

Gist of the Memorandum submitted on Gramin Dak Sevaks of Department of Posts to 7th CPC by NFPE & AIPEU GDS (NFPE)

I.. GRAMIN DAK SEVAK SYSTEM IS AN ANORCHISM – SCRAP GDS SYSTEM

National Federation of Postal Employees and AIPEU GDS (NFPE) conducted two days strike on 12 & 13th Feb 2014 demanding to remit the GDS issues to the Seventh Pay Commission. The Postal department based on the demand has referred the case to DOPT to clarify the 4th Central Pay Commission's observation in para 1.10 that the expression of Central Govt employees has not been defined based on which a final view over the inclusion of Gramin Dak Sevaks within the purview of 7th CPC becomes possible. The Department has communicated to National Federation of Postal Employees that the demand for inclusion of GDS in the 7th Central Pay Commission has been referred to DOP&T for a decision in the matter.

With due respect and regards we request the Chairman Seventh Pay Commission, to consider the GDS issues which are submitted in details in the chapters following this preface and render justice to this exploited, poor category of employees in the Department of posts as if Justice Talwar has observed and ended his recommendations as 'The week and down trodden need protection'.

1.They are Extraneous not Extras.

As per the report contained in 'Outline of Postal History and Practice' released by Mr. Lvie. G.J. Hamilton in the year 1910, the EDAs were termed as 'extraneous agents', which were confined to Branch Postmaster class only. It was only in 1926 that the ED system was extended to include ED Runners & Extra Departmental Delivery Agents.

2.Observations by earlier Pay Commissions`

The First Central Pay Commission was of the considered view that the ED Agents fall within their purview. The Second and Third Pay Commissions excluded them from consideration mainly on the grounds that the Dept of Posts had treated them as Agents and a class apart from the regular departmental employees.

The Third Pay Commission on the plea of the Department specifically observed that the ED Agents were not holders of Civil Posts. However the Fourth Central Pay Commission did not agree with that perception. It was observed by the Fourth Pay Commission that it was beyond controversy and that ED Agents were holders of Civil Posts.

3.GDS are holders of Civil Posts

The G.D.S employee does all the work that is done by the departmental employee and he is also deemed as a holder of civil post. There is no ground or rationale or whatsoever to term them as Agents and it is nothing but to deprive them of the benefits to which the departmental employees are entitled. The Supreme Court has also held on 22.7.1977 that the ED Agents are holders of civil post under the State, even though the posts are outside the regular civil service. It emphasized that ED employee (now called as Gramin Dak Sevak) is not an Agent, not a casual labourer and not a part time worker but he is the holder of civil post outside the regular service and therefore declared that Article 311 (2) of the Constitution of India is attracted.

4.Landmark judgements of the Apex Court

It will also be very pertinent to refer to certain verdicts of the Supreme Court about the employment of casual labour, contract labour etc. in the landmark judgments, the Court directed the Government.

5.Savor's unrealistic conclusion

"The person concerned must be one who has an adequate means of livelihood. This condition is already there. But this is one condition, which is disregarded in the matter of making appointments. Whatever, we give must only be a symbolic supplement. If the allowance we give should serve as a supplement it follows that the income of the Agents gets otherwise must be substantial enough to make our contribution just supplementary. There must be absolute insistence that a person who takes over the agency must be one having an adequate source of income. The insistence on this be such that in case he loses his main source of income he should be adjudged as incurring a disqualification to continue the agency. This clause must be vigorously and strictly conformed to."

6.Justice Talwar Committee Recommendations & Govt's rejection

The Government had rejected almost all the recommendations summarily without applying mind properly, causing injustice to these poor plighted categories.

The Extra Departmental Agents were treated on the same footing as Government servants and, eventually, as civil servants in view of promulgation of the statutory rules under the *proviso* to Article 309 of the Constitution in the year 1959. The reasons for which these rules were repealed and non-statutory P & T ED Agents (Conduct & Service) Rules, 1964 promulgated, have been found to be erroneous.

More than ninety percent of the positive recommendations of the Justice Talwar Committee were rejected by the Government and the package issued vide Directorate letter No. 26-1/97-PC & ED cell dated 17.12.98 becomes final and full settlement of the Justice Talwar Committee report resulting continuation of exploitation of labour in the Postal Department.

