



केन्द्रीय विद्यालय संगठन
KENDRIYA VIDYALAYA SANGATHAN
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Date: 10.10.2016

F.11083-1/2016-KVS(HQ)(Admn.-I)

Sub: Minutes of the meeting of the JCM of KVS held on 27.05.2016 in Daronacharya Kaksh, KVS (HQ), New Delhi.

A copy of the minutes of the JCM meeting held on 27.05.2016 duly approved by Chairperson, JCM of KVS is enclosed.

Comments if any may please be forwarded to the undersigned by 21.10.2016 positively.

(Dr.E.Prabhakar)

**Joint Commissioner (Pers)
Member Secretary, JCM, KVS**

Encl: As above

Distribution:-

1. PS to Additional Secretary (SE&L) & Chairperson, JCM, KVS, MHRD, Shastri Bhawan, New Delhi.
2. All Members of JCM of KVS.
3. PS to Commissioner, KVS for information.
4. PS to Additional Commissioner (Admn./Acad.), KVS (HQ), New Delhi.
5. The President/ General Secretary, AIKVTA/KVPSS/KEVINTSA.
6. The Deputy Secretary (UT), MHRD, New Delhi.
7. The Deputy Commissioner (EDP Cell) for uploading on KVS Website.
8. All Divisional Heads of KVS Headquarters, New Delhi for necessary action.

**Kendriya Vidyalaya Sangathan
(Admn.I Section)**

Minutes of the Joint Consultative Machinery Meeting held on 27.05.2016 at 12:30 PM.

A. AGENDA POINTS OF AIKVTA

S. No.	AGENDA POINTS	DESCRIPTION	DECISION
1.	Implementation of MACP	MACP is long standing demand of KV teachers including Vice Principals & Principals .It is to state that even Space schools and Sainik Schools also implemented MACP to their employees. Please strongly pursue the letter of AIKVTA dated 27.08.2015	On 31.03.2016 KVS has again taken up the matter with the Ministry of HRD to review their decision based on new facts brought out by KVS about extension of MACPS by Space Schools and Sainik schools to their teachers even though no ACP Scheme was granted to them. Decision of the Ministry is awaited. Hence dropped. Action by: JC(Pers.), KVS
2.	Compassionate Appointment In Kendriya Vidyalayas	As per Govt. of India DoPT OM No.14014/6/94-Estt (D) dated 09-10-1998 Compassionate Appointment can be granted to the eligible persons within 5% of the total existing vacancies. DELAY IN GETTING EMPLOYMENT FOR DEPENDENTS OF KVS EMPLOYEES: The procedure for giving employment to dependents of KVS employees may be simplified. Details given in service records of the employee may be accepted and dependents may be given employment within a short time frame	All vacant posts of Sub-Staff which are due to be filled by compassionate appointment may be filled up within next 6 months and the vacancies for the year 2017-2018 may be uploaded on the web-site of KVS for all posts for next one year. Action by: JC(Admn.), KVS
3.	Permission for utilization the KVS building during holidays for National / Regional Convention,	AIKVTA earnestly requested that KVS may permit to utilize the KVS building during Holidays for the purpose of National / Regional Convention, CEC/REC meeting for meetings and stay arrangement may be granted to the recognized Association of KVS.	The ZIETs buildings of KVS can be utilized for this purpose as desired by service Associations. However, the General Secretary of the Association concerned shall make such requests

