

PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
PRASAR BHARTI SECRETARIAT/PPC Section
2ND Floor, PTI Building,
Sansad Marg, New Delhi

F. No. Misc-1/112/2011-PPC

Date: 16.11.2011

Circular

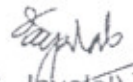
Kind attention is invited to DoP&T's OM No. 2/10/80-JCA (Vol.IV) dated 05.11.1993 wherein the conditions for recognition of Service Associations have been spelt out. A copy of the above OM dated 05.11.1993 is enclosed herewith.

2. All Head of Departments/Offices/Kendras/Stations of All India Radio and Doordarshan are requested to bring the above conditions to the notice of All Associations within their jurisdiction for information and strict compliance. Also, these rules may be brought to the notice of any group of employees who would like to form any Associations, and the status may be forwarded to the concerned Sections in the respective Directorates. The Action Taken Report in this regard may be forwarded to Manager (P), Prasar Bharati Secretariat.

3. Further, All Heads of Departments/Offices/Kendras/Stations of All India Radio, Doordarshan and CCW are requested to forward a detailed note regarding the fulfillment of the above conditions or otherwise in respect of the existing Association within their jurisdiction to the Concerned Section in the respective Directorates as the case may be and endorsing a copy to Manager (P), Prasar Bharati Secretariat latest by 30.11.2011 without fail.

4. This issues with the approval of the Competent Authority.

Encl.: As Above


(G. Jayalal)
ADG (P&T)
Tel.: 23352534

To,

- i. DG, Doordarsahn
- ✓ ii. DG, All India Radio
- iii. DDG (T), Prasar Bharati for putting up on the Prasar Bharati website prasarbharati.gov.in
- iv. Dy. Director Prog. (Policy), DG: AIR with a request to send a Satellite Message to all Stations/Kendras
- iv. All Zonal DDGs of AIR with a request to forward a copy of this Circular to all Offices within their jurisdiction.
- v. All Regional DDGs of Doordarshan with a request to forward a copy of this Circular to all Offices within their jurisdiction
- vi. All Head of Offices of AIR Stations through SCOR Section of DG: AIR
- vii. All Head of Offices of DDK Kendras through SCOR Section of DG: DDn

Copy to : Sr.PPS, CEO, Prasar Bharati for information.

No. 2/10/ 80-JCA (Vol. IV)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi , the 5th November, 1993.

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, after consultation with the comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department , and in suppression of the Central Civil Services (Recognition of Service Associations) Rules, 1959 except as respects things done or Omitted to be done before such super session, the president hereby makes the following rules, namely :

1. **Short title and commencement:** (1) These rules may be called the Central Civil Services (Recognition of Service Associations) Rules, 1993.

2. They shall come into force on the date of their publication in the official gazette.

2. **Definition :** In these rules , unless the context otherwise requires, -

(a) “ Government “ means the Central Government.

(b) “Government servant” means any person to whom the Central Civil Services (Conduct) Rules, 1964, apply.

3. **Application:** These rules shall apply to Service associations of all Government servants including civilian Government servants in the Defence Services but shall not apply to industrial employees of the Ministry of Railways and workers employed in Defence Installations of Ministry of Defence for whom separate Rules of Recognition exist.

4. **Service Associations already recognized :**

A Service Association or a federation which has been recognized by the Government before the commencement of these rules and in respect of which the recognition is subsisting at such commencement , shall continue to be so recognized for a period of one year from such commencement or till the date on which the recognition is withdrawn, whichever is earlier.

5. **Conditions for recognition of Service Associations:**

A service Association which fulfills the following conditions may be recognised by the Government, namely :-

- (a) An application for recognition of Service Association has been made to the Government containing Memorandum of Association , Constitution , Bye-laws of the Association , Names of Office-Bearers , total membership and any other information as may be required by the Government ;
- (b) the Service Association has been formed primarily with the object of promoting the common service interest of its members ;
- (c) membership of the Service Association has been restricted to a distinct category of Government servants having common interest , all such Government Servants' being eligible for membership of the Service Association ;
- (d) (i) The Association represents minimum 35 percent of total number of a category of employees provided that where there is only one Association which commands more than 35 per cent membership , another Association with second highest membership , although less than 35 per cent may be recognised if it commands atleast 15 per cent membership ;

(ii) The membership of the Government Servant shall be automatically discontinued on his ceasing to belong to such category ;
- (e) Government employees who are in service shall be members or office bearers of the Service Association ;
- (f) the service Association shall not be formed to represent the interests , or on the basis , of any caste , tribe or religious denomination or of any group within or section of such caste , tribe or religious denomination ;
- (g) the Executive of the Service Association has been appointed from amongst the members only ; and
- (h) the funds of the Service Association consist exclusively of subscriptions from members and grants , if any made by the Government , and are applied only for the furtherance of the objects of the Service Association.

