

No. 2 (Misc)/20-E.II

Date: 05.01.2024

OFFICE MEMORANDUM


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

Ref: CSIR Headquarters letter no. 5-1(844)/2023-PD dated 29.12.2023.

Keeping in view the proposed relay hunger strike at Jantar Mantar, New Delhi, state capitals, divisional and district level across the country during January 8-11, 2024 by the Joint Forum for Restoration of Old Pension Scheme (JFROPS), the following instructions are being brought to the notice of all concerned:

1. The instructions issued by the DoPT/CSIR Headquarters from time to time, prohibit the council 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 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 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 council 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.
2. Casual Leave or other kind of leave to employees, if applied for, during the period of the proposed protest/strike shall not be sanctioned.

This is issued for strict compliance.


(Jay Shankar Sharan)
Controller of Administration

Copy to:

1. All Group Heads
2. PS to Director
3. PPS to CoA
4. Head, AITG- With a request to upload the OM on CEERI web portal
5. All Staff- through email.