

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

North Block, New Delhi,
Dated the 19th September, 2017

OFFICE MEMORANDUM

Subject: - Dharna Notice for 19th September, 2017 and 17th October, 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 has decided to observe dharna at district headquarters across the country on 19th September, 2017 followed by similar protest at all State capitals on 17th October, 2017. The proposed protests are in support of pay and service related 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, 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 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, including dharna, 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 dharna, and ensure that the willing employees are allowed hindrance free entry into the office premises.

4. In case employees go on dharna, 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. 19.09.2017 and 17.10.2017.


(Suresh Kumar)

Deputy Secretary to the Govt. of India

To

EO&AS/AS(S&V)/JS(SRK)/JS(Trg.)/JS(E)/Secretary(PESB)/PS to MOS(PP)/PPS to Secretary(P)

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

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.