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RMS SENTINEL

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FEBRUARY 2016

MEMORANDUM TO SECRETARY POSTS ON 7th PAY COMMISSIONS RELATED ISSUES

POSTAL JOINT COUNCIL OF ACTION
NATIONAL FEDERATION OF POSTAL EMPLOYEES
FEDERATION OF NATIONAL POSTAL
ORGANISATIONS

No.PF-PJCA/2016 Dated: 09th February, 2016

To

The Secretary,
Department of Posts,
Dak Bhawan, New Delhi-110 001

Sub: Settlement of Pay Commissions related
issues: regarding

Madam,

1. The Finance ministry has constituted an implementation cell which will function as the Sectt. of the empowered Committee headed by Cabinet Secretary in which Secretary , Department of Post is also a member.

2. As per the minutes of implementation cell held on 2nd February, Nodal Officers from our Department has not attended, it is reliably learnt.

3. The implementation cell has fixed two weeks time for submission of any Departmental specific Modification on 7th CPC recommendations but it is learnt that Nodal Officer appointed by the Department is out of Delhi and will be returning after 12th February , by that time, there will be 4 days time left for cutoff date fixed by implementation cell..

4. Further minutes says that any modification recommended by the Secretary Posts should be approved by the Minister (C) also before submission to implementation cell. We feel that if action is not taken on war footing it will be impossible for the Postal Department to submit modification proposal to the implementation cell after completing all the above formalities before the cutoff date

5. Regarding Cadre Restructuring also if orders are not issued before implementation of Pay Commissions report, there is every chance of returning the proposal by DOP&T for resubmission after signing fresh agreement taking in to consideration the 7th CPC orders issued by the Government.

In view of the above we request you to kindly act immediately to safe guard the interests of Postal Employees without giving room for any delay or omission or commission on the part of Postal Department.

We have decided certain agitational programmes on which we will be giving a separate memorandum on 11th March 2016.

Yours faithfully

Sd/-
(D. Theagarajan)
Secretary General
FNPO

Sd/-
(R.N. Parashar)
Secretary General
NFPE

JOURNAL OF THE NATIONAL UNION OF RMS & MMS EMPLOYEES, GROUP 'C'
CH 17-1-18, ATUL GROVE ROAD, NEW DELHI - 110 001, PHONE : 23321378

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PJCA CIRCULAR

POSTAL JOINT COUNCIL OF ACTION
NATIONAL FEDERATION OF POSTAL EMPLOYEES
FEDERATION OF NATIONAL POSTAL
ORGANISATIONS

No.PF-PJCA/2016 Dated: 10th February, 2016

To

All General secretaries/CHQ Office Bearers

All Circle/Divisional and Branch secretaries
of all NFPE/FNPO unions.

Dear Comrade,

An emergent meeting of PJCA with available General Secretaries of both Federations (NFPE& FNPO) was held at NFPE office 1st Floor North Avenue Post Office Building, New Delhi.

After detailed discussion it was decided that along with NJCA programme , the following programme will be organized on Postal Charter of demands as mentioned below :

CHARTER OF DEMANDS

1. Settle all 7th CPC related demands submitted by NJCA.
2. Grant of Civil Servant status and all benefits of Departmental employees on pro-rata basis to Gramin Dak Sewaks.
3. Upgradation of Pay Scales of various cadres of Postal department by modifying the retrograde recommendations of the 7th CPC.
4. Implement Cadre restructuring agreements already signed before implementation of 7th CPC report.
5. Filling up of all vacant posts by conducting special recruitment in all Cadres of Department of Posts.
6. Settlement of problems arisen due to roll out of CBS and CIS.
7. Regularization of service and payment of revised wages of Casual labourers w.e.f. 01.01.2006.

PROGRAMME

The following programme of action was chalked out:

(i) Submission of memorandum by organizing lunch hour demonstration in front of all Divisional offices and submission of memorandum to Secretary Posts on 11.03.2016.

(ii) Dharna in front of all Divisional offices on 18.03.2016.

(iii) Dharna in front of all CPMG offices on 06.04.2016.

(iv) Indefinite Strike along with NJCA on 11.04.2016.

