

A Brief History of The National Confederation of Officers Associations of Central Public Sector Undertakings

The National Confederation of Officers Associations of Central Public Sector Undertakings (NCOA) was formed in 1985 as an Apex Body of Officers of Central Public Sector Undertakings. It has organised the Officers of the Central Public Sector under one roof, in order to provide them with a sense of identity. When the Govt. of India started disinvestments the definition of Central Public Sector Undertaking for the purpose of membership was changed to mean any undertaking in which the Government of India had a commercial presence by way of equity.

Issues taken up by NCOA

During its twenty years history some of the important issues that were taken up by NCOA:

1. National Issues

White Paper:

During the Prime Ministership of Shri Rajiv Gandhi the Government of India had committed in the Parliament that it would produce a White Paper on the Public sector. When the Govt. of India failed to produce a White Paper, NCOA produced an Approach Paper on the White Paper. Since then there have been several Publications on major policy issues relating to the public sector.

On several occasions the NCOA was invited by the Parliamentary Committee of Public Undertakings and the Standing Committee on Industry to make submission on various issues relating to the Public sector.

NCOA was one of the founders of the National Working Group on Patent Law to fight for the preservation of the Indian Patent Law and strengthen the Indian struggle to withstand international pressure to force India to Join the Paris Convention. The Working Group has since graduated into an important agency in India people's struggle against unfair trade agreements being brought through the World Trade Organisation. NCOA participated in Cancun Mexico in the NGO forums during the 5th Ministerial Conference.

NCOA has been a founder member of the All India People's Science movement that has pioneered literacy and science communications.

2. Privatisation

NCOA successfully undertook struggles against the first two attempts to privatize the public sector and

Scooter India Limited:

NCOA formed a high level committee under the Chairmanship of Shri R. C. Dutt Former, Secretary Steel and Director General BPE with Sarva Shri Ajit Chatterjee Former CMD, HEC & MAMC T. S. Kannan Former CMD R & C, NSIC V. Krishnan Former CMD BPCL & Scooters India S. Soundararajan Former CMI Scooters India Representatives of the Officers, Supervisors' Associations and Trade Unions of Scooters India and NCOA.



The Committee analysed the Government of India's proposal for handing over Scooters India to M/s Bajaj and recommended against the move.

BEL Taloja

NCOA and the BEL Officers Associations and Trade unions together mounted a protest and stopped the privatisation BEL Taloja.

The onslaught of disinvestment and privatisation that came with the Government of India's singing the structural adjustment loan conditionalities were a major offensive on the Public Sector. NCOA argued against the manner in which the disinvestment was being done. The first round turned out to be the input into what came to be known as the Harshad Mehta Scandal.

NCOA along with the employees of IPCL made a formal bid for taking over IPCL. The employees even launched a Special Purpose Vehicle and obtained financial guarantees however the Government was determined to sell the Units in the manner it did. NCOA took up the issue of the sale of Hotels. Today they are subject of a CBI enquiry.

NCOA shall continue to struggle against the policies that are anti public sector and anti-national.

3. Sick Units

NCOA campaigned against BIFR as a forum for dealing with sick units. Finally the Govt. of India has realized the mistake and created a Board of Reconstruction of the Public Sector Enterprises.



NCOA along with the employees organizations concerned prepared revival plans for various sick units.

4. Some of the major policy initiatives taken by NCOA

4.1 Setting up a high powered committee to examine the relationship between the Parliament Government and the Public Sector Undertakings in the context of multiple owners of the enterprises and neo*** liberal policies of Govt. of India.

