

No. 08-01-2019-SR
Government of India
Ministry of Communications
Department of Posts
(SR Section)

Dak Bhawan, Sansad Marg,
New Delhi - 110001.
Dated: 3rd May, 2019



1. All Chief Postmasters General/ Postmasters General.
2. Chief General Manager, BD&M Directorate/ Parcel Directorate/ PLI Directorate.
3. Director, Rafi Ahmed Kidwai National Postal Academy, Kamla Nehru Nagar, Ghaziabad-201002, (U.P.).
4. Addl. Director General, Army Postal Service, New Delhi.
5. Sr. Deputy Director General (PAF).
6. All General Manager (Finance)/ Directors Postal Accounts/DDAP.

Subject: Handling of strike situation – Contingency Plan.

Postal Services Board, in its 3rd meeting held on 11th February, 2019 reviewed the existing Contingency Plan of the Department to deal with situation arising out of industrial actions (like strike) and approved a revised plan aimed at keeping the dislocation of the services to the barest minimum level.

2. I am directed to forward herewith the revised Contingency Plan for information and necessary action by concerned.
3. These instructions will come into effect from the date of issue.

S. R. Amin
(S. R. Amin)

Director (SR & Legal)

Copy forwarded to :

1. PS to Minister of State for Communications (I/C)
2. Sr.PPS to Secretary (Posts) / Sr.PPS to Director General Postal Services
3. PPS / PS to Addl. DG (Co-ordination) / Member (Banking)/ Member (O) /Member (P)/ Member (Planning & HRD)/Member (PLI)/ Member (Tech)
4. Additional Secretary & Financial Adviser
5. Sr. Deputy Director General (Vigilance) & CVO /Sr. Deputy Director General (PAF)
6. Director General P&T (Audit), Civil Lines, New Delhi
7. Secretary, Postal Services Board/ All Deputy Director General
8. Chief Engineer (Civil), Postal Directorate
9. All sections of Postal Directorate
10. All recognized Federations / Unions / Associations
11. GM, CEPT for uploading the order on the India Post web site
12. Guard File
13. Spare Copies.

Comprehensive Contingency Plan for managing Postal Services effectively during the strike.

BACKGROUND

The existing Contingency Plan for handling of strike situation was reviewed by the Postal Service Board in its meeting held on 11th February, 2019. The Postal Services Board has approved the revised contingency plan of the Department to deal with situations arising out of industrial actions like strike to keep the dislocation of services to the barest minimum level. The revised action plan is described in the following paragraphs:

2. It is needless to say that strike situations are to be tackled with skill and determination by the management. Equally important is the need to keep staff grievance redressal system fully operative at all times so that the suggestions/complaints received from the Federations/Unions/Service Associations are attended to expeditiously as a regular measure. If in spite of all these efforts, industrial agitation does take place, it would be essential for the management at different levels to be clearly aware of the specific issues on which the Unions have launched agitation. For this purpose, the SR Section of Directorate will prepare the replies to the different agenda items submitted by the Federation/Unions/Associations in consultation with the concerned Division of Directorate at least 15 days before the proposed date of strike and circulate the same to all Heads of Circles etc. for their information.

3. The field functionaries will familiarize themselves thoroughly with the issues, the circumstances leading to the industrial action and the views of the Department on each of the issues so that they, in turn, are able to counsel the staff under their control to defuse the situation. To create such a holistic situation, it is advised that the Heads of Circles should, in the first instance, explain the various aspects of the issues raised by the service unions to the regional heads and other senior management functionaries in the field and also the reasons why those cannot be agreed to so that the latter in turn can share the same information with the field functionaries and develop a joint action plan with clear understanding of the point(s) of conflict. The Circle and regional management should use both written and face to face communication methods with their field officers for developing a common action programme.

4. Preparatory Steps

4.1.1 Informing the staff about the consequences of going on strike

As per standing instructions the period of absence on account of strike by the Central Government employees is to be governed by the principle of "No Work, No Pay". This has been upheld by the Apex Court in the case of Bank of India vs. T.S. Kelawala and others. In this matter, instructions have also been issued by the DoPT, vide its O.M. No. 41016/1(S)-Estt. (B) dated 1st May, 1991 circulated, vide this Department's letter No. 51/10-91-SPB-II dated 31st July, 1991. The relevant operative portion of the judgement is reproduced below:-

"It is not enough that the employees attend the place of work. They must put in the work allotted to them. It is for the work and not for the mere attendance that the wages/salaries are paid"

"It is clear that wages are payable only if contract of employment is fulfilled and not otherwise. Hence, when the workers do not put in the allotted work or refuse to do it, they would not be entitled to the wage proportionately."