	CEC/REC		to the Director ZIET on each occasion to enable them to examine the viability w.r.t. the Training Courses scheduled. Action by: JC(Trg.), KVS
4.	Grant of Senior Scale & selection scale from due date	Grant of Senior Scale & selection scale from due date: It has been represented to the Association by a good number of teachers that the Senior scale & Selection scale is granted to them not from the due date but from a date after the actual due dates even for NO reasons or for reasons beyond the control of the individual teachers. It has also been brought to the notice that the selection scale of most of the TGT (PE) has been granted with effect from a date, after the due date, without assigning any reason for the same. Even if the teacher has not been sponsored by the KVS for an In-service course and has also completed the In-Service course as and when sponsored for the same, his/her effective date of grant of Senior /Selection scale has been preferred to be shifted from the actual date	Since MACPS and three tier pay scale (Entry Scale/ Senior Scale & Selection Scale) can't exist together, all efforts should be made to speed up the grant of MACPS to the teaching category employees at the earliest. Hence, dropped. Action by: JC(Pers), KVS
5.	Forcefully to joining in Scouts and Guides be Avoided	Avoid the teacher to join in Scouts and Guides forcefully : Since the existence of Scouts & Guides movement is on the slogan "Voluntary Organization ",why the principals/officers are forcing them to join and even some of the officers are sending the names without taking their option to the training camps. At the same time while recommending names for incentives, it is done in a controversial manner that the names which are recommended are sent to RO/HQ are only recommended selectively and biased, none were asked; even surprisingly the principals don't circulate the letter. Even some of the schools/teachers are over looked years together even though their services were excellent throughout their career.	Details, along with facts about the forceful joining in Scouts and Guides to be submitted by Association for further examination by Academic Division, KVS. Action by: Association Subsequent Action by: JC(Acad.), KVS
6.	Delegation of powers to the principals to impose minor penalty on teachers under rule 16 of CCS (CCA) 1965 be withdrawn	The wrong interpretation and implementation by delegating disciplinary power to principal by KVS is proving a main tool to harass and exploit teachers at work place which needs to be withdrawn immediately. As per CCS (CCA) 1965 the disciplinary powers are quasi-judicial which can be exercised only and only by the appointing authority. After implementation of 6th CPC all the teachers PRT to PGT have been placed in group B and as per CCS (CCA) 1965 the appointing authority for the group B employees can't be less the head of the department either Commissioner. This is highly disappointing that wrong disciplinary power was delegated in 2010 by KVS.	It was decided that provisions as available under CCS (CCA), Conduct Rules are to be applied. Thus, matter pertaining to powers delegated to the Principals of the Kendriya Vidyalayas to impose minor penalty on teachers under Rule 16 of CCS (CCA) Rules, 1965 is to be re-examined with full facts by Vigilance Section in KVS.

		<p>During 88th BOG meeting held in 2010, KVS had delegated powers to the Principals to impose minor penalty on teachers under rule 16 of CCS (CCA) 1965 which has been incorporated in KVS Education Code vide Annexure-III (Schedule-II) whereas CCS (CCA) 1965 clearly mentions that no authority other than the appointing authority can impose any penalty on the employee. Principal is not the Appointing authority of the teachers, hence not empowered to impose any penalty against teachers. This stand has been fully upheld by Hon`ble Principal Bench, CAT, New Delhi in the cases of Sh. Sanjay Kumar Yadav, PRT vs KVS (OA No. 1291/2014 and Ms. Uma Sonial, HM vs KVS (OA No. 542/2012). Penalty imposed by the principal was quashed by Hon`ble CAT and delegation of disciplinary powers by KVS to the Principal was declared illegitimate and not conforming to CCS (CCA) Rules, 1965. Even the cost of application Rs.10000/- was imposed on the KVS as standard procedure of initiating disciplinary proceedings and imposing penalty was not followed. Further Hon`ble CAT stated "as far as the order passed by the Principal is concerned it is null and void as per the verdict pronounced by Hon`ble CAT, Principal Bench, New Delhi pronounced on 17/10/2014 in respect of Sanjay Yadav Vs KVS & others, wherein it is stated vide para16 that KVS authorities to set some sort of mechanism regarding disciplinary proceedings to conforming to CCS (CCA) 1965. Hence it is evident that continuously allowing Principals to impose minor penalty on the teachers is clearly a case of contempt of Hon`ble CAT.</p>	<p>Action by: AC(Vig.), KVS</p>
7.	<p>Restoration of Per diem allowance/risk allowance and Messing allowance to the employees of KVs working in the Vidyalayas situated in Kashmir Valley</p>	<p>As Kashmir Valley is a disturbed area, hence all employees working in KVs situated in Kashmir Valley were paid a Per diem allowance/risk allowance of Rs.10 for each day of attendance and a messing allowance of Rs. 15 per day up to December,2010. In Feb, 2011 after re-opening school after Winter vacations teachers were informed orally that these allowances were paid erroneously and a recovery was made from the salary of the teachers. Later teachers were told that this allowance will be paid only to residents of Kashmir Valley working in KVs of Kashmir Valley. From the reply of RTI application it has been revealed that these allowances were paid vide DOPT D.O.18016/6/2005 Estt(L) dated 08.12.2006 and the recovery was made as a result of the objection raised by audit party of AGENDA POINTS OF AIKVTA KVSRO Jammu vide letter no 240228/IAR/KVS(JR)/201011/A/Cs Dated 24.12.2010, for this two letters no. 250/9394/KVS/BUDGET dated 07.07.1994 and letter no F.24037/KVS(JR)/A/CS/2010 Dated 09.09.2010 were provided. Whereas the facts provided in the aforesaid two letters are not</p>	<p>Necessary corrigendum is to be issued to clear the doubt among various establishments of KVS.</p> <p>Action by: JC(Fin.), KVS</p>

