INTRODUCTION

It is no exaggeration to say that the evolution of present democracy or representative government has been essentially marked by the continuous development of various consultative arrangements\(^1\) whereby the views and demands of organized interest groups, such as associations, unions, etc., are given some measure of consideration in the formulation of public policy. Thus Professor Riggs maintains that "one of the pillars of political action in advanced countries is the 'association', through which functionally specific interests are articulated and communicated to decision-making centers."\(^2\) Normally, interest groups, in the form of associations, predominantly private in composition, are independent of political parties and usually they prefer to exert an influence upon all parties in order to guide them in the direction of their own special interests and objectives.

If by democracy we mean to say a government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation, then, associations and unions play a key role in the policy process. The activities of the groups, associations or unions, as the term may be, are thus viewed from two angles: one as originators of policy

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proposals or playing a political role; second, when these associations participate in policy implementation, they are regarded as playing an administrative role.

Employees' associations, throughout the greater part of their existence, have tended to exercise influence upon government behaviour in relation to their own special interests. In the general way, these associations have acted like other trade unions with strong political interests to influence the government. They have used the prevailing methods such as work to rule, resorting to strikes, taking out processions, staging dharnas, etc. to exert pressure.

With the vast expansion in the size of modern bureaucracies, caused partly by increase of trade and industry and expansion of agricultural activities and primarily by the vast extension of the State activities which has involved specialized knowledge and new technical laws on the part of the officials, civil servants in our country have given reconsideration to the relevance of the concept of neutrality in the field of public personnel administration. "What really is at stake is the concept of a politically neutral permanent civil service, a concept upheld by the Constitution though our basic laws do not use these words to refine the functions of the public services."¹ For several million civil servants in India are now becoming vitally interested in those matters which generally govern the terms of their own conditions of service and economic well-being. Hence arises their concern with such issues as

¹. Sitanshu Das, "Back to 'Neutral' officials", in The Tribune (Chandigarh), March 1980.
compensation, conditions of service, freedom to associate for
the promotion of their economic and social objectives, or to
engage in political activities in common with their trade workers.
Moreover, their aspirations in this regard have recently been
made more vocal through Staff Associations and Joint Consultative Machinery or Whitley Council machinery in England. In
our present system, associations of civil servants have been
playing a greater role not only in securing substantive improve-
ments in working conditions but also they have increasingly sought
an opportunity to share in the formulation and administration of
personnel policies which manifestly affect the welfare of employees
as a whole.

Some basic questions arise as to what is association, what
is its need and significance; and what are its objectives?

Definition of the Association

A association is nothing but the organisation of civil servants
formed to promote and protect their interests by collective action.
In an industry the wage earners, in order to secure improvements
in the economic interests, have formed trade unions. Similarly, in
government organisations, civil servants are essentially wage
earners with substantially the same economic interests, and
have turned increasingly to organization and group activity as a method
of securing improvements in their conditions of service. A trade
union, in the words of Webbs, "is a continuous association of wage-
earners for the purpose of maintaining or improving the conditions
of their working lives."¹ Unions or associations are, therefore,

¹. Sidney and Beatrice Webb, "The History of Trade Unionism"
defensive instruments to resist the employer's exploitative
tactics. "Its fundamental objective", according to Webbs, "is
the deliberate regulation of the conditions of employment in
such a way as to ward off from the manual-working procedures
the evil effects of industrial competition." In their opinions
the democratic society requires a labour organization to provide
for the participation of workers in the conditions of rule of
their service. In contrast to civil servants, the public employees
who are not civil servants can negotiate wage agreements similarly
do workers in the private sector. It is not surprising that civil
servants' associations like trade unions have sought partici-
pation in the management of their employment conditions. In
brief, association is a voluntary organization of government
employees formed for the purpose of defending and advancing the
employees' collective interests from the encroachment of the
Government.

As association is ordinarily characterized as something
extraneous, an extra burden on the structure of the administration,
rather than as a part of it. Actually, an association is as
much a part of the total structure as an administrative organiz-
ation itself. Probably, the fact that it is the outcome of the needs
and desires of employees rather than a policy of the government
leads to the impression that it is something apart and outside.
Wellington and Winter very rightly say: "Make no mistake about it,

1. Klaus Konig, "Aspects of Workers' Participation in the Public
Sector", in Sudesh Kumar Sharma(ed.) Dynamics of Development:
An International Perspective, Vol.2(Delhi, Concept, 1977),
p. 366.
government is not just another industry."¹

Why Staff Associations?

A basic question: why civil servants form and join associations is of much importance in the civil service than the working and its composition. Associations are the creation of civil servants and their groups whose objectives are many and varied. Pigors and Myers write: "Unionism springs from the basic aspirations of those employees who become convinced that they can gain more through membership in a union than by going it alone."² Membership in a trade union is encouraged by the government on the ground that representative associations not only promote good staff relations but also are essential to effective negotiations on conditions of service.³ An association often develops as a result of government's limited point of view and of restricted communication within the structure. Sharp says: "It has been the experience of government employees everywhere that the amelioration of their material status must have organized self-pressure as its initial impetus."⁴ The opportunity which employees seek to share in personnel decisions which vitally affect them may represent a satisfaction of special values in the civil service.

Associations today, in the administrative sphere, are in other sense, faithful representatives of the society from which they emerge. They are, however, in the words of Ben. B. Seligman, "uneven mixtures of pragmatism and idealism, virtue and corruption, cunning and competence, sloth and energy, power and altruism." They arise not only from organising, bargaining and politics but above all from the kind of impact they leave on society. Associations are thus, on the one hand, essential instruments for improving the welfare of their employees on the other, they have pressed the government to become liberal in dealing with them.

Since civil servants have been denied the right to strike and participate in the political activities by civil service rules and regulations, they have demanded the provision of machinery whereby employees' grievances may be redressed. In order to get their grievances and complaints heard through any provided government machinery, they feel the necessity of forming Staff Associations. In the associations employees feel better security, liberty and courage rather than remaining alone. Staff associations make it possible for civil servants to express their day-to-day difficulties and grievances to the administrative authorities in the formal way by submitting applications and petitions and by holding informal talks with the management. Civil servants get into membership of the associations because the peculiar and diverse needs of civil service cannot be achieved

without collective representation and bargaining. They joined membership with the hope that it may help lessen their anxiety and distress and will further the scope in leading a happy life. The original reasons for unionisation were the effects of continual internal reorganisation and reform. Then followed security of employment and better conditions of service. Humphreys writes: "As the changing functions and structure of the Civil Service have dictated the form and the objectives of the unions which have developed among State employees, so has the nature of the Civil Service determined the degree of success which has accrued to these unions."

The foregoing considerations advance the acceptance of unionism as a continuing feature of our politico-administrative system.

**Problem**

The present work is a study of the employees' problems in the Civil Service of Haryana. A good deal of emphasis has been laid on study the growth, functioning and legal status of the Staff Associations in Haryana. The primary objective of this study is to ascertain the extent to which the civil servants may be given a measure of functional recognition in the government service without causing impairment in the performance of duty of the government which has the control over the administration exclusively meant for the fulfilment of public purpose.

**GROWTH OF STAFF ASSOCIATIONS**

It is not easy to summarise the complexities and experiences which determined the growth of unionism among the civil servants.

in Haryana. However, at the risk of over-simplification and observation by the omission of which may be taken into account as the importance of pertinent certain facts and factors may be attached more importance for its growth. It is obvious that most of the available materials have the partisan characteristic of criticism and favouritism. Though the figures of staff associations in Haryana as shown in Annexure I reveal the emergence of new form, they do not, however, characterise the nature of the impact of its inception. Views and commentaries on such matters have been a subject of discussion whether it was necessary, convenient, wise or right for government servants to organise themselves into associations. They have been guided not merely by experience, but to a large extent, by anxieties and fears or by hopes and faith. Earlier they were formally bound by the ties and devices in which associations had little or no part to play, but with the expansion of the staff, unionism gained momentum and urged the necessity of a radical change in the structure of administration. Methods of negotiation under the Joint Consultative Machinery and the attitude of the official side towards it have changed so much that during the past 20 to 25 years it is worth reviewing its beginning and development.

**Pre-Independence**

During the early British rule, there was little or no consciousness of common needs and interests among the civil servants because of the greater inheritance and partnership in the administration by the English rulers. Indians who were largely employed at the pleasure of the British had little or no interest
in the formation of association and whatever, it was primarily submerged with the movement of the people for realization of the goal of India's independence. There were, of course, before the World War I associations of government employees such as the Amalgamated Society of Railway Servants of India and Burma (1897), the Indian Civil Service Association (1918) etc., but they were mostly manned by Britishers and Anglo-Indians. Hence their existence carried no such significance in the present development except they were of historical interest. In England, before the World War I trade unionism in the civil service was frowned upon. Callaghan wrote that before the 1914-18 war, "civil servants who took an active part in organizing their colleagues were liable to find their activities called into question and to incur official displeasure."

During British rule, because of the centralized administration, the general mass of lower and middle level civil servants did not find opportunity to become organized. Although by the beginning of the 20th century modern association had secured for itself a place in the economic and political life of the country, employees organized themselves to press their demands, but by and large, it was only in those cases where they could evoke public sympathy that they succeeded; and such sympathy was hard to come by.

After the 1st World War, political and economic conditions in the country, caused partly by the freedom struggle by Mahatma Gandhi and his followers and partly by drain theory advocated by Dadabhai Naoroji as the poverty of India, roused new aspirations.

in the minds of civil servants to form associations. Further, the establishment of the International Labour Organisation (1919) had its impact on the growth of trade unions and staff associations in the country. Lower grade employees working in the Railway and Post and Telegraph Department began to organize themselves into unions. While some unions chose to operate independently, others felt the need for coordination of their activities at the national level. The formation, in 1920, of the All-India Federation, via the All-India Trade Union Congress (AITUC) was the outcome of these urges. Further, the enactment of the Trade Union Act, 1926, facilitated the growth of formation of trade/staff unions in India.

The setting up of popular Governments in the provinces in the late thirties under the Government of India Act, 1935, quickened the pace of the growth of unions and staff associations in the provinces. The Act vested in the Governors the responsibility to "safeguard the interests and rights of civil servants." The continued efforts of the unions at the Central level inspired also the nerve of provincial employees. Low-paid technical employees in the Public Works Department started forming unions/associations. By the mid-thirties, government school teachers and employees in the Co-operative Societies Departments in Punjab did not lag behind in forming separate unions.

This new spirit of awakening in the country led the ministerial staff in the Secretariat and headquarters of the

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1. Under Section 2 of the Act, only workmen and persons employed in trade and industry are permitted to form trade unions.

various departments to become united. The Civil servants in the
form of groups became more active. They began to address appeals
to the press and members of the legislature asking them to bring
improvements in their conditions of service. Their growing
strength and solidarity were not to the liking of the Government
of Punjab. The latter adopted a more or less hostile attitude.
The Punjab Government issued instructions to the various depart­
ments and offices requiring them to discourage recognition of civil
servants' associations. This was obvious from an executive order
issued in March, 1937, providing for the conditions and procedure
for the recognition of civil servants' associations. The following
were the main conditions:

1. Association must consist of a distinct class of employees.
2. Ordinarily Government will not object to non­
officials being office-bearers, but it reserved
the right, in particular cases, to refuse
recognition to associations having non-officials
as its office-bearers.
3. Representations were to be received only on
general questions of common interest to the
class concerned.
4. Government required the regular submission for
its information of copies of the rules of
associations and the annual statement of accounts.
5. The associations were prohibited from furthering
the interests of their members by such objection­
able means as seeking the help of Members of the
Legislature, holding of public meetings, exhi­
bition of grievances in the press, approach to
political parties or to political candidates
during elections."

Despite these instructions, the spirit of unionism did not
diminish; rather it went on increasing among the civil servants.

1. Government of Punjab vide circular No.891-G-37 dated 3
March, 1937.
The Second World War (1939-45) further deteriorated the relations between Government and its employees. Economic conditions began to worsen and the cost of living rose very high and this made the life of employees, especially the low-paid, difficult.

At the Central level, as a result of intense agitation resorted to by the unions of Railways and Postal employees for the amelioration of their conditions of service, the Government of India appointed a "Pay Commission to go into the whole question of scale of wages, pensions and other conditions of service... and also the question of setting up some machinery for negotiations between Government and United Kingdom." The Commission was pained to find that there was "an absolute distrust on the part of many grades of public servants as to their ever receiving a fair response from the Government to their representations." It strongly recommended that the administration should encourage and foster the growth of unions of civil servants. This recommendation gave a further impetus to the development and organization of civil service associations.

While this gave some flexibility to the organizational activities at the Centre, unionism in Punjab did not, patch the sound path because of the rise of communalism. Further, the partition of India in 1947 shook the foundations of staff associations and unions and threw the entire life of the community out of

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2. Ibid., p. 119.
Some members of the Indian Civil Service (I.C.S.) solved the refugee problem with the help of the Central Government. "They laid" remarked M.S. Randhawa, "the foundation of the prosperity of Punjab." ¹

**Post-Independence**

After the attainment of independence, employees in the civil service felt pride in the formation of associations. Slowly and gradually, all classes of civil servants began to organize themselves into associations. The Government of India felt the importance of associations and consequently an Article to this end, was incorporated in the draft Constitution. Now the Indian Constitution (in force from January 26, 1950) provides for the right to "form associations or unions" ² subject to "public order or morality." ³ Civil servants enjoy this fundamental right as much as any other citizen, and their right to form unions or associations is no different from workers outside government. ⁴ This article is a milestone in the development of staff associations and unions in India as a whole.

All over the State, civil servants took the opportunity to form association for the purpose of improving the conditions of their service. Among these the Patwaris' Association and the Primary

¹ M.S. Randhawa, "Restructuring the I.A.S.", in The Tribune, June 29, 1981.
² The Constitution of India, Article 19(1)(c).
³ Ibid., Article 19(4).
⁴ The only categories which may be said to have been set apart as an exception to this uniform treatment under the Constitution (Article 33), are the members of the Armed Forces and the Forces charged with the maintenance of public order.
School Teachers' Association acquired prominence because of their adoption of militant approach and agitational activities. Their zeal for strong unionism and agitational approach led the Government to impose in 1955 the Civil Service Conduct Rules on the government employees in Punjab. Under clause 24, membership of Service Association was provided with certain restraints and conditions. This caused further restraints in the relations between the government and its employees.

Following the recommendations of the Second Central Pay Commission, cost of living further increased. Acute inflation coupled with increase in the cost of living made the conditions of Class III and Class IV employees more difficult.

The pressure of claims, representations and protests from various sections of employees, particularly from the clerical class and manipulative ones, increased. The piecemeal approach of the government to meet the growing demands of different classes of services, instead of lessening their discontent, actually increased it. In view of the government's rigid attitude, some of the associations went to the extent of striking work and indulging in agitational type of activities.

The government now began to take severe and retributive action against the union leaders and other active members by way of transferring and suspending them. In the Kairon Government (1962), city compensatory allowance (C.C.A.) was stopped and this stirred the employees. Processions, gate meetings and demonstrations

were staged by the employees outside their offices. As many as a
dozen leaders were transferred and one leader Mr. Ranbir Singh
Dhillon was placed under suspension. As a result of this, a
United Council of Government employees' Association and unions was formed and later on it was named as the Punjab Subordinate
Services Federation (PSSF).

In February, 1964, it was decided by the leaders of the
Federation to launch a large agitation all over the State in
protest against the indifferent attitude of the government. The
employees demanded an increase in dearness allowance and revision of
pay scale at par with the Central Government. Between 1952 and
1964, the prices shot up about thirteen times larger. On 18th
December, 1964, a big procession of about 20,000 employees paraded
through the sectors in Chandigarh in support of their demands. 2
At Ambala, Jullundur, Patiala and Gurgaon and other places, meetings,
processions and demonstrations were held. The Government facing
the unprecedented problem increased the D.A. from Rs. 5/- to Rs. 15/-.

In September, 1965, the agitation by the employees was
suspended in view of the Indo-Pak conflict. But in February, 1966,
under D.T.R. Mr. Ranbir Singh Dhillon, General Secretary of the
Punjab Subordinate Services Federation was arrested. This caused
great concern to the employees. In support of their demands and for
release of the leader, 101 employees drawn from different
districts of Punjab resorted to hunger strike for 48 hours on

1. Present General Secretary of Punjab Subordinate Services Federation (1980-81).
April 1966 at Nehru Park (Sector 22) in Chandigarh. Failure to reach any agreement with the Punjab Government, the employees resorted to one-day token strike on May 1966. As a result of it many employees were arrested and put behind the bars. Again, the representatives of the employees served on the Government a notice for two-day strike on 8th and 9th June, 1966, but with the intervention of Shri Vidyalankar, the then, M.P., the strike was called off. Employees arrested and jailed on May 21, 1966 were released, and D.A. was increased from June, 1966. Moreover, one-day strike of 6th May 1966 was treated as leave of kind due.

