

Essential Services Operation Act, 2014 (1957)

Date of Royal Seal and Publication

2014/8/21 (Dec. 6, 1957)

Act No. 15 of the year 2014 (1957)

An Act Enacted to Give Undisturbed Continuity to the Essential Services

Whereas it is expedient to make necessary and proper arrangement to maintain undisturbed continuity of essential services for the purpose of not disturbing the ordinary life maintenance of the people; now, therefore, His Majesty the King has enacted and issued this Act.

1. **Short Title Extension and Commencement:** (1) The name of this Act shall be the Essential Services Operation Act, 2014 (1957)
 - (2) This Act shall prevail throughout Nepal.
 - (3) This Act shall come into force immediately.
2. **Definition:** Unless the context or subject means otherwise, in this Act;
 - (a) "Essential Service" means the following service:
 - (1) Post Office, telegram or telephone service,
 - (2) Transportation service transporting the passengers or goods from the water, land or air transport,
 - (3) Service relating to civil aviation office or the function of control of aircraft, operation or repair of the same,
 - (4) Service relating to airport, railway station or the function to transport goods, keep, withdraw or store in the governmental store house,

- (5) Service relating to mint or governmental press,
 - (6) Any service of defense affairs of Government of Nepal relating to the function of arms, ammunition or production of any military goods, storing, distributing, and
 - (7) Any other service prescribed by the Government of Nepal by publishing a notice in the Nepal gazette.
- (b) "Strike" means the preplanned or collective action of stopping the function of essential service or denying to accomplish or continue the function by all or some persons among those being assigned or appointed for any essential service.

3. **Right of the Government of Nepal to Restrict Strike:** (1) The Government of Nepal, if it is deemed necessary and appropriate for public welfare, can impose restriction on strike in any essential service prescribed in an order published in the Nepal Gazette by publishing a notice.

(2) Each order issued under subsection (1) shall prevail for 6 months.

(3) After issue of an order by Government of Nepal under subsection (1) :-

(1) Any person assigned in any essential service prescribed in such order shall not be eligible to strike or participate in strike or continue to participate in the strike.

(2) Strike committed prior to or after publication of such notice or declaration of committing strike afterwards by the persons assigned in such service shall be deemed as illegal.

4. **Punishment to a Person Committing the Restricted Strike or Participating or Continuing to Participate in the Same:** In case a person commits any strike restricted under this Act or participates or continues to participate in the same, he shall be punished with an imprisonment up to 6 months or fine up to Rs. 200.00 (Rs. two hundred) or both.
5. **Punishment to an Encourager:** If a person encourages to others to commit strike restricted under this Act or participate or continue to participate in the same, he shall be punished with an imprisonment up to one year or fine up to Rs. 1000.00 (Rs. one thousand) or both.
6. **Punishment to a Person Contributing in Cash to a Restricted Strike:** If a person intentionally contributes in cash to any strike restricted under this Act, he shall be punished with an imprisonment up to one year or fine up to Rs. 1000.00 (Rs. one thousand) or both.
7. **To be Carried an in a Situation of Inconsistency with Other Laws of Nepal:** Notwithstanding anything written in the prevailing laws of Nepal, the matter written in this Act and the order issued under this Act shall be carried on accordingly and the other matters shall be carried on under the prevailing law of Nepal.

N.B.: 1. Terms changed by the Nepal Interim Statute (Fourth Amendment), 2015 (1958):

"His Majesty's Government" in lieu of "Government".

2. Terms changed by the Nepal Law (Amendment) Act, 2024 (1967):

"Rajpatra" in lieu of "Gazette".

3. Terms changed by the Some Nepal Law Amending Act, 2063 (2006):

"Government of Nepal" in lieu of "His Majesty's Government".