		<p>conforming to the facts given in DOPT D.O.No. 18016/6/2005Estt. (L) Dated 08.12.2006. Wherein vide Para 2 of the supra letter it is stated that this package is uniformly applicable to all central government employees serving in the Kashmir valley. It is imperative on the part of ministers/ departments to adhere to the same and vide OM No. 18016/2/2008 Estt(L) dated 27.03.2009, it is stated vide Para 2 that the package of special concession are uniformly applicable to all Ministries/Departments and PSUs under the Government of India. Whereas point 4 given below Para 6 clearly states that the facilities of messing allowance and per diem allowance shall also be allowed to natives of Kashmir valley in terms of the Kashmir valley package. Hence nowhere in the supra letter it is written that the aforesaid package will be applicable only to the natives of Kashmir valley. To aver vide letter no. F.24037/KVS (JR)/A/CS/2010 Dated 09.09.2010 that special concession is admissible to those KVS employees who have not shifted their families from the Kashmir valley during the period from 01.05.1990 to 30.06.1994 is not conforming and legally sustainable as per OMs issued by DOPT. Whereas Para 3 of letter no 24037/KVS (JR)/A/Cs/2010 dated 09.09.2010 states that the supra package has been given to KVS employees as per above quoted OM of DOPT dated 27.03.09. Hence keeping in view all OMs of DOPT regarding Kashmir valley package, you are implored to rescind/withdraw the supra letter of KVS RO Jammu dated 09.09.2010 and regularize and restore the aforesaid allowances as per supra DOPT OM in letter and spirit. Further the rates of Per diem allowance/risk allowance and Messing Allowance for the year 2015 w.e.f. 01-01-2015 has been revised from Rs.10 to Rs.50 and from Rs. 15 to Rs. 85.96 per day respectively vide GOI,DOPT,OM no. 18016/3/2011-Estt.(L) dated- 20/04/2015</p>	
8.	<p>(i)Transport/conveyance during Summer /Winter Vacation in a calendar month</p> <p>(ii)Transport/conveyance allowance for the month of May-2015 may be granted by issuing a special order</p>	<p>(i) Station where there is long winter/summer vacation involving a complete calendar month in vacation KVS must issue an order on special grounds for grant of Transport allowance to the KVS employees.</p> <p>(ii) Ref:F.110334/I/2012-KVS HQ/ ACD/ Pt File II/1074/ Dt: 14-01-2016 Decision taken in public interest, or complying with judicial bodies(like human right commission) or civil societies cannot obliterate or denounce the legitimate right and claim of getting TA as it is to be awarded as per pay commission recommendations- any kind of tinkering with constitutional provisions will attract wide ramifications and brew discontent among employees- Kind consideration regarding-</p>	<p>Vacation period should be planned in such a way that no complete month is covered during summer / winter vacation. Hence dropped.</p> <p>Action by: JC(Trg.), KVS</p>

