

The Scheme of Joint Consultative Machinery & Compulsory Arbitration

With a concept to maintain a healthy employees- employer environment, the Union Govt started the Scheme for **Joint Consultative Machinery and Compulsory Arbitration** in the year 1964 to settle the matters related to the Central Govt employees through negotiations in a time bound manner.

The scheme says that it 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.

Applicability

3. 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 organization of the Government;
 - c. persons in industrial establishments employed mainly in managerial or administrative capacity, and those who being employed in supervisory capacity draw salary in scales going beyond Rs. 2900/- per mensem;
 - d. employees of the Union Territories; and
 - e. police personnel.

Scope of Joint Councils

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 matters affecting only the employees in the Ministries/Departments concerned. The Office/Regional Councils deal with regional or local issues only.

Structure of Joint Councils

The Scheme provides for setting up Joint Councils at the National, Departmental and Regional/Office levels. The National Council is the apex body. Its Constitution is given in Appendix III. The detailed rules governing the Conduct of Business of the National Council are given in Appendix IV. Departmental Councils under the Scheme are set up in the Ministries/Departments. A Model Constitution of the Departmental Council is added at Appendix V. There will normally be one Departmental Council for each Department. For two or more small Departments under a Ministry, there may, however, be a single Council, especially if the nature of duties in the departments are similar. The instructions governing the Conduct of Business of the Departmental Councils are at Appendix VI. There will also be Regional/Office Councils where the structure of a department permits the setting up of such a Council. The Model Constitution of the Office Council is at Appendix VII.

Composition of various Joint Councils is as follows:

Maximum number of representatives

	<u>Official Side</u>	<u>Staff Side</u>
National Council	25	60
Departmental Council	10	20 to 30
Office Council	5	8

The Chairman may, in addition, nominate any temporary member to the Official Side in connection with any particular item to be discussed at the meeting of the Council.

Distribution of staff side seats

Where there are two or more Unions/Associations representing different categories of staff the Chairman shall distribute the total permissible representation on the Council on the basis of the respective numerical strengths of the categories concerned.

Where there are two or more Associations/Unions representing the same categories of staff the total permissible representation shall be distributed by the Chairman on the basis of the respective membership of each Union/Association.

If there has been change in the membership of the Association/Union proportional representation given could only be changed after verification of membership to be done in the manner advised by the Chief Labour Commissioner.

Distribution of seats may also be done by the Chairman in consultation with the Associations/Unions in any other manner acceptable to Associations/Unions.

It further says that:

Conduct of business in the Joint Councils: Frequency of Meetings

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.

As far as may be possible, the date of the next ordinary meeting shall be fixed at each meeting of the Council.

Meetings of the Joint Council at Office level shall be held at least once in two months.

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 then days before the date of meeting.

GOI decision

The meetings of the Departmental councils should be held regularly in accordance with the relevant provisions in the rules for conduct of business of the various Departmental Councils. (O.M. No. 4/1/67-JCA, dated 5-3-1968).

Nomination of representatives on the Staff Side by recognized Employees' Organisations

(1) At the commencement of the constitution and thereafter when occasions arise each recognized employees' organisation, which term shall include a Federation, a Confederation, an Association and a Union eligible for representation on the Council, shall be intimated in form 'A' the number of members it may nominate on the Council.

(2) On receipt of intimation as in clause (1), a recognized employees' organization may intimate in form 'B' the names of its representatives nominated by its Executive Committee.

(3) In the event of retirement, resignation, death etc. of a representative of an employees' organization such organization may nominate or, in the case or retirement re-nominate its representative in form 'C'.

(4) On receipt of intimation under clause (2) and (3) above, as the case may be, the Chairman of the Council shall consider whether the nomination is in accordance with the provisions of the scheme and inform the employees' organization concerned.

The last meeting of the Departmental Council of I&B held in 1995. it was the 50th meeting of our Departmental Council. The constitution of the council from staff side in the 50th Meeting of Departmental Council was as follows: (Members of Associations at that time are shown in bracket)

Association of Radio & TV engineering Employees

: 3 Nos.

(S/s R. Dasgupta, R.Raman & Manab Pal)	
ADTEA (S/s K.K.Chudhury & Kartar Singh)	: 2 Nos.
PSA of AIR & DD (S/s A.K.Panigrahi&	: 2 Nos.
Akashvani Group D Karmachari Sangh (S/s Raghubir Dutt, V.N.Jha & Raghuvir Singh-I)	: 3 Nos.
AIR&DD Stenographers Association (Sh.S.R.Rao)	: 1 No.
Akashvani & Doordarshan Admin Staff Association (Sh.S.N.Somu & S.M.Choudhury)	: 2 Nos.
DAVP (NG) Accts Employees Association (Sh.J.N.Singh)	: 1 No.
Photo Division Emplo.Association (Sh.Shiv Charan)	: 1 No.
Group C&D Emplo.Association, Films Division (S/s .N.T.Thakar & Pradeep R.Padhekar)	: 2 Nos.
Staff Association, National Film Archives of India (Sh.T.V.Kunhikrishnan)	: 1 No.
Doordarshan (Bharat) Group D Karmachari Sangh (S/s. Kishan Lal & Rohtas Kumar)	: 2 Nos.
Motor Driver Aassociation.	: 1 No.
Sh. Ramaswamy Iyengar, JRO, DDK Mumbai (Assoch not known)	: 1 No.

It was assured in the Rajya Sabha by Hon'ble Minister of State for I&B in reply to a question on 05.12.2011 that ***“As and when Associations are recognized in terms of the notification, constitution of JCM will be considered.”***

Hence, once the recognition process is over then we can demand to start the Departmental Council also in addition to the regular meetings of Office Councils (DG:AIR/ DG:DD) & LISCC (at station level).