Growth of Unionism in the Civil Service of Haryana

With the passage of the Punjab Reorganisation Act, 1966, Haryana became the new State in the constitutional history of India. The employees of the Haryana State totalling 95352 (non-gazetted) did not discontinue the struggle towards achieving their association's goals. Rather, they became more conscious of their rights. The semi-starving condition of the low-paid services made it obligatory to intensify the activities of the civil servants' associations.

The continuous steep rise in the prices made sterilisation of the low wages. Between the period 1965-66 and 1967-68, Consumer price index numbers for urban non-manual employees in respect of selected centres of India were as follows:

1. Information collected from the records of the PSSF.
### Table 1.

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<th>1965-66</th>
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<td>All India</td>
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<td>146</td>
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<td>Bombay</td>
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<td>New Delhi/Delhi</td>
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<td>Bhubaneshwar</td>
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<td>Bhopal</td>
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<td>Chandigarh</td>
<td>129</td>
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Source: Government of India, Central Statistical Organisation.

From the above table, it would be seen that on the one hand there was heavy increase in the prices, on the other, there was no increase in the wages. Employees demanded that the government should provide full neutralisation as was admissible in the case of bank employees and the extent of neutralisation was to be 4%
in the case of Class IV and 3% for Class III employees. But the government remained silent to their demands, despite the fact that the net savings by the State amounted to ₹1,354,00,000 during the period 1967-68.¹

The employees demanded the setting up of a Pay Commission, adequate D.A. and its linking with cost of living index and formation of Staff Councils. Nothing was, however, done about the substantive demands of the association nor any regular negotiations started. Many memoranda and resolutions were sent to the Chief Minister Haryana by the various associations from 1966 to 1967 for the acceptance of their demands, but to no avail.

On November 22, 1966, the draft constitution was prepared and the Haryana Subordinate Services Federation (HSSF) came into being as a representative organisation of the government employees in Haryana.

The first significant action was the submission of a memorandum to the Chief Minister, Haryana, on January 6, 1967, stressing the need for setting up a Pay Commission headed by a High Court Judge, linking dearness allowance with cost of living index, setting up consultative machinery on the pattern of Whitley Council in the United Kingdom and granting trade union rights. The Federation also requested the State government to implement the recommendations of the Kothari Commission for teachers from December 1, 1966 instead from December 1, 1967. The hue and cry raised by the employees throughout the State made the government to yield to their demands.

¹ Haryana, Economic and Statistical Organisation, Chandigarth.
grant Rs. 25/- as interim relief. But the State employees continued their struggle to press the demand for linking D.A. with cost of living index. When the representatives of the services met the Governor on 30th December, 1967, for redress of their grievances, the Governor expressed his inability to grant full benefits at par with Punjab on the plea of paucity of funds.

This sort of clear-cut denial of justice to the employees by the Governor after breaking all solemn assurances of the Congress Ministry resulted in grave frustration among the services who after losing all hopes of justice and fair play in regard to their condition of service, expressed their resentment firstly by undertaking token fasts, demonstrations and rallies at all levels of the State and then by resorting to one day's token strike on January 19, 1968 which was attended by 93.62 per cent.

But the government remained adamant and did not concede their demands except that after the strike was over the government announced the second increase in D.A. w.e.f. 1st January 1968 instead of 1st January 1967. Instead it took retrogressive action like deduction of one day's salary from those who participated in the strike. Many teachers were transferred and adverse entries were made in their personal files.

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2. Letter to the President of India on 18.1.1968 from the H.S.S.F.

3. Figures collected from a Memorandum sent to the President of India on 18.1.1968.

This indifferent attitude of the Government led the employees to resort to a two-day strike on 8th and 9th February, 1968, after having addressed a Memorandum No. HSSF/871-900, dated 18.1.1968 to the President of India and to the Government of Haryana. As a result of three days' strike by the employees (Annexure III), their salaries for three days were deducted and chargesheets were served on them. Nearly 200 employees were victimised in the shape of arrest, suspension, dismissal, terminations, reversions, transfers, etc.

In sympathy with the terminated employees, peaceful demonstrations and rallies at all levels, including Chandigarh were observed on 25th January, 31st March and 12th April. Two leaders went on an indefinite fast in Chandigarh and on 12th April, two other employees followed the indefinite fast to stress their demands (shown at Annexure II).

But the struggle did not last until 13th November 1968, when Pt. Amar Nath Vidyalankar intervened in the matter. The Subordinate Services Federation Haryana withdrew unconditionally and unilaterally the hunger strike and other agitational steps in favour of peaceful discussion and consideration of their numerous grievances and various demands.

1. Shri Ram Avtar Sharma, General Secretary, Haryana Subordinate Services Federation and Shri Roshan Lal, General Secretary, Haryana Roadways, Ambala.
2. Shri Brij Mohan Sharma and Shri Balwant Rai Goyal.
3. Former Punjab Labour Minister and Veteran Trade Union Leader.
4. Shri Manjit Singh Tiwana was on hunger strike since 1st November 1968.
5. The Tribune, November 1968.
On January 1969, a deputation of Haryana Subordinate Services Federation called on the Chief Minister, Haryana at his instance for a negotiating settlement towards the outstanding demands of the Haryana employees. Instead they were termed "loafers", "Goonjas" and "Badmash". This abusive attitude of the Chief Minister created demoralisation among the employees and stirred once again the employees. But with the enforcement of new revised grades on 1 January 1969, the employees remained quiet for some time.

However, the employees did not stop from stressing the other demands which were unfulfilled. A deputation of the employees met Mrs. Om Prabha Jain, the then Finance Minister, Haryana, asking for the restoration of dearness allowance ranging from Rs. 18.30 to Rs. 50.00 per month, being made from the pay of teachers of Haryana. However, she assured the deputationists that the government would look into the financial implications. But no tangible result was achieved. The Haryana Subordinate Services Federation also sent a Charter of demands to the President and the Prime Minister of India on February 12, 1970 listing 21 demands. Their main demands centred round the concept of all kinds of victimisation, restoration of all kinds of dearness allowance (D.A.) cut to teachers, margin of D.A. with pay, etc.

4. Information collected from the present General Secretary (Mr. Mangal Singh Dilawari, Mini Secretariat Colony, Hissar).
The Government of Haryana, in view of the different demands made upon it by the various associations and the Federation, gave consideration to the necessity of setting up of a permanent consultative machinery in the State for the purpose of thrashing out and solving the grievances of employees. Despite the assurance given by the Governor on 9th January, 1971 for its creation, the scheme did not materialise.

On February 11, 1972 the H.S.S.F. of Class III and Class IV employees called upon all wage earners in the State to be prepared for a joint struggle in order to get their grievances rectified like grant of interim relief on the pattern of Central Government with retrospective effect, house rent allowance, medical facilities and children's allowance as granted to the Central Government employees. Between the period 1966 and 1972 the prices of essential commodities rose very high.

The implementation of the major recommendations of the Third Central Pay Commission at the Union level made an impact on the State employees also. Associations of the civil service in Haryana demanded of the State Government the application of the recommendations on them. During the emergency period June 1975 to March 1977, trade union in the civil services of Haryana had a very little role

3. The All India Working Class Consumer Price Index numbers rose from 191 (Base year 1949=100) in 1966-67 to 230 (Base year 1949=100) in March 1972.
to play. Leaders and employees, who were not in line with the approach of the government had to face many ordeals. A deputation of the Executive Engineers pointed out to the Irrigation and Power Minister, Mr. Virendra Singh on December 1977, that during the emergency the Executive Engineers of Irrigation Department were not treated well. They showed the Minister a letter from a Sub-Divisional Magistrate to a Sub-Divisional Engineer directing the latter to proceed to a certain village to plug the drain breach. The letter read: "You are directed to take at least 300 men and sufficient material to plug the breaches. If you fail to do accordingly, you will be arrested." Threats of arrest were used during the emergency period.

Since the prices of essential commodities were shooting up and general elections were drawing near, the Haryana Government announced the grant of two instalments of additional dearness allowance to its employees effect from January 1977.

But after the emergency was revoked, the trade unions in the civil services of Haryana again caught momentum. In every department there came into being one or more associations. The long-suppressed discontent amongst Gazetted and Non-Gazetted staff who were stripped of their fundamental rights and powers during the regime of Mr. Bansil Lal threatened to boil over. For the first

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1. Mr. Harsh Vadan Goswami, I.A.S., was transferred from the capacity of the Chairman of the Haryana State Electricity Board to the Secretariat during the emergency. Similarly, officer were suspended by Mr. Bansil Lal, the Chief Minister of Haryana. See The Tribune, January 1978. Mr. Shiv Kumar, now the present Chairman of the Haryana Subordinate Services Selection Board was compulsorily retired from service during the emergency.


time since the emergence of Haryana State in November, 1966, the technical and departmental gazetted officers also got together on a common platform and formed an organisation named as Haryana Raj Patrit Achikari Sangh (Haryana State gazetted officers' association) for redressal of their grievances. The Association pointed out "that during the last nine years* of 'dictatorial regime', great injustice had been done to the technical and departmental officers. Deliberate attempts were made to humiliate them by making bureaucrats, particularly those belonging to the Haryana Civil Service (H.C.S), all-powerful. Their interests were ignored in the revision of pay scales and in promotions. Top departmental posts were snatched away and filled with administrative services."¹ The Association later presented a memorandum to the Haryana Government listing their grievances and demands which included recognition of the organisation. In the beginning of the year 1978, almost every association sought revision of pay scales.² For instance, the Central Executive Committee of the Haryana Government School Teachers' union on January 26 urged the State Government to "revise the pay scales of all categories of school teachers and bring them on a par with their counterparts in Delhi."³ Similarly, the Haryana Government Lecturers' Association demanded Class I status for college lecturers and extension of the U.G.C. pay-scales to librarians and D.P.E.s.⁴

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¹ The Tribune, May 12, 1977.
⁴ Information obtained in a memorandum submitted to the State Education Minister, Col. Ram Singh at Rohtak on January 12, 1978.
On February 28, 1978, a deputation of the Haryana Subordinate Services Federation (H.S.S.F.) met the Chief Minister, Mr. Devi Lal and the Home Minister, Dr. Mangal Sain and submitted a memorandum demanding the release of two instalments of dearness allowance (as sanctioned by the Union Government), revision of pay scales, confirmation and regularisation of ad hoc employees.  

Since there was a pressing demand from a large number of associations of civil servants, the Government of Haryana constituted a Pay Commission on January 23, 1979, for undertaking a comprehensive review of the structure of the different scales of pay of the State employees. The Commission submitted its report on December 15, 1979, recommending 32 standard pay scales. Although the Commission made a substantial reduction in the number of pay scales, several Associations of Haryana employees reacted sharply to its recommendations. Among the Associations which criticised the recommendations of the Pay Commission were the Haryana Subordinate Services Federation, the Class IV Government Information was collected from the records of the Haryana Subordinate Service Federation's letter dated February 28, 1978. Vide Haryana Government's Notification No.7/3(3)-78-FF/(PC) dated the 23rd January, 1979. The Commission was headed by Sh. G.C. Katoch (MIS), Planning Commission, New Delhi and assisted by Sh. B. P. Sehgal, I.A.S. (Joint Secretary to Government Haryana) as the Secretary to the Commission. 

1. Information was collected from the records of the Haryana Subordinate Service Federation's letter dated February 28, 1978. 

2. Vide Haryana Government's Notification No.7/3(3)-78-FF/(PC) dated the 23rd January, 1979. The Commission was headed by Sh. G.C. Katoch (MIS), Planning Commission, New Delhi and assisted by Sh. B. P. Sehgal, I.A.S. (Joint Secretary to Government Haryana) as the Secretary to the Commission. 

3. See Annexure II of the Chapter 'Structure of the Civil Service'. 

4. Earlier on December 15, 1979, Mr. Chander Parkash Sharma, President of the Haryana Tdarth Karamchari Singh (H.T.K.S.) and Mr. Prithi Singh Loyal, Zonal Secretary, Haryana Subordinate Services Federation went on an indefinite fast to press the demand for regularisation of ad hoc employees' service. See The Tribune, December 15, 1979.
Employees' Union and the Haryana Civil Secretariat (Non-Gazetted) Employees Association. They threatened to launch an agitation against the recommendations and reiterated the demand that these should be enforced from January 1, 1978 and not April 1, 1979.

On June 1979, 110 ad hoc employees sat in dharna before the 30 Bays Building in Sector 17, Chandigarh, and later went to the residence of the Finance Minister, Mr. Mool Chand Jain to whom they presented a memorandum of demands and requested for the regularisation of services of nearly 8000 ad hoc employees (who included teachers, clerks, multi-purpose health workers, tracers and technical personnel with one to six years' service). The Ministerial Committee constituted by the State Government on October 1979 recommended regularisation of all ad hoc employees fulfilling the following four conditions: "They must have been recruited through the employment exchange; they must have a record of good work and they must have the minimum qualifications prescribed for the post; they must have completed one year's service on October 1979." As a result of this decision taken by the State Cabinet, about 15,000 ad hoc employees working in various government departments were benefitted.

The recommendations of the Haryana Pay Commission (1979) with regard to revision of pay scales (in force from April 1979)

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1. The Indian Express (Chandigarh), December 1979. On December 18, the Haryana Civil Secretariat Non-Gazetted Employees Association and some state employees staged a demonstration outside the Chief Minister's residence.

2. The Tribune dated the 18th December, 1979.
were implemented first on the 29th February, 1980 and later modified on July 24, 1980 by the Haryana Government. The implementation of the scales of pay and some other benefits gave relief to the State employees. But soon they found there were a large number of anomalies in the pay scales and a good number of associations protested against cases of extreme discrimination.

The Association of the Research Officers, Statistical Officers and Statisticians (Haryana), Class IV Government Employees Union of Haryana, State Organisation of Engineering Drawing Staff, Haryana and Haryana Civil Secretariat Employees Association submitted various charters of demands and memoranda to the Government for removing existing anomalies from the pay scales of their staff. The Haryana Subordinate Services Federation (Hissar) in its letter issued on September 30, 1980 listed many demands for their acceptance by the Government. Since these demands were not met by the government, many associations started adopting an agitational approach. February 20, 1981 was observed as "Dissatisfaction Day" by the employees by wearing black badges. A resolution passed by the general body of the Haryana Civil Secretariat (Non-Gazetted) Employees' Association on February 20.


3. These demands related to removal of anomalies in the existing pay scales, implementation of the revised pay scales for the work-charged employees, grant of city compensatory allowance to the employees in Hissar, Bhiwani, Panipat and Karnal, grant of House Rent Allowance to all field employees working in the villages etc.
1981 demanded regularisation of all *ad hoc* employees, selection grade for 50 per cent of the cadre and higher pay scales for Assistants and Deputy Superintendents and implementation of revised pay scales with effect from January 1, 1978. On March 9, 1981, on the opening day of the Budget session of the Haryana Vidhan Sabha, the members of the Haryana Subordinate Services Federation held a demonstration near the M.I.A.S. Hostel, Chandigarh, to press their demands for removal of anomalies in the pay scales, scrapping of the annual confidential reports system and grant of three dearness allowance instalments. The Class IV employees union had also been pressing the Government for the acceptance of its demands which included terrycot uniforms, reduction of house rent from 10 to 5 per cent of the salary and removal of anomalies in the pay scales of the Class IV employees. Its President, Mr. F.C. Bhandari, said that "they believed in peaceful methods but would be forced to take an agitational approach because the government had failed to accept their demands." The Haryana Civil Secretariat Employees Association submitted a memorandum to the Chief Minister, Haryana, on May 1, 1981, pointing out anomalies in the pay scales of the staff of the Haryana Civil Secretariat. Likewise, the Class IV Union also submitted a 10-point charter to the Chief Secretary to Government, Haryana, Mr. Ishwar Chandra, on

1. Information obtained from the records of the Haryana Civil Secretariat (Non-gazetted) Employees Association.
3. *Indian Express* (Chandigarh), May 9, 1981.
4. See Annexure IV.
May 26, 1981. The demands of the employees included a pay scale of Rs. 300-4-350/10-400-15-475 from July 1978 and selection grade 50 per cent of the staff and a house rent deduction of only 5 per cent. The State Government on June 5, 1981, however, accepted the Class IV demands which included grant of selection grade to 20 per cent and a reduction of house rent from 10 to 5 per cent of the salary of the Class IV employees. However, other demands related to terry cloth uniforms, children's education allowance, employment of one member of the Class IV employee, Leave Travel Concession (L.T.C.) and sanction of the pay scale of Rs. 300-475 had not been met. The struggle, the President of the Class IV Union said, in support of its demands, would be continued until these were met. Thus, the above given history of the growth of unionism among civil servants, especially Class III and Class IV, of Haryana reflects a picture of growing frustration on the part of the staff associations (see Chart) and the increasing estrangement of the Haryana Government. In the absence of a system of reaching accord between the two sides, socialist pattern of society as a State goal shall remain as a manifesto of aim and cannot be achieved. A quest for administrative peace is indispensable when the State plans to make economic and social progress.