		Soliciting interim circular regarding the Protection of TA as the decision taken by KVS. The teachers of Ernakulum Region affected by not getting Transport/Conveyance Allowance for the month of May-2015. Hence it is requested that (i) transport/conveyance allowance for the month of May-2015 may be granted by issuing a special interim order.	
9.	Appointment of a Committee to study the Academic working condition in KVs	<ul style="list-style-type: none"> ➤ To find the quality of teaching-learning process ➤ To find the problems and difficulties being faced by teachers in delivering their best in the teaching-learning process ➤ To find the views of practicing teachers about the existing academic atmosphere existing in KVs with its over emphasis on pass % and PI of Teachers. ➤ It is reported that CBSE has submitted a report to MHRD admitting that CCE initiated by it with much fanfare 05 years is complete failure. The quality of education has gone down drastically. AIKVTA expressed its views on CCE 5 years back, now CBSE says the same. ➤ KVS and its officials are finding faults with teachers and even now they are issuing memos to teachers for poor quality of education. They have to blame themselves for turning deaf ears to teachers when they expressed their views on CCE 05 years back. 	<p>It was decided that Academic Division, KVS shall examine the issue raised and shall come out with the feedback/ corrective measures, if any.</p> <p>Action by: JC(Acad.), KVS</p>
10.	Posting of PRT to TGT & TGT to PGT through LDE.	Clarification on filling up of teaching posts by limited departmental examination for the year 2012-13 and 2013-14 regarding as the selected people reflected in both the lists- Apprehensions prevailing in among teachers regarding dwindling of vacancies for the LDE- which in turn affects vacancy position of aspirants for departmental candidates for the coming years- clarification for the same- Seeking information whether legitimate quota administered in respect of LDE- Status of left over vacancies-	<p>Discussed and Dropped.</p> <p>To be noted by: JC(Admn.), KVS.</p>

B. AGENDA POINTS OF KEVINTSA

S.No.	AGENDA POINTS	DESCRIPTION	DECISION
1.	Conduct of examination for LDE	To fill all vacant posts of LDC from 2009 to till date as one – time-measure.	The matter pertaining to filling up of all vacant posts of LDC to be taken up on priority. Action by: JC(Admn.), KVS
2.	Implementation of Rs. 4200/- Grade Pay to LDC/UDCs completed 24/12 years of Service	OA 1128/2009 disposed of by Hon. CAT Ernakulum on 18.08.2015.	Matter already taken up with the MHRD with the request to convey their concurrence / approval on the proposal of KVS sent on 27.04.2016, so that the necessary orders of the Hon'ble CAT, Ernakulam Bench can be complied. To be pursued with MHRD. Action by: JC(Pers.), KVS
3.	Promotion for the post of LDC to Assistant is being delayed	Time frame action to issue all promotion order from the date of rise of vacancies	Discussed and Dropped. To be noted by: JC(Admn.), KVS
4.	Cadre restructuring in KVS for NTS	Work study through ISTM – Request to provide the cut-off date for completion of work.	Discussed and Dropped. To be noted by: JC(Pers.), KVS
5.	Defence Assistant	Request to allow any Central Government Employee to act as Defence Assistant in KVS as per CCS (CCA) Rules 1965 and to order amendment in KVS Education code.	The matter is to be re-examined with reference to the Govt. of India provisions under CCS (CCA) Rules, 1965. Action by: AC(Vig.), KVS
6.	Library Assistant	Creation of the posts of Library Assistant in lieu of Library Attendant in KVS.	Discussed and Dropped. To be noted by: JC(Trg.), KVS

