

भारतीय मानक ब्यूरो / BUREAU OF INDIAN STANDARDS
(प्रशासन विभाग / Administration Department)

परिपत्र / CIRCULAR

Subject: **Mega Rally/Dharna/Protest on 8th July 2023 at Jantar Mantar against NPS (demanding Old Pension Scheme-OPS) - reg.**


This has reference to an e-mail dated 07 July 2023 and Office Memorandum ref. No. A-50020/13/2014-Estt. dated 07 July 2023 of DoCA forwarded therewith a copy of Office Memorandum ref. F. No. 33011/1(s)/2023-Estt.(B-II) dated 06 July 2023 issued by Department of Personnel & Training (DoPT), Ministry of, Personnel, Public Grievances and Pensions, Government of India on the above subject (**copy enclosed**).

2. It is to bring to the kind notice that instructions have been issued by the DoPT to 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 DoPT's OM No.33012/1(s)/2008-Estt (b) (pt), dated 12th September 2008.

3. Keeping in view the above, all employees/officials of ROs/BOs/Labs/NITS including HQs are requested to peruse the above and strictly comply with the instructions mentioned in said OM dated 6th July 2023 of DoPT and it is also requested not to participate in Mega Rally/Dharna/Protest on 08 July 2023 at Jantar Mantar against New Pension Scheme (demanding Old Pension Scheme).

4. This issues with the approval of Competent Authority.

Encl: as above


(Jyoti Kurar)
AD (A&F)

Our Ref.: ADMN/09/61/2022

Circulated to: All employees of all ROs/BOs/Labs/NITS including departments at HQs for strict compliance, please.

Email

Kumar Shantanu

Mega Rally/Dharna/Protest on 8th July, 2023 at Jantar Mantar against NPS (demanding OPS) - reg.

From : SECTION OFFICER(Estt.) <soestt-ca@gov.in>

Fri, Jul 07, 2023 02:03 PM

Subject : Mega Rally/Dharna/Protest on 8th July, 2023 at Jantar Mantar against NPS (demanding OPS) - reg.

1 attachment

To : BIS DG Secretariat <dg@bis.gov.in>, Director General (NTH) <dgnth-wb@nic.in>, Registrar NCDRC <ncdrc@nic.in>

Cc : Kumar Shantanu <ddga@bis.gov.in>, Administrative Officer NTH HQ <aonhhq@nth.gov.in>, Assistant Registrar Admn <aradm.ncdrc@gov.in>

Sir.

Please find attached this Dept.'s O.M. dt. 07.07.2023 along with enclosure for perusal and strict compliance.

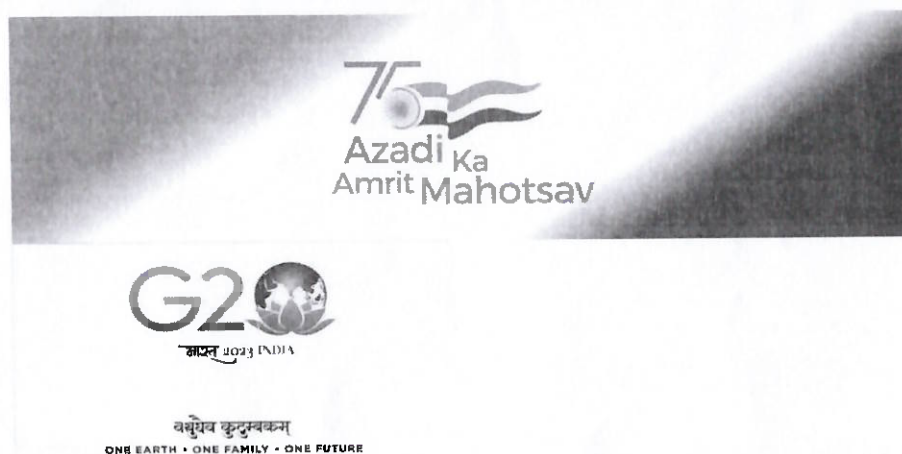
Regards,

अनुभाग अधिकारी(स्थापना),
Section Officer(Estt.),
उपभोक्ता मामले विभाग,
Department of Consumer Affairs,
उपभोक्ता मामले, खाद्य एवं सार्वजनिक वितरण मंत्रालय,
Ministry of Consumer Affairs, Food & Public Distribution,
कृषि भवन, नई दिल्ली - 110001
Krishi Bhawan, New Delhi - 110001
दूरभाष/Tel. No. 011-23384882

*Immediate
DDGA action.*

[Signature]
07/07

*DRA - NITS.
AD(CAF)*



DDGA By No. 1170
Dated: 07/07/2023

O.M. dt. 07.07.2023.pdf

No. A-50020/13/2014-Estt.
Government of India
Ministry of Consumer Affairs, Food & Public Distribution
Department of Consumer Affairs
(Establishment Section)

Krishi Bhawan, New Delhi.
Dated the 7th July, 2023.

OFFICE MEMORANDUM

Sub: Mega Rally/Dharna/Protest on 8th July, 2023 at Jantar Mantar against NPS (demanding OPS) - reg.

The undersigned is directed to circulate herewith a copy of DoPT's O.M. dt. 06.07.2023 on the subject noted above for perusal and strict compliance by all officials and employees.

Encl.: As above.



(Bal Krishna Thakur)
Under Secretary to the Govt. of India

All officers and employees of DoCA.
[Through KMS of eOffice]

Copy (by email only) with similar request to:

1. The DG, BIS, New Delhi. Email: dg@bis.gov.in, ddga@bis.gov.in
2. The DG, NTH. Email: dgntn-wb@nic.in, aonthhq@nth.gov.in
3. The Registrar, NCDRC, New Delhi. Email: ncdrc@nic.in, aradmn.ncdrc@gov.in
4. The Manager, NCCF Ltd., New Delhi. Email: mdnccf@nccf-india.com, personnelcell@nccf-india.com

IMMEDIATE

**No.33011/1(s)/2023-Estt.(B-II)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training**

North Block, New Delhi
Dated the 6th July, 2023

OFFICE MEMORANDUM

Subject: Mega Rally/Dharna/Protest on 08th July, 2023 at Jantar Mantar against New Pension Scheme (demanding Old Pension Scheme) - regarding.


The undersigned is directed to inform that the National Movement for Old Pension Scheme (NMOPS) has decided to make a mega rally/protest at Jantar Mantar on 08th July, 2023, over OPS.

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 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. This may be 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 employees go on dharna/protest/strike, a report indicating the names and designations of employees who took part in the proposed dharna/protest/strike may be conveyed to this Department by the evening of the strike day.


(S.P. Pant)
Director (PP-II)
Tel. No. 23093074

To

The Secretaries of all Ministries/Departments of Government of India

Copy to:

Dir (Admin), DoPT, North Block, New Delhi.