7.The weak and downtrodden need protection

The phrase containing in the opening page of the Justice Talwar Committee "The weak and down-trodden need protection" is thrown to dustbin along with the Justice Talwar Committee report, which we respect as the 'Magna Carta' for the liberation and emancipation of the down-trodden ED employees. If the report is unearthed again and implemented straight away it will render real justice to this category

II .. GDS EMPLOYEES – HOLDERS OF CIVIL POSTS

"Specific Recruitment, Disciplinary and Appeal Rules for the ED Agents were framed by the Director General P&T Department in the year 1935 and by the year 1947, as had been noticed by the First Central Pay Commission, the ED Agents were subjected to Government Conduct Rules and Postal Regulations. Thus, their status was recognized as Government Servants and eventually, in the year 1959, as civil servants by promulgation of the statutory rules under the proviso to Article 309."

"The view of the Government of India that Extra Departmental Agents were civil servants within the purview of Article 309 of the Constitution was later on considered by them to be erroneous. The reasons which led the Government of India to change that view need examination:"

1.EDAs were treated as not-whole time employees, but they were Govt. servants

Justice Talwar while tracing out the History and treatment of ED Agents as civil servants observed that in the year 1901-02, the ED Agents assisted during the 'Census' in the year 1901 which highlights the fact that they were being treated by the department on the same footing as that of other regular Government employees. In all the Annual Reports since 1900-01, the ED Agents have been referred to as "not -whole time servants" of the Government. The concept of 'not whole time Govt employee' is recognized under the FR & SR 1922.

2.Government should be a model employer

The Government should be a model employer and should honour the law of the land and the directive principles of the State policy as adumbrated in the Constitution of India. It is unfortunate that the Government is resorting to taking decisions, which deny the legitimate entitlements of the ED employees.

3.Denial of civil status is misconceived & untenable

The Central Administrative Tribunal, Ernakulam Bench while disposing the OA No 584/95 on 23.01.96 has observed *inter alia*: - "we find no warrant for reading the restriction into the declaration of law in Rajamma's case and limiting it to Article 311. The declaration is that Extra Departmental Agents are holders of civil posts."

The department's conclusion that ED Agents being outside the regular Civil Service are not to be considered as civil servants excepting for the purpose of disciplinary inquiry is a misnomer, misconceived and untenable.

4.R.R.Savoar Committee on Civil Status to EDAs

".....There are, however, certain limitations in prescribing pay scales for Extra Departmental employees because the supporting accounts procedures and establishment would be an enormous involving maintenance of regular service records and other particulars like leave, increments and so on. In view of this, separate scales are not recommended."

5.EDAs are Civil Servants – Justice Talwar

"The Extra Departmental Agents have to be included within the overall class of civil servants, being holders of civil posts. They can be grouped as 'additional' to the departmental employees, but they cannot be classified as a class apart from the civil servants. At any rate they cannot be classified with the sole object of not granting them benefits which accrue to a departmental employee."

6.Other related justifications including legal decisions

....."The Rules make it clear that these Extra Departmental Agents work under the direct control and supervision of the authorities who obviously have the right to control the manner in which they must carry out their duties. There can be no doubt therefore that the relationship between the Postal authorities and the Extra Departmental Agents is one of master and servant".

..... Hon'ble Supreme Court in the case of Theyyam Joseph reported as (1996) 8 SCC 489 also held that the EDAs are Civil Servants regulated by the Conduct Rules and by necessary implication they do not belong to the category of workmen attracting the provisions of the Industrial Dispute Act, 1947.

..... The legal position, as per the law of the land (Rajamma's case AIR 1977 - S.C. 1677) is that the ED Agents employed by the department, though they are not employed on

whole time basis, cannot be termed as 'agents' because of their relationship with the Government which is that of master and servant.

..... Hon'ble Supreme Court in Gokulananda Das' case decided on 22.04.77. Reported in AIR 1977 SC 1677 wherein, it has been categorically held that ED Agents are holders of civil posts.

....."We find no warrant for reading the restriction into the declaration of law in Rajamma's case and limiting it to Article 311, the declaration is that Extra departmental agents are holders of Civil post".

(OA. No. 584/95 decided on 23.1.96)

7.We demand

..... Declaring the GDS employees as holder of Civil Posts for all purposes and extension of all benefits of Departmental employees to Gramin Dak Sevaks also.