7.	Section Officer/Superintendent	De-merger of the posts of Section Officer/Superintendents with Assistant in KVS or sanction of Rs.4800/- Grade Pay to Assistants who are handling higher responsibilities of works as Section Officer.	Matter to be taken up with the MHRD with full justification with a view to get the 79 posts of Section Officer restored. Action by: JC(Pers.), KVS
8.	Recruitment process in KVS –	Measures taken corruption free appointments. Request to provide domicile state beside all the appointments made in KVS.	It was informed that examination for recruitments in KVS is conducted by an outside Agency by following prescribed procedure. Also interviews are conducted through lottery system by formation of 10-12 interview boards. In this process no body comes to know, in advance regarding constitution of Board. Hence dropped. To be noted by: JC(Admn.), KVS
9.	Compassionate appointment in KVS	To clear all pending cases as one time measure.	Discussed and Dropped. To be noted by: JC(Admn.), KVS
10.	Re-employment of non-teaching staff	Placement of retired non-teaching staffs against the vacant posts with consolidated salary.	Necessity of engagement of Data Entry Operator on contract basis, against the Vacant non-teaching posts in Kendriya Vidyalayas may be examined. Action by: AC(E-II/III.), KVS

C. AGENDA POINTS OF KVPSS

S.No.	AGENDA POINTS	DESCRIPTION	DECISION
1.	Re-scheduling of summer vacations	Re-scheduling of summer vacations which are started from 25.04.2016 to 13.06.2016 in ten regions including A&N Islands due to which employees are affected as no T.A will be provided to them.	Discussed and Dropped. To be noted by: JC(Trg.), KVS
2.	Facilities to the escort teachers	Facility of both CCL and TA/DA should be provided to the escort teachers in lieu of holidays.	It was decided that as much as possible, teachers desirous to go for escort duty should be deputed keeping in view the administrative requirements. However, the escort so deputed will be entitled to avail CCL and TA / DA concurrently. Action by: JC(Acad.), KVS
3.	Annual statements of NPS	Annual statement should be provided to the NPS holders to get an overview of their account.	Instructions issued earlier are to be re-circulated to clear the doubts in the matter. Action by: JC(Fin.), KVS
4.	Identity cards	Uniformity in issue of KVS (Teachers and other employees) Identity card-There should be a prescribed performa to maintain an all India uniformity in issue of KV teachers Identity Card.	A standard format for all employees of KVS is to be developed and to be included in Shala Darpan project. Action by: JC(Admn.), KVS & AC(Shala Darpan)
5.	Physical Education subject	In class XII-(a) Physical education should be included as the main subject rather considering it optional regular PGT (Physical Edu, Pol Science, Sociology, Library & Information Science) should be appointed to enhance the excellence for the same. (b) And likewise, PGT Pol Science and Sociology should also be given the weightage as main subject.	Matter to be taken up with the Academic Advisory Committee in its next meeting. Action by: JC(Acad.), KVS

6.	Yoga teachers converted to PETs	In KVS, earlier there was recruitment of Yoga teacher and later some of the Yoga teachers were converted and given the designation of PET teacher. Hence, benefit of senior and selection scale is not provided to them as their length of service is not considered.	Matter may be examined expeditiously by KVS. Action by: JC(Admn.), KVS
7.	National awardee teachers	Displacement of National awardee teacher due to station seniority should be exempted & the next senior most should be displaced.	Discussed and Dropped. To be noted by: AC(E-I/ & E- II/III), KVS
8.	Station code to KVs	All Kendriya Vidyalayas of Rohini, Dwarka, Rajokari, and Arjungarh should be issued a separate station code as they all currently come under the Delhi station code-239 but they all fall under the jurisdiction of Gurgaon Region.	Discussed and Dropped. To be noted by: AC(E-II / III), KVS
9.	Freedom of expression	During various meetings one way communication is observed b/w higher officers and teachers. As we all are living in a democratic country so freedom of expression should be provided suggestions for betterment of both employee & organization.	Discussed and Dropped. To be noted by: JC(Pers.), KVS
10.	Appointment of teachers on contract	In Ahmedabad Region, it is observed that some of the contractual teachers like a) yoga teacher b) PET teacher c) Computer Instructor, posts are not for full academic year. These posts are filled from 1 st July instead of 1 st April and are only for the period of 2-3 months. Hence, their post should be filled for complete academic year.	Revised instructions with all details should be issued to ensure clarity among all establishments of KVS. Action by: JC(Acad.), KVS