4.1.2 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 etc. or any action that abets any form of strike in violation of 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/her absence from duty without any authority. The Supreme Court has also agreed in several judgments that going on 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. In this connection, DOP&T's O.M. No. 33012/1(s)/2008-Estt (B) (pt) dated 12th September, 2008, O.M. No. 33011/1(s)/2019-Estt. (B-II) dated 4th January, 2019 and O.M. No. 33011/1(s)/2019-Estt. (B-II) dated 31st January, 2019 may be referred to.

4.1.3 The aforesaid instructions under Conduct Rules issued by the DOP&T and other regulations upheld by the Hon'ble Supreme Court may be suitably informed to the employees working in the Department. All Heads of Circles may also issue instructions not to sanction Special Casual Leave or other kind of leave to employees 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.

4.1.4 As per Rule 23 of Gramin Dak Sewaks (Conduct and Engagement) Rules, 2011 as amended from time to time no Sevak shall resort or abet any form of strike, coercion or physical duress in connection with any matter pertaining to his conditions of engagement or the engagement of any other Sevak. All the GDS should be informed that the period of strike will not only result in deduction of TRCA for the period of absence during the strike as well as break in engagement on account of incitement, violence and sabotage. Further, the following revised provisions for treatment of strike period may also be brought to their notice:-

(a) GDS who resort to action of the above kind violate Rule 23 of GDS (Conduct and Engagement) Rules, 2011 and disciplinary action can be taken against them. It may be noted that the list of activities which are covered under the definition of strike as enumerated above is only illustrative and not exhaustive. It only clarifies the position in respect of practices which are often resorted to at present.

- (b) GDS who is absent from engagement hours for participating in the strike shall not be entitled to draw TRCA, DA, bonus, Paid leave TRCA etc.
- (c) The strike period shall not be adjusted or regularised by grant of any kind of leave.
- (d) If, it is specifically ordered by the competent authority after show cause notice on account of incitement, violence and sabotage, the strike period would also result in break in engagement.
- (e) The strike period would not qualify towards engagement period for payment of GDS Gratuity, Severance amount at the time of discharge from engagement.
- (f) The strike period would not qualify towards engagement period for absorption of GDS against Multi Tasking Staff (MTS) posts, which is done on seniority basis.
- (g) The strike period would not qualify towards engagement period of GDS to appear at the LDCE for the cadre of Postal Assistant/Sorting Assistant/ Postmen/ Mail Guard/Multi Tasking Staff etc.
- (h) The above action as per para (a) to (g) may also be taken without prejudice to any disciplinary action that may be taken against such GDS.

4.1.5 The above provisions in para 4.1.1 to 4.1.4 about the consequences of going on strike should be informed to all the staff/GDS working in the Division/Office.

4.2
strike

Preparation of list of officials who will not participate in the

4.2.1 All the staff/GDS working in the Division should be asked to inform whether they are going to participate in the strike or not. A list of officials, who are not participating in the strike, should be prepared.

4.3 Control Room:

4.3.1 In the event of or likelihood of any serious disturbance as a result of strike or otherwise, affecting the services of the Department materially, a Control Room will be set up in the Directorate and in the office of every affected Circle Office / Regional Office / Divisional Office. During the period of strike, the control room will be used exclusively for this purpose and will be equipped with two telephones with STD facility (number to be notified in advance) and a computer with internet facility. The proforma in which the information about the strike is required by Directorate will be circulated in advance so that the same can be used by the Circles for informing the information to Directorate Control Room.

4.4 Staff Management:

4.4.1 The Administration would ensure that the staff that are likely to remain on duty during the period of strike, reach their place of work without obstruction so that they can put in the work allotted to them.

4.4.2 When the strike is imminent and where considered appropriate, the Circles may approach local offices of the Directorate General of Resettlement and Training and Employment Exchanges for nomination of persons, who are willing to work as substitute during the period of strike. However, actual engagement would be made only with prior approval of the Directorate and as per instructions issued from time to time.

4.4.3 The Divisional Office would keep a list of retired officials duly updated with their addresses whose services could be utilized on payment basis, during the period of strike.

4.4.4 List of voluntary organizations like Bharat Sevak Samaj, Boys Scout Association etc. who are likely to help with volunteers and other infrastructural support in the event of strike, would be maintained by the Divisional Office along with the addresses and telephone numbers of their executive office bearers. Similarly, a list of other offices - Government and Undertakings etc. that are likely to spare volunteers from among their employees for taking up the work of the Department during strike period, may also be kept ready.

4.4.5 Staff on duty and honorary volunteers who offer to assist the Department in running the postal services during strike may be handled with utmost care and courtesy. If the circumstances so warrant and subject to their willingness, they may be lodged in office

and provided refreshments/meals according to their duty hours, at the cost of the Department as per standing instructions in this regard.