There have been several committees set up from time to time to examine the problem of Government system of control. These started with the Krishna Menon Committee to Administrative Reforms Committee, the L K. Jha committee and the Arjun Sen Gupta Committee. However, except to some extent the Arjun Sen Gupta Committee none of them visualized the problems that the Public Sector Enterprises would encounter as a result of a) creation of multiple owners thorough dis-investment and b) the changed paradigm in economic management both at the national and international level. The scope of the committee should include the system of appointment of Board of Directors (both full time and part time). The committee should predominantly consist of persons with a commitment to the nation and the public sector, those with extensive experience in managing a large public enterprise and representatives of employees (particularly the officers who by virtue of employment the most knowledgeable section of employees) Government could persuade the Speaker, Lok Sabha to appoint a similar committee of Parliament or direct a horizontal study on the subject by the Committee of Public Undertakings (COPU). One possible structure could be to set up a specialized Industrial CAG to act as an intermediary between PSEs and COPU on an analogous basis to CAG and PAC.

4.2 Protection against unfair competition

Public Sector Enterprises has public investment and any loss accrued becomes a tax

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therefore there is an obligation to ensure full capacity utilization within a global and competitive environment. This must be ensured by a) Prevention of dumping by MNCs b) Ensure that taxes and duties do not constitute negative protection c) Extend purchase preference and involve the negotiations at WTO regarding a multilateral agreement on Government procurement and d) Ensure transparency in specification and procurement of equipment by Lumpsum Turnkey (LSTK) and EPC contractors. Similar to the Committee of Disputes in the Cabinet Secretariat there should be standing high powered committee for examining PSE complaints on any of the above mentioned or related issues.

4.3 Setting up a Development Financial Institution for the Capital Goods industry within the Public Sector.

NCOA with the help of the All India Bank Officers Confederation even drafted legislation for setting up such a Non Banking Financial Institution.

4.4 Providing Infrastructure for exports by the Capital Goods industry.

This requires that the following measures be adopted

- a) Create a special purpose vehicle in the form of an Exim Bank that can canalise international pension and insurance funds and/or create a consortiums of banks. This may be with or without Government guarantees. The purpose being to enable India public sector capital goods industry to provide suppliers credits and soft loans for projects to be executed either in India or in Third countries.

- b) Provide the infrastructure of the Indian embassies to provide commercial support to the public sector capital goods industry.
- c) Ensure that 30% of the domestic market is reserved for the Indian capital goods industry.

4.5 Technology acquisition by PSEs

The system of funding technological research needs to be reviewed in the context of the neo liberal and globalisation policies as well as a stringent intellectual property regime that the Govt. of India is implementing.

Most of the public funded R&D must be channeled through the PSEs so that they have access to adequate R&D funds in addition to what can be provided from the Corporate balance sheets. This is the system followed by the home governments, in USA and Europe, of MNCs that are competing with PSEs. Government must also use fiscal and other instruments to ensure technology transfer (like the Bhumiputra policy in Malaysia) to the PSEs. Wherever, national projects have been undertaken like HVDC (involving BARC, BHEL, DOE, Min. of Power etc.) are undertaken there should be a ban on imports for a minimum period of ten years. Any foreign technology acquisition should be as part of the national project. Wherever technology has been acquired and productionised like manufacture of Oil rigs Government should ensure minimum orders to ensure that the technology and skills developed do not become redundant. A high power committee of engineers, technologists and managers should be set up to continuously monitor technology acquisition by PSEs and advise Government on policy initiatives



requires to ensure that Indian technological development is optimized.

4.6 Industrial sickness

Govt. of India should evolve holistic policy guidelines in respect of sick PSUs so that the enormous delay in inter-ministerial squabbles can be resolved and purposeful efforts are made to revive sick units. The issues for which the Govt. of India needs to formulate guidelines in order to rehabilitate sick units are given in annexure I.

Govt. could also consider

- a) Redrawing the corporate boundaries of taken over units in order to set up cognate and cohesive units.
- b) Examining the possibility of setting up an adequately funded special purpose vehicle which is manned by industrial managers and to which is delegated Governments decision making in respect of "sick" PSE units.
- c) Having created an institution envisaged above and started serious efforts towards rehabilitation, to separate out the profitable portion within the PSE and allowing it to compete in the market.