A joint letter by both Federations will be submitted to Secretary Department of Post on Pay commission related issues and Cadre restructuring , 7 Point Charter of demands and Memorandum will be submitted on 11th March 2016.

To mobilize and make the demands popular among the members, the following campaign programme will be launched by NJCA leaders in the following state capitals as mentioned below:

STANDING COMMITTEE SOUGHT A REPORT

The Parliamentary Standing Committee on IT has sought a report from India Post with regard to the progress made by the department for starting payments bank, setting up of ATMs and real estate management.

The committee, headed by BJP MP Anurag Thakur, is scheduled to discuss all issues in this regard during its meeting tomorrow, an official source said.

The pilot for payments bank is set to start from January 2017 while full-fledged operations may start by March 2017. As many as 40 international financial conglomerates, including World Bank and Barclays, have shown interest to partner with Postal Department for the payments bank. The Reserve Bank of India has granted payments bank permit to the postal department, which has 1.55 lakh branches across country and already provides financial services. The Public Investment Board (PIB) is soon likely to approve the Rs 800-crore proposal from Postal Department for setting up payments bank. As part of the modernisation project, the postal department also plans to open 1000 ATMs by March this year. PTI KIR MKJ

S.L. No.	Place	Date	Leaders	
			NFPE	FNPO
1.	Bangalore (Karnataka)	15.03.16	Com.R. Seethalakshmi Dy.S/G NFPE & G/S P-4	Sh. D. Theagarajan S/G FNPO
2.	Hyderabad (AP)	16.03.16	Com. Giriraj Sing President NFPE & G/S R-III	Sh. D. Theagarajan S/G FNPO
3.	Mumbai (Mah.)	17.03.16	Com. R.N. Parashar S/G NFPE & G/S P-3	Sh. T.N. Rahate G/S P-4 & President FNPO
4.	Ahmedabad (Guj)	18.03.16	Com. R.N. Parashar S/G NFPE & G/S P-3	Sh. T.N. Rahate President FNPO& G/S P-4
5.	Bhopal (M.P.)	21.03.16	Com. Giriraj Singh President NFPE & G/S R-III	Sh. T.N. Rahate President FNPO& G/S P-4
6.	Raipur (36 Garh)	22.03.16	Com. Giriraj Singh President NFPE & G/S R-III	Sh. T.N. Rahate President FNPO& G/S P-4
7.	Jaipur(Raj)	23.03.16	Com.R. Seethalakshmi Dy.S/G NFPE & G/S P-4	Sh. T.N. Rahate President FNPO& G/S P-4
8.	Patna(Bihar)	28.03.16	Com. R.N. Parashar S/G NFPE & G/S P-3	Sh. D. Theagarajan S/G FNPO
9.	Lucknow (UP)	29.03.16	Com. R.N. Parashar S/G NFPE & G/S P-3	Sh. D. Theagarajan S/G FNPO
10.	Ambala(Haryana)	28.03.16	Com.R. Seethalakshmi Dy.S/G NFPE & G/S P-4	Com. Jaipal Singh
11.	Chandigarh (Punjab)	29.03.16	Com.R. Seethalakshmi Dy.S/G NFPE & G/S P-4	Com. Jaipal Singh & Com. Jagdish
12.	Shimla (HP)	30.03.16	Com.R. Seethalakshmi Dy.S/G NFPE & G/S P-4	Com. Jaipal Singh & Com. Jagdish
13.	Deharadun(Uttarakhand)	28.03.16	Com. Giriraj Singh President NFPE & G/S R-III	Com. Jaipal Singh & Com. R.N. Yadav.

Sd/-
(D. Theagarajan)
Secretary General
FNPO

NFPE

INDEFINITE STRIKE FROM 11th APRIL-2016

NJCA

National Joint Council of Action

4, State Entry Road, New Delhi – 110055

No.NJC/2015/7th CPC

February 9, 2016

To
All Constituents of NJCA

Dear Comrade

The NJCA met on 08.02.2016 as scheduled. The meeting after taking into account various factors decided that the proposed indefinite strike will commence from 11.04.2016 if no settlement is brought about on the charter of demands by that time. The meeting also took the following decisions.