..... Scraping the nomenclature of 'sevak' and declare them as 'Rural Postal Employees' of the Department of Post under a separate category.

..... Make the GDS full-time Government servants by extending various innovative schemes under Human Resource Development, which has been championed by the Planning Commission and Central Government.

III .. DEPARTMENTALIZATION OF GRAMIN DAK SEVAKS

1.Denial of Departmentalization

Except conduct and service and application of disciplinary provisions, no other benefits available to the Departmental employees are extended to the ED employees. The question of Civil Servant Status and consequent departmentalisation of ED Agents (GDS) remains pending for long and is denied continuously on one pretext or the other.

2.Justification for Departmentalization

As per Justice Talwar Committee's assessment & observations based on scientific survey conducted by it, 95.70% joined the postal department as ED Agents hoping to get full-time absorption and only 4.08% took it as a side occupation. Thus the ED Agents are solely depending upon their wages for their livelihood.

It can positively be said that at least 72% of the ED Agents do not have 'adequate means of independent livelihood' as they fall below the poverty line. In the present set up of the social - economic structure of rural areas, the daily wage for an agricultural labourer has been fixed much above the daily rate of an ED Agent.

3.Reasons for non-departmentalization had no justification

Hesitation is due to the cost equation and the Government's capacity to pay. If all the ED employees are departmentalised by scrapping the existing GDS system with eight hour work load on each official by assigning various new works to improve the functioning to make it more remunerative will overcome the problem. This vast infrastructure will really be an invaluable asset to the department in this era of e-commerce and e-governance and not at all a liability.

Another reason stated for non-departmentalisation is that more than 75% of the ED employees are having less than two hours work. This is far away from the truth.

If the post offices are kept open for more hours and introduces with more new items of work, there is every possibility of increasing the workload. There is every possibility of increasing the work hours justifying to full time departmentalisation.

4. Grant of full-time Departmental Employees' status is also viable

The existing GDS Posts having not less than five hours of work may immediately be converted into full time departmental posts for absorption of GDS treating them as Civil Servants.

If the Branch offices are being computerized as per IT Modernization & Rural ICT plan, there is every scope of introducing various works, including the independent function of POSB at BOs. The workload will be increased manifold. The BOs should also be utilized optimally.

If proper time factors are fixed, this will facilitate the creation of full time posts for absorption of GDS with Civil Servant status as a full time Govt. servant.

5. Departmentalize the GDS as one-time measure by scrapping the system

While granting Civil Servant status to the existing GDS employees and also while exploring the possibilities of making them full time civil servants, further employment of GDS employees to man the postal services may be stopped and the very expansion of the system of GDS may well be dropped.

6. Residual problems arising out of proposed departmentalization of GDS

The immediate problem posed to the department, if the departmentalisation is agreed to, is the housing of such Departmentalised Branch Post Office. For this, we suggest payment of reasonable rent.

7. Conclusion

The Department is still not having a vision to regularise the abundant number of GDS as civil servants and utilize their services optimum. We are confident that the Commission may recommend for grant of Civil Servant status for all purposes to GDS and departmentalization of GDS in true spirit by considering the above submissions.

IV.. JOB EVALUATION OF GDS

1. Identical duties of regular staff

The various categories of GDS carry out exactly the same type of work, which the regular departmental employee performs.

2. GDS Branch Post Master

The GDS BPM is performing the duties more or less identical to the duties of the Postal Assistants. They are selling stamps, booking registered articles, Money orders, handling SB work, etc. They should be aware of all the ruling positions in respect of all the transactions taken place in their offices.

The GDS is himself the Supervisor for all the works performed by him. They should also exercise control and supervision over other staff attached to their office.

3. GDS Mail Deliverer

The GDS MD performs the delivery work in the same manner as a departmental Postman does. The duties of the GDS DAs are as responsible and arduous as of a departmental Postman.

4. GDS Mail Carrier

The GDS mail carriers are required to exchange mails at the prescribed stages/ Post offices/RMS offices in the same manner as departmental Group D (MTS) or Mail Peon. They are doing similar & identical duties of their departmental counterparts.

5.GDS Mail Packers

The GDS Mail Packers are mostly employed in departmental post offices for all duties similar to that of Group D. They are the most exploited categories even though there are performing more than five hours to eight hours work.