2. Employees of Class IV have been placed in the pay scale of Rs. 300-430 with effect from 1-4-1979.
3. My informal talk with the President of the Class IV Government Employees Union, Haryana on June 29, 1981.
GROWTH IN NUMBER OF STAFF ASSOCIATIONS IN HARYANA
Progress and prosperity of the State is with administrative harmony for the simple reason that administrative peace and harmony inevitably leads to more co-operation between the government and its administrative arm which in turn leads to all-round development of the State. It is plain that in order to create an atmosphere of administrative harmony and peace and to cultivate proper attitudes in the minds of the civil servants, it is necessary that the staff associations must be well organised and encouraged.

STATUS OF ASSOCIATIONS IN THE CIVIL SERVICE

The study of the staff associations in the civil service of Haryana has revealed that policies which govern the relations between the government and its civil servants have not been grounded on sound footing. In the absence of any machinery or basic pattern which establishes employer-employee relations in the civil service of Haryana, the machinery of the administrative machinery of the government is likely to be affected. The existing structure shows that civil service in Haryana does not comprise in its scope of general legislation which facilitates the private workers or industrial employees to enjoy rights. Having been indifferent to the demands of a status equivalent to a private employee, the State Government could be counted upon as a "hard" State. Let us examine some specific problems of employees' organisations in the civil service of Haryana.

1. Right of Association

Under Article 19 of Sub-Clause C of Clause I of the Indian Constitution, right to form associations or unions is guaranteed subject to (Clause 4) "the operation of any existing
law insofar as it imposes or prevents the State from making any law imposing, in the interests of the sovereignty and integrity of India or public order or morality."^1 However, this right is not available to the employees in the civil service commensurate in the same measure with that enjoyed by the private employees. The Indian Trade Union Act of 1926 recognises the workers' right to organise and engage in other trade union activities and to get registered under the Trade Union Act, 1926. On the contrary, non-industrial employees (civil servants) are denied the right to seek registration under the Trade Union Act, nor are they allowed to enjoy all the trade union rights. The civil servants' right to membership of a Service Association is governed by Rule 6 of the Government Employees (Conduct) Rules, 1966^2, and by departmental orders issued from time to time. The civil servants are subject to the conduct rules, which have, in effect, an important bearing on the activities of their associations or unions. No government employee is allowed to be a member, representative or officer of any association representing, or purporting to represent, Government employees or any class of Government employees unless such association satisfies the following conditions; namely:

1. Its membership is confined to a distinct class of Government servants and shall be open to all Government servants of that class.
2. It is not in any way connected with, or affiliated to any association which does not, or any federation of associations, which do not satisfy condition (1).
3. It is not in any way, connected with any political party or organisation, or engaged in any political activity.
4. It does not:

1. India, Ministry of Law, Justice and Company Affairs, "The Constitution of India" (New Delhi, 1978) Art.19(1)(c) and 19(4).
(i) issue or maintain any periodical publication except in accordance with any general or special order of the Government and

(ii) except with the previous sanction of the Government publish any representation on behalf of its members, whether in the Press or otherwise.

(5) It does not, in respect of any election to a legislative body, or to a local authority or body, whether in India or elsewhere -

(i) pay or contribute towards any expenses incurred in connection with his candidature by a candidate for such election

(ii) by any means support the candidature of any person for such election or

(iii) undertake or assist in the registration of electors or the selection of a candidate for such elections.

(6) It does not

(i) maintain or contribute towards the maintenance of any member of a legislative body or of any member of a local authority or body, whether in India or elsewhere or

(ii) pay or contribute towards the expenses of any trade union which has constituted fund under section 16 of the Indian Trade Unions Act, 1926 (XVI of 1926) 1

Provided that Government may, for reasons to be recorded in writing, by general or special order, dispense with conditions (1) and (2) above in the case of any association.

(7) (i) it has, within a period of six months from its formation, obtained the recognition of the Government under the rules prescribed in that behalf, or

(ii) recognition in respect of it has not been refused or withdrawn by the Government under the said rules, and

(8) It has not have as its office-bearer any person who is not a serving Government servant. 2


To the question, "Do you agree with the view that employees' associations should be given recognition?", (Appendix I, Section IV, Q.No.7), out of 302 members of the H.C.S. (Executive Branch) and I.A.S. on the Haryana cadre to whom the interview schedule was sent, 109 respondents replied in favour. The results are as follows:

Table 2

(Figures within brackets indicate percentages)

Attitude of the Administrative Elites towards the Recognition of Employees Associations

<table>
<thead>
<tr>
<th>Member's category</th>
<th>Yes</th>
<th>No.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.A.S.</td>
<td>48 (74.0)</td>
<td>17 (26.0)</td>
<td>65 (100)</td>
</tr>
<tr>
<td>H.C.S.</td>
<td>61 (81.3)</td>
<td>14 (18.7)</td>
<td>75 (100)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>109 (77.9)</td>
<td>31 (22.1)</td>
<td>140 (100)</td>
</tr>
</tbody>
</table>

Thus the study indicates that employees' associations need formal recognition for the purpose of securing and promoting the common interests and the fulfilment of rightful demands of their members. The study also shows that there are no recognized associations of the civil servants in the State of Haryana. However, during conducting interviews with the representatives of many associations they claimed that their associations were recognized before the Reorganisation of the Punjab. Though the civil servants' associations have not been legally recognized, their representatives participate in the Departmental Councils constituted under the Joint Consultative
Thus while the civil servants are allowed to form associations for the common welfare of its members under the Conduct Rules, their associations cannot undertake or assist in registration of electors or the selection of a candidate for such elections and further, they cannot maintain or contribute towards the maintenance of any member of a legislative body or of any member of a local authority or body, whether in India or elsewhere. Further, associations cannot even issue an appeal to or publish any representation on behalf of their members in the Press. However, in actual practice this is not so. Leaders of the associations do make informal contacts with the members of the State Legislature and they also issue statements to the Press.

As far as the constitution of the Staff Associations is concerned, despite their mushroom growth, there is considerable uniformity in the organizations, objectives and activities. At the top is the Haryana Subordinate Services Federation (H.S.S.F.), which combines all the associations and unions of the civil servants in the State. The constitution of the H.S.S.F. itself

1. Setting up of a Joint Consultative Machinery at the State level for redressing the grievances of Government employees was recommended by the Administrative Reforms Commission in their report on 'Personnel Administration' (New Delhi, Manager of Publications, 1969).


3. Ibid., Rule 24, Clause (f) (i).

4. Ibid., Rule 24, Clause (d) (ii).

5. The Haryana Subordinate Services Federation was formed on the 2nd October, 1966 when the Punjab Subordinate Services Federation was divided into separate units for Punjab, Haryana, Union Territory of Chandigarh and Himachal Pradesh. It consists of one President, one Senior Vice-President, 2 Vice-Presidents, one General Secretary, one Finance Secretary, one Joint Secretary, one Organising Secretary, 3 Regional Secretaries and one Auditor.
provides for the affiliation and membership of the various associations to it under certain conditions. It says that "where there is no union of government employees, the Federation may enrol primary members with ultimate object of organising them into the union(s)." Under article 5(a) it is provided that "any union of government employees, who undertakes to abide by the rules, regulations or directives which the Federation may issue from time to time, shall be eligible for membership of the Federation." The Federation is composed of (a) affiliated unions, (b) delegates assembled at the annual or special conferences, (c) Federal Council, (d) Federal Committee, (e) district, capital and branch committees, (f) lower committees, and (g) office committees. The associations, affiliated to the H.S.S.F., or otherwise, are organised class-wise (e.g.) Haryana Civil Service (Executive Branch) Association or Class IV government employees union, Haryana and departmental-wise (e.g.) Haryana Civil Secretariat Class IV Employees Association, Chandigarh. In bigger departments, such as the Education and the P.W.D., having their offices scattered over a large area, associations are organised regionally (e.g.) Haryana Teachers Association, Sub-Division, Jagadhri). Election to these associations is generally held annually. The membership of the associations is based on the payment of membership fee which generally ranges

1. The Haryana Subordinate Services Federation Constitution, article 5(b).
2. Ibid., article 5(a).
from Rs 1000 up to Rs 2000 per year. An employee willing to become a member of the departmental association has to put in an application in the prescribed form and pay the membership fee. The new entrant has to abide by the constitution of concerned association.

To the question, "Do you like to be a member of the Staff Association of your department?" 85 per cent of the respondents from Class III and Class IV Services respectively replied in favour of seeking membership. The results are as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Yes</th>
<th>No</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.A.S.</td>
<td>52(80.0)</td>
<td>13(20.0)</td>
<td>65</td>
</tr>
<tr>
<td>H.C.S.</td>
<td>72(96.0)</td>
<td>3(4.0)</td>
<td>75</td>
</tr>
<tr>
<td>Class III</td>
<td>32(80.0)</td>
<td>8(20.0)</td>
<td>40</td>
</tr>
<tr>
<td>Class IV</td>
<td>36(90.0)</td>
<td>4(10.0)</td>
<td>40</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>192(87.3)</td>
<td>28(12.7)</td>
<td>220(100.0)</td>
</tr>
</tbody>
</table>

As a whole it will be observed that more than 87 per cent of the respondents (favourable) became members of staff associations which they think would bring about improved conditions of service and carry on the general welfare activities for the well-being of them.

1. For an example, See Annexure V.
At present in the civil service only three associations, namely, the Haryana Civil Secretariat (Non-Gazetted) Employees Association, the Haryana Civil Secretariat Class IV Employees Association, and the Haryana Civil Secretariat Stenographers Association, have been constituted as a single Departmental Council for the Haryana Civil Secretariat on an experimental basis. Other associations in the government departments are endeavoring to obtain approval for the constitution of Departmental Councils under the Joint Consultative Scheme but their efforts have borne no fruitful results.

Thus civil servants, although they have the right to form associations, they are deprived of the right to strike. Labour legislation which clearly recognizes the right, and indeed the propriety under certain circumstances, to strike, walk out, or picketing action by the State industrial employees or private employees is surely not intended to apply to the civil services in Haryana.

2. Right of Affiliation

Civil servants' associations tend to seek affiliation for the purpose of achieving their objectives with the outside labour movement. On occasion this relationship has been

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1. The Departmental Council was constituted at the Haryana Civil Secretariat by the Governor of Haryana vide Notification No.22/108/78-E.1 dated 16-6-1979.

2. Many civil servants associations are informally affiliated to the Central Trade Unions. For an example the State Organisation of Engineering Drawing Staff, Haryana and the Haryana Subordinate Services Federation have alignment with the All-India Trade Union Congress (AITUC).
required on the ground that it provides the most expeditious means of promoting the socio-economic welfare of the civil servants. In such cases, observed Godine, "the demand for affiliation is viewed as an essential strategic or protective device."¹

Thus Rule 24 of the Punjab/Haryana Servants Conduct Rules (1955) which prohibits direct appeal to the State legislature or Parliament by government employees or through their representatives has resulted in the desire for affiliation with the labour movement. On the 9th June 1981, Mr. F.C. Bhandari, the President of the Class IV Government Employees Union, Haryana, for an example, announced in the Press launching a stir from the 10th January with the staging of dharnas in all districts and tehsils on different dates in support of the demands of employees like grant of selection grade to 50 per cent of the staff, charging of house rent at the rate of 5 per cent and sanctioning of the pay scale of Rs. 300-475.² It is, in other words, an indirect means of expressing the position of civil servants before the State Legislature.

Before 1955, there seems to have existed no rule or instruction with regard to seeking confederation or affiliation with the labour movement like the Indian National Trade Union Congress (INTUC), All-India Trade Union Congress (AITUC),

2. The Tribune, June, 1981.
Bhartiya Mazdoor Sangh (BMS) (CITU), etc. for the purpose of promoting their common as well as individual interests. But with the enactment of the Conduct Rules (1955), there came into existence a self-imposed rule among these associations barring their affiliation with non-government employees union. If any association affiliates with any unrecognized association or with a trade union, then its recognition is liable to be withdrawn and its members are liable to be punished for breach of Conduct Rules. The Haryana Subordinate Services Federation has not so far been given recognition nor is allowed to seek affiliation with the trade union. It has urged upon the State Government for the setting up of Whitley Council both at the State and departmental levels in consultation with the Haryana Subordinate Services Federation in order to maintain cordial and harmonious relations between the Government and its employees to solve the day-to-day issues.

On 26th February 1972, the HSSF at its meeting held at Ambala City demanded trade union rights for all Class III and Class IV government employees and also urged the Government to recognize the HSSF as the sole representative body of these employees.

Objections to Affiliation

The attempt of associations to affiliate with the labour movement has been challenged by the government. The several


objections to affiliation may be briefly here. First, the government has the fear that affiliation may not only lead civil servants to strike against their own interests in order to secure the satisfaction of their demands, but it may also enable the trade union movement to call upon its employees for a joint struggle against the private employers.¹

Second, the desirability of affiliation has been further subjected to criticism on the ground that it creates a dual loyalty which threatens the impartial performance of public duties. For this reason, civil servants directly responsible for the maintenance of law and order are occasionally denied the right to affiliate with the outside labour movement on the ground that law enforcement officers may be required to suppress civil violence as part of their duties in an impartial way.

Third, it has been asserted that affiliation would involve a measure of participation in politics which is prohibited to civil servants.² Finally, it may be said that affiliation may compromise the interests of the civil servants with those of the private workers.³ Even within the associations, they are not allowed to seek affiliation with other associations of the government employees. Membership is only confined to the distinct class of government servants.⁴

3. Information is based upon my personal interview with Mr. Kuldip Kumar, General Secretary of the Haryana Civil Secretariat (Non-Gazetted) Employees Association at the Secretariat Chandigarh on 26-6-81.
The contention that the affiliation of civil servants' associations with the labour movement creates a diversion of allegiance between their duty to the State and their attachment to their trade unions is a question of loyalty in the modern society. If no distinction is drawn between the nature and extent of the allegiance required of the policeman, teacher, patwari, clerk and mechanic in the government service, then the discipline necessary to maintain administration becomes ineffective. The Second Central Pay Commission expressed its suggestions on the question of recognition. "The approach in our view should not be to place a general ban on public expression of views and then to provide for some exceptions; the approach should be to recognise a general freedom of intelligent expression and to impose only such specific restrictions as are necessary to meet the requirements of the public service." The Commission was of the view that the State must restrict the desirability of affiliation at the point where it threatened the impartial performance of official duties. Being the sole employer, the State has the right to exact the allegiance of its civil servants for the proper functioning of the administration. It does not, however, mean that it tends to create division of loyalty, for plurality of allegiance exists already in the civil servants. A civil servant is both a citizen and an


employee as well as a member of various other special groups.
From this, it may be concluded that his association with the
labour movement simply provides a specific economic interest
with more sufficient opportunity of expression.

3. Problem of Majority Representation

The Indian Trade Union Act, 1926, the Trade Disputes
Act, 1929, and the Industrial Disputes Act of 1947, generally
oblige the employer to recognize for the purpose of collective
negotiations those unions which represent a majority of the
employees. But there seems to have existed no uniformity of
majority representation in the civil service. Even if a
particular association contains a clear majority of the organized
employees in a given jurisdiction, the policy which has been
adopted by the Haryana Government has denied it any special
representative status. Rather, as the leaders of the
Associations and Unions of Government employees claim, it (the
State Government) has proceeded upon the policy of "divide and
rule."

The Federation in a memorandum sent to the Chief Minister
23 April, 1969, Haryana on February 29, 1972, demanded the recognition of the Haryana
Subordinate Services Federation as the sole representative body
of Haryana employees. The labour policy, on the other hand,
is firmly opposed to any single union.