1. Strike notice will be served by the NJCA and all its constituents on 11.03.2016 by holding massive demonstration.
2. There will be a massive Rally on 11.03.2016 at Delhi and leaders of NJCA will make it

Sd/-
(R.N. Parashar)
Secretary General

possible to attend the said rally and the strike notice will be served on Cabinet Secretary, Government of India.

3. All the National JCA leaders will attend Rally at the State Capitals/big industrial centres during the month March and April, 2016. Dates will be finalised in consultation with the concerned State JCA.

4. To strengthen the campaign, the NJCA will place on the website a pamphlet explaining the demands.

5. Posters will be centrally designed and kept in the website for State JCAs and constituents to adopt.

6. All Constituents will undertake independent campaign programmes in the month of March 2016 to popularize the demands.

7. 29th March will be observed as solidarity day throughout the country unitedly by all the Constituents of NJCA.

8. The indefinite strike will commence at 6 am on 11.04.2016.

9. The updated Charter of Demands on which the indefinite strike is to be organized is

enclosed.

10. The Constituent organizations may add sectional demands as Part B of the Charter of Demands of the NJCA

The National JCA appeals all constituents to make intensive campaigns to make the strike an unprecedented success.

With greetings,

Yours fraternally,
(Shiva Gopal Mishra)
Convener

Charter of Demands

1. Settle the issues raised by the NJCA on the recommendations of the 7 CPC sent to Cabinet Secretary vide letter dated 10th December 2015
2. Remove the injustice done in the assignment of pay scales to technical/safety categories etc. in Railways & Defence, different categories in other Central Govt establishments by the 7 CPC
3. Scrap the PFRDA Act and NPS and grant Pension/family Pension to all CG employees under CCS (Pension) Rules, 1972 & Railways Pension Rules, 1993

4. i) No privatization, /outsourcing/contractorisation of governmental functions

ii) Treat GDS as Civil Servants and extend proportional benefit on pension and allowances to the GDS

5. No FDI in Railways & Defence; No corporatization of Defence Production Units and Postal Department.

6. Fill up all vacant posts in the government departments, lift the ban on creation of posts; Regularise the casual/contract workers

7. Remove ceiling on compassionate ground appointments

8. Extend the benefit of Bonus Act, 1965 amendment on enhancement of payment ceiling to the adhoc Bonus/PLB of Central Government employees with effect from the Financial year 2014-15

9. Ensure Five promotions in the service career of an employee

10. Do not amend Labour Laws in the name of Labour Reforms which will take away the existing benefits to the workers

11. Revive JCM functioning at all levels

**125% DA from Jan 2016 for 7th CPC
Fitment Factor is confirmed: AICPIN
Dec, 2015 released**

125% Dearness Allowance from January 2016 is confirmed now after releasing of December, 2015 AICPIN, which was already speculated by Seventh Pay Commission and was taken as fitment factor for determination of new pay matrix.

As per Labour Bureau Press Release the All-India CPI-IW for December, 2015 decreased by 1 point and pegged at 269 (two hundred and sixty nine). From this decrease the Expected Dearness Allowance from Jan, 2016 is confirm to stand at 125%. The Dearness Allowance from Jan, 2016 is important factor of pay determination in 7th CPC, which is due to implement with effect from 01.01.2016. The recommendations of 7th CPC has taken the expected DA @ 125% for the purpose of minimum pay determination and the fitment factor for new pay structure. Now the speculation of this DA by 7th CPC is correct and only minimum wages will be the main factor to increase the Fitment Factor from 2.57, which is main demand of employees. For more details visit : www.fnpo.org



SUBSCRIPTION

The Monthly subscription will be
Rs. 50/- from 1-10-2015.

The Monthly subscription shall be
allocated as under:
Branch Rs. 10.00 Division Rs. 15.00
Circle Rs. 10.00 CHQ Rs. 15.00

Federation Quota Rs. 1/- for member
will be paid proportionately
based on the quota received by the CHQ
directly to Federation.

Finance Secretary Address

SATYANARAIN, Finance Secretary

Chambri, No. CH 17-1-18, Atul Grove Road,
New Delhi - 110 001.



CENTAL VIGILANCE COMMISSION

No 000-VGL-18

Dated 18.01.2016

Sub : Timely completion of disciplinary proceedings/departmental inquiry proceedings—improving vigilance administration.