6.GDS Stamp Vendors

These posts were created whenever the sale of postage stamps exceeds Rs.3500/- per day, the objective being that the public need not queue up at regular counters conducting other business just for purchasing some stamps.

7.GDS Messengers

Most of the messenger Posts have been abolished due to take over the work of telegram delivery by Telecom and no telegram service is now available. At present, there is no existence of GDS Messenger posts in the Department of Posts.

8.GDS Mail Men

GDS Mailmen appointed in Railway Mail Service (RMS) are doing the work similar to that of Departmental Mailmen.

9.Conclusion

The different categories of GDS employees and their departmental counterparts are given below:

GDS BPM	- Postal Assistant (incharge of single handed Deptl. PO)
GDS MD / GDS SV	- Postmen
Other GDS Categories	- MTS

V.. WAGE STRUCTURE

Justice Talwar Committee in its concluding observations in their report, it is stated inter alia: -

"It is, therefore, recommended that whenever it is required to review the service conditions and wage structure of the employees of the Department of Post, ED Agents be bracketed along with the departmental employees. There is no need to set up a separate Committee or Commission for the Extra Departmental Agents."

(Para 1.1 Chapter IX)

- i) No ED Agent would be employed for less than five (5) hours of work per day.
- ii) They may be permitted to work for a maximum of 8 hours as per workload & ½ hr lunch break
- iii) The present nomenclature of "TRCA" (Time Related Continuity Allowance) should be dropped. The wage should be termed as "pay" which entitles all other allowances being granted to whole time departmental employees.

Wages may be paid on a *pro rata* basis of payment (subject to a minimum of 5 hours) to corresponding whole time departmental employees, detailed as below:

1. Pay Scales

S.No	Nomenclature	Comparable category of departmental employee	Minimum pay for comparable category proposed by Postal Federation	Proposed Minimum for GDS (5hrs)	Proposed Maximum for GDS (8hrs)
(1)	(2)	(3)	(4)	(5)	(6)
1	GDS Branch Post Master	Postal Assistant	Rs.56,000 + 5% Annual Increment	Rs.35,000+5% Annual Increment	Rs.56,000+5% Annual Increment
2	GDS Mail Deliverer/Stamp Vendor	Postman	Rs.46,000 + 5% Annual Increment	Rs.28,750+5% Annual Increment	Rs.46,000+5% Annual Increment
3	GDS Mail Carrier/ Packer/ Mail men	Multi Tasking Staff (MTS)	Rs.33,000 + 5% Annual Increment	Rs.20,625+5% Annual Increment	Rs.33,000+5% Annual Increment

2. Date of effect

The enhanced pay / perks should be based on the recommendations of the Seventh Central Pay Commission and the arrears should be based on the revisions to be given effect from the date of implementation of 7th CPC recommendations.

3. Weightage

The length of service should be calculated in each case and due weightage should be given duly recognising their past services. The Fixation formula shall be revised accordingly and the seniors shall be given due weightage. Point to point fixation may be ensured.

4. Full protection of wages

The provision of protection of allowances (TRCA) to GDS was introduced in 1970s and there are clear cut instructions that under any circumstances, the wages of the GDS should not be reduced. The protection of wages under any circumstance shall be ensured.

VI.. ALLOWANCES

In nutshell, all the facilities applicable to the proportionate corresponding scales may be extended to the GDS employees based on the recommendations to be made for departmental employees by the Seventh Central Pay Commission.

1. Dearness Allowance

The quantum of the dearness element for GDS will bear the same proportion to dearness allowance sanctioned for regular employee of corresponding category.

2. House Rent Allowance & Transport Allowance

It is suggested to review the recommendations once again and grant HRA and also the transport Allowance which is replaced in lieu of CCA to the GDS employees at par with whole time regular departmental employees.

3.Over Time Allowance

Whenever a GDS is called on duty or training on a holiday or a weekly off day, he must be paid compensation for performing duty on that day. The amount of compensation should be calculated on the same principles as are applicable to corresponding departmental staff.

4.Travelling Allowance/Daily Allowance

There are several seasonal post offices in Himalayan Valley, which are kept open for 6-7 months, and the remaining period in other places. The officials working in those post offices should be granted with TA/DA with transfer grant. Similarly when GDS is ordered to move out of his office of duty for official purposes, TA/DA as admissible to Departmental employees shall be paid.

5.Split Duty Allowance

Split Duty Allowance at par with departmental employees may please be recommended.