However, in the case of any matter relating to service,
the Haryana Government Employees (Conduct) Rules (1955 and 1966)
recognise the right of civil servants to make representations to
the Government. For the exercise of this right, they have to

1. Letter to the Chief Minister, Haryana vide No.HSSF/23469,
gated 23.4.69 from HSSF, Chandigarh. See also The Tribune,
February 29, 1972.
fulfil two conditions. First, representation can be made only through a proper channel in the prescribed manner. Secondly, no representation can be directly made to the Minister or to a higher officer over the head of another officer.

The study of the membership of the Staff associations within the Haryana Civil Secretariat has revealed that there is no prescribed limit for the membership of the Association. At the Secretariat there are mainly three associations (Table 4) which are constituted to represent at the Departmental Council. These are as follows:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Name of the Association</th>
<th>Strength</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Haryana Civil Secretariat(Non-Gazetted) Employees Association</td>
<td>775</td>
</tr>
<tr>
<td>2.</td>
<td>Haryana Civil Secretariat Stenographers Association</td>
<td>231</td>
</tr>
<tr>
<td>3.</td>
<td>Haryana Civil Secretariat Class IV Employees Association</td>
<td>410</td>
</tr>
</tbody>
</table>

Source: Information gathered from the Presidents of the respective Associations at the Haryana Civil Secretariat, Chandigarh.

It is clear from Table 4 that membership varies from association to association depending upon the strength of its members. The Haryana Civil Secretariat Stenographers Association represents only 231 members while the Haryana Civil Secretariat(Non-Gazetted) Employees Association has the largest membership strength at the Secretariat which represents at the Departmental Council.
It is pointed out by the leaders of staff associations that the State Government in common with other public employers has maintained an indiscriminate "open door policy" toward employees' association. For the purpose of receiving joint representation, the Government accords recognition to employees' associations. It is observed that trade unionism in civil service has not yet reached the stage where Government might be faced with the problem of determining the claims of rival associations. What we generalise is that employees have no confined interest in the Haryana Subordinate Services Federation as a whole representing the one, but their interest rests with the association formed within the department. The existence of rival unions and the vigorous competition among them is both a cause and consequence of this long established practice. Even if a union or association becomes successful in organising a majority of the employees, its claim to a preferred status and position will be countered by other organisations which may be in existence with the department.

The Administrative Reforms Commission (1969) recommended that "the employees' representatives in the Joint Consultative Bodies at the lowest levels - regional or departmental as the case may be - should be directly elected by the employees. For

1. Information was gathered from Mr S.M. Kaushik, General Secretary of the State Organisation of Engineering Staff Haryana on 25.6.81 at Irrigation Department, Chandigarh.
2. Ibid.
3. Rival Union like Haryana Sarkar Karamcharies Union was formed in 1968 during the Chief Ministership of Mr Bansi Lal. It is still in existence.
the bodies at the higher level or levels the representatives should be chosen through indirect election. So we find that the policy of the government is to circumscribe the unity of the employees. It has rather proceeded upon the assumption that equal recognition must be granted to all associations, whether at the regional or departmental level, large and small.

4. Right of Collective Bargaining

One of the most difficult problems in the administration is the determination of the relationship between the State Government as an employer and civil servants as its employees. It may be mentioned that problems of civil servants have emerged not only from their efforts to secure substantive improvements in conditions of service but equally from the demand for sharing in the formulation and administration of personnel policies which clearly affect the welfare of the rank and file. In order to understand the relations between the two, we first examine the conduct of labour organisations in private industry. In private industry, the major purpose of trade unionism is to assert labour's right to collective bargaining. Under certain conditions, they are even permitted to go on strike as a last measure. Similarly, staff associations in the civil service want mastery over employment opening on the pattern of trade unionism. But the present rules and regulations in the State Service do not provide for job opportunity or employee control. As a general rule, matters regarding remuneration and service

conditions of those employed by the State have been determined by the unilateral decisions of public management.

Public management in this sense covers three main bodies which have a responsibility in the determination of policy-making. First, the Council of Ministers (also the State legislature) as the political executive; second, the Haryana Public Service Commission and the Haryana Subordinate Services Selection Board as the main agencies for recruitment of the personnel, and third, public management in terms of the responsible heads of the departments. Thus in one sense civil service associations have nothing to do with the decision-making process. They can, at the most, exert influence upon these bodies in order to guide them in the direction of their own interest. But the present position has undergone some changes and it is presumed that in the twenty to twenty-five years to come, the demand for the institution of collective bargaining in the civil service will be so strong and compelling that there is little likelihood that it will be refused.

1. In a memorandum sent to the Officer on Special Duty, Administrative Reforms (Civil Secretariat, Chandigarh), Haryana on June 2, 1981, the Haryana Civil Secretariat Employees Association, Chandigarh pointed out the chronic and acute understaffing of the Clerks in the Secretariat and pressed for recruitment of the Clerks immediately. Information was gathered from the records of the Association's files dated June, 1981.

2. This assumption is based on looking at the present trends in the public-employee relations in the civil services in India. There is voluminous literature of which the following may be picked for the discussion: Frederick C. Mosher, "Democracy and the Public Service" (New York, Oxford University Press, 1968); Public Administration Review (PAR Symposium Issue) Vol. XXXII, No. 2 (March-April 1972); The Bureaucrat, No. 2 (Special Issue 1973); Alan Edward Bent and T. Zane Reeves, "Collective Bargaining in the Public Sector" (Menlo Park, Benjamin/Cummings, 1978); Krishna K. Tummala, "Collective Bargaining in the American Public Service", in the Indian Journal of Public Administration, Vol. XXVI, No. 2 (April-June 1980), pp. 320-335.
Some of the States in the United States, Canada and even England provide for the right of collective bargaining and these include virtually all municipalities where collective bargaining is established by general legislation, any effort to prevent the application of collective bargaining in a particular jurisdiction could be termed illegal. In these States, the process of collective bargaining, whereby the employer and the employees through negotiations establish rates of remuneration and working conditions, has become the accepted principle. But unlike the United States and Canada where collective bargaining has gained strength, no State in India including Haryana has yet advanced in providing for collective bargaining in the civil service. Perry and Hunt observe that "collective bargaining and public employee unionism now pose preeminent challenges in government at all levels."  

Except for the industrial relations legislation in some States of India where arrangements for recognition of unions exists, there is no statutory recognition of unions or associations in the country as a whole. Neither there are provisions which require the government and civil servants to bargain in good faith. However, there have been more of such agreements arrived at through collective


bargaining in the industry. An oft-quoted statement President Roosevelt once declared:

"The process of collective bargaining as usually understood, cannot be transplanted into the public service... The very nature and purposes of Government make it impossible for administrative officials to represent fully or to bind the employer in mutual discussions with Government employee organizations. The employer is the whole people who speak by means of laws enacted by their representatives in Congress."1

Thus the President's statement categorically denounced the resort to strikes or other types of militant action by government employees. But it is illogical to think the denial of collective agreement or negotiation because of the inadmissibility of the strike right. The concept of collective bargaining is invariably associated with strike.2 Newland suggests that "collective bargaining must serve as one of several vehicles for creative change... if it is to be compatible with future public interests."3 A variety of assessments show, however, that collective bargaining in government has been an instrument of partisan interests rather than a vehicle for creative change.4


Thus it may be brief that collective bargaining has no place in the civil service of Haryana. It was for the first time in 1946 that the First Central Pay Commission had recommended that every effort must be made to secure co-operation, consultation, discussions and negotiations between the staff and the Government. Similarly the Second Central Pay Commission recommended the establishment of a permanent machinery for consultation, negotiation and settlement of disputes. Thus both the Central Pay Commissions asserted the setting up of a machinery which would amicably settle the dispute. In other words, Joint Consultative Bodies, as suggested by the Administrative Reforms Commission, should constitute the administrative officials as a sovereign employer partially, if not fully, on the one side, and the representatives of the employees on the other, with a view to reaching agreement on matters relating to grievances of the latter. The Whitley Council experiment in Great Britain has revealed that such arrangements (Joint Consultation Machinery) are quite compatible with the ultimate legislative control of Parliament. Whitleyism in the civil service in the United Kingdom has made an invaluable contribution

3. The system of Whitley Councils in Great Britain has been in existence in the Civil Service since 1919.
to good staff relations.¹

Since there is no joint Consultative Machinery at the State level in Haryana, collective negotiations hardly take place. Moreover, collective negotiations are interpreted in the light of the Civil Service Rules, State Acts and constitutional provisions. Lacking express legal sanction, the propriety of collective bargaining in the civil service has been made a subject of criticism.² Civil Services Rules in Haryana have been held to preclude its admissibility by reasons of conditions of service. In fact the study of the staff associations in Haryana leads us to the conclusion that collective bargaining has no place in the civil service. The Joint Secretary to the Government of Haryana said that in the matter of negotiation, higher civil servants or persons representing the official side had no authority to make any commitment on behalf of the government; at the most they could express their feelings.² Thus, the Staff/Departmental Council cannot be fully described as machinery for conducting negotiations. Not only this, it does not operate even as a consultative machinery because the government does not refer to it any problem or proposal relating to the problems of civil servants for advice.

Thus wherever a loophole for collective bargaining is provided, basic point merits specific mention in view of the


2. Discussion with Mr. A.C. Aggarwal, Joint Secretary to the Government of Haryana (also one of the members of official side of the Departmental Council at the Secretariat) on 24-6-81 at the Haryana Civil Secretariat.
prevalent attitude of the State Government to deny as far as possible the feasibility of collective negotiation in the civil service on the ground that it would involve a clash with the existing Civil Service Rules and state legislation.

5. Arbitration

Voluntary arbitration as a method of resolving conflicts came into prominence with advocacy by Mahatma Gandhi of its application to the settlement of disputes in the textile industry in Ahmedabad in the beginning of the twentieth century. Government servants in various parts of the country since then have been agitating for the recognition of arbitration on the pattern of industry. The Punjab Subordinate Services Federation and then Haryana Subordinate Services Federation, in their resolutions upon the Government "that besides negotiations under the proposed scheme (setting up of joint staff councils), compulsory arbitration should also be provided" with a view to settling issues like pay and allowances, working hours, work load, confirmations, leave cases, service rules and social security measures and fringe benefits. It further said that arbitrary withdrawal or denial of recognition to the associations/unions of government employees should also be within the scope of arbitration. The Second Central Pay Commission also talked of arbitration as a measure of settling dispute. It observed: "...if a proposal that

1. Mahatma Gandhi is regarded as the Father of the Nation.

2. Resolution passed by the Federal Committee of Punjab Subordinate Services Federation on 30.1.1966 at Chandigarh.
Government servants should give up the strike weapon is to have a just basis and is to secure reasoned acceptance by them, there should be set up an adequate machinery for negotiation, redress of grievances and settlement of disputes and there should further be provision for arbitration to which recourse can be had, should a difference on a question of remuneration or some other particularly important conditions of service, such as leave, and hours of work, remain unresolved.\(^1\)

Similarly, the Administrative Reforms Commission while recommending the setting up of the Joint Consultative Machinery in the States felt the necessity of a "Board of Arbitration." The Commission observed: "It is proposed that disputes relating to conditions of service of the employees in regard to pay and allowances, hours of work and leave which could not be settled by this machinery (Joint Consultative Machinery) would be referred to a Board of Arbitration. This should be subject to the authority of the Parliament as supreme arbiter."\(^2\)

In fact any dispute which the government employees raise over concerning conditions of service needs to be referred to arbitration in accordance with the rules framed for the working of the Joint Consultative Machinery (JCM). In January 1979, the Central Government appointed for the first time a Board of Arbitration consisting of J.S.Bedi, a retired Judge (Chairman) and G.Ramanujan and B.S.Nakra (both members). Members represented

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the staff and official side respectively. It may be noted that the rules governing the civil service do not give the employees the right to strike; it is obligatory then to provide the employees an alternative by which their grievances are attended to. Arbitration is one of the methods to this effect. This may be called a constitutional and convenient machinery which comes to the rescue of the disputant parties at a time when their relations have reached an impasse. This method of settling disputes in the civil service is available in the United Kingdom. But there the government has reserved to itself the right not to submit to arbitration any particular case on grounds of policy, and finally the government's commitment to give effect to arbitral awards is subject to the overriding authority of Parliament. The Government of Haryana has already accepted the principle of arbitration in industrial labour sphere but it has been denied to non-industrial employees.

6. Adjudication

The ultimate legal remedy for the settlement of an unresolved dispute is its reference for adjudication by the government. Government employees have been asking for the setting up of tribunals to inquire into their grievances relating to disciplinary actions, promotion, confirmation, etc. The Government, on the other hand, is of the view that the present procedure for


2. Most representatives of the Civil Services' Associations in Haryana have strongly argued for the need of Civil Service Tribunals.
dealing with disciplinary cases is quite adequate. The Study Team on Administrative Tribunals, has, however, after a careful consideration of the matter, suggested the setting up of Civil Services Tribunals to act as final appellate authorities in respect of orders inflicting major punishments of dismissal, removal from service and reduction in rank. 1 According to the recommendations of the Administrative Reforms Commission, "The aggrieved person will have a right of first appeal to a departmental authority, except in a case where the order of punishment is passed by the President or Governor. The Civil Service Tribunal will hear appeals against the first appellate order as well as against the punishment order passed by the President or the Governor, as the case may be. When the Tribunals are established, it would be unnecessary, in the latter type of cases, to consult the Public Service Commission before an order inflicting a major punishment is passed." The Team has suggested that one Tribunal should be located at Delhi with jurisdiction over all-India Service officers, all Central Government employees in Delhi as well as Central Class I employees serving outside Delhi. "There should be one Tribunal for each State or for a group of States to hear appeals from State Government employees as well as Central Government employees other than those in Class I stationed in the geographical area within the jurisdiction of the Tribunal." 2

But we find that civil services tribunals as recommended by the Administrative Reforms Commission in its report on personnel

2. Ibid., p. 98.
Administration have been set up either at the Central level or at the State level. However, with a view to settling disputes of service matters, civil servants in Haryana have sought the use of courts. As a result of resorting to court, an unhealthy atmosphere prevails among civil servants whose energies are diverted from their regular work to the pursuit of prolonged litigation in service matters. Further, it leads to indiscipline which is fatal to efficiency. The Administrative Reforms Commission observed: "The lack of finality of administrative decisions on matters like seniority, promotion, etc. caused by frequent challenges in courts by government employees creates a sense of suspense and insecurity in the affected cadres or in the service as a whole and produces factions, cleavages, heart-burning and bickering among them and makes smooth and cordial functioning of the administration difficult." 1

This is more evidenced by referring to a case of Mr. Ujjagar Singh, President of the Haryana Subordinate Services Federation (1969-70) who was held responsible for creating indiscipline in the office. As a result of this and for other reasons as mentioned in the Annexure VI, his performance during the year 1969-70 was rated as "below average" vide Public Relations Department Haryana's D.O. No. PRH/(SAO)-70/13529 dated 2.7.1970. From the Annexure it would be clear that his confidential report was adverse remarks which might create heart-burning and ill-relation between the superior and subordinate staff. This type of relationship certainly affects the morale of the employee and thus impedes the smooth working of

1. Ibid., p. 99.
the administration.

7. Strike and Political Activities of the Civil Servants
   (i) Right to Strike

   Government employees in main can be grouped into two categor­ies - industrial and non-industrial. They are subject to their conduct rules, which have, in fact, an important bearing on their activities. The conduct rules prohibit government employees (both industrial and non-industrial) in general from participating in politi­cs or elections. These restrictions are obviously meant to ensure the political neutrality of the public employees in a parliamentary system of democratic government. The conduct rules also prohibit, especially the non-industrial employees (mainly civil servants) from taking part in any demonstration or resorting to any form of strike in connection with any matter relating to the conditions of service. But, no such restriction is applicable to any employee who holds a post in the industrial establishments owned or managed by the State Government. However, the latest thinking of government is to go away with this distinction between the industrial and non-industrial staffs of the government in the matter of the right to strike.

