

Ravindra Kumar Dutta Ors. vs Union Of India (Uoi) And Anr. on 22 July, 1986

Equivalent citations: 1986(2)SCALE125, (1986)3SCC587, AIRONLINE 1986 SC 15, 1986 SCC (L&S) 681 1986 (3) SCC 587, 1986 (3) SCC 587

Bench: M.M. Dutt, O. Chinnappa Reddy

ORDER

1. Dr. Chitale has squarely raised the question of vires of Rule 5 of Central Civil Services (Conduct) Rules, 1964 the effect of which is to ban Government employees from participation in any form of political activity. He contends that the ban offends Article 19(1)(a) and (c) and that it is not protected by Clauses (2) and (4) of Article 19 as it cannot be said to have been imposed in the interest of the sovereignty and integrity of India or public order or morality. Dr. Chitale relies upon the decisions of this Court in and , which to the extent that they go, appear to support his contention. The question raised is of great importance and the acceptance of the contention may lead to complete revision of the accepted Civil Service Philosophy. We think it is desirable that these matters should be heard by a Constitution Bench. The Registry will seek appropriate directions from Hon. the Chief Justice.