6.Children Education Allowance

It is requested that the Children Education Allowance may please be introduced at par with other regular employees.

7.Boat Allowance

The GDSMD/MM is being drawn Rs. 50/- per month as Boat Allowance. This should be enhanced commensurate with the expenses for this purpose. Similarly, the officials working in the desert area in Rajasthan should be granted with conveyance allowance and cost of water Bottles, etc.

8.Special Duty Allowance

All Special Allowances drawn to regular should be extended to GDS in Assam and North East Region etc.,

9.Revival of Uttarakhand Allowance

It is requested to revive the Uttarakhand Allowance and a minimum of Rs. 1,000/- per month may please paid to the GDS working in these areas.

10.Grant of Remote Area Allowance

The GDS deployed in remote areas shall be paid compensation as if available to regular departmental staff in such areas.

11.Naxalite threat area Allowance

In the event of consideration of the same the departmental employees, the same may be paid proportionately to the GDS serving it the affected areas as 'Special Compensatory Allowance'.

12.Miscellaneous Allowances

It is requested that allowances like bad climate allowance, winter allowance and project allowance may be extended to ED Agents, the Quantum of allowance being determined according to the proportion which their emoluments bear to the emoluments of comparable categories of govt. servants."

VII .. WELFARE

1. Medical attendance facilities

It is requested to recommend Medical reimbursement facilities at par with whole time regular employees to the GDS working in rural areas for out-patient treatment and in the event of taking in-patient treatment the cost of medical treatment may be reimbursed like regular employees and the issue of reimbursement of medical expenses shall be ensured at par with regular departmental employees.

2. Funeral expenses

The dependents of GDS shall be granted a sum of Rs. 10,000/- as funeral expenses while died in service in order to perform the last rites.

VIII .. LEAVE

1. Leave

- (i) Earned Leave: One Day's E.L. for each completed calendar month of service.
- (ii) Half Pay Leave: 20 days half pay leave in a year.
- (iii) Commuted Leave: Half the amounts of the half pay leave may be allowed to be commuted a full leave .
- (iv) Leave without Pay: The condition that GDS can not take leave without allowances continuously for more than 180 days may be removed.
- (v) Casual leave: 12 days casual leave in a year.
- (vi) Maternity Leave: It is requested that female ED Agents be granted the same maternity leave as applicable in the case of full- time female employees of the Govt of India as per CCS (Leaves) Rules 1972.

2. Calculation of 180 days leave

The termination of GDS on availing of leave in excess of 180 days, that too without allowances is a great injustice against the natural law and human rights. The condition should be removed.

3. Maternity leave and child care leave for female GDS employees

The women GDS shall be granted maternity leave of 180 days at par with regular employees and the payment shall be made from the Government under salary head and not from the Circle Welfare Fund. They may also be granted Child Care Leave, Child Adoption Leave etc., at par with regular departmental employees.

4. Special Disability leave

The SDL should also be granted for the days of treatment for accidents while in service and also for dog bite/snake bite to the GDS as in the case of regular employees.

IX .. SOCIAL SECURITY SCHEMES

The Social Security Schemes like pension, Family Pension, DCRG etc. as applicable to the departmental employees shall be extended to GDS also.

1. The existing

- Ex- gratia Gratuity on completion of 10 years of continuous satisfactory service.
- ... Extra Departmental Agents Group insurance scheme from 1992 wholly on contributory and self financing basis.
- ... SDB scheme (Service Discharge benefit Scheme) by remitting Rs. 200/- per month by Department for pension Fund.

2.R.R.Savoor on Social Security Scheme

It is observed that even though ED Agents do not have any social security benefit except that of gratuity and a scheme of contributory provident fund has already been recommended, it is not necessary to suggest pension as an additional benefit. Grant of pension to ED Agents is therefore not recommended."

3.Even unorganized labour entitles Pension

Denial of many State Govt.'s benefits like old age pension, disabled pension, rational cards, house sites, medical schemes, agricultural loans, housing loans etc., as they are being considered the GDS are Central Govt. Employees.