   Most of the democratic countries have a characteristic of recognising the right to strike/lockout subject to certain conditions. The degree of freedom granted to this end, however, varies from country to country.¹ In India in the industrial sphere, as already

   ¹. In the United Kingdom, there is no law prohibiting demonstrations or strikes by civil servants. In other words, if a civil servant resorts to strike, he commits no penal offence. Striking is, however a disciplinary offence, and the government is free to take any disciplinary action that a strike situation demands. France also permits the civil servants the right to resort to strike against the government. In the United States, the Civil Service Reform Act of 1978 makes strike an unfair labour practice. "To call, or participate in a strike, work stoppage, slowdown, or picketing of an agency in a labor-management dispute if such picketing interferes with an agency's operation", and to condone such action "by failing to take action to prevent or stop" it, are unfair labour practices. Any union indulging in such activity risks revocation by the Federal Labor Relations Authority (FLRA) of its exclusive recognition. Japan, Switzerland and Australia also consider right to strike by the civil servants as illegal.
stated, the Industrial Disputes Act, 1947, allows labour to go on strike as a last resort to meet their demands. But the Act makes a strike (or lock-out) in public utility service (Railways, Posts and Telegraphs and those dealing with supply of power, light or water and any system of public conservancy or sanitation) illegal if it takes place:

(i) without giving to the employer a notice of strike within six weeks before striking; or
(ii) within fourteen days of giving such notice; or
(iii) before the expiry of the date of strike specified in any such notice as aforesaid; or
(iv) during the pendency of conciliation proceedings before a conciliation officer and seven days after the conclusion of such proceedings.

In the legality of civil service in Haryana, it is intended to examine whether civil servants are allowed to go on strike in connection with any matter pertaining to their conditions of service. Until 1959, in the State of Punjab (including Haryana which was a part of the Punjab before November 1966) there was no restriction on civil servants' right to participate in any demonstration or go on any form of strike although the Central Civil Services (Conduct Rules), 1955 provided for it. But through an amendment, the Punjab Government banned demonstrations and strikes. The notification issued by the Government reads:

"No government servant shall participate in any demonstration or resort to any form of strike in connection with any matter pertaining to his or other employees' conditions of service." Later the

1. The Industrial Disputes Act, 1947 (as amended up to date), Section 22(2).
2. Central Civil Services (Conduct) Rules, 1955, Rule 4(A) and Amended Central Civil Services (Conduct) Rules, Rule 7.
Central Government and some of the State Governments even passed legislation to outlaw strikes in civil services. The Administrative Reforms Commission (1969) supported the Government by expressing its views:

"We wish to record as our considered view that strikes are out of place in Government departments. A Government servant holds a special position in society in that he is a part of the machinery - the Administration - on whose uninterrupted and efficient functioning depends the well-being of society, pay, its very survival." The Commission further continued: "So whatever grievances a Government servant may have, either as an individual or as a member of a group of Government servants, redress must be sought invariably through a suitable machinery for negotiation and in no case through recourse to coercive measures that disrupt the smooth functioning of the administration."

Similarly, the Government of Haryana issued instructions to all the heads of departments, on the occasion of the first threatened strike of government employees from January 1968, asking them to prevent the employees from participating in the one-day token strike. The letter read:

1. For an example in the case of Kameshwar Prasad Vs. State of Bihar (A.I.R. 1962 S.C.R. 1166), the Supreme Court upheld the validity of the rule which prohibits the right to strike by government servants who are not governed by the Industrial Disputes Act, 1947. Similarly, the Madras High Court held the view that the public interest would suffer if government servants resorted to strike and demonstration. Quoted from the Civil Affairs, Vol. VI, No. 8 (March 1959), pp. 34-35.


3. Ibid., p. 91.
"It should be made clear to them that it will be against their own interests if they join the strike and they will also render themselves liable to disciplinary action for wilful absence from duty, which action they ought to know can include the absence being treated as interruption in service (with forfeiture of past service for purpose of pension) an adverse entry in the personal file etc."¹

On the contrary, the representatives of government employees in Haryana pleaded that strike was only the last method for the support of their demands. In a letter to the Chief Minister, Haryana, the President of the Haryana Subordinate Services Federation said that "the strike was the outcome of the economic unrest prevailing among the employees."² As a result of these developments, the question of strike in the civil service of Haryana has become a subject of public controversy and also of some legal interpretation. To the question, "Do you favour the resort to strike in connection with matters relating to your conditions of service?" 78.75 per cent of respondents from Class III and IV Services and 38 per cent of respondents from I.A.S. and H.C.S. Services replied in favour of it. The results are as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Yes</th>
<th>No</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.A.S.</td>
<td>8(12.3)</td>
<td>57(87.7)</td>
<td>65</td>
</tr>
<tr>
<td>H.C.S.</td>
<td>48(64.0)</td>
<td>27(36.0)</td>
<td>75</td>
</tr>
</tbody>
</table>

¹ Letter No. 148-Pol. 68/316, dated 5.1.1968 from the Chief Secretary to Government, Haryana to all Heads of Departments.
² Letter to Chief Minister, Mr. Bansi Lal, from the President, Haryana Subordinate Services Federation, Chandigarh, dated 23 July, 1971.
### Table

<table>
<thead>
<tr>
<th>Class</th>
<th>Yes</th>
<th>No</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class III</td>
<td>31(77.5)</td>
<td>9(22.5)</td>
<td>40</td>
</tr>
<tr>
<td>Class IV</td>
<td>32(80.0)</td>
<td>8(20.0)</td>
<td>40</td>
</tr>
<tr>
<td>Total</td>
<td>119(54.1)</td>
<td>101(45.9)</td>
<td>220(100.0)</td>
</tr>
</tbody>
</table>

As a whole, it will be seen from the above table that 63 per cent of the respondents favoured the resort to strike by the civil servants.

Whether the civil servants should enjoy the right to strike has been a subject of controversy. Arguments in favour of the right to strike are that an employee has the right to stop rendering any services, particularly when his grievances are not redressed, though the association may bring up political pressure, such pressure does not yield as quick a result as in the case of a strike. However, the arguments against strike are that they pose a threat to the sovereignty and result in disrupting the economy of the state. Also, the fact that the Government as an employer does not exercise the right to lock-out; its counterpart, the right to strike, should be denied to the employees - the civil servants. In the United States the present Civil Service Reform Act, 1978, though recognizes the right of Federal employees to organize, bargain collectively, and participate through labour

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organizations in decisions which affect them, the Act, however, makes strike an unfair labour practice. 1

In India the right to form association or union by the employees under Article 19(I)(c) of the Indian Constitution is guaranteed, but civil servants do not enjoy this right to the same extent as is being enjoyed by trade unions and hence their action like resorting to strike becomes illegal. In a text of the statement, the then Union Home Minister Mr. Chavan, warned on the threat of token strike on September 19, 1968, by the Central Government Employees, "Such a strike will cause great hardship to the community at large and will also result in so many difficulties for the striking personnel themselves for failure to perform their obligatory duties as public servants." 2

In an oft-quoted statement, President Roosevelt also once declared:

"Particularly, I want to emphasize my conviction that militant tactics have no place in the functions of any organization of Government employees... Since their own services have to do with the functioning of the Government, a strike of public employees manifests nothing less than an intent on their part to prevent or obstruct the operations of Government until their demands are satisfied. Such action looking towards the paralysis of Government by those who have to support it, is unthinkable and intolerable." 3

1. United States, "Civil Service Reform Act, 1978" (Public Law 95-454, October 13, 1978). The Act reads that refusal to consult or negotiate 'in good faith' and non-cooperation in impasse procedures and decisions are unfair labour practices for both the Union and the Agency.

2. Home Minister, Mr. Y.B. Chavan’s appeal to the Government employees (the extract of the publication of the Government of India in September 1968).

3. President Roosevelt’s letter to the President of the National Federation of Federal Employees, August 1937.
It is further stated that the very possession of the right to strike would have a bad psychological influence upon those who possess it, as it fortifies their will as well as their power to resist, by offering an alternative to negotiations with the goodwill of the other party.¹ The Second Central Pay Commission (cit.) observed: "It is wrong that public servants should resort to strike or threaten to do so and that persons entrusted with the responsibility for operating services essential to the life of the community should seek to disorganise and interrupt those services in order to promote their interests. Apart from those moral aspects, there is little doubt that the Indian conditions in which there is often a possibility of eruption or indiscipline in any ugly form in one section of the community or another, a strike or even demonstrations by Government servants cannot but be a factor making for indiscipline generally."²

A brief survey of strikes by government employees in Haryana (See also Annexure III) indicates that the reality and threat of such action by government employees still constitute a critical problem in the civil service. On February 27, 1972, the Federal Council of the Haryana Subordinate Services Federation served the State Government with an ultimatum to concede its demands or face the "consequences" of direct action, including strike.³ Since the formation of Haryana on November 1, 1966, civil servants did not discontinue their struggle in support of their demands as mentioned in Annexure III on the lines of

2. Ibid.
3. The Tribune, February 27, 1972.
Punjab Subordinate Services Federation. After having failed to reach a consensus on December 20, 1967, with the Governor of Haryana, representatives of the employees resorted to a one-day token strike which paralyzed the work of the Government for one day and which proved 98.2 per cent successful with minor instances of violence.

As a result of the one-day token strike, the Government announced the second increase in dearness allowance with effect from January 3, 1968. However, the following categories of personnel were still unsatisfied:

1. **Teachers**: Teachers remained dissatisfied due to the deduction in dearness allowance and withholding of service benefit as well as anomalies left in case of various categories of teachers.

2. **Nurses belonging to Para-Medical Staff**: They demanded full dearness allowance which had not so far been granted to them.

3. **Roadways Workers**: They demanded bonus which had not so far been granted to them.

4. **Industrial Training Institutes Staff**: They demanded central grace because only 40 per cent was being borne by the State and 60 per cent by the Central Government.

5. **Entire Subordinate Staff**: They demanded dearness allowance with effect from May 20, 1967 and the second increase with effect from November 7, 1967.

Since their demands were not fully conceded, the Federation


2. Figures mentioned in a memorandum to the President of India, dated 18.1.1968.
sent a memorandum on January 18, 1968 to the President of India for intervention as the Central Government under clause 82(4)(b) of the Punjab Reorganisation Act, 1966, was "required to ensure fair and equitable treatment." Simultaneously another strike notice for two days for 8th and 9th February, 1968 was served on the Haryana Government vide Memo No. HSSF/68/GS/333, dated 14th January, 1968 for the fulfilment of certain demands (see Annexure III).

In view of this threat, the Government, however, offered a second increase in dearness allowance with effect from November 7, 1967 and another grant of dearness allowance with effect from May 7, 1967 in the shape of "deferred payment" as was the pattern of the Central Government. Since no concrete agreement was reached between the two Government and Staff association representatives - over the issue of dearness allowance and deferred payment, strike by government employees was resorted to for two days. It is said that employees observed a peaceful and non-violent strike for two days throughout the State, resulting in 70 to 80 per cent success in districts and 98 per cent successful at the State Capital itself.

As a result of the two-day strike, Mr. Avtar Singh, President of the Haryana Subordinate Services Federation Ambala Unit, was placed under suspension from February 5, 1968 and as many as 200 employees resorted to strike.

1. Memorandum No. HSSF/671-900 dated 18.1.1968 (copy of the memorandum was found in the records of the Haryana Subordinate Services Federation).
3. Information was gathered from the records of the HSSF.
employees were suspended or their services terminated or
simply transferred. The position can be well judged by looking at the
following Table:

Table 6

Data Regarding Punishment Awarded to the State Employees
As a Result of Two Days' Strike (8/9-2-1968)

<table>
<thead>
<tr>
<th>Place</th>
<th>Before (withdrawal of 'Satyagraha' Movement)</th>
<th>After</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Arrests under various Penal Sections</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safidon</td>
<td>-</td>
<td>7</td>
</tr>
<tr>
<td>Jind</td>
<td>8</td>
<td>-</td>
</tr>
<tr>
<td>Ambala</td>
<td>42</td>
<td>9</td>
</tr>
<tr>
<td>Sirsa</td>
<td>5</td>
<td>-</td>
</tr>
<tr>
<td>Rohtak</td>
<td>4</td>
<td>7</td>
</tr>
<tr>
<td>Karnal</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>Delhi</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Chandigarh</td>
<td>1</td>
<td>11</td>
</tr>
<tr>
<td>2. Suspension other than arrests</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ambala</td>
<td>18</td>
<td>-</td>
</tr>
<tr>
<td>Karnal</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Rohtak</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>Dabwali</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>Gurgaon</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>Chandigarh</td>
<td>5</td>
<td>-</td>
</tr>
</tbody>
</table>

1. Figures were obtained from a letter addressed to the
President of India vide No.HSSF/61169, dated 6th November, 1969.
Besides strike, the civil servants have staged demonstrations to win public sympathy towards their demands. In the Annexure VII, details of various demonstrations and rallies which were resorted to by the civil servants between 1966 and 1970 in the State of Haryana are given. From the Annexure, it is observed that civil servants have mainly staged demonstrations and rallies but have taken to recourse to strike only rarely in protest against the indifferent attitude of the Government towards their demands.

The associations of employees in Haryana have explicitly renounced the strike as a legitimate operational technique. Since February 1968, there has been no general strike by the civil servants in Haryana though threat to this effect was given by Mr. Sher Singh, Senior Vice President of the Haryana Subordinate
Services Federation on February 23, 1972, when election to the Vidhan Sabha (Haryana) was nearing. Though resort to strike is not permissible in civil service, employees have not abandoned the right to stage peaceful demonstration in front of their offices. During the year 1979 there were about 630 instances of demonstrations by the employees in the State capital Chandigarh alone.

It is quite apparent that the growth of such a state would call for a healthy and continuous development of unionism among the civil servants and the fullest use of the machinery of joint consultation and arbitration. As Sterling D. Spero states, "the life of a free society depends upon the maintenance of freedom and authority in delicate balance. The preservation of this balance depends, in turn, upon mutual restraint on the part of both government and its employees founded upon the recognition of the fact that in real life there is neither


2. Of the 630 instances of demonstrations, Government Class IV Employees' Union Haryana staged more than 450 numbers of demonstrations. On June 15, 1979, 110 ad hoc employees sat in dharna in Sector 17, Chandigarh. On December 12, 1979, Mr. Chander Prakash Sharma, President of the Haryana Tandarth Karashahi Sangh and Mr. Prithi Singh Loyal, Zonal Secretary, HSSF went on an indefinite fast to press the employees' long standing demands. On December 15, 1979 several associations of Haryana, threatened to launch an agitation against the Pay Commission, recommendations. On December 18, 1979 several thousand employees participated in a protest march organised by the HSSF. On February 29, 1981, employees observed the Dissatisfaction Day by wearing black badges during duty hours. On March 1, 1981, subordinate services employees held a rally to press their demands which included removal of anomalies in pay scales, scrapping of the system of annual confidential reports and regularisation of ad hoc employees. On March 18, 1981, the HSSF staged a dharna on the opening day of the budget session of the Haryana Vidhan Sabha. On June 25, 1981, the Class IV Government Employees Union Haryana launched a stir with the staging of a dharna by its members at Sirsa. On June 26, 1981, Mr. Tek Chand Sharma, leader of the Haryana Temporary and Unemployed Teachers' Union, was arrested.
complete liberty nor absolute sovereignty." It does not follow that civil servants may claim a moral right to strike on the ground that workers in private industry, employed in functions of equal social importance, enjoy that privilege. It is equally important to contend in terms of social necessity that the paramount obligation of the government is to ensure the continuity of vital functions, whether public or private, and hence to restrain conduct which could menace the uninterrupted provision of essential services. But by the same token, it becomes necessary that civil servants charged with the responsibility of assuring their sustained provision should have the right to strike in the light of their demands. Civil servants sometimes resort to strike on the ground that numerous services provided by government agencies are often no more or less vital than many which are furnished under private auspices. Thus, most of the government teachers in Haryana went on a two-day strike on February 8 and 9, 1968 in protest against the discriminative attitude of the Government.2

It may be concluded that if the prohibition of strikes in public employment (as suggested by the Administrative Reforms Commission)3 is politically and administratively necessary, the


2. For an example, the grant of the Kothari Grades to teachers was enforced from December 1, 1967 instead from November 1, 1966. This is vide Education Secretary's letter No.122-IE-ED.11/68/540 dated 5-1-1968.

imposition of such restrictions creates an urgent moral obligation on the part of the government to provide means for suitable consideration of employees' needs. The remedy to this major challenge which has arisen to confront modern bureaucracies lies, as Macmahon has pointed out, not in "stern negations" but (in) positive preventives. Thus the preservation of the freedom of association would appear to demand the setting up of some system of joint consultation which would recognise the right of civil servants to share in the determination of their conditions of service. This would be in exchange for the surrender of the right to strike against the Government as an employer. But as already said, despite Administrative Reforms Commission's recommendation on the establishment of Joint Consultative Machinery at the State level, there appears to have existed no such adequate machinery for sorting out the grievances of civil servants of Haryana. Only at the Haryana Civil Secretariat, Chandigarh, a Departmental Council has been set up in June 1979, on an experimental basis, which too is not working properly.

