OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE, CUSTOMS & SERVICE TAX
CENTRAL REVENUE BUILDING: I.S.PRESS ROAD: COCHIN-682 018
E-mail: cexcochi@excise.nic.in FAX-0484-2390608 Phone : 0484-2390404

C.No.II/39/52/2011-Estt. Dated 12.02.2014

ESTABLISHMENT CIRCULAR

Sub:- Notice for Strike by Confederation of Central Government Employees and Workers on 12th and 13th February 2014 – reg.

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The CBEC vide their letter F.No. B -12017/01/2014-Ad.IV.A dated 11.02.2014 has communicated a copy of O.M. No. 33011/1(s)/2014-Estt.B dated 10.02.2014 of the Department of Personnel and Training on the subject mentioned above for information and compliance. The above CBEC letter is available on website http://www.cbec.gov.in/deptt_offcr/circ-deptl/om-against1213feb2014strike.pdf.

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 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 guarantee 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 DOPT's OM No. 33012/1(s)/2008-Estt (B)(Pt) dated 12.09.2008.

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 office on the evening of the day.

12/2/14

[P R NAIR]
JOINT COMMISSIONER [P&V]

To

As per DL No. 1 of Cochin Commissionerate.
The Superintendent (Conf/Vig), Central Excise Hqrs. Office, Cochin
Notice Board.

Copy to:-

The Chief Commissioner of Central Excise, Customs & Service Tax, Kerala Zone, Cochin – for information with reference to letter C.No. II/39/21/2010 CC(KZ) dated 11.02.2014.