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INDIAN COUNCIL OF AGRICULTURAL RESEARCH  
 KRISHI BHAWAN: NEW DELHI

F. No. 21-8/2012-CDN



Dated 4.12.2012

ENDORSEMENT

Department of Personnel, Public Grievances & Pensions (DOPPW), Government of India, New Delhi has issued D.O.No. 33012/2(s)/2012-Estt(B) dated 23.11.2012 regarding - one day's strike on 12<sup>th</sup> December, 2012 by Confederation of Central Government Employees. The above mentioned D.O. is being uploaded on the ICAR Web-Site [www.icar.org.in](http://www.icar.org.in) for information and further guidance.

(J.N. Bhagat)  
 Under Secretary (GAC)

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3. Chairman ASRB/ND, NAIP/ Project Director(DKMA), Pusa, New Delhi.
4. Shri Hans Raj, ISO, (DKMA) KAB-I for putting in the ICAR Web-Site.
5. All Officers/Sections at ICAR Krishi Bhawan/KAB-I/II & NASC Complex.
6. Secy. (Staff Side), CJSC, National Research Centre on Meat, Chengicherla, Hyderabad - 500 039
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**भारतीय कृषि अनुसंधान परिषद  
कृषि भवन: नई दिल्ली**

फा0 सं0 21-8/2012-समन्वय

दिनांक 05 दिसम्बर, 2012

**पृष्ठांकन**

कार्मिक एवं प्रशिक्षण विभाग, कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय, भारत सरकार, नई दिल्ली ने दिनांक 23.11.2012 के अ.शा.पत्र सं0 33012/2 (एस)/2012-स्थापना (बी) के द्वारा दिनांक 12 दिसम्बर, 2012 को होने वाली एक दिवसीय हड़ताल में केन्द्रीय सरकारी कर्मचारियों के शामिल होने के संबंध में अनुदेश जारी किए गए हैं। डीओपीटी द्वारा जारी किए गए अनुदेशों से संबंधित पत्र सूचना एवं अनुपालन हेतु जारी किया जा रहा है।



(जे0 एन0 भगत)  
अवर सचिव (जीएस)

**वितरण :**

1. भा.कृ.अ.प. के सभी संस्थानों/राष्ट्रीय अनुसंधान केन्द्रों/परियोजना निदेशालयों/समन्वयक अनुसंधान परियोजनाओं/क्षेत्रीय समन्वयक परियोजनाओं/ब्यूरो के सभी निदेशक।
2. महानिदेशक, भा.कृ.अ.प. के वरिष्ठ प्रधान निजी सचिव/सचिव, भा.कृ.अ.प. के प्रधान निजी सचिव/वित्त सलाहकार (डायर) के निजी सचिव
3. श्री हंस राज, आईएसओ (डीकेएमए), कृषि अनुसंधान भवन-1 को भा.कृ.अ.प. की वेबसाइट पर अपलोड करने हेतु।
4. कृषि भवन/कृषि अनुसंधान भवन-1/2 के सभी अनुभाग/अधिकारी
5. सचिव (कर्मचारी पक्ष), सीजेएससी, राष्ट्रीय मांस अनुसंधान केन्द्र, चेंगीचेरला, हैदराबाद-500039
6. सचिव (कर्मचारी पक्ष), एचजेएससी, भा.कृ.अ.प. कृषि अनुसंधान भवन-2
7. गार्ड फाइल/अतिरिक्त प्रतियां (10)

SP. No 3(R)

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Dy. No. 10840 R 292

Ms. Mamta Kundra,  
JOINT SECRETARY (Establishment)  
Tel: (011)2309 4276  
Fax: (011)2309 2869



सत्यमेव जयते

भारत सरकार  
कार्मिक और प्रशिक्षण विभाग  
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय  
नोर्थ ब्लॉक, नई दिल्ली-110001  
GOVERNMENT OF INDIA  
DEPARTMENT OF PERSONNEL & TRAINING  
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES  
AND PENSIONS  
NORTH BLOCK, NEW DELHI-110001  
Dated the 23<sup>rd</sup> November, 2012

D.O. No. 33012/2(s)/2012-Estt-B

Dear Sir/Madam,

The Confederation of Central Government Employees and Workers has given a notice that the members of the affiliates of this Confederation will go on one day's strike on 12th December, 2012 in pursuance of their Charter of Demands.

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 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 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 12<sup>th</sup> September, 2008 (copy enclosed)

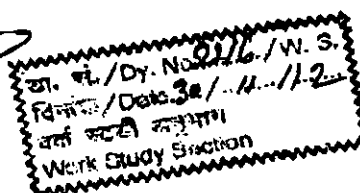
A Joint Consultative Machinery for Central Government employees is already functioning. This scheme has been introduced with the object of promoting harmonious relations and of securing the greatest measure of co-operation between the Government, in its capacity as employer, and the



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का अधिकार

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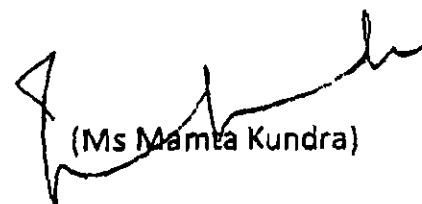
general body of its employees in matters of common concern, and with the object, further of increasing the efficiency of the public service. The JCM at the different levels have been discussing issues brought before it for consideration and either reaching amicable settlement or referring the matter to the Board of Arbitration in relation to pay and allowances, weekly hours of work and leave, whenever no amicable settlement could be reached in relation to these items.

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. You may also issue instructions not to sanction Casual Leave or other kind of leave to employees if applied for, during the period of the proposed 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 strike, a report indicating the number of employees who took part in the proposed strike may be conveyed to this Department on the evening of the day.

With kind regards,

Yours sincerely,



(Ms Mamta Kundra)

Dr. S. Ayyappan,  
Secretary,  
Department of Agricultural Research & Education,  
Krishi Bhawan, New Delhi.

(7)

EsttB/strike matters

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

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Dated the 12<sup>th</sup> September, 2008OFFICE 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

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All Ministries/Departments.