

ALL INDIA NAVODAYA VIDYALAYA STAFF ASSOCIATION

CENTRAL EXECUTIVE COMMITTEE GIRIJA BHAVAN,
VADAVATHOOR PO, KOTTAYAM, KERALA, 686010.

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Hon.DevuSinh
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Ref.No: AINVSA/CEC/2018/APS/03

Date 18.12.2018

The Commissioner
Navodaya Vidyalaya Samiti
B-15 Institutional Area, Sector 62
Gautam Budh Nagar Dist.
NOIDA-201307
Uttar Pradesh

Sub: Implementation of Annuity Based Alternative Pension proposal for the employees of NVS joined before 1.1.2004.

Ref: i)NVS Hqrs F.No 3-1/2018-NVS(Admn)/4528, dated 06/12/2018
i)NVS Hqrs F.No 3-1/2018-NVS(Admn)/3584, dated 14/12/2018

Sir,

With reference to the subject cited above AINVSA expresses the gratitude of the entire community of NVS staff, that NVS Headquarter is venturing something or the other for bestowing PENSION to its employees. The prayers for Pension have been consistently made by the employees of NVS for several years. The genuine fear of the employees was borne out of the fact that after having worked for a lifetime in the remotest areas of our country, they will be regaled to privation and negligence. Since the employees are confined to the remote campuses away from the mainstream , they will find it hard to cope up with the mainstream realities without a monetary support after retirement.

However, a plethora of anxious questions were asked and demands for inclusions were proposed by the employees. AINVSA would like to present them, prior to consents of the employees being taken from each employees in JNVs.

- 1. Incorporation of Family Pension provisions:** Inculsion of family pension is an inevitability because in case of the death of employee, the family or the survivors of the deceased will be left in misery
- 2. Dependence on DA variability clause:** Dependence on DA variability has also become a necessity, otherwise there will be stagnation of the benefits which will increase considerably as the consumer price indices and so cost of living keep soaring. Dearness Relief (DR) to be given on the basis of original pension, even after commutation of pension.
- 3. Option exercised now, not final :** The option exercised by JNVs employees to be final only after their perusal of a tentative but elaborate Regulations of the Scheme, drafted by NVS for this purpose.

Treasurer

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4. **Not giving the consent to be deemed to be CPF beneficiaries:** Those who are not exercising the option now, or not giving their consent for the proposed Annuity based pension scheme, to be deemed as in the existing CPF scheme. The employees who are in service not to be deemed to have come over to the proposed pension scheme, unless and until final consent given.
5. **Free Look Period:** There should be 60 days free look period, from the date of receipt of rough draft of NVS MoU with Agency or entity for this purpose, to NVS Staff, to review the terms and conditions of this Agreement, and in case the employee disagrees to any of these terms and conditions contained therein, he /she has the option to refuse this Pension Scheme, stating the reason of Objection.
6. **Joined NVS between 2004 and 2009 victimised:** The Employees joined NVS between 2004 and 2009 be given an option again now to join Annuity based Pension Scheme or NPS, as the option was not exercised in true sense, then. Their eligibility to be clarified promptly.
7. **Date of Commencement of APS and tentative Date of Issuance of APS :** The date of actual implementation of Alternative Pension Scheme for those who have joined prior to 01/01/2004 may be clearly spelt out including for those who have already retired in NVS.
8. **Monthly Medical Allowance:** The facility of the provision of monthly medical allowance at near par with Central govt employees may please be considered.
9. **Anomaly committee for Pre-2016 retirees:** The Pre-2016 retirees who did not get the benefits of the 7th CPC are more apprehensive while opting for Pension as they will receive miserably small benefits as their Basic pay based on the 6th CPC would create a noticeable anomaly. Consequent upon this, their basic pay, for this purpose, may be fixed using a suitable fitment formula.
10. **Enhancement during subsequent Pay Commissions:** In case of further pay commission in future, will the employees miss out the corresponding benefits is a fear genuinely felt. Hence, it is requested to provide suitable provision for a decent hike at that.
11. **Qualifying service for Pension:** Employee should be entitled to receive Pension on completion of at least 10 years of qualifying service. A person submitting his resignation after the qualifying service ought to be entitled Pension as per corresponding completed years of service.
12. **NVS Nodal Pension office:** To redress the grievances cropping up in future related to delay in timely payment of Pension to the pensioners, specificity may be given to a nodal pension office within the system. The CRA Central Recordkeeping Agency or a National Pension System Trust to be constituted at the central level for it, as well.
13. **Incorporation of Death benefits:** Regarding death in harness, payment of pension to, and other related benefits may please be considered expeditiously, even on completion of one year of service. (irrespective of any group insurance scheme, please)
14. **Immediate death after retirement:** In case of death of the employee immediately after the retirement, the extension of payment of benefits is a matter of grave concern. This issue may please be highlighted.
15. **Termination/Disability:** In case of termination or disability of an employee incapacitating him from any work before retirement the pension benefits to such employees may please be specified.
16. **Commutated Pension & Gratuity:** There is a demand of 40% commutation of pension, and the continuation of gratuity, as it is. This proposed pension scheme not to affect the NVS gratuity rules

17. **Speedy Mechanisms:** The shortest period of completing the official formalities and commencement of Pension without prolonged wait may given due importance and specifications.
18. **Migration from APS to OPS:** In case of the Central govt opting for reintroduction of GPF Cum Pension Scheme,GOI 1972 suitable mechanism may be provided so that the Pre-2004 employees will not be disappointed. The Pension account to be portable and a proviso to get Pension account transferred to GOI Pension account if feasible and implemented in NVS , in future.
19. **Regulations of the scheme be disclosed in an expedite manner :** Preliminary information of the Proposed scheme be disclosed along with rough draft of Regulations framed for this purpose consisting of Short title, definitions, application manner, and the aforesaid demands and points as clauses and provisions in the MoU with the Agency for this purpose, be transparent and shown to the employees.
20. **The Power of NVS Commissioner to make necessary regulations:** No officer lesser than the Hon Commissioner, NVS Noida be conferred the power to make regulations consistent with this scheme and the rules thereunder, after necessary consultation with HRD Ministry, to that effect, to carry out the purpose of this scheme.
21. **Arbitration and Disputes:** The dispute may at the option of the subscriber/annuitant/employee be referred to NVS Headquarter for decision, and the authority may after giving an opportunity to the parties to be heard and after further investigation as it may deem fit, decide the matter
22. **Tribunal, High Court and NCLAT:** Notwithstanding anything contained in para20 above, should any dispute or defense arising it to be referred to the Tribunal under Arbitration and Conciliation Act/1956 and NVS Headquarter to authorise and nominate Arbitrator on behalf of HRD, Govt of India.
The decision of the High Court where an appeal has been preferred to it, under this section/regulations incorporated , shall be binding on all the pensioners, the agency and the persons concerned. It can also be appealed to National Company Law Appellate Tribunal, for this purpose.The provisions of this section shall, on and from the commencement of the scheme.
Hope the above points demanded by Navodaya Vidyalaya staff, be included in the terms and conditions in the agreements or MoU., for staff welfare, by way of clauses and provisions incidental thereto

Last , but not the least a prayer that the CONSENT PROFORMA may be of the employees, his own, in minimum phrases and not be imposed upon by the employer.

Yours faithfully



(T.P MANI)

National President,AINVSA

Yogendra Sharma, Arun Gaur, S.S.Nair,
SanjayKumar, Rajbala Yadav, AmarSingh

(JNV CHANGE MAKERS & REFORMERS,AINVSA)