if they report to transferring elected members. Kindly replay audio recording of the 35th CJSC meeting.</p> <ul style="list-style-type: none"> - The new guidelines has completely ignored the recommendations of TPC for transferring junior most employee in the category if no one is willing to move to regional centre thus making the Competent Authority to use the weapon of his target in the guise of organisational interest. <p>The Transfer-Policy has 3 components. There are(1) Rotational Transfer Policy at ICAR Hqrs. as per CVCs instructions and DoPTs directions(2)(2) Inter-Institutional transfer in respect of Admn./Tech./Skilled Supporting.</p> <p>The component-I above (Rotational Transfers of officers of ICAR Hqrs. to Institutes and vice-versa) is just not palatable to the majority of existing officers of ICAR Hqrs. as mobility is involved as well as loss of power-cantered positions at ICAR Hqrs.. ICAR Hqrs. has already started issuing orders in respective of Component-2 and Componet-3 against recommendations of the Committee and satisfaction of large group of employees.</p> <p>Recently Council has issued inter-institutional transfer guidelines for technical personnel vide No. 19(01)/2002-Estt.IV dated 26.08.2016 with the concurrence of 237th GB but without placing before Transfer Policy Committee. In the said communication, there are some flaws in new guidelines. According to the new guidelines, the technical personnel sought transfer shall have to lose the service rendered in the grade and start fresh service in the grade and has to serve 5 years at the new place for assessment promotion. The condition of afresh service ignoring the service rendered in the previous Institute is not seen with other group of employees like administrative or scientific personnel. This logic has no basis and against the DoPT guidelines.</p> <p>Secondly, it is also mentioned in the communication that on transfer of technical person at new place he/she will be placed at the bottom of the cadre. According to the Technical Service Rules, there is no inter-seniority among the technical personnel and hence there no point to mentioning "junior-most in the cadre at the new place". As there is no inter-seniority for technical personnel, no logic is seen in amending the rule 6.9(i) of technical service rules rendering to lose the service of the previous Institute.</p> <p>Hence, CJSC seeks immediate withdrawal of amendment of rule 6.9(i) as it is done without involvement of CJSC or CJSC members included transfer policy committee. CJSC is looking for transfer policy for the benefit of employees but not for creating new disadvantages.</p> <p>CJSC also demands to make amendments in recent INTRA INSTITUTIONAL Guidelines issued on 6.9.2016 to the extent that the TPC had recommended in respect of IJSC members.</p> <p style="text-align: right;">ACTION:DS(A)</p>
--	--	--

9.	<p>ACTION AGAINST THE CONCERNED OFFICIALS OF ICAR HQRS. FOR REATING DISCRAPANCIES IN SERVICE CONDITIONS AND METHODLIGIES LIKE CHANGING OF RECRUITMENT RULES FOR ICAR HQRS EMPLOYEES VESTED INTERESTS.</p>	<p>a) The officers responsible for not implementing the Union Cabinets decision (case No.190/24/97 dated 29.04.1997) in toto must be punished. Similarly, the officers responsible for certain disparity of pay scales again w.e.f. 01.01.2006 against the Union Cabinets decision also must be punished.</p> <p>b) There is no pending cases of promotion in ICAR Hqrs. officers of ICAR Hqrs. is taking up promotion cases timely for them and effecting promotions from the day they are due without any delay of even one day. They even go to the extent to accord the promotions in spite of fact that there no vacant posts but by adjusting against vacant posts of other category. This adjustment is against the norms of DoPT instructions.</p> <p>Council is not taking up promotions of institute based employees. The posts of AOs/AFAOs laying vacant since long and some of the AAOs/AFAOs who are under the zone of consideration have retired from service for keeping promotions pending. This is piquant situation, where institute based officers getting promotional benefits delayed or retiring without promotion at all in spite of posts are vacant whereas ICAR Hqrs. officers are getting promotions at dot irrespective of availability of vacancy.</p> <p>Shri K.N.Choudhary, Shri V.K.Sharma and Shri V.D.Naniwadekar , Smt. Roja Sethumadhavan were given promotion to the post of DS against the vacant posts of Sr.Scientists by violating DoPT rules. According to the recruitment rules, 3 years of service is required as US and whereas in the present instance the recruitment rule got amended to 2and half years as US to benefit these four officials. This is not the case of timely promotion but a case of misuse of powers for vested interests of ICAR Hqrs. officials. However, the officers responsible for misleading the higher authorities including the GB and the President, ICAR against DoPT instructions must be punished. It is also demanded to revert back the officers of Hqrs. who got promotions against vacant positions of other category as opined by hon'ble Secretary, ICAR in the previous meeting. This agenda item is based on ICAR letter No. Admn./F.No. Admn./F.No. 7-5/2016-Estt.I dated 28th July, 2016 in reply to an RTI Application dated 20th June, 2016.</p> <p>c) The officers of Institutes who are due for promotions in the combined cadre are being implicated in trivial or false cases and never bother to conclude the cases timely as envisaged by CVC whereas there are instances where officers of ICAR Hqrs. are promoted on dot in spite of CVC of ICAR had denied for NOC for involvement in scam and pending disciplinary case Shri Ravi Chauhan, SO in Estt.I Section of ICAR Administration was denied NOC by Shri Ravinish Kumar, the then CVO of ICAR as he was involved in a CBI case for alleged corruptions at AIIMS during his depuration tenure. The name of Shri Ravi Chauhan appeared in one of the leading newspaper (Nav Bharat Times, Delhi Edition, dated 10.12.2015). CBI had recommended ICAR for taking necessary disciplinary action against Shri Chauhan who was held guilty in AIIMS corruption case. CJSC informed all the concerned authorities of ICAR just before taking up his promotion</p>
----	--	--

