भारत सरकार **GOVERNMENT OF INDIA**
वित्त मंत्रालय **MINISTRY OF FINANCE**
राजस्व विभाग
**DEPARTMENT OF REVENUE**
केन्द्रीय अप्रत्यक्ष कर और सीमा शुल्क बोर्ड
**CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS**
आयुक्त का कार्यालय
**OFFICE OF THE COMMISSIONER**
केन्द्रीय कर एवं केन्द्रीय उत्पाद शुल्क, कोच्चि
**CENTRAL TAX & CENTRAL EXCISE, KOCHI**
केन्द्रीय राजस्व भवन, **CENTRAL REVENUE BUILDING**
आई. एस. प्रेस रोड, कोच्चि, **I.S. PRESS ROAD, KOCHI-682 018**

**E-mail: supdtvig-cexcok@gov.in Fax: 0484-2390608 Phone: 0484-2396654**

**C.No. II/7/1/2017 Vig.Cx.Chn** **Date : 07.01.2019 .**

**VIGILANCE CIRCULAR No.1/2019**

The Confederation of Central Govt employees has called for a dharna on 8th and 9th of Jan 2019.

Attention of all officers of the Cochin Commissionerate is invited to the instructions issued by the Department of Personnel and Training which 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 Rule7 of the Fundamental Rules, pay and allowances is not admissible to an employee for his absence from duty without any authority. 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 ruled 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. Attention of all employees of this Department is also drawn to this Department's O.M. No.33012/1/(s)/2008-Estt.(B) dated 12.9.2008, on the subject for strict compliance (enclosed ).

It is reiterated that action in instances of violation of discipline and conduct rules would be taken in accordance with the instructions on the subject.

**[राजेश्वरी आर नायर / RAJESWARI R NAIR ]**
**संयुक्त आयुक्त /Joint Commissioner (P&V)**

**सेवा मे / To:**

1. **The Deputy/Assistant Commissioner, Kakkanad/Idukki/Aluva/Thrissur/Perumbavoor/Ernakulam/ Chalakkudy Division**
2. **The Superintendent (Systems) for uploading the Circular in the official website**

(15)

Estt(B)/strike matters

File No. 33012/1(s)/2008-Estt(B) (Pt)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training
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Dated the 12th September, 2008

OFFICE 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

All Ministries/Departments.