Commission's Circular No. 8(1)(g)199(2) dated 19.02.1999 Commission's Circular No. 8(1)(g)/99(3) dated 03.03.1999 Commission's Circular No. 3(v)/99(7) dated 06.09.1999 Commission's Circular No. 000/VGL/18 dated 23.05.2000 Commission's Office Order No. 51/08/2004 dated 10.08.2004

The Commission has noted with serious concern that the administrative authorities are not adhering to the time-schedules prescribed for completion of disciplinary proceedings. In a recent study conducted by the Commission, it has been noticed that while the average time taken by the administrative authorities in finalisation of disciplinary proceedings is more than 2 years, the maximum time taken in a particular case was eight (8) years and at least in 22% cases the inquiry took more than two years. The Commission vide its Circular No. 8(1)(g)/99(3) dated 03.03.1999 and No. 000/VGL/18 dated 23.05.2000 has laid down the time limits for various stages of disciplinary proceedings right from the stage of investigation to finalisation of the disciplinary case. The time-limit for completion of departmental inquiry is six months from the date of appointment of the 10. Thus, it appears that this time limit is not being adhered to by a majority of the Departments/Organisations. Such long delays not only are unjust to officials who may be ultimately acquitted, but help the guilty evade punitive action for long periods. Further, they have an adverse impact on others who believe that "nothing will happen". The Commission has been emphasising from time to time on the need for expeditious completion of disciplinary proceedings.

2. Recently, the Hon'ble Supreme Court in its judgment dated 16.12.2015 in Civil Appeal No. 958 of 2010 Prem Nath Bali Vs. Registrar, High Court of Delhi & Anr has viewed the delay in handling of disciplinary cases adversely. The Hon'ble Supreme Court while allowing the said appeal in favour of the Appellant Employee has observed as follows:

"29. One cannot dispute in this case that the

suspension period was unduly long. We also find that the delay in completion of the departmental proceedings was not wholly attributable to the appellant but it was equally attributable to the respondents as well. Due to such unreasonable delay, the appellant naturally suffered a lot because he and his family had to survive only on suspension allowance for a long period of 9 years.

30. We are constrained to observe as to why the departmental proceeding, which involved only one charge and that too uncomplicated, have taken more than 9 years to conclude the departmental inquiry. No justification was forthcoming from the respondents' side to explain the undue delay in completion of the departmental inquiry except to throw blame on the appellant's conduct which we feel, was not fully justified

31. Time and again, this Court has emphasized that it is the duty of the employer to ensure that the departmental inquiry initiated against the delinquent employee is concluded within the shortest possible time by taking priority measures. In cases where the delinquent is placed under suspension during the pendency of such inquiry then it becomes all the more imperative for the employer to ensure that the inquiry is concluded in the shortest possible time to avoid any inconvenience, loss and prejudice to the rights of the delinquent employee.

32. As a matter of experience, we often notice that after completion of the inquiry, the issue involved therein does not come to an end because if the findings of the inquiry proceedings have gone against the delinquent employee, he invariably pursues the issue in Court to ventilate his grievance, which again consumes time for its final conclusion.

33. Keeping these factors in mind, we are of the considered opinion that every employer (whether State or private) must make sincere endeavor to conclude the departmental inquiry proceedings once initiated against the delinquent employee within a reasonable time by giving priority to such proceedings and as far as possible it should be concluded within six months as an outer limit. Where it is not possible for the employer to conclude due to certain unavoidable causes arising in the proceedings within the time frame then efforts should be made to conclude within reasonably extended period depending upon the cause and the nature of inquiry but not more than a year."

3. The Commission has observed that a number of factors contribute to the delay in the conduct of departmental inquiries and with prudent management this needs to be checked. The departmental inquiry is often delayed due to laxity on the part of IO, lack of monitoring by DA & CVO, non-availability of listed or additional documents, delay in inspection of original or certified documents, frequent adjournments, non-attendance of witnesses, especially private witnesses, faulty charge-sheets and frequent change of IO/PO and non-monitoring of progress of inquiry. The Commission suggests that the following steps may be ensured and complied strictly by the IOs/administrative authorities:

(i) In cases where investigation has been conducted by the CBI/ other investigating agency and the documents have been seized by them for prosecution in courts and RDA is also contemplated, it is the responsibility of the CVO/ DA to procure from the CBI/investigating agency legible certified copies of seized documents required for RDA. In cases investigated by CVOs it must be ensured that certified legible photocopies of all documents are made available at the time of preparation of draft charge-sheet itself.