		<p>vide email dated 30.11.2015 about the case against Shri Chauhan. Shri Ravinish Kumar moved back to his parent organization on 31.12.2015 denying to give NOC. However, Shri Girish Bhatt, US(Vig.,) furnished vigilance clearance certificate under his signature and obliged Shri Ravi Chauhan, SO for his promotion to the post of US. Again CJSC vide its letter No. 3/CJSC/2016 dated 01.02.2016 requested all concerned officers of ICAR Hqrs. for initiating disciplinary action against Shri Chauhan. The DPC of Shri Chauhan was conducted 06 months in advance of the actual date of occurrence of the vacancy. In the meantime, the vigilance case was contemplated/pending against him as on Nov., 2015. Shri Chauhan manipulated his promotion before 31st Jan, 2016 by violating the following rule position.</p> <p>Rule position: under CCS(CCA) Rules for officers under cloud after DPC meeting – Para 7 of the Depts. OM No. 22011/4/91-Estt.(A) dated 14th September, 1992 envisages as “A Govt. Servant who is recommended by the DPC but whose case any of the DPC are received but before he is actually promoted, will be considered as if his case had been placed in a sealer cover by the DPC. He shall not be promoted until he is completely exonerated of the charges against him and the provision contained in this OM will be applicable in his case also.”</p> <p>In spite of the complaint from CJSC for violating the above rule position for their own vested interests, no action has been taken neither against Shri Ravi Chauhan nor against the US(Vig.) who have furnished the NOC in respect of Shri Ravi Chauhan in spite of knowing that there was a complaint of corruption by CBI/Media. Both the officers are still holding their key positions for many years in Establishment and Vigilance Section against CVCs norms.</p> <p>d) Officers of ICAR Hqrs. is amending recruitment rules of administrative posts of ICAR Hqrs. by misguiding the Competent Authority as well as DoPT in such a way benefitting employees of ICAR Hqrs. and reducing the advantages to the employees of ICAR Institutes. The officers responsible for amending the recruitment rules without making unified cadre as agreed by Council vide its office order No. 15(8)/96-Estt. Dated 16th June, 1997. The erring officers responsible for ignoring the interest of Institutes in this matter while promoting the advantages for ICAR Hqrs. must be punished, especially in view of the Union Cabinets decision.</p> <p style="text-align: right;">ACTION:DS(A)</p>
10.	Inclusion of elected staff representative in GB of ICAR to the extent of service/welfare matters of employees concerned.	<p>CJSC has been demanding inclusion of elected staff representatives in Governing Body for explaining view point of staff of entire ICAR system. As on today, only ICAR Hqrs. is presenting staff welfare/service matters in GB benefitting the employees of ICAR Hqrs. depriving its counterpart fraternity of Institutes spreading all over India. Secretary (Staff Side), CJSC and two nominees of his choice among CJSC members may please be considered for inclusion in GB meetings to the extent of agenda items concerned to CJSC platform.</p> <p style="text-align: right;">ACTION:DS(A)</p>

11.	Office of the Secretary (Staff Side), CJSC at ICAR Hqrs., New Delhi as per JCM guidelines issued by the DoP&T.	<p>CJSC is the National JCM of ICAR. CJSC has been demanding for setting up of office of the Secretary (Staff Side) alongwith necessary staff and facilities to run the office at the same place where the Head of the organisation that is Hon'ble DG, ICAR functions.</p> <p>In National, JCM, agenda items shall be finalized and submitted at least 7 weeks before the meeting. Official side shall discuss with National Council for any change or modification or dropping of agenda item. Such finalized agenda items would be circulated to all members (Staff Side as well as Official Side) at least 4 weeks prior to the meeting date. This pattern is to be adopted in CJSC. The Official side may call for FAC members for doing the exercise on finalizing agenda items before circulation. If no consensus is arrived by the parties, the same is to be placed in CJSC for discussion where the Hon'ble Chairman would decide whether to take the agenda for discussion. In the present scenario, the official side is simply dropping or modifying the agenda items and circulating the same to the CJSC members on the day of meeting just before the start of the CJSC meeting. In such circumstances, both staff side members as well as official side members (Hon'ble DG, Hon'ble Secretary, Hon'ble Financial Adviser and nominated Directors) are left with no choice except to discuss the agenda as reflected by official side.</p> <p>In 33rd CJSC meeting held on 19.09.2014, the issue of joint signing of secretaries of both official side and staff side was discussed under agenda item No. 15. Disagreeing the proposal, Council confirmed that the entire proceeding of the meeting is recorded and hence there is no place for mistrust. But till today, the official side has never been provided audio/video clips of the meeting for preparing minutes accurately and appropriately. Council must honour its stand on the issue.</p> <p style="text-align: right;">ACTION:DS(GAC)</p>
12.	Maintenance of transparency through official website of ICAR.	<p>All the agenda items of GB, AGM and CJSC and minutes proceedings, and finally ATR may be displayed through ICAR website for transparency. This action is required to avoid large number RTI application from various individuals on one subject as per the recent GOI orders.</p> <p>Similarly, court judgements implemented for particular institute may be displayed in ICAR website for compliance by other institutes. The court judgements whether against or in favour of system both may be displayed to maintain transparency. This is demanded because Council is circulating/displaying only such judgement lost by the employees. Any clarifications issued by the Council to any Institute on any service/welfare matters may also be displayed in ICAR's website for compliance by other Institutes.</p> <p>The replies furnished to RTI applications may also be displayed on ICAR website which is mandatory as per RTI act to avoid a large number of RTI applications on the same subject from different people. This is reiterated repeatedly by GOI for compliance and transparency.</p> <p style="text-align: right;">ACTION:DS(A)/DS(GAC)</p>