भारत सरकार GOVERNMENT OF INDIA
वित्त मंत्रालय MINISTRY OF FINANCE
राजस्व विभाग DEPARTMENT OF REVENUE
प्रधान आयुक्त का कार्यालय
OFFICE OF THE PRINCIPAL COMMISSIONER
केन्द्रीय उत्पाद शुल्क, सीमा शुल्क और सेवा कर
CENTRAL EXCISE, CUSTOMS & SERVICE TAX
कोच्चिन COCHIN
केन्द्रीय राजस्व भवन CENTRAL REVENUE BUILDING
आई. एस. प्रेस रोड, कोच्चि I.S. PRESS ROAD, KOCHI-682 018

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C.No.II/7/2/2014-Estt. Date: 6 .03.2017

ESTABLISHMENT CIRCULAR NO. 02/2017

Attention is invited to the following letter received from the Ministry of Finance:-

Sl. No.	Letter No. and date	Subject
1.	No. C-30013/6/2012-Ad.IV.A-Vol.II dated 31.01.2017	Criticism of the Government and its Policies

Copy of the mentioned letter may be downloaded from the website of Cochin commissionerate - www.cenexcisekochi.gov.in for information.

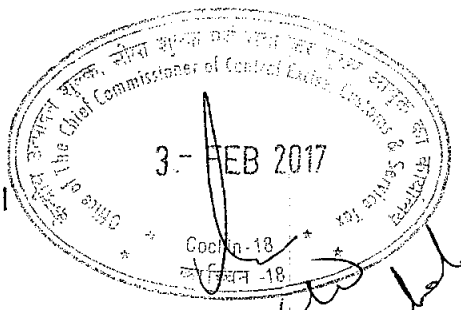
[B G Krishnan]
Deputy Commissioner [P&V]

To

1. The DC/AC of divisions under Cochin commissionerate.
2. All Section Heads in Headquarters Cochin.
3. The Superintendent (EDP) for uploading in website.
4. Notice Board, Hqrs Cochin.
5. Notice Board, Central Excise Bhavan, Kathrikadavu.

Copy to:

1. The Deputy Commissioner (CCO), Hqrs Cochin for information.



No. C-30013/6/2012-Ad.IV.A-Vol.II
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs
****

Hudco Vishala Building, Bhikaji Cama Place,
New Delhi, the 31st January, 2017

To

All Principal Chief Commissioners/Chief Commoners/Directors General, Customs and Central Excise/Directorate under Central Board of Excise and Customs.

Subject: **Criticism of the Government and its Policies.**

Sir/Madam,

Instructions have been issued in the past wherein it has been impressed upon all concerned to refrain from commenting adversely on the Government and its policies.

2. It is once again reiterated, that the instructions issued vide Board's letter No.CBEC-10C13(12)/1/2016-Ad.IIB dated 29th September, 2016 and No.C-30013/6/2012-Ad.IV.A-Vol.II dated 10.10.2016 (Copies enclosed) are followed scrupulously.

3. All the field formations are also directed to upload the said instructions on their respective website and ensure that the above instructions are brought to the notice of all concerned clearly stating that falling to follow these instruction may lead to appropriate action (including disciplinary action) under Rule 9 of the Central Civil Services (Conduct) Rules, 1964.

4. These instructions are being uploaded on the website of CBEC and all CCA's should get it uploaded on their websites.

Yours faithfully,

Encls: a/a

(Amarjit Singh)
Director

Copy to:

Web Manager, Directorate General of Systems and Data Management for uploading the letter on the CBEC website.

F.No. CBEC-10C13(12)/1/2016-Ad.II B
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs

****

North Block
New Delhi, the 29th September, 2016

To

All Principal Chief Commissioners/Chief Commissioners/Directors General, Customs and Central Excise/Directorate under Central Board of Excise and Customs.

Subject: Criticism of the Government and Its Policies.

Sir/Madam,

Recognition of Service Associations/Federations is governed by the Central Civil Services (Recognition of Service Associations) Rules, 1993 [CCS(RSA) Rules, 1993] vide OM No. 2/10/80-JCA dated 9th November, 1993 and instructions issued by the Government from time to time. The primary objective of the service associations is to promote common service interest of its members.