(ii) While drafting the charge-sheet it may be ensured that all the relied upon documents as well as copies of relevant rules/instructions are in the custody of CVO. After issue of charge-sheet and submission of defence statement, the DA is required to take a decision within 15 days for appointment of IO/PO in major penalty cases.

(iii) As far as practicable, the IO should be chosen from amongst the serving officers/retired officers in the same station where the charged officer is posted, who is likely to continue till the conclusion of inquiry.

(iv) It may be ensured that the PO is appointed simultaneously. Changes in IO/PO be resorted to only in exceptional cases under intimation to the Commission (in respect of officers within the jurisdiction of the Commission).

(v) In cases involving more than one charged officer, it may be ensured that, as far as practicable, same IO/PO is appointed in all cases.

(vi) The PO must keep copies of relevant Rules/Regulations/Instructions etc. readily available with him. Departments/Organisations should also ensure online availability of all their Rules/Regulations/Instructions etc. so that it can be

downloaded during the inquiry proceedings without any loss of time.

(vii) It may be ensured that the defence documents are made available within the time allowed by the IO. Responsibility should be fixed on the custodian of such documents for any undue delay/not producing it in time or loss of these documents.

(viii) The IO should normally conduct Regular Hearing on a day to day basis and not grant more than one adjournment for appearance of witnesses. It may be ensured that all the prosecution or defence witnesses are summoned and examined in separate but simultaneous batches expeditiously.

(ix) If witnesses do not appear in response to notices or are not produced by IO/CO as the case may be, powers conferred under the Departmental Inquiries (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1972 be exercised to request the Competent Court to pass orders for production of the witness through summons issued by the Court.

(x) The IO should, as far as practicable, desist from allowing interlocutory documents sought either by the IO or the CO as additional documents during the deposition of witnesses.

(xi) The time-limit for various stages of inquiry, as prescribed by the Commission vide its Circular No. 8(1)(g)99(3) dated 03.03.1999, may be complied with strictly by the disciplinary authorities and the inquiry officers.

(xii) Where the CO or IO do not co-operate in the manner of attendance, production of documents, witnesses etc., IO may after affording reasonable opportunity, proceed to give a report ex-parte based on facts, documents, witnesses produced before him.

4. The suggested time limits for conducting departmental inquiries prescribed by the Commission for various stages is annexed for ready reference. Timely completion of departmental inquiry/departmental proceedings is the prime responsibility of the Disciplinary Authority. Therefore, the disciplinary authorities in each Ministry/Department/Organisation may regularly monitor the progress of inquiry on regular basis and ensure that the inquiry/departmental proceedings are completed within the time-limit prescribed as laid down by Hon'ble

Supreme Court in the above cited case. The CVO concerned would assist the disciplinary authority in monitoring the progress of departmental proceedings. The Commission may recommend adverse action against the concerned disciplinary/administrative authority who is found responsible for any unexplained delay observed in any case. In appropriate cases wherein the 10 delays the proceedings, DA may not hesitate to take necessary and appropriate action against the IO.

(J. Vinod Kumar)
Director

To

- (i) The Secretaries of all Ministries/Departments of Go1
- (ii) (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies/etc.
- (iii) All CVOs of Ministries/Departments of GoI/CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies/ etc.
- (iv) (iv) Website of CVC

Copy to:

Department of Personnel & Training [Shri Jishnu Barua, Joint Secretary (S&V2) & CVO], North Block, New Delhi-1 10001 for information and necessary action.

