

No.A-44011/5/2022-Estt.(Hqrs.)(E-21629)
Government of India
Ministry of Fisheries, Animal Husbandry and Dairying
Department of Animal Husbandry and Dairying

Krishi Bhawan, New Delhi-110001
Dated, the 24 March, 2022

CIRCULAR

Subject: Notice for nationwide strike by the Confederation of Central Government Employees & Workers on March 28th & 29th, 2022-reg.

It has been informed by DOP&T that the Confederation of Central Government Employees & Workers has given notice that the members of affiliates of these Confederation will go on Two days nationwide strike on 28th & 29th March, 2022.

2. In this regard attention is invited to the instructions issued by the Department of Personnel & Training (DOP&T) prohibiting thereby the Government servants from participating in any form of strike including mass casual leave, go-slow, sit-down etc. or in any way abet any form of strike which is 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 are not admissible to an employee for his absence from duty without any authority. There is no statutory provision empowering the employees to go on strike. The Supreme Court has also agreed 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 law. Any employee going on strike in any form would face the consequences which, besides deduction of wages, may also include appropriate disciplinary action. Further, no Casual Leave or any other kind of leave to the officers and employees if applied for, during the period of proposed strike is to be sanctioned. The striking employees are not to be allowed inside the office premises.

3. In view of the above, it is hereby informed that no officer/employee will proceed on leave during the period of strike. The attendance/presence of all officers/employees in respective units/sections will duly be checked. Incidence of participation of any official in the strike will be brought to the notice of the Competent Authority in this Department/ DOP&T for taking appropriate disciplinary/penal action.

(Madhusudanan V.K.)
Under Secretary to the Government of India
Tel. # 23382779

Distribution:-

1. Sr. PPS to Secretary, AHD.
2. PPS to AS(VJ)/PS to AHC/PPS to JS(OPC)/PS to JS(UB)/PS to JS(GNS)/Adviser(Stat.).
3. All Officers/Officials/Sections/Units of DAHD.
4. JC(AW)/US(Admn.-NLM)/US(Admn.-C&DD)/US(LH)/US(AQCS). Copy of DOP&T's O.M. No.33011/1(s)/2022-Estt.(B-II) dated 22.03.2022 is attached with the request that the aforesaid instructions may duly be brought to the notice of all attached/subordinate offices for strict compliance.
5. NIC, DAHD with a request to immediate upload the same on the website of this Department as well as in the Notice Board of e-Office.

IMMEDIATE

**No.33011/1(s)/2022-Estt.(B-II)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training**

North Block, New Delhi
Dated the 22 March, 2022

OFFICE MEMORANDUM

Subject: Proposed nationwide strike by Confederation of Central Government Employees & Workers on March 28th and 29th, 2022-regarding.

The undersigned is directed to inform that the Confederation of Central Government Employees & Workers have given notice that the employees who are members of the affiliated organisations of the Confederation of Central Government Employees & Workers will go on Two days nationwide strike on 28th and 29th March, 2022. The strike is related to pay, pension and service matters.

2. The instructions issued by the Department of Personnel & Training prohibit the Government servants from participating in any form of strike including mass casual leave, go-slow, sit-down 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 agreed 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, including protest, would face the consequences which, besides deduction of wages, may also include appropriate disciplinary action. In this connection, your kind attention is also drawn to this Department's OM No. 33012/1(s)/2008-Estt (B) (pt) dated 12th September, 2008 (copy enclosed).

3. A Joint Consultative Machinery for Central Government employees is already functioning. This scheme has been introduced with the object of promoting harmonious relations and for securing the greatest measure of co-operation between the Government, in its capacity as employer, and the general body of its employees in matters of common concern, and with the object, further of increasing the efficiency of the public service. The JCM at the different levels have been discussing issues brought before it and the consultative process is still functioning with the active cooperation from the staff side

4. The Central Government Employees under your Ministry/Departments may, therefore, be suitably informed of the aforesaid instructions under the Conduct Rules issued by this Department and other regulations upheld by the Hon'ble Supreme Court and dissuaded from resorting to strike in any form including protest. Instructions may be issued not to sanction Casual Leave or other kind of leave to employees if applied for, during the period of the proposed protest/strike and ensure that the willing employees are allowed hindrance free entry into the office premises. For this purpose, Joint Secretary (Admn) may be entrusted with the task of coordinating with security personnel. Suitable contingency plan may also be worked out to carry out the various functions of the Ministry/Department.

5. In case the employees go on dharna/protest/strike, a report indicating the number of employees who took part in the proposed dharna/protest/strike may be conveyed to this Department on the evening of the day.



(US Thakur)

Deputy Secretary to the Government of India
Tel.No. 23093180

To

The Secretaries of all Ministries/Departments of Government of India

-81- Estt/Strike matters
-14- 12

File No. 33012/1(s)/2008-Estt(B) (Pt)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

Dated the 12th September, 2008

OFFICE MEMORANDUM

Subject:- Participation in any form of strike/mass casual leave/boycott of work etc. by Government servants - CCS(Conduct) Rules - regarding.

The undersigned is directed to say that the instructions issued by the Department of Personnel & Training prohibit the Government servants from participating in any form of strike including mass casual leave, go-slow etc. or in any way abet any form of strike which will be in violation of Rule 7 of the CCS(Conduct) Rules, 1964. The Supreme Court has also agreed in several judgements 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 law. Any employee going on strike in any form would face the consequences which, besides deduction of wages, may also include appropriate disciplinary action.

2. A Joint Consultative Machinery (JCM) for Central Government employees is already functioning. This scheme has been introduced with the object of promoting harmonious relations and of securing the greatest measure of cooperation between the Government, in its capacity as employer, and the general body of its employees in matters of common concern, and with the object, further of increasing the efficiency of the public service.

3. Therefore, apart from the fact that any form of strike/mass casual leave/boycott of work would be in violation of the CCS(Conduct) Rules, going on any form of strike will also not be in the interest of the employees. Accordingly, the undersigned is directed to convey that if any employee or an association/group of employees, under any nomenclature, indulge in any form of strike/boycott of work in pursuance of any alleged demands, or send any letter conveying of their intention to organize any such event, in terms of the provisions mentioned in para-1 above, the salary of such employees for the day/days in question shall not be paid and the details of such employees shall have to be intimated by the concerned office where such an event took place to the Administrative Ministry/Department concerned, within 15 days of such incident for a decision on how to treat the unauthorized absence occasioned by such an action by the employees. This will be without prejudice to any disciplinary action that may be initiated against such employees. All Ministries/Departments are requested to bring the contents of this O.M. to the notice of all concerned offices under them.

(Suneel K. Arora)

Under Secretary to the Government of India

To

All Ministries/Departments.