

MOST IMMEDIATE
OUT TODAY

No.45018-1/2017-Vig.
Government of India
Ministry of Personnel, P.G. & Pensions
Department of Personnel & Training

North Block, New Delhi.
Dated the 15th March, 2017

OFFICE MEMORANDUM

Subject: - Strike Notice for 16th March, 2017 – Instructions under CCS (Conduct Rules), 1964 - Regarding.

It has been brought to the notice of the Government that Confederation of Central Government Employees and Workers, New Delhi has given a notice that the members of the affiliates of the Confederation will go on strike on 16th March, 2017 in pursuance of their 7th Central Pay Commission Demands


2. The instructions issued by the Department of Personnel and Training prohibit the Government servants from participating in any form of strike including mass casual leave, go slow etc. or any action that abet any form of strike in violation of Rule 7 of the CCS (Conduct) Rules, 1964. Besides, in accordance with the proviso to Rule 17(1) of the Fundamental Rules, pay and allowances is not admissible to an employee for his absence from duty without any authority. As to the concomitant rights of an Association after it is formed, they cannot be different from the rights which can be claimed by the individual members of which the Association is composed. It follows that the right to form an Association does not include any guaranteed right to strike. There is no statutory provision empowering the employees to go on strike. The Supreme Court has also ruled in several judgments that going on a strike is a grave misconduct under the Conduct Rules and that misconduct by the Government employees is required to be dealt with in accordance with the law. Any employee going on strike in any form would face the consequences which, besides deduction of wages, may also include appropriate disciplinary action. Attention of all employees of this Department is also drawn to this Department's O.M. No.33012/1(s)/2008-Estt.(B) dated 12.9.2008, on the subject for strict compliance.

3. All officers are requested that the above instructions may be brought to the notice of the employees working under their control. All officers are also requested not to sanction Casual Leave or other kind of leave to the officers and employees if applied for, during the period of proposed strike, and ensure that the willing employees are allowed hindrance free entry into the office premises.

4. In case employees go on strike, all divisional heads are requested to forward a report indicating the number and details of employees who are absent from duty on the day of strike i.e. 16.03.2017.


(Suresh Kumar)

Deputy Secretary to the Govt. of India


15/3/17 To

EO&AS AS(S&V) JS(Vig.) JS(Irg.) JS(E) Secretary(PESB) PS to MOS(PP) PPS to Secretary(P)

All officers Sections (including PESB) of Department of Personnel & Training.

SENET

Copy also forwarded for necessary action to :-

1. Secretary, Central Vigilance Commission, New Delhi.
2. Secretary, Union Public Service Commission, New Delhi.
3. Secretary, Staff Selection Commission, New Delhi.
4. Secretary, Department of Administrative Reforms & Public Grievances, New Delhi.
5. Secretary, Department of Pension & Pensioners' Welfare, New Delhi.
6. Director, Institute of Secretariat Training and Management, New Delhi.
7. Sr. Technical Director, NIC, DoPT with the request to upload the O.M. on 'DoPT website' immediately on 'Notice Board'.
8. The Chief Security Officer, MHA, North Block.
9. The Commandant, CISF with the request to ensure strict vigil on all the gates and if necessary deploy extra security personnel for the purpose.