

ALL INDIA DEFENCE EMPLOYEES' FEDERATION
INDIAN NATIONAL DEFENCE WORKERS' FEDERATION
BHARTIYA PRATIRAKSHA MAZDOOR SANGH
(RECOGNIZED FEDERATIONS OF DEFENCE CIVILIAN EMPLOYEES)

Joint Circular No. : 67/2020

Date : 07.10.2020

To,

**All the affiliated Unions of
AIDEF, INDWF, BPMS**

**INDEFINITE STRIKE CALL GIVEN JOINTLY BY THE AIDEF, INDWF & BPMS
IS A LEGAL STRIKE FULFILLING ALL THE RULES AND REGULATIONS !**

**LET US DEFEAT AND IGNORE ALL THE FALSE PROPAGANDA
AND CONSPIRACIES AGAINST OUR STRIKE !**

**BEFITTING REPLY TO DDP'S LETTER DATED 01/10/2020 GIVEN BY THE THREE
FEDERATIONS.**

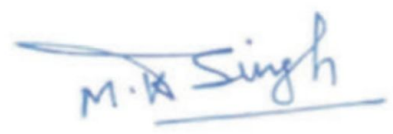
You are aware that the DDP/MoD is playing all types of mischief to disturb our proposed indefinite strike action. On 01/10/2020 the DDP issued a letter to all the Federations, which was circulated by OFB to all the Sr.GM/GMs of Ordnance Factories. The contents of the letter is that our strike notice has been issued relying on "**assumptions and apprehensions**". The letter further says that our strike notice is invalid and hence it is an illegal strike. This statement of the DDP is totally incorrect and false and has exposed the ignorance of the officials sitting in the DDP. The three Federations vide their Joint Letter dated 07/10/2020 addressed to Secretary(DP) has given a befitting and legal reply to the above letter of DDP. We are enclosing a copy of the Joint Letter dated 07/10/2020 along with a circular from the three Federations to be published in all the Notice Boards of the Factories. A copy of the letter may also be given to the Management with a covering/forwarding letter from the Unions. The letter dated 07/10/2020 is enclosed as **Annexure-I** and the Joint Appeal dated 07/10/2020 is enclosed as **Annexure-II** of this Joint Circular.



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Copy also to :

The General Secretaries

CDRA, NPDEF, AIBDEF,
DGOH HQ. Employees Associations & IOFSOA

For your kind information please

ALL INDIA DEFENCE EMPLOYEES' FEDERATION
INDIAN NATIONAL DEFENCE WORKERS' FEDERATION
BHARTIYA PRATIRAKSHA MAZDOOR SANGH
(RECOGNIZED FEDERATIONS OF DEFENCE CIVILIAN EMPLOYEES)

Ref. No. : 51/AIDF/INDWF/BPMS/20

Date : 07.10.2020

To,

The Secretary (DP)

Department of Defence Production

South Block, New Delhi.

Subject : Joint Strike Notice bearing Ref. No. 21/AIDF/INDWF/BPMS/20 dated 04.08.2020 for commencing indefinite strike from 6 AM on 12.10.2020 against the proposed move of the Government to Corporatize the Ordnance Factory Board.

Reference : MoD / DDP letter No. 23/2DA/2020-Estt.NG dated 01.10.2020.

Sir,

It is most unfortunate that the Government of India is depending on such Officials for implementation of the Corporatization of OFB as well as to deal with the Strike issue who doesn't know what is "Ordnance" and "Ordinance". It is regretted that instead of focusing on macro issues, dealing with National Security and Defence preparedness the MoD / DDP Officials are engaged in diverting the whole issue. The issuance of the above letter is one step in bullying with unfair power advantage that the Government has got, where it can stifle the voice of workers without any concern for their security of job, future existence of the Ordnance Factories and with scant regard to the Defence preparedness of the Nation.

