

# Essential Defence Services Bill, 2021

July 24, 2021

**In news-** Essential Defence Services Bill, 2021 has been introduced in the Lok Sabha recently.

## **About the bill-**

- The Bill will replace the Essential Defence Services Ordinance which was promulgated on June 30.
- It amended the Industrial disputes act 1947 to include essential defence services under public utility services.
- **Aim is** preventing the staff of the government-owned ordnance factories/ essential defence services from going on a strike.
- Essential defence services” means–

Any service in **any establishment or undertaking dealing with production of goods or equipment required for any purpose connected with defence**, the armed forces of the Union or in any other establishment or installation connected with defence.

Any service in any section of any establishment connected with defence, on the working of which the safety of such establishment or employee employed therein depends.

Any other service, as the Central Government may, by notification in the Official Gazette, declare to be essential defence services.

- The bill mentioned that **it is meant to provide for the maintenance of essential defence services so as to secure the security of the nation** and the life and property of public at large.

- **The bill empowers the central government to prohibit strike in essential defence services** and provides for disciplinary action, including dismissal, against employees participating in strike.
- It also provides for **penalties for illegal strikes**, instigation thereof and providing for financial aid to such illegal strikes.
- The bill provides for **dismissal of employees participating in illegal strikes** and penalizes illegal strikes with imprisonment one year and fine.
- It also penalizes any person, who instigates or incites another person to take part in with imprisonment for a term which may extend to two years, or with fine.
- It also lays a penalty for giving financial aid to illegal strikes.
- All offences punishable under this Act shall be cognizable and non-bailable.
- **Definition of strikes-** "Strike" means the cessation of work, go-slow, sit down, stay-in, token strike, sympathetic strike or mass casual leave, by a body of persons engaged in the essential defence services, acting in combination or a concerted refusal under a common understanding of any number of persons who are or have been so engaged to continue to work or to accept employment.
- It also includes refusal to work overtime, where such work is necessary for the maintenance of the essential defence services.
- If the Central Government is satisfied that in the public interest; or interest of the sovereignty and integrity of India; or security of any State; or public order; or decency; or morality, it is necessary or expedient so to do, it may by general or special order, prohibit lock-outs and layoff in the industrial establishments or units engaged in the essential defence services.

## **Indian Ordnance Factories –**

- It is the **oldest and largest industrial set up which functions under the Department of Defence Production** of the Ministry of Defence.
- The ordnance factories form an integrated base for indigenous production of defence hardware and equipment, with the primary objective of self-reliance in equipping the armed forces with the state-of-the-art battlefield equipment.
- In order to improve autonomy, accountability and efficiency in ordnance supplies, the Government decided to convert the Ordnance Factory Board into one or more one hundred per cent government-owned corporate entity or entities to be registered under the provisions of the Companies Act, 2013.