4.5 General Principles for action against trouble makers

4.5.1 It should be made clear to the striking employees that besides loss of pay during the period of strike, action would also be taken against them under FR 17(A) as well as for violation of Rule 7 of CCS (Conduct) Rules, 1964. However, in the case of trouble makers, who indulge in violent activities, appropriate departmental/legal proceedings may be initiated depending upon the facts and circumstances of each case. In case of GDS, the provisions contained under Rule 23 of GDS (Conduct & Engagement) Rules, 2011 and para 4.1.4 of this plan will be applied.

4.5.2 In case the striking employees forcibly obstruct the other employees, who do not intend to participate in the strike, from entering into the office premises, immediate remedial action should be taken by the officers at different levels aimed at keeping the entry point open. In cases of anticipation of violence etc. in this regard, besides reporting the matter to the Police Authorities, the local Court may also be approached for getting suitable directions to the striking Unions not to put any hindrance at entry and exit points of the office and also not to indulge in unfair trade union activities.

4.6 Premises to be kept clear of strikers - liaison for

4.6.1 The offices at field level will ensure that during the period of strike, the office premises are kept clear of strikers. If some of the strikers resist vacating of the premises, the matter should be reported to the police authorities for providing the necessary assistance. The directions of the court may also be sought in cases where considered absolutely essential as stated earlier.

4.7 Avoid misuse of facilities by Union

4.7.1 Heads of Circles/Regions and Divisional Officers should ensure that the Unions' functionaries do not misuse the communication facilities provided by the Department and place them out of their reach. Similarly the office space should also not be spared for any such activity which promotes the strike.

4.8 Liaison with State Government/Local Authorities

4.8.1 Maintenance of law and order is the responsibility of the State Government. Therefore, when a strike is imminent, the State authorities should be immediately informed of the developments emphasizing the urgency of making special efforts for giving adequate protection to the Central Government's property as also to its staff on duty. Where necessary, especially in the case of vulnerable buildings and installations (to be specified by the Head of the Circle), entry may be regulated by a system of identity card. The Head of the Circle/Region/ Division should at once set up high level liaison at the State/

Regional/ District headquarters and also with respective police authorities.

4.9 Keeping the postal services operational during the strike

4.9.1 Priorities of delivery function

4.9.1 The actual extent of services to be provided and the emergency arrangements brought into force will depend on the nature and extent of the strike. If the strike is partial or in one branch only, it may be possible to make alternative arrangements without much dislocation or restriction of functions. The actual extent to which the scheme is brought into effect will differ from case to case and according to the location of the Centers of strike.

4.10 Priorities of counter services

4.10.1 The Heads of Circles may endeavour to provide as many services as possible depending upon the availability of staff and conditions of security. Forwarding of postal articles, ordinary or accountable, and Money Orders, meant for other Circles would always be regulated by the conditions in the concerned Circle which may be ascertained from the Circle(s) or the Directorate Control Room from time to time. Public should be duly advised of the restrictions in service facilities, if any, through the media. Further, it should be ensured that there is no backlog of mail pending in any mail office or post office on the eve of the strike.

4.11 Identification of Office

4.11.1 At least one office at each district headquarters and one each at the sub-divisional and block headquarters should be made functional where all arrangements, both with regard to counter services as well as sorting and bagging of inward and outward mail from and for the identified offices in the district are made. The office identified could be a Head Office or any other office considered suitable for the purpose.

4.12 Priorities in mail transmission

4.12.1 Arrangements be made, at district headquarters and State capitals to run a limited number of sections on each route over a period of 24 hours which have better connectivity for onward transmission of bags by sections/air/road transport. Attempt should be made to make arrangements for movement of closed bags from one district headquarters to another within the Circle and from one Circle to another by engaging, wherever necessary, private transport. Even second-class mail may be given air-lift, wherever necessary. All attempts should be made to de-clog the mail offices. In metro towns, more than one post office/mail agency be identified and made functional. Closed bags for foreign countries lying in the offices of exchange, should be cleared by handing them over to the concerned air carrier. Wherever necessary, action should be taken to by-pass the normal mail agency particularly at the air TMOs and major surface TMOs. This should be done with the help of the staff on duty, inspectorial cadre officials and retired officials under the direct supervision of a responsible officer.

4.13 Delivery of Mail

4.13.1 One combined delivery including speed post/e-commerce articles should be made from the identified post offices either through the postmen or at the counter/window through responsible officials depending on the circumstances. Recipients of bulk mail such as banks, educational institutions etc. should be asked on telephone or through media, to collect the same from the designated offices. Accountable mails, if received, may be delivered, under receipt to the addressee or to his authorized agent where possible. Otherwise, they may be kept in deposit safely. Speed Post/e-commerce articles must be delivered for which foolproof arrangements should be made.