(ii) Political Activities

Civil servants are denied the right to engage in political activities, individually or collectively, on the idea that such constraints are indispensable in the discharge of public functions in an impartial way. On the other hand, civil servants nowadays,


that these restraints be justified on concrete and relevant grounds, and not by a mere assertion that civil service cannot enjoy political rights. This may be one of the causes for the emergence of unionism in the civil service. Restrictions imposed on civil servants under conduct rules are necessary to ensure their political neutrality in a parliamentary form of government. Obviously, civil servants must not be asked to support political candidates or campaigns during election days. Secondly, they must perform their duties without discrimination and partnership. Thirdly, they shall not lend themselves to the propagation of the views of any political party or politician. But in their capacity as citizens, some employees in the civil service have voluntarily chosen to participate in political activities. From the below table, it becomes apparent that out of 80 employees (a sample of study), 51 Class III and IV employees were found to be interested in political activities.

Table 7

<table>
<thead>
<tr>
<th>Age Between</th>
<th>Sex</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-25</td>
<td>Male</td>
<td>34</td>
</tr>
<tr>
<td></td>
<td>Female</td>
<td>17</td>
</tr>
<tr>
<td>26-45</td>
<td>Male</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>Female</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>51</td>
</tr>
<tr>
<td>18-25</td>
<td>Male</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Female</td>
<td>18</td>
</tr>
<tr>
<td>26-45</td>
<td>Male</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Female</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>29</td>
</tr>
</tbody>
</table>

But political neutrality is an essential part of a career system, otherwise the political activity of government employees
The doctrine of neutrality, observes Godine, "demands first, that public employees carry out official policies conscientiously and energetically regardless of their personal or collective opinion concerning their wisdom, practicability, or justice. Decisions made by supervisory officials responsible to the public or its representatives must receive unquestioning acceptance by the entire bureaucracy. Moreover, public services must be provided without regard to the political or other affiliations of the recipients. Political activity or any other conduct on the part of the public employees should, therefore, be prohibited whenever it threatens the preservation of the neutrality or impartiality indispensable to the functioning of a responsible bureaucracy." In order to help the civil service to develop the concept of neutrality some imposition of restrictions upon their political rights, therefore, becomes necessary.

Several countries, like Italy, West Germany and Japan impose restrictions upon the political activities of their civil servants. On the other hand, there are countries like the USSR, United Kingdom, Australia, New Zealand and Switzerland which have the features of giving political rights to their civil servants.

3. In West Bengal, recently the State Government has allowed certain categories of State Civil Servants to seek election to the political offices.
Political rights given to civil servants in Haryana are more consonant with those of the United States of America than the United Kingdom. Civil servants here have the right to vote in parliamentary/State Legislature assembly, and local elections. But they can neither be members of any political party nor aid or assist in any manner any political movement or activity in India or abroad relating to Indian affairs. They cannot even permit a member of their family to take part in or in any way assist, any movement or activity which is, or which tends directly or indirectly, to be, subversive of Government as by law established in India. They cannot stand in parliamentary, State Legislature, or local body elections nor can propose or second the nomination paper of any candidate. While a member of the Service has the right to vote, but where he does so he shall give no indication of the manner in which he proposes to vote or has voted. He cannot collect funds or sell tickets even for non-political bodies. The violation of these rules by the civil servants leads to award of severe punishment including dismissal from the State services. During the course of study of the civil service, it was found that Mr. Avtar Singh (former President of the Haryana Subordinate Services Federation) was placed under suspension for his alleged involvement in the

2. Ibid.
3. Ibid.
4. Ibid.
5. Ibid.
collection of private funds. ¹

(iii) Civil Rights

In respect of their civil rights, no civil servant shall in any radio broadcast or in any document published anonymously, pseudonymously or in his own name or in the name of any other person or in any communication to the press or in any public utterance, ² make any statement or fact or opinion which is capable of embarrasing the relations between the Central Government or any State Government or any foreign government and the people of India, or any section thereof. ³ They may, however, broadcast talks on literary, scientific, academic or historical and social or religious subjects with the previous permission of the government. The government may also permit them to broadcast a talk on departmental subject, provided previous approval of the text of the talk is sought from the government.

While these rules provide a strict watch on the political activities of the civil servants, they should not be ignored in public interest because in the capacity of citizens, they form a significant part of the total population of the country. The government should change its policy of rigid control and allow the civil servants, as advised by the Second Central Pay Commission, "to breathe in an atmosphere of freedom and self-confidence." ⁴

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1. Under Memo No.E7/21786-925 dated April 25, 1969, issued by the District Education Officer, Ambala, Miss J.Mehtal Singh to Mr. Avtar Singh (under suspension) an employee in the District Education Office, Ambala. Information was collected from the records of the HSSF.

2. Rule 17.

3. Ibid. Rule 8(1).

Although some restrictions are obviously necessary to ensure the political neutrality of civil servants in our parliamentary system of democratic government, yet a negative doctrine of neutrality has of late become a subject of criticism in keeping with the socio-economic objectives of our society.

While addressing the administrative Secretaries of Haryana, the former Governor of Haryana, Mr. Jaisukh Hathi, said that civil servants "should be truly responsive to the needs of the people in a humanistic, and not bureaucratic way." Dr. K.K. Khanna writes that "while it is the bounden duty of bureaucracy to formulate and implement policies as desired by political leadership, it must be ensured that it is not pressurised into hurried activity without proper examination of the long term and short term costs and benefits of such activity." Civil servants, as the instrument of public policy, have to be development-oriented and be readily accessible to the people who have problems or grievances.

During the past two decades there has been a tendency in almost all leading countries to lessen the restraints on political activities of public servants. In some of the States (e.g., Saskatchewan) of Canada, for example, Public Service Law grants public servants freedom to engage in political activity subject only to such restraints as are clearly necessary.


Recently the West Bengal Government has also relaxed certain conditions on the political activities of the civil servants. They can now seek election to certain political offices subject to fulfilling certain conditions.

As to the question, "Should the civil servant be given the right to contest political election (for State/Central Legislature)?", out of 302 members of the H.C.S. (Executive Branch and I.A.S.) on the Haryana cadre to whom the interview schedule was sent, 35 per cent of the respondents replied in the affirmative. The results are as follows:

<table>
<thead>
<tr>
<th>Member's Category</th>
<th>Yes</th>
<th>No</th>
<th>Not indicated</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.A.S.</td>
<td>22</td>
<td>37</td>
<td>6</td>
<td>65</td>
</tr>
<tr>
<td>H.C.S.</td>
<td>27</td>
<td>40</td>
<td>8</td>
<td>75</td>
</tr>
<tr>
<td>Total</td>
<td>49(35%)</td>
<td>77(55%)</td>
<td>14(10%)</td>
<td>140</td>
</tr>
</tbody>
</table>

Thus, the study indicates that there is a demand from the administrative elite also for the civil servants' right to seek elections to the political offices. One member of the H.C.S. (Executive Branch) replies that for making available this right to the civil servants, conditions, such as one party rule as is

1. For an example, the State of Saskatchewan. Public Servants here may even be granted thirty days' leave of absence to run for public office and are permitted to retain their positions in the event of defeat.
The experiment in the province of Saskatchewan (Canada) has shown preservation of a merit system in personnel management on the one hand and political liberty to be enjoyed by the public employees on the other. Restrictions on political activity, as Charles Beard remarked very beautifully, "exclude from political life thousands of our best men and women." 2

Wherein political activities are denied to the civil servants by the Haryana Government will prove effective in the preservation of impartiality or neutrality of civil servants which is essential to the functioning of responsible government. However, it may be submitted that the exercise of political right by the civil servants is definitely required, with certain restraints. In the light of a successful experiment in the provincial administration of the province of Saskatchewan (Canada), there is, therefore, the necessity of relaxation in the exercise of political rights by the civil servants in Haryana subject to certain limitations.

JOINT CONSULTATION

Introduction: With a view to fostering better relations between the government and its employees, "Staff Committees" (1954-1957) as "Conciliation Machinery" on the pattern of Whitley Council in the

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1. Reply received from an H.C.S. Member to the interview schedule (Appendix I).

United Kingdom were introduced at the Central level as an experimental measure in the Ministry of Finance and the Ministry of Works, Housing and Supply in the beginning of 1952. After two years (in 1954) the Government of India reviewed the work of these committees and felt encouraged to extend them to all Ministries and attached Subordinate Offices. In 1957 the Home Ministry renamed the Staff Committees as "Staff Councils". The Staff Councils had the same aims as the Whitley Councils of the United Kingdom. Their main aim was to secure the largest measure of cooperation between the Government and its employees and increased efficiency in the public service combined with the welfare of the government employees.¹ There were two Staff Councils in each Ministry and Attached Offices, one representing Class IV employees and the other in respect of staff other than the Class IV employees. Staff representatives were originally elected (for a year but since 1957 the term was extended to \( \frac{1}{2} \) years) by the employees on the basis of one representative for every twenty employees in a class. The government representatives were appointed by the Government.

These Staff Councils were advisory in character and made only recommendations to the Government for consideration in matters relating to (a) general conditions of service, (b) welfare of the members of the staff and (c) improving efficiency in the work.

The Second Central Pay Commission (1957-59) which received a sizeable number of memoranda and representations from 956 associ-

ations and also from individuals appearing as witnesses, arrived at the following conclusion: "... that the will was lacking on the part of the Government to accept the principle of joint consultation as an effective instrument for the prevention of disputes; that even where the machinery was well conceived it was not being worked efficiently; that meetings were not being held regularly; that some of the officers representing the Administration did not have the right attitude towards the machinery which they were supposed to work." They might be said to have worked, at the most, merely as a "forum for the staff representatives to ventilate their grievances and put forward their point of view to the nominees of the Government." Thus the Staff Councils could not be described as a machinery for negotiation. Not only this; but they did not even function as a "consultation machinery" because as the Commission observed: "Government does not refer any problem or proposal to the Councils for advice." The Commission made the following recommendations to improve the working of the Staff Councils:

(a) The establishment of a Central Joint Council to cover both the industrial and non-industrial civil service;

(b) The setting-up of compulsory arbitration tribunals to deal with matters like, pay, hours of work, leave, etc.

2. Ibid., pp.545-46.
3. Ibid.
4. Ibid., p. 549.
The Ministry of Labour should be closely associated with important matters concerning staff relations.

**Joint Consultation Machinery**

(i) **Central Level**: The Joint Consultation Machinery which is in force since October 1966, at the Central level as well as in most States, including Haryana, has been the product of joint efforts of the Government and its employees. The basic idea behind the scheme of joint consultation in staff relations is the recognition of the right of civil servants to participate in the decision-making process which affect their conditions of service. Recognition of such a principle can lead to the creation of a healthy working environment favourable to the resolution of all disputes and conflicts through mutual discussion and negotiation. This means a virtual adjuration of strike and agitational activities. It is the approach which has been adopted by the Central Government while constituting the 'Machinery for Joint Consultation' (J.C.M.) and Compulsory Arbitration on the pattern of the Whitley Councils in the United Kingdom.

**Structure**: The J.C.M. Scheme covers all civil servants of the Central Government except (i) Class I (now known as Grade A) Services, (ii) Class II (Grade B) Services, other than the Central Secretariat Services, (iii) persons in industrial establishments employed mainly in managerial, administrative or supervisory capacity, (iv) employees of the Union Territories, and (v) police personnel.

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1. On October 10, 1960, the Government of India published a scheme to bring the Staff Councils in line with the Whitley Councils. The scheme was implemented in 1966 known as Joint Consultation Machinery (J.C.M.).
The Scheme, therefore, covers a large number of employees, both industrial and non-industrial. The managerial and administrative staff and the personnel connected with the maintenance of law and order and security have deliberately been excluded from the purview of the Scheme.

Objectives: The J.C.M. Scheme has the following objectives:
1. To promote harmonious relations between the Government and its employees;
2. To secure cooperation between the Government and the general body of its employees in matters of common concern; and
3. To increase the efficiency of the public service.

Scope: The scope of the J.C.M. Scheme includes all matters relating to conditions of service and work, welfare of the employees and improvement of efficiency and standards of work provided that:
(i) in regard to recruitment, promotion and discipline, consultation will be limited to matters of general principles; and
(ii) individual cases will not be considered. It further provided that when a matter cannot be settled by negotiations at the Joint Councils (National Council, Departmental/Office Councils), there would be compulsory arbitration in respect of (a) pay and allowances; (b) weekly hours of work; and (c) leave.

Under this Scheme a three-tier machinery is provided consisting of:
(a) Regional Councils,
(b) Departmental Councils and
(c) National Council.

National Council: At the National level, there is an apex Joint Council called the National Council which consists of representatives of the Official Side and the Staff Side. The Official has a strength of usually 25 members who are appointed by the Central Government. On the other hand, the Staff Side has a maximum member-
ship of 60 who are nominated by the recognized Staff Associations for a term of 3 years. The distribution of seats on the Staff side are done on the basis of the respective numerical strength of the categories concerned, on the one hand, and the respective membership of each union/association, on the other. While the Staff side elects a Leader among its members, the Cabinet Secretary holds the Chairmanship of the National Council. The Council deals with all matters affecting all Central Government employees generally and matters relating to categories of staff common to two or more departments and not grouped together in a single Departmental Council.

Since its introduction in October 1966, the National Council has held 25 ordinary meetings and 2 special meetings.  

(b) Departmental Council: At the level of the departments there are Departmental Councils which deal with only matters affecting the staff employed in the departments. The Secretary of the Ministry concerned is the Chairman of the Departmental Council and represents the Official side. The Official side consists of not more than 10 members and are appointed by the Government. The Staff side is represented by membership ranging between 20 and 30, the exact number being determined by the total strength of the

1. A Union or association which seeks recognition for the purpose of the Scheme should satisfy the test of broad and adequate representation (at least 15%) of the categories of employees which it purports to represent.

2. The last meeting (Special meeting) of the National Council was held in November 1980. See Government of India, Department of Personnel and Administrative Reforms, "Report 1980-81" (New Delhi, 1981), p. 11.

3. There can be a single Council also for 2 or more small departments under a Ministry.
staff and the number of grades and services in the Department. The Staff on the Departmental Council is elected by the Staff Associations for a period of 3 years.

Out of a total of 22 Departmental Councils envisaged under the J.C.M. Scheme, 19 have already been constituted in the various Departments/Ministries. Steps are afoot to set up the remaining Departmental Councils in the remaining Departments/Ministries.

(c) Regional and/or Office Council: At the bottom of the J.C.M. Scheme is the Regional and or Office Councils which deal with only regional or local matters relating to conditions of work, welfare of the employees and improvement of efficiency and standards of work. They are constituted only where the structure of a department permits such a course. The Office Council has the maximum membership of \( \frac{1}{3} \) on the Official side and \( \frac{2}{3} \) on the Staff side. Departments/Ministries are also taking steps to set up the lower level (office) Councils in the various offices. It is pointed out that more than 1000 Office Councils have been set up so far in various offices.

Arbitration: Under the J.C.M. scheme there is provision for the constitution of a "Board of Arbitration" consisting of three members, one representing the Official side, second the Staff side, and the third being an independent Chairman. The arbitration is, however, limited to such matters as (a) pay and allowances.

1. Ibid., p. 12.
(b) weekly hours of work, and (c) leave of a class or grade of employees. If no agreement is reached on these issues by the Joint Council, then the matter is referred to arbitration, if so desired by either side. Of 164 cases which have been referred to the Board of Arbitration up to the middle of December 1980, awards have been given in 98 cases and 16 are pending with the Board. Of these 88 cases, the demands of the Staff have been accepted in 60 cases and rejected in 21 cases and 7 cases have been allowed to be withdrawn. Subject to the supremacy of Parliament, the awards of the Board of Arbitration are binding on both sides. The Parliament is, however, empowered to alter or reject any recommendation of the Board on grounds of national security, national economy and social justice.

It may be pointed out that a matter disposed of by a Joint Council in any manner is not to be placed on the agenda during the following full year. And second orders issued by the Government in pursuance of the recommendations of the Board of Arbitration are to remain in operation for a minimum period of 3 years. These provisions ensure that matters once disposed of are not sought to be reopened for discussion at short intervals.

