

URGENT/TOP PRIORITY



Office of the Pr. Chief Commissioner of Income Tax
Andhra Pradesh & Telangana
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F.No. Pr.CCIT/Estt/Strike/2020-21

Date: 25-11-2020

To
All the Heads of Offices working under Pr. CCIT,
Andhra Pradesh & Telangana.

Sir/ Madam,

Sub: Notice for strike by ITEF, AP&TS Circle on **26.11.2020** - Regarding.

I am directed to inform that Income Tax Employees' Federation, (ITEF) AP&TS Circle, Hyderabad on the instance of Confederation of Central Government Employees and Workers(CCGEW) has given a Strike notice intimating that the employees of the Income Tax Department who are members of ITEF will go on **One day strike on 26-11-2020**.

In this connection, I am directed to forward herewith copy of the DOP&T's OM in F.No.33012/1(s)/2008-Estt(B)(Pt) dated 12th September, 2008 for necessary action and compliance.

I am directed to invite the attention to the instructions issued by the DOP&T 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 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. The right to form an Association does not include any guaranteed right to strike. There is no statutory provision empowering the employee to go on strike. The

Supreme Court has also agreed in several judgments that going on a strike is 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.

I am further directed to inform that all the officers/officials in your charge be suitably informed of the aforesaid instructions under the Conduct Rules issued by the DOP&T and other regulations upheld by the Hon'ble Supreme Court and dissuaded from resorting to strike in any form. I am directed to inform that the Heads of Offices may also issue instructions not to sanction Casual Leave or other kind of leave to officials if applied for, during the period of the proposed strike and ensure that the willing employees are allowed hindrance free entry into the office premises. Suitable contingency plan may also be worked out to carry out the various functions of the Department.

I am also directed to communicate that the heads of the office should ensure the smooth functioning of the offices under their charge during the strike period. I am directed to communicate that the heads of office may communicate to the officers and officials of the department that in case of any damage caused to the properties /loss to the files of the Department, the Officers and Officials of the respective office shall be held responsible.

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 by the evening of the day. As regards salary deduction, you may await instructions from the CBDT.

Encl: As above.

Yours faithfully,



(MERIGA SATISH)

Addl. Commissioner of Income Tax
(Hqrs)(Admn & Vig), Hyderabad

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File No. 33012/1(s)/2008-Estt(B) (Pt)
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 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.