5. Industrial Relations

Participative Management :

NCOA participated in the National Seminar on Labour Participation in Management and demanded a role for Officers. NCOA followed it up with the Ministry of Labour. When the Bill was introduced in the Parliament, NCOA has proposed amendments to make the representation of Officers more effective. NCOA has campaigned for these amendments with the Members of Parliament, Trade Union and the Labour Ministry.



NCOA has been campaigning for the implementation of the ILO standards. The Bipartite Committee on Industrial Relations is expected to submit an unanimous recommendation abolishing the limited meaning of the word 'workmen' and replace it with the word 'employee'. This will enable the Officers to get Trade Union rights.

NCOA made a formal complaint to the International Labor Organisation. NCOA alleged that officers employed in public sector undertakings do not enjoy effective freedom of association despite Article 19 of the Indian Constitution which lays down the basic right to associate of all citizens. NCOA argued that the problem lies in the fact that such employees are excluded from coverage under the Industrial Disputes Act, 1947 because the definition of "workman" in that Act specifically excludes managerial and supervisory employees (section 2). This means that their registered organisations cannot receive official recognition for bargaining purposes. Moreover, any informal negotiations with public sector undertakings are illusory because the Government is in total control of all policy and decision - making (recruitment policy, conditions of service, wages and wage revision, financial policy) as regards such officers.

6. Research and Training

Impact of Changes in Technology, Investment Pattern and Its Impact on Cadre Formation in the Coal Industry

NCOA has initiated two research projects. Prof. Dr. E.A. Ramaswamy would examine the subject from the perspective of the organisational structure and Prof. Dr. Rajeev Dhavan would examine the inadequacies of the present mining legislation. These would be with reference to the career growth of Officers.

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7. Economic Issues

Pay and OA Revision

Since 1985, NCOA has carried out a sustained fight for a just and fair pay revision. The struggle has been carried out in the Supreme Court, the High Power Pay Committee, the Parliament, the Press, preparation of a White Paper, Lobbying with Officials and Ministers and Dharnas, Rallies, hunger strikes, Mass casual leave, etc. Even when the Government announced its unilateral decision in the Parliament, NCOA did not get disheartened and carried on with the struggle. In the process NCOA has brought together not only the Officers' Associations but also brought them close to the Trade Unions and SCOPE.

Structure of NCOA

Organizational

To secure for the Officers Associations recognition from the Managements. To establish coordination with Trade Unions at the Unit levels.

To establish regional and Zonal Offices of NCOA for effective support to the Associations and individual Officers including legal aid.

To institute awards to managements that have the best industrial relations with the Officers Associations and to effectively censure Managements indulging in unfair labour practices.

Objectives Of NCOA

The main objectives of NCOA are :

1. To provide National Forum for the Associations of Officers of Central Public Sector undertakings;
2. To promote professional competence, applications and talents of the officers individually and collectively;
3. To promote Officers movements on democratic lines so as to improve working

conditions and employment, to safeguard the legitimate interests, privileges of Officers and to secure and maintain for Officers freedom and rights as guaranteed by the Constitution of India;

4. To help officers in matters of welfare activities such as housing, pension, taxation, etc.
5. To represent to the appropriate authorities the problems and issues relating to officers and their Associations, from time to time;
6. To secure the wider application of science, technology and management and the improvement in skills of Officers, their Associations and society in general;

MANAGEMENT

The management of NCOA has been vested in the National Executive Committee. It consists of the President, Working President, Four Vice-President, Secretary General, Four Deputy General Secretary, Organizing Secretary, Treasurer, 4 Secretaries, Secretary (Women Affairs) and Executive Committee Members.

Zonal Executive Committees shall also be constituted for the sake of smooth functioning and involvement of a larger number of members.

Sectorial and Horizontal Integration

To bring together Officers Associations belonging to common professional areas like Electronics, Ship Building, Mining etc. and those belonging to common administrative ministries like Defence Production, Energy

To bring together horizontal integration amongst specialized groups like Doctors, R&D scientists & Engineers. Women Executives etc.