Annexure

**MODEL TIME LIMIT FOR DEPARTMENTAL INQUIRIES AS LAID DOWN IN
CIRCULAR NO. 8(1)(G)99(3) DATED 03.03.1999**

Stage of Departmental Inquiry	Time Limit prescribed
<ul style="list-style-type: none"> • Fixing date of Preliminary Hearing and inspection of listed documents, submission of Defence documents/ witnesses and nomination of a Defence Assistant (DA) (if not already nominated) 	Within four weeks
<ul style="list-style-type: none"> • Inspection of relied upon documents/submission of list of DWs/Defence documents/Examination of relevancy of Defence documents/DWs, procuring of additional documents and submission of certificates confirming inspection of additional documents by CO/DA 	3 months
<ul style="list-style-type: none"> • Issue of summons to the witnesses, fixing the date of Regular Hearing and arrangement for participation of witnesses in the Regular Hearing 	3 months
<ul style="list-style-type: none"> • Regular Hearing on Day to Day basis 	3 months
<ul style="list-style-type: none"> • Submission of Written Brief by PO to C0/10 	15 days
<ul style="list-style-type: none"> • Submission of Written Brief by CO to 10 	15 days
<ul style="list-style-type: none"> • Submission of Inquiry Report from the date of receipt of written Brief by PO/C0 	30 days

NB: If the above schedule is not consistent /in conflict with the existing rules/ regulations of any organisation, the outer time limit of six months for completing the Departmental Inquiries should be strictly adhered to.

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GENERAL SECRETARY'S LETTER

CIRCLE CONFERENCE P IV

Andhra Pradesh Circle Conference was held at Hyderabad 2-2-2016 to 4-2-2016. SG FNPO, President FNPO & Deputy Secretary General FNPO participated the conference. Details of the Conference will be published in Federal Sentinel.

WEST BENGAL CIRCLE CONFERENCE :

West Bengal Circle Conference of NUR 'C' was held at Kolkata from 28th January to 30th January 2016. Open session was inaugurated by Sri Sukhendu Shekhar Roy, Member of Parliament. Sri Dola Sen, M.P. and Sri Tapas Roy, M.L.A. participated in the conference events.

On 28th January 2016, the Subject committee meeting was presided over by Sri Subrato Chowdhry. Sri Devnath Pal, Circle Secretary presented Biennial Report. The report was adopted after a debate.

In the open session held on 29-1-2016, S/Sri Rajat S. Das, Working President FNPO, Soma Ghosh, Dy. CS PIV, Tarak Dutta CS R IV Debasis kUndu CS, DPLI, Anjan Sarkar, CS, Admin B.M. Ghosh, Dipak Mukherjee addressed the open session.

General Secretary, NUR C, participated in all the events of the conference. Sri Devnath Pal and Sri Subrato Chowdhry have been re-elected as Circle Secretary and Circle President unanimously.

BIHAR CIRCLE CONFERENCE

21st Bihar Circle Conference was held at Patna GPO from 31 January to 2nd February 2016. Working President NUR 'C' Ashok Kumar Singh was deputed as observer on behalf of the CHQ. The Conference was inaugurated by Sri Deepak Mukherjee, Chief

Advisor, CHQ. Sri Avinash Kumar Singh, CS presented the report on Circle union activities in the Conference. It was adopted. S/Sri B.K. Mishra, CS, P III, O.P. Roy, CS R IV, Vinod Kumar, CS PIV, S.K. Tirupathi, CS Admin addressed the conference. The Conference was presided over by Sri Arvind Nath Verma. S/Sri Arvindnath Verma, Avinash Kumar Singh and Suraj Prasad Singh were elected as President, Circle Secretary and Treasurer respectively,

ODISHA CIRCLE CONFERENCE

Odisha Circle Conference was held from 23-12-2015 to 25-12-2015 at Rayagada. Sri Sanatam Singh, Sri Ravindra Patnaik and Sri Shakthi Kedtan Parida were elected as President, Circle Secretary and Treasurers respectively.

ATTENTION TO DIVISIONAL SECRETARY

It is reported from the Finance Secretary that out of 68 RMS Divisions, only 7 RMS Divisions have paid the CHQ quota after the Federal Congress. Nearly six months are over and the Divisions are not sending quota to the CHQ. The CHQ is sending regular reminders to all the Divisions requesting for remitting the quota properly to the CHQ. Most of the Divisions were not bothered about the reminders from the CHQ. If this trend continues, I have no other alternative except to take action against the defaulting Divisions. Do not force me to take drastic action against the Divisions who are defaulters.

With regards,

Yours fraternally,

(D. Theagarajan), General Secretary

Please visit our website : www.fnpo.org for day-to-day news.

E-mail : theagarajannachi@hotmail.com

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