4.14 Payment of Money Orders

4.14.1 Payment of Money Orders be made only at the window of the Post Office where payment through postmen is not considered feasible. Particular attention should be given to payment of money orders to the institutions, students and pensioners. Money orders meant for rural areas should be distributed by engaging vehicles to cover different routes on which various GDS Branch Post Offices are located.

4.15 Cash Remittances

4.15.1 Cash remittances in Account bag and Registered bag may be made to the extent feasible. However, this may be decided by the

Heads of the Circles/Regions keeping in view the situation. Cash balances of post offices should be carefully regulated to avoid retention of money beyond safe limits as adjudged by the controlling authority.

4.16 Utilization of New Recruits/Trainees

4.16.1 Postal Assistants/Sorting Assistants/Postmen are undergoing institutional training at the training centers can be called to handle some of the functions, like sale of stamps and stationery etc., as also for delivery of ordinary mail in the local Divisions for manning essential operations where the training centers are located by suspending their training.

4.17 Identification of Letterboxes

4.17.1 One letterbox clearance must be arranged in respect of identified letterboxes. This would include letterboxes installed at various TSOs/Delivery Sub offices and letterboxes outside important Central/ State Government offices. If sufficient manpower is not available, contractual transport arrangement could be made to clear letterboxes. One responsible official will move in the contractual transport. He could be an IPOs/ASPOs/Mail Overseer/Head Postman or any other official. The nodal letterboxes identified should be notified to the members of the public through a press note etc.. An additional clearance of all letterboxes be made in the evening before the start of the strike.

4.18 Management of Offices

4.18.1 A responsible official such as an IPOs/ASPOs or any other official should be entrusted with the management of each of the identified offices, which are proposed to provide skeleton services.

4.19 Speed Post

4.19.1 All efforts be made to ensure that the Speed Post Service continues to operate between the National Sorting Hubs and other important Speed Post Booking Offices in each Circle wherever the Circle/Region is able to make adequate arrangements.

4.20 ATMs and Online Banking facilities

4.20.1 Heads of Postal Circles should ensure that all ATMs of DoP are properly replenished with adequate amount of cash in time to avoid shortage of cash. All concerned should extensively promote and popularise the ATM and Intra-operable Internet Banking facilities in Post Office Savings Bank so that the customers can make deposits and transfers from one account to the other without the intervention of the Post Office.

4.21 Online Payment of PLI/RPLI Premia

4.21.1 All concerned should extensively promote and popularise the online payment of PLI/RPLI premia so that the customers can pay the premia in respect of their PLI / RPLI policies without the intervention of the Post Office.

4.22 India Post Payment Bank

4.22.1 All concerned should extensively promote and popularise the IPPB App so that the customers can make the following transactions without the intervention of the Post Office:

4.22.1.1 Deposits and transfers from one account to the other.

4.22.1.2 Deposit amount into their Recurring Deposit, Public Provident Fund and Sukanya Samriddhi Yojana Accounts.

4.22.1.3 Pay the different type bills viz. Electricity, Landline telephones / roadband, water, gas, recharge Mobile Phones and DTH Services

4.22.1.4 Pay insurance premia of selected insurance companies etc.

4.23 Security Arrangement

4.23.1 Adequate foolproof security should be provided to postal property and staff well in time. Effective liaison should be maintained with the Police and the civil authorities at all levels in the State.

4.23.2 Since computers and other peripherals have been provided in all post offices, it is absolutely necessary that foolproof arrangements are made for security of all Post Offices. The local district police authorities should be informed in this regard and security provided round the clock. Keys of the Post Offices should be obtained, well in

advance, if deemed appropriate, from the officials proceeding on the proposed strike.

4.24 Publicity of arrangements and other relevant information

4.24.1 The postal facilities being provided including the names of the selected post offices providing these facilities, the identified letterboxes, the functioning of the ATMs, Customer Portal for Savings Bank & PLI & IPPB App etc. should be notified for information of the members of the public through the Print, Electronic and social media etc..

4.24.2 If the strike continues for long period of time, the various print, electronic and social media may be used to create public opinion against the strike situation and to bring the parties to negotiation table.

4.25 Action to be taken after the strike

4.25.1 Broadly, the following actions may be ensured:

(a) clearing of backlog of mails after the strike:

- (i) Bags, which are destined for other Circles, should be dispatched to the destinations immediately.
- (ii) Bags which are to be opened by local mail offices should be got opened, contents sorted and mails sent out for delivery or for onward dispatch as the case may be.