(ii) Joint Consultation in Haryana

The question of setting up of a Joint Consultation on the pattern of Joint Staff Council at the Central level was first taken by the Punjab Subordinate Services Federation during the Kairon Government in July 1964. It could not materialize. But

1. Ibid.
since November 1966, the Haryana Subordinate Services Federation (HSSF) has been pressing the Government for the setting up of a consultative machinery on the pattern of Whitley Council in the United Kingdom. In its memorandum to the Chief Minister, Haryana on January 1967 followed by a Charter of Demands on April 1968, and January 1969, the HSSF stressed the necessity of creating a negotiating body on the pattern of the Whitley Council.

The Federation in a Charter of Demands sent to the President and Prime Minister of India on 12-2-1970 demanded:

"Whitley Council be formed for each department on the suggestion of Sir John Whitley of Britain and Federation should be made a negotiating body with the Government on the general demands of the employees. These councils must at least meet once in six months as the Joint Consultative Council at the Centre."  

In the beginning of the year, the General Assembly of the HSSF passed a resolution urging upon the Government "to set up a Whitley Council both at the State and departmental levels in consultation with the Haryana Federation to maintain cordial and harmonious relations between the employees and the employers to solve the day to day issues which too is the need of the time."  

1. On November 22, 1966, the Haryana Subordinate Services Federation came into being claiming to be a representative organization of the government employees in Haryana.
3. See Annexure II, demand No.9.
4. A note issued to the Press Tribune on January 1969 by the HSSF.
5. Quoted from the records of the HSSF dated February 12, 1970.
Shri B.N. Chakravarty, the then Governor of Haryana, in January 1971 himself realised the utility of the existence of a Consultative Machinery in the State for the purpose of solving the grievances of employees, and he assured the representatives of the HSSF for its creation. Between 1972 and 1974 there had been the mushroom growth of staff associations and each one of them demanded the constitution of a Departmental Council with a view to creating harmony and good relations in the day to day functioning of the administration. During the internal emergency (June 26, 1975 to March 21, 1977) the grievances of the employees suffered a setback and it merely existed as a snow-piece. After the internal emergency was revoked, there was a demand for the setting up of a Joint Council on the pattern of the Central Government. The Haryana Pay Commission (1979), which received representation from 209 associations representing over 180,000 employees did not offer any suggestion or comment on the setting up of a Joint Consultation Machinery at the State level.

With the mounting pressure from the representatives of many staff associations and considerable discussions and negotiations between the Government and the employees resulted in the Government agreeing at last in the constitution of a Departmental Council on an experimental basis in the Haryana Civil Secretariat, Chandigarh under the Joint Consultation Scheme.

2. The Commission was constituted vide the Government of Haryana Notification No.7/3(3)-78 FR(PC), dated the 23rd January, 1979.
Constitution of the Departmental Council

The Scheme under the Joint Consultation covers the Department of the Haryana Civil Secretariat. Its objects are (i) to promote harmonious relations and (ii) to secure the greatest measure of co-operation between the Government in its capacity as employer and the general body of its employees in matters of common concern and further, (iii) to increase the efficiency of the public service.

The Departmental Council discusses matters relating to (i) conditions of service and work of the employees, (ii) their welfare and (iii) improvement of efficiency and standards of work, provided, however, that -

1. In regard to recruitment, promotion and discipline, consideration will be limited to matters of general principle, and
2. Individual cases will not be considered.

The Departmental Council consists of members of the Official side who are nominated by the State Government, the Staff side, has a maximum membership of five, two being nominated by the Haryana Civil Secretariat (Non-gazetted) Employees Association, two by the Haryana Civil Secretariat Class IV Employees Association and the remaining one being nominated by the Haryana Civil Secretariat Stenographers Association. The representatives of the Associations are nominated for a term of 3 years, but there is no bar to renomination. Vacancies caused by death, retirement, resignation, transfer, etc. are filled for the unexpired term.

The Deputy Secretary to the Government, Haryana Secretariat Establishment, acts as the Chairman of the Departmental Council. It is provided in the Constitution of the Departmental Council that where there are two or more Associations representing different categories of staff, the seats are distributed by the Chairman on
the basis of the respective numerical strength of the categories concerned. But where there are two or more associations representing the same categories of staff, the seats are distributed by the Chairman on the basis of the respective membership of each association. Further, if there is a change in the membership of an association, the representation given is also changed only after verification of membership. The Chairman is also authorised to make distribution of seats in consultation with the association in any other manner acceptable to the association. The Staff side elects one of its members as its leader, whereas the Secretary of the Departmental Council is appointed by the Chairman.

Under Clause 6 of the Constitution of the Departmental Council (for the Haryana Civil Secretariat) the Chairman is vested with the power to intimate to each association eligible for representation on the Council, the number of members it may nominate on the Council. On receipt of the intimation from the Chairman, the concerned association informs the Chairman the names of its representatives nominated by its general body or the executive committee of the association.

It is also provided that in the event of retirement, resignation, death, etc. of a representative of an association, the concerned association may nominate an alternate member. However, the Chairman of the Council may consider "whether the nomination is in accordance with the provisions of the scheme" and inform the association concerned.

Finally, the Constitution provides that a "Council may appoint an ad hoc Committee or Committees from amongst its members to study and report on any matters falling within its
An Analysis of the Study of the Joint Consultation

The present Departmental Council set up for the Haryana Civil Secretariat under the Joint Consultation Scheme has been in operation for a little over two years during which period three meetings have been held at the Secretariat. The first meeting was held on September 25, 1979. Both official as well as staff sides represented equal number of members. It discussed only two issues: running of more buses from the Secretariat to the various sectors of Chandigarh and back; and withdrawal of Record Keepers from the Assistants. An agreement was reached to ply more buses for the convenience of the employees. But in regard to the second issue, the government did not approve as there was a large-scale protest from the Association.

The second meeting of the Council was held on October 24, 1979. Some of the important issues on which discussions were held at the meeting of the Departmental Council include:

1. Sanctity of the decisions as a result of agreements;
2. Decline in the efficiency of the civil service;
3. Shortage of accommodation in the Secretariat building;
4. Share of Haryana in the government residential accommodation at Chandigarh;
5. Provision of more residential accommodation;
6. Amendment in the rules for claiming reimbursement of medical charges;
7. Uniform for Class IV employees;

2. It was set up on June 19, 1979 as an experimental measure at the Secretariat.
8. Filling up the Posts of Restorers;
9. Free education to the children of Class IV employees;
10. Employment to the children of Class IV employees;
11. Pension and gratuity payment to the employees;
12. Delay in the process of promotion;
13. Introduction of pass books for G.P. Fund;
14. Deputation problem;
15. Liberalisation of the scheme of grant of advance increments;
16. Facility of common rooms;
17. Study tour to Bangalore for the Secretary of the Council and Leader of the staff side;

The third and last meeting of the Departmental Council was held on May 13, 1980, to discuss:
1. Acute shortage of office accommodation;
2. Shortage of the clerical staff;
3. Liberalisation of rules for withdrawal of amounts from one's provident fund;
4. Scheme of setting up of a Joint Consultation Council as an experiment at the Secretariat;
5. Encashment of 15 days' earned leave;
6. Leave travel concession;
7. Vacation of victimisation;
8. Regularisation of the services of ad hoc clerks;
9. Enhancement in promotional avenues;
10. Amendment to rules regarding station leave;
11. Amendment in the rules in regard to the withdrawal of Chandigarh compensatory allowance;
12. Provision of hot cases of bulk capacity;
13. Provision of tea trolley system;
14. House allowance to employees; 577


Recently the State Government has decided to set up a Joint Consultation Council in the Haryana Civil Secretariat. The scheme as approved by the State Government has not been faithfully implemented without getting the vital changes approved from the Council of Minister of Haryana. The following paras of the scheme as approved by the Council of Minister's have been deleted:

Para 9. "The official side will conclude matters at the meetings of the Council and will not reserve them for later decisions by the Government."¹

Para 11. "Subject to the final authority of the Council of Ministers, agreements reached between the two sides of the Council will become operative."²

With the deletion of para 11 above, the sanctity of the decisions taken in the Council remains lost. The practical result has been generally found that all the decisions arrived at in the deliberation of the Council remain unimplemented.

Looking at the working of the Departmental Council at the Haryana Civil Secretariat, where the scheme is in vogue, it is observed that the recommendations of the Council have been accepted in those cases which are comparatively of minor interest. Thus the Council has been successful in improving the conditions of work within the Secretariat. For example, arrangements have

1. Quoted from the Memorandum addressed to the Officer on Special Duty, Administrative Reforms, Haryana on June 2, 1981 by the Haryana Civil Secretariat Employees Association, Chandigarh.

2. Ibid.
been made to provide transport facilities, canteen facilities, grant of leave, uniforms, etc. However the Council has failed to make any impact on matters like avenues of promotion, recruitment, tenure and remuneration which remain to be determined at the government level.

Second, some of the representatives of the Staff side pointed out that the attitude of the official side has not been conducive to the development of spirit needed for fruitful discussion. They also pointed out that Council meetings are not held regularly. As against this, the Whitley Councils in Great Britain are an effective force in the maintenance of the employer-employee relationship. In the words of Mr. Douglas Houghton, Whitleyism "has not perhaps lived up to the full grandeur of its original objects and functions" but despite this limitation it has made the civil service more contented than in the past. He added that the "cumulative total of constructive work done by Whitley Councils at all levels during the past thirty-five years is enormous." Mr. William Mosher also indicated that "they have introduced a well nigh revolution in the sphere of staff relations."

Since representation through recognized associations/ unions, the remaining employees

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1. Information was gathered from an informal talk with a few leaders of the Staff Associations.


can be given representation only when they organise themselves into associations and unions. But as it is none of the associations in Haryana has been formally given recognition. What is, in fact, aimed to suggest is that the setting up of Joint Consultation Machinery at the State level, which is so urgently needed, should be preceded by giving recognition to the well-organized staff associations. The experience gained so far in the working of the Departmental Council as a part of the Joint Consultation Scheme at the Haryana Civil Secretariat level has been encouraging for the promotion of goodwill and cooperation between the employer and their employees. It is suggested that the scheme should be introduced in all government departments of Haryana after giving formal recognition to the Civil Servants' Associations. The present machinery of Joint Consultation in Haryana is inadequate in the sense that it has not been introduced at the State, departmental and local offices levels. The machinery also does not provide a statutory basis for the redressal of civil servants' grievances. Providing a statutory basis for the Joint Consultation Machinery for the State employees would be a distinct improvement on the present scheme.
Annexure I

LIST OF EMPLOYEES' ASSOCIATIONS IN HARYANA

As a whole in Haryana

1. Accounts Clerks Association, Haryana
2. Agricultural Sub-Inspectors Association, Haryana
3. Animal Husbandry Assistants Association, Haryana
4. Assistant Public Relations Officers Association, Haryana
5. Assistant Town Planners Association, Haryana
6. Association of Block Level Extension Officers, Haryana
7. B.C.G. Technicians Association, Haryana
8. Canal Telephone Clerks Association, Haryana
9. Class III Ministerial and Miscellaneous Employees Association, Forest Department, Haryana
10. Class III Technical Staff Union, Haryana
11. Class IV Employees Union of the Haryana P.W.D. (3&R) Branch
12. Dark Room Assistants Association, Haryana
13. Field Reclamation Assistants Union, Haryana
14. Fine Art Teachers Association, Haryana
15. Haryana Agricultural Class I Officers Association
16. Haryana Agricultural Class II Officers Association
17. Haryana Civil Dental Association
18. Haryana Civil Medical Services Association
19. Haryana District Attorney Service Association
20. Haryana Engineering Sectional Officers Association
21. Haryana Excise Inspectors Association
22. Haryana Food Inspectors Association
23. Haryana Forest Rangers Association
24. Haryana Forest Service Association
25. Haryana Government College Lecturers Association
26. Haryana Industries Department Employees Association
27. Haryana Industries Department Technical Services Welfare Association
28. Haryana Irrigation Assistant Engineers Association
30. Haryana Jail Employees Association
31. Haryana P.W.D.(B&R) Branch Class III Employees Association
32. Haryana P.W.D.Draftsman Association
33. Haryana Patwars Union
34. Haryana Pharmacists Association
35. Haryana Rajkiya Adhyapak Sangh
36. Haryana Service of Engineers Class I Association
37. Haryana State Tubewell Operators Association
38. Haryana Stenographers Association
39. Haryana Veterinary (Class I and Class II) Officers Association
40. Haryana Work Inspectors Association, Haryana
41. Head Laboratory Attendants Association, Haryana
42. Health Inspectors Association, Haryana
43. Irrigation Booking Clerks Association, Haryana
44. Lady Health Visitors Association, Haryana
45. Manual Assistants Association, Haryana
46. Multipurpose Health Workers Association, Haryana
47. Nursing Tutors Association, Haryana
48. Public Health Employees Union, Haryana
49. Signallers' Association, Haryana
50. Sports Officers Association, Haryana
51. Storekeepers Association, Haryana
52. Subordinate Employees Association of Industrial Training Institute, Haryana
53. Taxation Officers Association, Haryana
54. Vocational Teachers Association, Haryana
55. Workshop Attendants Association, Haryana

CHANDIGARH
1. Accountant General Haryana Employees Union, Chandigarh
2. Association of Assistant District Attorneys, Haryana, Chandigarh
3. Association of Local Fund Audit Subordinate Staff, Haryana, Chandigarh
4. Association of Superintendents/Under Secretaries, Private Secretaries and Secretaries to Ministers, Haryana, Chandigarh
5. Class III Technical Staff Union, Chandigarh
6. Class IV Government Employees Union, Haryana, Chandigarh
7. F.C. Office Stenographers Association, Haryana, Chandigarh
8. Haryana Agriculture (Headquarters) Department, Ministerial Staff Association, Chandigarh
9. Haryana Assistant Food and Supplies Officers Association, Chandigarh
10. Haryana Census Employees Association, Chandigarh
11. Haryana Chalak Sangh, Chandigarh
12. Haryana Civil Secretariat Class IV Staff Association, Chandigarh
13. Haryana Civil Secretariat Stenographers Association, Chandigarh
14. Haryana Civil Service (Executive Branch) Association, Chandigarh
15. Haryana D.P.I. Ministerial Staff Association, Chandigarh
16. Haryana Employment Officers Association, Chandigarh
17. Haryana Engineering Sectional Officers Association
18. Haryana Excise and Taxation Gazetted Officers Association, Chandigarh
19. Haryana Food and Civil Supplies Ministerial Staff Welfare Association, Chandigarh
20. Haryana Government Colleges Laboratory Staff Association, Chandigarh
21. Haryana Government P.W.D. Mechanical Workers Union, Chandigarh
22. Haryana Government Press Employees Union
23. Haryana Hospitality Employees Welfare Association, Chandigarh
24. Haryana Irrigation Temporary Engineers Association, Chandigarh
25. Haryana Local Fund Audit Department, Subordinate Staff Association, Chandigarh
26. Haryana Motor (Staff Car) Drivers Sangh, Chandigarh
27. Haryana Public Service Commission Union, Chandigarh
28. Haryana State Accounts Services Association, Chandigarh
29. Haryana State Cooperative Gazetted Officers Association, Chandigarh
30. Haryana State Cooperative Inspectors Association, Chandigarh
31. Haryana State Drugs Inspectors Association, Chandigarh
32. Haryana State Gazetted Officers' Association, Chandigarh
33. Haryana State Industries Department Gazetted Officers Association, Chandigarh
34. Haryana State Veterinary Association, Chandigarh
35. Haryana Subordinate Services Federation, Chandigarh
36. Haryana Vidhan Sabha Employees Welfare Association, Chandigarh
37. Haryana Technocrats Federation, Chandigarh
38. Photo Technocrats Union (Haryana), Chandigarh
39. Research Officers/District Statistical Officers Association, Haryana, Chandigarh
40. Senior Teachers Union, Haryana, Education Department, Chandigarh
41. State Organisation of Engineering Drawing Staff, Haryana, Chandigarh
42. Stenographers Association P.W.D.(Irrigation), Haryana, Chandigarh
43. Superintendents and Head Clerks of P.W.D.(B&R) Association, Haryana, Chandigarh
44. Superintendents/Deputy Superintendents Association, D.P.I. Haryana, Chandigarh
46. Technical Assistants Association (E.S.U.) Haryana, Chandigarh
47. Technical Employees (Architecture) Association, Haryana, Chandigarh