6 Conditions subject to which recognition is continued :

Every Service Association recognized under these Rules shall comply with the following conditions , namely :-

- (a) the Service Association shall not send any representation or deputation except in connection with a matter which is of common interest to members of the Service Association ;
- (b) the Service Association shall not espouse or support the cause of individual Government servants relating to service matters ;
- (c) the Service Association shall not maintain any political fund or lend itself to the propagation of the view of any political party or a member of such party ;

- (d) all representations by the Service Association shall be submitted through proper channel and shall be addressed to the Secretary to the Government / Head of the Organisation or head of the Department or office ;
- (e) a list of members and office bearers , and up-to-date copy of the rules and an audited statement of accounts of the Service Association shall be furnished to the Government annually through proper channel after the general annual meeting so as to reach the Government before the 1st day of July each year ;
- (f) the Service Association shall abide by , and comply with all the provisions of its constitution / bye-laws ;
- (g) any amendment in the constitution / bye-laws of the Service Association , after its recognition under these Rules , shall be made only with the prior approval of the Government ;
- (h) the Service Association shall not start or publish any periodical , magazine or bulletin without the previous approval of the Government ;
- (i) the Service Association shall cease to publish any periodical , magazine or bulletin , if directed by the Government to do so , on the ground that the publication thereof is prejudicial to the interests of the Central Government , the Government of any state or any Government authority or to good relations between Government servants and the Government or any Government authority , or to good relations between the Government of India and the Government of a foreign State ;
- (j) the Service Association shall not address any communication to , or enter into correspondence with , a foreign authority except through the Government which shall have the right to withhold it ;
- (k) the Service Association shall not do any act or assist in the doing of any act which , if done by a Government servant , would contravene any of the provisions of the central Civil Services (Conduct) Rules, 1964 ; and
- (l) communications addressed by the Service Association or by any office-bearer on its behalf to the Government or a Government authority shall not contain any disrespectful or improper language.

7 Verification of Membership :

(1) The verification of membership for the purpose of recognition of a Service Association shall be done by the check-off-System in pa-rolls at such intervals and in such manner as the Government may by order prescribe.

(2) The Government may, at any time, order a special verification of membership if it is of the opinion , after an enquiry , that the Service Association does not have the membership required under sub-clause (i) of clause (d) of rules 5 .

Withdrawal of Recognition :

If, in the opinion of the Government, a Service Association recognized under these rules has failed to comply with any of the conditions set out in rule 5 or rule 6 or rule 7 the Government may after giving an opportunity to the service Association to present its case, withdraw the recognition accorded to such Association.

9 Relaxation :

The Government may dispense with or relax the requirements of any of these rules to such extent and subject to such conditions as it may deem fit in regard to any Service Association.

10. Interpretation :

If any question arises as to the interpretation of any of the provisions of these rules or if there is any dispute relating to fulfillment of conditions for recognition it shall be referred to the Government, whose decision thereon shall be final.

Sd/-
(J.S.Mathur)
Joint Secy. to the Govt. of India

NO.2/14/98-JCA
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, P.G. & PENSIONS
(DEPARTMENT OF PERSONNEL & TRAINING)
NORTH BLOCK, NEW DELHI

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NEW DELHI, THE 3rd JULY, 2002.

OFFICE MEMORANDUM

Sub: Guidelines for recognition of Federations of Service Associations/ Unions formed by the Central Government employees.

The undersigned is directed to say that as a matter of policy, Departments negotiate or correspond only with such of the Associations / Unions which have been granted recognition under the relevant Rules / Instructions.

2. The Central Civil Services (Recognition of Service Associations) Rules, 1993, cover all Central Government Employees (including Industrial Workers), to whom the CCS (Conduct) Rules, 1964 apply, excepting industrial employees of the Ministry of Railways and workers employed in Defence Installations in the Ministry of Defence. The question whether the Associations / Unions recognized under the aforesaid Rules may be allowed to form Federation, has been under consideration. After careful consideration, it has now been decided that the administrative Ministries / Departments may consider granting recognition to Federations with the approval of the Minister-in-charge subject to the condition that the affiliated Unions / Associations are recognized under the aforesaid 1993 Rules. For this purpose, following documents are required to be submitted by the Federation seeking recognition:

- i. Constitution and bye-laws
- ii. Authorisation letters of the Unions / Associations affiliated to the proposed Federation.
- iii. Membership of the individual affiliated recognized Unions / Associations based on the verification of membership under the check-off-system along with list of the office bearer, and the categories represented by them.
- iv. Names of the office bearers of the Federation.

2.1 The relevant provisions of the 1993 Rules are being amended separately.

3. It will be open to the Government to withdraw recognition at any time after giving an opportunity to the Federation to present its case, if they fail to comply with any of the conditions prescribed under Rule 6 of the aforesaid Rules or any other condition as may be prescribed in this regard.

3.1 It is also clarified that the continued existence of a Federation depends on the status of its affiliated Unions / Associations. The recognition of the Federation shall stand withdrawn if at any time its affiliated associations / unions are either derecognised for any reason or its affiliated Association / Union withdraw their affiliation to the said Federation, or, for any other related contingency.

4. If any Ministry / Department had granted recognition to any Federation, the same may be withdrawn immediately, if the above guidelines are not satisfied. The concerned Federation, if they so desire, may submit a fresh application seeking recognition in accordance with these guidelines.

5. These guidelines shall not apply to the industrial workers of Railways and Defence.

6. Before the proposal for grant of recognition to the Federations is processed, the Ministries/ Departments may refer one sample case to the Department of Personnel and Training for vetting of the draft Constitution and other relevant documents submitted by the Federation.

Hindi version will follow.

Sd/-
(Ranbir Singh)
Under Secretary to the Govt. of India
Tel: 309 4678

1. All Ministries/ Departments of Government of India.
2. UPSC/CVC/C&AG/ PM's Office/ Lok Sabha Secretariat / Rajya Sabha Secretariat/President's Secretariat/Vice President's Secretariat /Supreme Court /High Court/Central Administrative Tribunal.
3. All attached and subordinate offices of Ministry of Personnel, P.G. & Pensions/MHA
4. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi.
5. All Staff Members of the National Council (JCM).
6. All Staff Members of the Departmental Council (JCM), Ministry of Personnel,P.G. and Pensions.
7. Chairman / Secretaries, Central Government Employees Welfare Coordination Committee.
8. Deputy Secretary (Coordination), Delhi Govt. Secretariat, I.G. Stadium, I.T.O., New Delhi.
