

मिसिल सं./F.N. 35001/03/2018 –GA

भारत सरकार / Government of India

कृषि एवं किसान कल्याण मंत्रालय/Ministry of Agriculture & Farmers Welfare

कृषि, सहकारिता एवं किसान कल्याण विभाग/Department of Agriculture, Co-operation & Farmers Welfare

वनस्पति संरक्षण, संगरोध एवं संग्रह निदेशालय/Directorate of Plant Protection, Quarantine & Storage

एन. एच.4, फरीदाबाद)121001-हरियाणा / (N.H.-IV, Faridabad-121001

Dated 19.11.2018


CIRCULAR

Subject: All India Protest Day for 26th November, 2018 – Instructions under CCS (Conduct Rules), 1964 – Regarding.

It is brought to the notice that National Movement for Old Pension Scheme (NMOPS) has decided to observe “Gherao of Parliament House” on 26th November, 2018 in order to demand withdrawal of New Pension Scheme (NPS). A copy of DOP&T letter No. C-45018/1/2017-Vig. Dated 12.11.2018 is enclosed for strict compliance.

2. All officers are also requested not to sanction Casual Leave or any other kind of leave to the officers and employees, if applied for, during the period of proposed protest/Gherao, and ensure that the willing employees are allowed hindrance free entry into the office premises.
3. In case employees go on protest/Gherao, all Divisional Heads is requested to forward a report indicating the number and details of employees, who are absent from duty on the day of protest/Gherao, i.e., 26.11.2018.

Encl.: as above.


(B.G.Jha)
Section Officer

Distribution:-

1. All Scheme Incharge/ Divisional Head of Hqrs., Faridabad.
2. All Regional/Sub-offices of the Directorate.
3. PS to PPA
4. IT Cell- for publication at the website of Dte. of PPQ&S.



SL-No. 6 (R)

MOST IMMEDIATE
OUT TODAY

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 12th November, 2018

Subject: All India Protest Day for 26th November, 2018 - Instructions under CCS (Conduct Rules), 1964 - Regarding.

It has been brought to the notice of the Government that National Movement for Old Pension Scheme (NMOPS) has decided to observe "Gherao of Parliament House" on 26th November, 2018 in order to demand withdrawal of New Pension Scheme (NPS).

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/protest in violation of Rule 7 of the CCS (Conduct) Rules, 1964. Besides, in accordance with the proviso to Rule 17(I) 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/protest. 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. Kind attention of all employees of this Department is also drawn to this Department's O.M. No.33012/1/(s)/2008-Est.(B) dated 12.9.2008, on the subject for strict compliance (enclosed as Annexure-A).

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 any other kind of leave to the officers and employees, if applied for, during the period of proposed protest/Gherao, and ensure that the willing employees are allowed hindrance free entry into the office premises.

4. In case employees go on protest/Gherao, 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 protest/Gherao, i.e., 26.11.2018.

जायरी सं.	4821	वी.पी.ए. सब
दिनांक	15/11/2018	

Under Secretary to the Govt. of India
011-23092982

To

Office of EO&AS/ AS(S&V)/AS (SRK)&CVO/JS(E)/Secretary(PESB)/MOS(PP)/Secretary(P).

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

URGENT

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19/11/18