AMBALA

1. Animal Husbandry Assistants Association, Ambala
2. Class IV Canal Employees Association, P.O. Dadupura, Ambala
3. Class IV Employees Union Irrigation Branch, Dadupura, Ambala
4. District Ambala Lecturers Association, Ambala
5. Government Printing Press Haryana Workers Union, Panchkula, Ambala
6. H.E.D. Association Ambala Unit, Ambala City
7. Haryana Excise and Taxation Gazetted Officers Association, Yamunanagar, Ambala
8. Haryana Irrigation Clerical Association, Ambala City
9. Haryana Provincialised Ministerial Staff Association, Ambala
10. Haryana State Block Level Extension Officers Association, Yamunanagar, Ambala
11. Haryana State Teachers Association, Ambala
12. Haryana Teachers Association, Sub Division, Jagadhri, Ambala
13. Head Analysts Association Food and Supplies Department, Haryana, Ambala City
14. Health Services Association, Ambala
15. I.B.M.P.W. and B.C.G. Workers Association, Haryana, Ambala City
16. Lady Health Visitors Union, Ambala District, Ambala City
17. N.P.C. Teachers Association, Ambala City
18. Physics School Lecturers Association, Ambala City
19. Polytechnic Lecturers Welfare Association, Haryana, Ambala City
20. Polytechnics W/S Instructors Association, Haryana, Ambala City

BIHANI
1. Class IV Government Servants Association, Charkhi Dadri, Bhiwani
2. Deputy Collectors and Zilladars Association, Bhiwani
3. Employees Union D.C. Office, Bhiwani
4. Haryana Ayurvedic and Unani Dispensers Association, Bhiwani
5. Haryana Government College Physical Education Teachers Association, Bhiwani
6. Haryana Livestock Association, Bhiwani
7. Laboratory Technicians Association, Bhiwani
8. Public Health Employees Union, Charkhi Dadri, Bhiwani
9. Publicity Mantri Haryana Government Teachers Union, District Branch, Bhiwani

FARIDABAD
1. Canal Patwari Association, Faridabad Division, Faridabad
2. Haryana Rajkavi Aghyapak Singh, H.O. Faridabad
3. Haryana State Industrial Training Employees Union, Faridabad

GURGAON
1. All-India Primary Teachers Union, Hali Mandi, District Gurgaon
| 2.  | C.I.V. Teachers Association, Gurgaon |
| 3.  | Government Laboratory Assistants Association, Garhi-Harsarn, Gurgaon |
| 4.  | Haryana Government College Teachers Association, Gurgaon |
| 5.  | Haryana Subordinate Services Federation, Gurgaon |
| 6.  | Provincialised Teachers Association, Gurgaon |
| 7.  | R.P.S.S. Haryana, P.O. Bhaundsi, Gurgaon |
| 8.  | Revenue Patwars Union Haryana State Aurangabad, Gurgaon |

**HISSAR**

| 1.  | All Haryana P.W.D.(B&R) Staff (Ministerial) Association, Hissar |
| 2.  | D.C.'s office Employees' Association, Hissar |
| 3.  | Haryana School Lecturers Association, Hissar |
| 4.  | Haryana State Cadre Masters' Association, Hissar |
| 5.  | Haryana State Radiographers Association, Tohana, Hissar |
| 6.  | Haryana Subordinate Services Federation, Hissar |
| 7.  | Haryana Temporary Teachers Association, Hissar |
| 8.  | Headmasters Association, Sub-Division, Hansi, Hissar |
| 9.  | Headmasters Association, Hissar District, Hissar |
| 10. | Multipurpose Health Workers Association, Hissar |
| 11. | S.V. Teachers Association, Thukrana, Hissar |

**JIND**

| 1.  | Class IV Canal Employees Union, Jind |
| 2.  | Employees Association D.C.'s Office, Jind |
| 3.  | H.C.M.C.(I) Association, Jind |
| 4.  | Haryana Treasury Association, Jind |
| 5.  | Junior Scientific Assistants Association, Jind |
| 6.  | Ministerial Staff Association, Sub Office, Jind |
7. Trained Sanitary Inspectors Association, Haryana, Jind

KARNAL

1. Applied Science Lecturers Association, Haryana Polytechnic, Nilokheri, Karnal
2. Association of Analytical Staff, Karnal
3. Development Officers Association, Karnal
4. Engineering Sectional Officers Association, Karnal
5. Haryana Agriculture Statistical Supervisors/Assistants Association, Karnal
6. Haryana Canal Signallers Association Indri, Karnal
7. Haryana Engineering Sectional Officers Association, Karnal
8. Haryana Process Serving Establishment Union, Panipat, Karnal
9. Haryana School Lecturers Association, Panipat, Karnal
10. Haryana Sports Officers Association, Karnal
11. Headmasters Association, Panipat, Karnal
12. Health and Family Welfare Extension Educators Association, Panipat, Karnal
13. Health Assistants Association, C.M.C. Karnal
14. Junior Field Investigators Association, Karnal
15. Laboratory Staff Association, Gharaunda, Karnal
16. Lascar Union, Haryana, Karnal
17. N.F.C. Teachers Association, Karnal
18. Polytechnic Draftsman Association, Nilokheri, Karnal
19. Road Inspectors Association, Haryana, Karnal

KURUKSHETRA

1. All Haryana Health Assistants Association, Kurukshetra
2. All Haryana P.W.D. (B&R) Branch Ministerial Staff Association, Kurukshetra
3. Education Department, Ministerial Staff Association, Kurukshetra
4. Excise and Taxation Officers' Association, Kaithal, Kurukshetra
5. Jantantrik Class IV Agriculture Employees Union, Haryana, Kurukshetra
6. Haryana Agriculture Sub-Inspectors Association, Kurukshetra
7. Haryana Library Association, Kurukshetra
8. Haryana Sanskrit Agrowapak Sangh, Kurukshetra
9. Haryana State Food and Supplies Inspectors Staff Union, Chheeka, Kurukshetra
10. Haryana Subordinate Services Federation Camp at Kurukshetra
11. Ministerial Staff Association, Kurukshetra
12. Non-Gazetted Officers' Union Range Forest Pehowa, Kurukshetra
13. Taxation Inspectors Association, Kurukshetra
14. Taxation Officers Association, Haryana Kurukshetra

MOHINDERGARH

1. Haryana Education Officers (Non-Gazetted) Association, Mohindergarh
2. D.C. Office Employees Union, Narnaul

ROHTAK

1. Association of D.C.'s Office, Rohtak
2. Association of Lecturers Vaish Polytechnic, Rohtak
3. Association of Technical Education Services (Sr. Class), Jhajjar, Rohtak
4. Government Schools Headmasters Association, Rohtak District, Rohtak
5. Haryana College Librarians Association, Rohtak
6. Haryana Government College Principals Association, Bahadurgarh, Rohtak
7. Haryana Health Offices Ministerial Staff Association, Rohtak
8. Haryana Health Transport Workers Association, Rohtak
9. Haryana Revenue Clerks Association, Canal Office, Rohtak Division, Rohtak
10. Haryana School Education Officers' Association, Bahadurgarh, Rohtak
11. Haryana School Lecturers Association, Lakhan Majra, Rohtak
12. Haryana Staff Medical Teachers Association, Medical College, Rohtak
13. Haryana State Medical Teachers Association, Medical College, Rohtak
14. Haryana State Veterinary Association, Rohtak
15. Haryana Sub Offices Ministerial Staff Association, Rohtak
16. Haryana Teachers Welfare Association, Rohtak
17. Hindi Achyapak Kalyan Union, Rohtak Government High School, Baku Akbarpur, Rohtak
18. Medical Technologists Association, Medical College, Rohtak
19. Process Serving Association, Rohtak
20. Provincial Teachers Association, Haryana, Rohtak
21. Sarve Karamchari Sangh, Jhajjar, Rohtak
22. Senior Instructors Welfare Association, Department of Industrial Training, Haryana, H.Q., Rohtak
23. Superior Revenue Association, Rohtak

SIRSA

1. Accounts Clerks Association, Canal Lining Division-1, Mandi Dabwali, Sirsa
2. Canal Patwari Association, Haryana, Sirsa

SONEPAT

1. District Taxation Inspectors Association, Sonepat
2. Government High School Headmasters Association, H.Q., Sonepat
A Copy of the Charter of Demands

1. Vacation of all sorts of victimisation.

2. Implementation of recommendations of the Kothari Commission in respect of Haryana Teachers. This demand has been met half heartedly w.e.f. 1st December, 1967 leaving a number of anomalies in respect of many categories of Teachers causing dissatisfaction among them and dissatisfaction as a whole for the reasons that
   
   (i) The grades have been given only w.e.f. 1st December, 1967 instead of 1st November, 1966.
   
   (ii) Deduction of D.A. ranging from Rs. 18/- to Rs. 60/- P.M. has been made from each Teacher.
   
   (iii) Service benefit has not been allowed.

   The Teachers by and large are still unsatisfied.

3. Grant of D.A. w.e.f. 1st May, 1967 instead of 1st June, 1967 as well as grant of 1st and 2nd increases w.e.f. 1st May, 1967 and 1st November, 1967 respectively. The increase in D.A. has been granted only w.e.f. 1st December, 1967 and 1st January, 1968 respectively leaving the entire staff unsatisfied. The reason being that the staffs of Punjab, Himachal and the Union Territory have got it w.e.f. 1st May, 1967 and the 2nd increase w.e.f. 1st November, 1967.

4. Setting up of a Pay Commission. This Commission has since been set up in the new Punjab whose recommendations are likely to be followed both in Himachal and Union Territory of Chandigarh because of assurances given by their governments. The employees in Haryana only need either such an
assurance that the recommendations of Punjab Commission shall be implemented in Haryana or an independent Pay Commission needs to be set up because the present grades have totally outlived their utility. The worst plight is that of Class IV employees who merely get an annual increment of 50 paise as incentive in today's world which is not less humiliation in a civilised society.

5. Bonus to Roadways workers and implementation of terms of agreement reached with them.

6. Unconditional and uniform enhanced House Rent to Government employees through the State.

7. Exemption from Professional Tax levied by Panchayat Sanities.

8. Educational and medical facilities at par with Central Government employees.


10. Recognition of H.S.S.F.

11. No retrenchment without providing alternative jobs under the State Government in these days of hard living conditions.

12. Full D.A. to Para Medical staff.

13. Grant of Central grades to I.T.I. staff.

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### Annexure III

**Total Number of days of General strike by the State employees of Haryana during the period November 1966 - August 1981**

<table>
<thead>
<tr>
<th>Date</th>
<th>Days</th>
<th>Demands</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.1.1968</td>
<td>One</td>
<td>1. Benefits of Central D.A.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Implementation of the Kothari Commission Grades</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Revision of Pay-scales</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. Abolition of Professional Tax</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5. Setting up of a Pay-Commission etc.</td>
</tr>
<tr>
<td>8/9-2-1968</td>
<td>Two</td>
<td>1. Implementation of recommendations of the Kothari Commission in respect of Haryana teachers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Grant of D.A. w.e.f. May 1, 1967</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Abolition of Professional Tax</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. Bonus to Roadways Workers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5. Recognition of Haryana Subordinate Services Federation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6. Setting up of a Whitley Council etc.</td>
</tr>
</tbody>
</table>

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To

The Chief Minister,
Haryana,
Chandigarh.

Subject: Anomalies in the Pay Scales of the Staff of H.C.S.

Sir,

There is great resentment in the staff working in H.C.S. as they feel that in general revision of Pay Scales, Selection Grade etc. they have not been given their due.

Secretariat is the premier organization of the State Government and the work here is qualitatively very different when compared to the subordinate offices.

The Association therefore demands the following Pay Scales/Selection Grade giving comparative data.

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Name of Post</th>
<th>Scales revised by Haryana Govt. w.e.f. 1-4-79</th>
<th>Scale as demand ed by the Association</th>
<th>Scale further revised by Punjab Govt. w.e.f. 1-1-78</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Restorer</td>
<td>400-600</td>
<td></td>
<td>No change in T.S.,S.G. 450-700 for 50% of all posts w.e.f. 1-4-79</td>
</tr>
<tr>
<td>2</td>
<td>Clerk and equivalent posts</td>
<td>400-600</td>
<td>400-600</td>
<td>No change</td>
</tr>
</tbody>
</table>

*Note: The table shows the revised scales and the demands made by the Association for the Restorer and Clerk and equivalent posts.*
<table>
<thead>
<tr>
<th>Sr. Name of No. Post</th>
<th>Scales revised by Hr. Govt. w.e.f. 1-4-79</th>
<th>Scale as revised by Pb. Govt. 1-1-1978</th>
<th>Scale further revised by Pb. Govt. 1-1-1978</th>
<th>Scale demanded by the Association</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Asstt. and equivalent</td>
<td>525-1050 S.G. 700-1250 for 20% of permanent posts</td>
<td>570-1080 700-1200 for 50% of all posts</td>
<td>600-1120 800-1400 for 50% of all posts w.e.f. 1-1-1978</td>
<td>650-1150 800-1400 for 50% of all posts w.e.f. 1-4-79</td>
</tr>
<tr>
<td>4. Deputy Superintendant</td>
<td>700-1250 plus Rs. 75/- as Special Pay in lieu of higher T.S. S.G. 750-1450 plus Rs. 75/- as Special Pay</td>
<td>800-1400 800-1400 plus Rs. 50/- as Special Pay w.e.f. 1-1-1978</td>
<td>800-1400 plus Rs. 75/- as Special Pay w.e.f. 1-1-1978</td>
<td>900-1450 plus Rs. 75/- for 50% of all posts</td>
</tr>
</tbody>
</table>
APPLICATION FOR MEMBERSHIP

I, ____________________________, have carefully studied the Constitution of the Organisation and have understood my duties and obligations as a member. I am submitting this application for membership along with Rs.1/- for consideration of my membership.

I swear to abide by the Constitution and uphold the PRINCIPLES enshrined in its Preamble.

Yours faithfully,

(Name)

(Designation)

(Division/Circle)

(I.E./B&R/P.H./T&C.P./ Architect, etc.)

(Station)

Accepted. Recommended.

General Secretary/ Secretary/ Unit.
Subject: Communication of adverse remarks for the year 1969-70

Dear Shri Ujjagar Singh,

In your Confidential Report for the year 1969-70, it has been reported that you lack conscientiousness, tallies to your needs, always shirked work. You are a careless worker and cannot be depended upon. You create indiscipline in the office. You try to overawe/threaten everybody and that you are most irregular as you remained frequently on leave or absented yourself from office without permission of the competent authority. It has also been reported that your method of working is quite hopeless and your manners are quite undesirable. It has further been reported that you take pride in being the President of the Haryana Subordinate Services Federation and carry out the activities of the Federation at the cost of office work. Since you became the President of the Haryana Subordinate Services Federation, your contribution to office work has been negligible. Your integrity is reported to be doubtful. As a whole, your performance during the year has been rated as 'Below Average'.

2. These are very serious shortcomings on your part. I hope you will try to remove them in order to give a better account of
yourself in future.

Yours sincerely,

Sd/-Inderjit Sharma

Shri Ujjagar Singh,
Information Centre Assistant,
District Public Relations Office,
Narnaul.
Main Demonstrations and Rallies staged by the State Employees Haryana during 1966-1970

6.12.1966 Demonstration Day was observed throughout the State

7.1.1967 Demonstration at Chandigarh

25.3.1968 Peaceful demonstration and rallies at Chandigarh

30.3.1968 Peaceful black flags at Chandigarh

31.3.1968 to 12.4.1968 Indefinite fast by the leaders of Haryana Subordinate Services Federation after staging big public rally at Chandigarh in Sector 22 by wearing black badges in sympathy with the fasting leaders

11.12.1968 Rally at Karnal

12.12.1968 Demonstration at Ambala

17.12.1968 Rally and procession at Rohtak and Gurgaon

15.7.1969 Rally and demonstration at Sonepat

16.7.1969 Rally and demonstration at Panipat

17.7.1969 Rally and demonstration at Hisar

18.7.1969 Rally and demonstration at Sirsa

19.7.1969 Rally and demonstration at Bhiwani

20.7.1969 Rally and demonstration at Jind

22.7.1969 to 25.7.1969 Rallies and demonstrations at Narwana, Mahendragarh, Narnaul, Gurgaon and Faridabad

27.7.1969 Rally and demonstration at Rohtak

29.7.1969 Rally and demonstration at Gohana

30.7.1969 Rally and demonstration at Karnal

31.7.1969 Rally and demonstration at Gulha

10.12.1969 Hunger strike by the PWD workers union, Karnal


22.10.1970 to Demonstration at Chandigarh

23.10.1970