4.Pension is not an alms or at the mercy of the employer

" 127.3-Pension is an area where clarity of vision is often obscured by ill-considered notions. However, the Supreme Court has, in the landmark judgment of D.S. Nakara and other Vs. Union of India (AIR 1983 SC 130) clarified all the issues connected to Pension. While examining the Goals that a pension scheme should seek to sub serve, the Apex Court held that:

'A Pension scheme consistent with available resources must provide that the pensioners would be able to live:

- (i) free from want, with decency, independence and self- respect,
and
- (ii)at a standard equivalent at the pre-retirement level

"127-4: - The Court felt that as determining the minimum amount required for living decently was difficult, selecting the percentage representing the proper ratio between earnings and the retirement income was harder. We owe it to the pensioners that they live, nor merely exist."

5.Justice Talwar on Pension to GDS

....."after independence, it is one of our unsung achievement that this service (GDS Service) has been extended, and successfully to the whole of the country. This achievement was possible only because of the employees working in the Extra Departmental system. The State is duty bound to look after the morale of this task force of over 3 lakhs and cannot get away by simply giving a maximum of Rs 6000/- gratuity as charity though many of the ED Agents have given their entire life to this organisation. Examining the Question from any angle, Extra Departmental Agents deserve the grant of pension not only because of the social obligation of the State but also because Rule 2 of the Pension Rules is applicable in their case."

6.Our submission on Pension

The GDS are entitled for the grant of pension and it is therefore requested to extend the Pension scheme to the GDS at par with regular Govt. employees with all consequential benefits and entitlements.

7.Retirement / Death Gratuity

The GDS shall be granted gratuity at par with regular employees which will alone render natural justice to these poor plighted exploited categories. The Supreme Court judgment on GDS that they are covered under Gratuity Act may be implemented.

8.Family Pension

The scheme of Severance Amount should be dispensed with and pensions/ family pension as stipulated to Govt servants should be extended to GDS employees.

9. Commutation of Pension

This is a social obligation and this shall be considered in true spirit.

10. Group Insurance Scheme

It is suggested that the scheme should be widened with an insurance Coverage of 2,00,000 with the monthly subscription of Rs.100/-. The savings Fund should also be reviewed under the present rates.

X.. APPOINTMENT & PROMOTIONS

1. Appointment & promotions

We are of the firm opinion that the existing GDS could be departmentalised till that time the expansion of the GDS system may be stopped.

2. Assured Career Progression Scheme

Minimum of five financial upgradations in the existing GDS cadres after completing 8, 16, 24, 30 and 34 years of service and appropriate upgradation/pay scales are to be recommended.

3. Minimum service to Postman examination

All the eligible GDS shall be permitted to appear the postmen examination without fixing any minimum service as the recruitment is classified under Direct Recruitment and outsider Quota.

XI.. CONDUCT & DISCIPLINARY RULES

1. GDS Conduct Rules should be made statutory (No separate Conduct Rules for GDS)

The GDS employees have to be included within the overall class of civil servants, being holders of civil posts. Otherwise, it will be violation of Article 14 and 16 of the Constitution. Thus, there is no need to keep separate rules for GDS employees and the Central Civil Services (Conduct) Rules 1964 and CCS (CCA) Rules 1965 should cover the ED employees also and be made applicable to them.

2. Changes warrant in GDS (Conduct&Engagement) Rules, 2011

The GDS should be given the reasonable opportunity to make his representation while imposing major punishment like dismissal/removal as in the case of Govt servants covered under CCS (CCA) Rules 1965 as otherwise even the distorted interpretation of Apex Court's landmark judgment by the Department of Posts stands violated.

3. Rule-12 -- Put off duty

GDS employees being a civil servant, has to be treated as such. Therefore, similar provisions as contained in Sub Rules 1 (AA), 2 including the explanation, 3,4,5 of Rule 10 of CCS (CCA) Rules 1965 have to be incorporated in the Rule 12 of GDS Rules 2001.

4. With holding of appeals

The GDS employees are Civil Servants within the purview of Article 309 and these rules should be promulgated under the *proviso* of Article 309 and made statutory.

XII.. MISCELLANEOUS MATTERS

1. Cycle beat

It is requested that this may be reviewed as in the rural areas most of the beats are not cycleable. Foot beat formula may be resorted.

2.Idle wait for GDSMCs

We suggest instead of taking the detention period for fixing the allowances, some *ex gratia* like OTA may be paid to the GDS officials retained beyond the working hours for mail exchange.

3.Uniforms

The uniforms like departmental officials may be supplied to the outdoor GDS officials like GDS MD, GDSMC, GDS MM etc., so that it can identify their services to the public.

