

**GOVERNMENT OF MIZORAM
HEALTH & FAMILY WELFARE DEPARTMENT**

No. A.12013/10/2021-HFW : Dated Aizawl, the 19th December, 2021.

NOTIFICATION

Subject: Prohibition of Strike of any employees under the Health & Family Welfare Department, Government of Mizoram, due to the Covid-19 pandemic, under section 3 of the Mizoram Essential Services Maintenance Act, 1990.

1. Whereas, the Government of Mizoram has notified the Mizoram Essential Services Maintenance Act, 1990 (Act No. 15 of 1990) vide Memo No. F. 13013/1/90-LJD dated 27th August, 1990 in which the definition of 'essential service' includes, "*any service connected with Public Health, Sanitation, Hospitals, Dispensaries*". As such, all the services of the Health & Family Welfare Department are included the definition of 'essential service',

2. And Whereas, under the said Act, the definition of 'Strike' means "*the cessation of work by a body of persons employed in any Essential Service acting in combination or a concerted refusal or a refusal under a common understanding of any number of persons who are or have been so employed to continue to work or to accept employment and includes –*

- (i) *refusal to work overtime where such work is necessary for the maintenance of any Essential Service;*
- (ii) *any other conduct which is likely to result in or results in cessation or substantial retardation of works in any Essential Service;*
- (iii) *Showing token strikes and taking of leaves or absence from the place of duty owing to refusal of work to which he is ordinarily employed in any of such Essential Service.*

3. And Whereas the COVID-19 is still prevalent in the State of Mizoram causing the physical and mental health of persons and loss of precious human lives;

4. And Whereas, in the wake of the Omicron variant of the SARS-COV-2 (Covid-19 virus) there is an urgent necessity to keep close vigil on the incidence of any local and regional spread of the pandemic, and to ensure early detection and prompt treatment of any Covid-19 cases more than ever;

5. And Whereas, under the circumstance, any Strike if organised by any section or category of the employees under the Health & Family Welfare Department would adversely

affect the healthcare service delivery, not only for the Covid-19 related cases, but also for any other illness a person could already have or might contract, which could render him/her more susceptible to the Covid-19:

6. **Now, THEREFORE**, the Government of Mizoram, in exercise of the powers conferred by **section 3** of the **Mizoram Essential Services Maintenance Act, 1990** as amended from time to time, and being satisfied that there is sufficient ground and that it is expedient so to do in the interest of the public, is pleased to hereby order that –

- (1) No employees under the Health & Family Welfare Department, Government of Mizoram shall organise any Strike as defined under the Mizoram Essential Services Maintenance Act, 1990 as amended from time to time; and
- (2) Any Strike declared or commenced whether before or after the issuance of this Order by persons employed under the Health & Family Welfare Department shall be illegal.
- (3) Any person violating this Order shall be liable to both the punishment and disciplinary action as provided under **section 6 of the said Act**.
- (4) **All Heads of Departments and Heads of Offices under the Health & Family Welfare Department** shall ensure compliance by all concerned in their respective offices.
- (4) This Order shall be effective from **07:00 PM** of **19th December, 2021** for a period of **6 (six) months** from the date of issuance unless rescinded or extended by the Government.

 19/12/21

(R. LALRAMNGHAKA)

Secretary to Government of Mizoram
Health & Family Welfare Department.

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Copy to:

1. Secretary to the Governor, Govt. of Mizoram.
2. P.S to Chief Minister, Govt. of Mizoram.
3. P.S. to Deputy Chief Minister, Govt. of Mizoram.
4. P.S to Speaker, Ministers, Deputy Speaker, Ministers of State, Deputy Govt. Chief Whip, Vice Chairman, Lunglei HPC, Vice Chairman, State Planning Board.
5. P.S to MLA & Vice Chairman, H&FW Board.
6. Sr. PPS to Chief Secretary, Government of Mizoram.
7. P.S to Director General of Police, Government of Mizoram.
8. PPS to Secretary, Health & Family Welfare Department.
9. PPS to Secretary, Home/DM&R Department
10. All Deputy Commissioners, Mizoram.

11. Principal Director, Health & Family Welfare Department, Govt. of Mizoram.
12. Director, Health Services, H&FW Department, Govt. of Mizoram.
13. Director, Hospital & Medical Education, H&FW Department, Govt. of Mizoram.
14. Director, Zoram Medical College, Falkawn.
15. Director, Information & Public Relations, Govt. of Mizoram for wide circulation through various media.
16. Controller, Printing & Stationery, with 5 spare copies and soft copy for publication in the Mizoram Gazette.
17. Mission Director, NHM, Mizoram.
18. All Superintendents of Police, Government of Mizoram for necessary action.
19. All Medical Superintendents.
20. All Chief Medical Officers.
21. Web Manager, IT Section, Directorate of Health Services.
22. Guard file.

Darius 19/12/21

Secretary to the Govt. of Mizoram,
Health & Family Welfare Department