

"हिन्दी भाषा राष्ट्र निर्माण में सहायक है"



कार्यालय रक्षा लेखा प्रधात नियंत्रक (मध्य कमान), करियप्पा मार्ग, लखनऊ छावनी -226002
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कार्यालय दूरभाष सं.-0522-2451084 कार्यालय फैक्स सं.-0522-2453038
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प्रशा./1अ/1004/विविध परिपत्र

परिपत्र

दिनांक: - 08/01/2024

सेवा में,

- 1- क्षेत्रीय प्रशिक्षण केन्द्र, लखनऊ
- 2- एकीकृत वित्तीय मलाहकार (म.क.), लखनऊ
- 3- संगठन के सभी उपकार्यालय
- 4- मुख्य कार्यालय के सभी अनुभाग
(केवल वेबसाइट के माध्यम से)

विषय :- Proposed protest by Government employees over OPS : 08/01/2024-11/01/2024 : reg

संदर्भ:- मुख्यालय कार्यालय का परिपत्र संख्या AN/VI/17022/Strike/2022-23 दिनांक 04/01/2023

मुख्यालय कार्यालय का संदर्भित पत्र तथा रक्षा मंत्रालय (रक्षा विभाग) भारत सरकार का D(JCM) ID No. 17(1)/2020-D(JCM) दिनांक 29/12/2023 आपकी आवश्यक मंजानार्थ एवं अनुपालन हेतु अग्रेषित किया जा रहा है।

2- कृपया Joint Forum for Restoration of Old Pension Scheme (JFROPS) द्वारा दिनांक 08/01/2024 से 11/08/2024 तक आहुत उक्त विरोध प्रदर्शन के सम्बन्ध में अपने कार्यालय से संबन्धित अनुपालन रिपोर्ट विरोध प्रदर्शन के प्रत्येक दिन 04:00 बजे अपराह्न तक इस कार्यालय को प्रेषित करने का कष्ट करें।

वर्गाधिकारी (प्रशासन) द्वारा अवलोकित।

संलग्नक:- यथोपनि।


वरि.लेखा अधिकारी (प्रशासन)



"हर काम देश के नाम"

कार्यालय, रक्षा लेखा महानियंत्रक

उलान बटार रोड, पालम, दिल्ली छावनी-110010

CONTROLLER GENERAL OF DEFENCE ACCOUNTS

Ulan Batar Road, Palam, Delhi Cantt.- 110010

दूरभाष/Ph: 011-25665706, Fax: 25674806

ई-मेल/Email: admin6.cgda@nic.in

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आज़ादी का
अमृत महोत्सव

NO. AN/VI/17022/8181K/2022-23
To

date: - 04/01/2024

All PCsDA/PIFAs/CsDA/IFAs/RTCs
(Through e-mail)

Subject: - Proposed protest by Government employees over OPS- regarding.

Please find attached a copy of Ministry of Defence, Department of Defence, D(JCM) ID No.17(1)/2020-D(JCM) dated 29.12.2023 on the subject matter for information and necessary action.

2. The Ministry of Defence, Department of Defence has informed that Joint Forum for Restoration of Old Pension Scheme (JFROPS) has decided to organise relay hunger strike at Jantar Mantar, New Delhi, State capitals, divisional and district level across the country during January 8-11, 2024 over restoration of Old Pension Scheme (OPS).
3. In this regard, MoD D(JCM) has drawn attention to DoPT OM dated 12.09.2008(copy enclosed) which 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.
4. Accordingly, all employees under your administrative control may suitably be informed of the aforesaid instructions and the ruling of the Hon'ble Supreme Court and 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 during the period of the proposed strike, and the hindrance free entry may be allowed to the employees into the premises.
5. In case the employees go on dharna/protest/strike, a report indicating the names and designations of employees who took part in the proposed Protest/strike may be conveyed to this HQrs office by the evening of the Protest/strike day.


(Sushil Riyar)
Sr. ACGDA(AN)

Most Immediate

Government of India
Ministry of Defence
Department of Defence
D(JCM)

Subject: Proposed protest by Government employees over OPS- regarding.

The undersigned is directed to inform that Joint Forum for Restoration of Old Pension Scheme (JFROPS) had decided to organise relay hunger strike at Jantar Mantar, New Delhi, State capitals, divisional and district level across the country, during January 8-11, 2024 over restoration of Old Pension Scheme (OPS).

2. The instructions issued by DoP&T (copy enclosed) prohibit the Government servants's for participating in any form of strike including mass casual leave; go-slow, sit-down etc. or any action that abet any form of strike.

3. The Central Government Employees under your administrative control may, therefore, be suitably informed of the aforesaid instructions and the ruling of the Hon'ble Supreme Court and 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. It may please be ensured that the willing employees are allowed hindrance free entry into the office premises.

4. In case the 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.

for a
02/01/24

Gopal Mehra

(Gopal Mehra)
Under Secretary, D(JCM)
Telefax: 2301 1260

Dir(HR) O/o JS&CAO	DG(Pers)/E-in-C Branch
Dir(CP), AG Branch/Army HQ	Dir(Pers)/CGHQ
Dir(PC)/Air HQ	DCMPR(NHQ)
DDG(Admn)/DGDE	DGAFMS(Ping)
Dir/CGDA(AN)/CGDA	Dir(Pers)/DGNCC
Dir(Pers)/HQ IDS	PM(Pers)/HQ ATVP
DS(BR-1)/Def Policy	Dir(PR)/DPR(X)
DS(Estt)	DS(Gen/IT)

MoD ID No. 17(1)/2020-D(JCM) dated 29.12.2023

रक्षा लेखा रू सहायक महासचिव (प्रशा.)
Sr. ACGDA (AN)

आदेश नं./Dy. No. 21/Date 23.01.24

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 26 December, 2023

OFFICE MEMORANDUM

Subject: Proposed protest by government employees over OPS-regarding.

The undersigned is directed to inform the Joint Forum for Restoration of Old Pension Scheme (JFROPS) had decided to organise relay hunger strike at Jantar Mantar, New Delhi, state capitals, divisional and district level across the country, during January 8-11, 2024 over restoration of Old Pension Scheme (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. All these activities violate Rule 7 of the CGS (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 regards the concomitant rights of an Association after it is formed; it is informed that they cannot be different from the rights which can be claimed by the individual members of such Association. 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 and that such 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 mechanism of Joint Consultative Machinery for Central Government employees is already in existence. This scheme has been introduced with the object of promoting harmonious relations and for securing the greatest level 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 from time to time, and the mechanism is still functional 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 and the ruling of the Hon'ble Supreme Court and 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. It may please be ensured 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.

1400/21149/10023
28/12/2023

Office of DS (CP)
Diary No. 167
Date: 28/12/23

Office of Additional Secretary (DOD)
Diary No. 547
Date: 27-12-23

Due
27/12

JS/E
28/12

US (Gen)
28/12

O/o Joint Sec.
Diary No. 6290
27-12-23

SH.DK
28/12

File No. 33012/1(s)/2008-Estt.(P) (P)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

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 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.

5. In case the 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.

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

To

The Secretaries of all Ministries/Departments of Government of India

Copy to:

- (i) PS to MoS(PP)
- (ii) Director Admin), DoPT; North Block, New Delhi.

2/1/57