4.Employment of GDS in urban areas

The ED System is still in existence even in metropolitan cities. All such Posts should be upgraded and the incumbents be regularized in all major cities.

5.Engagement of GDS Mailmen in large Railway platforms

Sri Natarajamurthy Committee has declared the posts as dying cadre. But it did not find a solution to convert the existing GDS MM as MTS in RMS which is practically possible at this juncture.

6.Fixed Stationery Charges

Considering the escalation of prices, the present rate of Fixed Stationery Charges being paid to GDS may be reasonable increased.

7.Leave Travel Concession

An extension of such welfare schemes is a must to refresh and utilize their skills effectively in the service, the LTC facilities may please be extended to the GDS employees.

8.Lunch break & rest

They may be given appropriate period of rest for lunch.

9.Counting of past service

The benefits of past service should be given to GDS on promotion.

10.GDS compassionate appointments

We request to rescind the restrictions in the grant of compassionate appointment and restore the *status quo*.

11.Advances

GDS may be granted all advances available to departmental employees.

12.Revision of Flood Advance

The Quantum of advance shall be revised to GDS atleast to the extent of Rs. 10000/-.

13.Grant of House Building Advance

It is requested to kindly consider and cause provision of House Building Advance to the GDS.

14.Grant of Motor cycle & Computer Advance

Considering the present day mode of Conveyance and the requirement, the GDS can also granted motor cycle Advance at par with regular departmental officials. & Computer advance may also be granted to the GDS for the purchase of computers.

15. Rent for Branch Post Office

The rent for housing Branch Post offices should be granted according to the market rates prevailing in the localities concerned.

16. Combination of duties

If Branch Postmasters perform delivery work/conveyance of mails for two hours, he should be paid the same 'Pay' of the combined post as would be the entitlement of an ED DA / MC if he were to work for 2 hours. The same principle is to be applied in respect of EDDA performing the duties of BPM or that of an ED MC.

17. Removal of certain retrograde conditions

The condition for GDS employment to ensure that one has an alternative source of income.

The residential condition for GDS employees.

The GDS of all categories to furnish security of Rs. 25000- /10000-

The recovery of premium to the extent of Rs. 2500/- for five years from the GDS officials and credited to the Postal Societies.

18. Norms

It is requested to review the revised norms scientifically and protect the GDS for the unwarranted wage cut. The application of Time Test applicable to regular employees to assess the workload of the Branch offices should continue.

19. Seasonal Post Offices

There are many BOs in Uttarakhand & J & K Circle where the BOs are functioning partially in one year for six to seventh months in places like Kedarnath and Badrinath. The GDS shall also be granted with TA/DA at par with regular Postal officials posted in such seasonal post offices.

20. Incentive for promoting small family norms

There is every justification to grant similar incentive to the GDS officials for promoting small family norms.

21. Incentive to GDS sports persons

The Special increments available to the whole time regular employees for their sports activities should be extended to the GDS officials also.

22. Grant of TA/DA for conveyance of cash to AO

They should be granted TA / DA for such events or at least Rs. 100/- on each occasion for the conveyance of cash taking risk for such clearance.

23. Payment of TA/DA for inquiry

Travelling Allowance and Daily Allowance be paid to the ED Agents in inquiry cases on the same lines as applicable to whole time Government employees subject to a minimum of TA/DA admissible to the Group 'D' employee.

24. Counting of GDS service to pension

The GDS service may be counted for Pension.

25. Date of superannuation

The date of superannuation shall be the last date of the month.

26.Payment of retirement/terminal benefits of the day of retirement

Necessary instructions should be issued to the competent authorities scrupulously.

27.Remuneration for excess work

It is requested to compensate properly for such work by fixing norms.

28.Triennial review of assessing workload of GDS

As and when additional workload is given to the ED Agents, their emoluments must be increased with immediate effect.

29.Counting of service of GDS for grant of HBA

Half the service of an official as ED Agents be counted towards qualifying service for pension and other benefits like House Building Advance.

30.Deduction of dues for Coop Societies

The GDS employees should be permitted to form their Societies, and become a member of the registered Co-op societies and the Department should oblige in recovering the dues to such societies from the pay of the GDS officials.