In various forums, the Government has been raising concerns about performance of OFB to the extent of revealing Defence secrets at the cost of demoralizing Soldiers. It has been never expected that MoD would stoop so low to justify their action based on a Media offensive, where MoD silence only indicate that MoD thinks OFB is different from MoD and the same can be carried, seen from the silence of MoD without realization of the fact that MoD has got a hand in performance or non performance of OFB. Issue of this letter after a gap of more than 55 days, only shows the pace of decision making of MoD in the era of Industry 4.0.

The decision to going for the Strike was taken after exhausting all the avenues open to us and also after giving enough time for MoD to take a favorable decision on our strike demands. It is further mentioned that this decision is not taken based on assumption, presumption, apprehension or without factual reasons, as is being made out by the MoD vide its letter quoted under reference above.

In this connection we invite your kind attention to the press meet of Honorable Finance Minister on 16-5-2020 in which she has unilaterally and unambiguously informed that the Government has decided to Corporatize the Ordnance Factory Board with its listing in the Stock Exchange. She has also announced the policy of the Government that the PSUs will be privatized and in strategic sector there will be only four PSUs with the Government. The DDP is already having 9 PSUs under its control. It is also pertinent to mention here that the Hon'ble Prime Minister while addressing a conclave as Chief Minister of Gujarat has categorically mentioned that the birth of PSUs are only for its death, i.e. its closure. After the decision of the Cabinet Committee on Security to Corporatize the Ordnance Factories, in the terms of reference given to the EGoM it is clearly stated "**Conversion of Ordnance Factory Board in to a single Defence Public Sector undertaking (DPSU) or as Multiple DPSUs.**" Moreover once the OFB becomes a Corporation / Multiple Corporations, the employees will not get salary and other benefits from the consolidated fund of India/ Defence service estimates. Their service conditions will undergo a complete change. Therefore the statement made by the MoD in its letter dated 01-10-2020, that we are relying on assumptions and apprehensions are not tenable.

We thought it fit to remind the DDP about the existence of the "**Rules for Recognition of Unions**" which was brought into by the Ministry of Defence. Under the said rule, a form has been provided for notice of strike to be given by recognised Unions of the employees of the Defence Installations. The said format is replica of Form – L provided under the Industrial Disputes Rules and we have issued the strike notice by following the said format. Therefore, the requirement under Section – 22 (4) of the Industrial Disputes Act, 1947 read with Rule – 71 (1) of the Industrial Disputes (Central) Rules, 1957 has been complied with.

Again we thought it fit to inform the DDP that, the informing of five elected representatives of workmen, which is known as "Five-man committee" is necessitated where there is no Union. Here, the recognised federations have invoked the provisions of the ID Act and the Rules for recognition of Union and issued a strike notice.

The reasons for the strike has clearly explained in the explanatory note, and this has been annexed along with the strike notice. The Paragraph – 3 (iv) of your notice dated 01.10.2020 is clearly vouch for the same.

The federations have never contradicted from its stand. The Ordnance Factories are national assets, and they stood with the nation in all situation whether it is a war or a pandemic. But, it is to be noted that, though the workmen are working in the industry which is a public utility service, still have the right to strike under the Industrial Disputes Act and that has been rightly invoked by the Federations.

The unfounded allegation of defects in the strike notice quoted by the DDP in its letter dated 01.10.2020, shows that the DDP was misguided and desperate to stop the strike by using illegal means. The said actions of the DDP is nothing but unfair labour practice and thereby illegal.

It is pertinent to mention here that, under the Industrial Dispute Act, 1947 the employer has not empowered to decide about the validity of the strike or the strike notice, and therefore the DDP has no authority to term our strike notice as untenable and illegal.

The Section – 23 (a) of the Industrial Disputes Act, 1947 would be applicable when the conciliation is pending before a Board, which has been constituted under Section – 5 of the ID Act. Here, no such Board of Conciliation has been constituted and therefore this allegation is also untenable.

Without prejudice to the above, we are prepared to attend the meeting before the CLC(C) on 09.10.2020, and the federations will decide the further course of action, by taking into consideration of the outcome of the said meeting.