2. As per CCS(RSA) Rules, 1993, the service associations shall not do any act or assist in the doing of any act which, if done by a Government servant, would contravene any of the provisions of the Central Civil Services (Conduct) Rules, 1964.

3. Rule 9 of CCS (Conduct) Rules, 1964 reads as follows:

"**9. Criticism of Government**

No Government servant shall, in any radio broadcast, telecast through any electronic media or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion –

(i) which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government;

Provided that in the case of any Government servant included in any category of Government servants specified in the second proviso to sub-rule (3) of rule 1, nothing contained in this clause shall apply to bona-fide expression of views by him as an office-bearer of a trade union or association of Government servants for the purpose of safeguarding the conditions of service of such Government servants or for securing an improvement thereof; or

By Speed Post

F.No.C-30013/6/2012-AdIVA-Vol.II
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise and Customs

New Delhi dated the 10th October, 2016

Memorandum

The All India Association of Central Excise Gazetted Executive Officers has given notice vide their letter dated 04.10.2016 for observing the following:

(i) *Peaceful Lunch Hour gathering in front of the residence of your good self (Hon'ble FM) on 14.10.2016 to hand-over the Memorandum and Lunch Hour peaceful protests in front of every Headquarters Office throughout the country.*
(ii) *Peaceful Lunch Hour protests on 09.11.2016 in all CCA Offices throughout the country.*
(iii) *Wearing of Black Badge in all Offices on 07.12.2016 throughout the country.*
(iv) *Day long protest programme in front of all CCA offices on 05.01.2017 throughout the country.*
(v) *Mass Casual Leave on Budget Day by all Officers.*

2 GST is a major tax reform. All decision will be taken by the GST Council, keeping in mind the interest of all concern – the tax payer and officers. In this back ground, you are advised to refrain from proposed course of action.

3. Further, attention of the All India Association of Central Excise Gazetted Executive Officers is invited to Rule 7 of the Central Civil Services (Conduct) Rules, 1964 and the instructions issue thereunder in the matter of participation by Government servants in demonstrations/strikes. Relevant extracts from the Central Civil Services (Conduct) Rules, 1964 are enclosed for ready reference. A copy of OM No. 41016/1/(S)/90-Estt(B) dated 01.05.1991 and No.33012/1(s)/2008-Estt(B) dated 12th September, 2008 containing instructions issued by the Deptt. Of Personnel & Training regarding treatment of period of strike by Government servants, are also enclosed.

This issues with the approval of Chairman, CBEC

Encl. As above:

(Amarjit Singh)
Director(Ad.IV)
Tel: 011 2616 2694.

The Secretary General
All India Association of Central Excise Gazetted Executive Officers
240, Razapur, Ghaziabad – 201 001 (UP)

Copy to:

1. All Chief Commissioners of Central Excise
2. DG, HRD, CBEC
3. Web Manager, Directorate General of Systems and Data Management for uploading the communication on the Board's website.

(Amarjit Singh)
Director(Ad.IV)
011 2616 2694.

(ii) which is capable of embarrassing the relations between the Central Government and the Government of any State; or

(iii) which is capable of embarrassing the relations between the Central Government and the Government of any foreign State;

Provided that nothing in this rule shall apply to any statements made or views expressed by a Government servant in his official capacity or in the due performance of the duties assigned to him."

4. Of late, it has been noticed that some Associations/Federations have commented adversely on the Government and its policies. It may be brought to the notice of all Associations/Federations that if anyone indulges in criticism of the Government and its policies, appropriate action (including disciplinary action) shall be taken under Rule 9 of the Central Civil Services (Conduct) Rules, 1964.

5. Further, recognized service associations/federations are entitled for certain benefits such as correspondence and meetings with the head of the administrative departments; provision of accommodation for the association subject to availability; facility of special casual leave up to 20 days in a year to the office bearers of the associations; payment of T.A/D.A for attending officially sponsored meetings etc. In the case of service associations/federations who are not recognized or whose recognition has expired, office bearers of such associations/ federations shall not be entitled for these benefits. A list of the associations/federations recognized as on date is annexed to this letter. Therefore, all the field formations are directed to ensure that the benefits as stipulated in the rules are extended to the office bearers of only such associations/federations which are recognized

Yours faithfully,

Encl. As above:

(A. K. Qasim)
Director

Copy to: Web Manager, Directorate General of Systems and Data Management for uploading the letter on the CBEC website.