31. Supply of BO Rule book with updated correction Once in two years

According to the DG P&T letter No. 62/96/67-CI dt. 4.1.88, all BOs should be supplied with B.O. Rules along with Chapter 13 in regional language. It should be ensured for the supply once in two years.

32.Waival of examination fee for Postman / Mail Guard examination

No fee is collected for any departmental examination; either be cancelled or waived.

33.Increase workload by adding more work & Responsibility to BOs

It will be necessary to transfer more responsibilities to BPMs as done by Sub Postmasters of single handed departmental Post Offices.

34.Problems of GDS Mailmen in urban/cities & larger platforms

In order to engage the Mazdoors, daily wage earners for eight hours and to make them as full time employees. We request to issue clear-cut recommendations for the absorption of the existing GDS MMs working in urban cities and larger platforms as MTS.

35.Supply of ID cards to GDS

It is requested to provide Departmental Identity cards to all GDS viz., GDS BPMs, GSDSA, GDSMC etc.,

36.No loss of annual increase / increment on availing the limited transfer facility of GDS

Instead of minimum TRCA of the Post, eligible TRCA with the applicability of the benefit of annual increase for the past service is requested. Existing TRCA will be protected.

37.Revenue Generated from SB/RD/TD/RPLI/MNREGS Etc., to be added as an apportioned income from BOs

While calculating the income/cost ratio of the BO establishment, it would be included with the apportioned ratio of revenue generated from the BO on the live accounts of certain Savings schemes.

34. BPM should be treated as a skilled worker as it requires a technical expertise for his recruitment

The essential qualification of computer knowledge is opted for the selection of BPM and thus a BPM should be treated as a skilled worker and pay fixed for the BPM as deemed fit with the comparison of departmental employees of such nature.

XIII .. TRAINING PROGRAMMES

The GDS officials should be deputed for in-service Training at the Training centres for this purpose especially they should be well brained in Computer operations to cater the need at the time of introduction of Rural ICT Programmes.

1. Training programme for GDS BPMs

The Branch Postmasters may be trained by an Inspector or Assistant Superintendent of Post Offices at a Delivery Head Post Office or a delivery Sub Post Office depending upon the availability of accommodation and other facilities.

2. Training programme for GDS Mail Deliverer

The GDS should be imparted for four days training and the first two days they will be given training at sub divisional office and other two days at selected sub post office.

XIV .. FACILITIES TO BE PROVIDED TO THE PUBLIC

Rural Post offices may be considered as a public relations office and normal needs of the public expected to be provided by the Central or State Governments and other local bodies.

1. Facilities to be provided to the public

All the facilities as are normally expected of by the public could be provided in the Rural Post office.

2. Basic amenities to BOs

The following items are required for the Branch Post Office:

Small iron chest embedded suitably at the Government Cost.

A steel almairah for keeping valuable records etc., in the BO

Two chairs, a desk and a stool.

A wooden Box and a bench for Public and

One small forms rack.

XV .. TRADE UNION FACILITIES

1. The GDS Unions are not extended Trade Union facilities as available to regular staff unions. Same may be extended.

2. We demand

..Grant all Trade union facilities to the recognized unions representing GDS employees and the grant of right to affiliate with Federations.

..Conferring with all GDS Union representatives the same rights as enjoyed by the regular staff.

..Recovery of union subscriptions from the payrolls.

..The facility of a deputation to the union in Foreign Service terms at all levels.

..Allocation of seats in JCM and discuss their Problems thereon.

... Periodical meetings at all levels.

XVI : CONCLUSION

We have made an earnest effort to prepare this Memorandum to depict the realistic picture on the prevailing conditions of GDS staff and their justified demands that will bring much needed changes in the living and working conditions of this most neglected section and downtrodden employees of the Department of Posts.

We have relied upon various judicial pronouncements including the Honourable Apex Court and the observations and recommendations of Honourable Justice Charanjit Singh Talwar.

We have indeed made a serious effort to put before the Commission that departmentalisation of GDS System is both viable and beneficial to the service and GDS staff.

We submit that these simple and poor 2.63 lakhs of Gramin Dak Sevaks should not be neglected and shall be extended all benefits of departmental employees.

We conclude with the famous quote of Honourable Justice Charanjit Singh Talwar, “The weak and downtrodden need protection” and we look forward to the 7th Central Pay Commission to make the decades long dream of 2.63 lakh GDS, a reality.

**M.KRISHNAN
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