The voice of workers through the Federations is against such irrational decision taken by the Government. The Strike notice served by the Federations would try to protect against the long distance selling of the National Assets of OFB at throw away prices after making them sick through Corporatization, which can be read through any common man with a bit of intelligence. Thus all the more it is important for the workers to fight against the injustice for an infrastructure they have built despite the tantrums and lack of support of MoD, which has been instrumental in the so called failing of OFB. Thus Federations invoke the spirit of the Father of Nation and would be looking to the only mechanism available with them for peaceful struggle of life and death for the service conditions of employees that are in National Interest for preservation of War Reserve.

Thanking you,

Yours Sincerely,



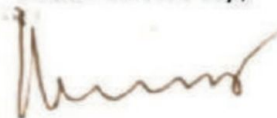
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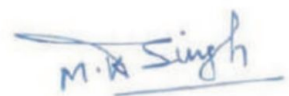
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Copy to :

- 1) **The Secretary to Government of India,**
Ministry of Defence (D/JCM)
South Block, New Delhi- 110001.
- 2) **The Chairman**
Ordnance Factory Board,
10-A, S.K.Bose Road, Kolkatta – 700 001.
- 3) **The Chief labour Commissioner(C)**
Office of the CLC (C) HQ.,
Ministry of Labour and Employment
Shram Shakti Bhawan. New Delhi
- 4) **The Sr. GMs / GMs**
All Ordnance &
Ordnance Equipment Group of Factories.

For your kind information
& favourable action please

ALL INDIA DEFENCE EMPLOYEES' FEDERATION
INDIAN NATIONAL DEFENCE WORKERS' FEDERATION
BHARTIYA PRATIRAKSHA MAZDOOR SANGH
 (RECOGNIZED FEDERATIONS OF DEFENCE CIVILIAN EMPLOYEES)

Date : 07.10.2020

FOR THE ATTENTION OF ALL THE EMPLOYEES OF ORDNANCE FACTORIES !

**INDEFINITE STRIKE CALL GIVEN JOINTLY BY THE AIDF, INDWF & BPMS IS
A LEGAL STRIKE FULFILLING ALL THE RULES AND REGULATIONS !**

**LET US DEFEAT AND IGNORE ALL THE FALSE PROPAGANDA AND
CONSPIRACIES AGAINST OUR STRIKE !**

**LET ALL OF US PARTICIPATE IN THE STRIKE VOLUNTARILY, REMAIN AT HOME
FROM 12-10-2020 AND MAKE THE STRIKE A GRAND SUCCESS !**

Dear Comrades and Friends,

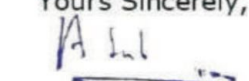
All of you are aware that we are jointly fighting not for any economic demands. Our this fight is to save the 219 years old Ordnance Factories from liquidation and closure. We cannot allow our Ordnance Factories to be Corporatized and to be handed over to private Corporates. After the announcement of the Finance Minister on 16.05.2020, the Federations, Unions and Associations are relentlessly fighting against the Government decision. Since the Government is not prepared to listen to us we have decided to go for an Indefinite Strike from 12.10.2020 onwards. In spite of all the odd situation like COVID-19 virus all of you are fully prepared to participate in the Strike. Worried with this commitment of the employees of Ordnance Factories the Government is using all pressure and conspiracy to divert the attention of the employees by attempting to declare our Strike illegal. Our strike is totally legal and within the frame work of all the Government Orders ID Act 1947 and other Rules and Regulations. We have given a befitting reply today to the DDP, which we are enclosing herewith. Therefore nothing to worry, let us go ahead with the preparations and the commitment for the Indefinite Strike. We cannot allow Ordnance Factories to face the fate of BSNL. Only our united struggle can save the Ordnance Factories from this present crisis. Let us be united and march forward to save our Ordnance Factories.

Thanking you,

Yours Sincerely,


(S.N.PATHAK)

President/AIDF

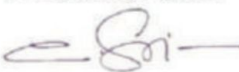

(ASHOK SINGH)

President/INDWF

s/d

(G.THIRUKUMAR)

President/BPMS


(C. SRIKUMAR)

General Secretary/AIDF

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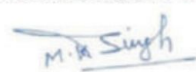
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