

CONDUCT RULES

General

The essence of Conduct Rules is that every Government servant is required to ensure absolute integrity and devotion to duty. He should not do anything which is unbecoming of a Government servant. A supervisory officer has to ensure integrity and devotion to duty of Government servants under his control and authority. A Government servant should act in his best judgement while performing his official duties. When a Government servant seeks instructions or approval from a superior officer when it was not necessary, he continues to be responsible. The official superiors should give directions to subordinates in writing. If giving oral directions becomes unavoidable, such directions should be confirmed in writing.

2. In so far as CCS (Conduct) Rules, 1964 are concerned, "Members of family" in relation to a Government servant includes:-

- (i) the wife or husband as the case may be, of the Government servant, whether residing with the Government servant or not but does not include a wife or husband, as the case may be, separated from the Government servant by a decree or order of a competent Court;
- (ii) son or daughter or step-son or step-daughter of the Government servant and wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the Government servant or of whose custody the Government servant has been deprived by or under any law;
- (iii) any other person related, whether by blood or marriage to the Government servant or to the Government servant's wife or husband, and wholly dependent on the Government servant.

(Rule – 2)

3. An amendment to sub-rule (1) of Rule 3 of Central Civil Services (Conduct) Rules, 1964 vide OM No. F. No. 11013/6/2014-Estt.A dated 10th December, 2014 highlighted the need for a code of Ethics and Values for Civil Services and amended the rule comprehensively as follows:

Every Government servant shall at all times-

- (i) Maintain absolute integrity;
- (ii) Maintain devotion to duty;
- (iii) Do nothing which is unbecoming of a government servant;

- (iv) Commit himself to and uphold the supremacy of the constitution and democratic values;
- (v) Defend and uphold the sovereignty and integrity of India, the security of the state, public order, decency and morality;
- (vi) Maintain high ethical standards and honesty;
- (vii) Maintain political neutrality;
- (viii) Promote the principles of merit, fairness and impartiality in the discharge of duties;
- (ix) Maintain accountability and transparency;
- (x) Maintain responsiveness to the public, particularly to the weaker section;
- (xi) Maintain courtesy and good behaviour with the public;
- (xii) Take decisions solely in public interest and use or cause to use public resources efficiently, effectively and economically;
- (xiii) Declare any private interests relating to his public duties and take steps to resolve any conflicts in a way that protects the public interest;
- (xiv) Not place himself under any financial or other obligations to any individual or organisation which may influence him in the performance of his official duties;
- (xv) not misuse his position as civil servant and not take decisions in order to derive financial or material benefits for himself, his family or his friends;
- (xvi) Make choices, take decisions and make recommendations on merit alone;
- (xvii) Act with fairness and impartiality and not discriminate against anyone, particularly the poor and the under-privileged sections of society;
- (xviii) Refrain from doing anything which is or may be contrary to any law, rules, regulations and established practices;
- (xix) Maintain discipline in the discharge of his duties and be liable to implement the lawful orders duly communicated to him;
- (xx) Maintain confidentiality in the performance of his official duties as required by any laws for the time being in force, particularly with regard to information, disclosure of which may prejudicially affect the sovereignty and integrity of India, the security of the State, strategic, scientific or economic interests of the State, friendly relation with foreign countries or lead to incitement of an offence or illegal or unlawful gain to any person;
- (xxi) Perform and discharge his duties with the highest degree of professionalism and dedication to the best of his abilities.

(Rule-3)

A Government servant would be deemed to be lacking in devotion to duty if he habitually fails to perform the tasks within the given time and expected quality. Following shall further be ensured by a Government servant:

- Not to act in a discourteous manner.
- Not to adopt delaying tactics in the disposal of work.
- Follow Government policies regarding age of marriage, preservation of environment, protection of wildlife and cultural heritage and prevention of crime against women.
- Avoid indulgence in any act of sexual harassment of any woman at work place. An officer in-charge of a work place should take appropriate steps to prevent such harassment.

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- It is the duty of Government servant who is convicted in a criminal court to inform his official superior of the fact of conviction and the circumstances at the earliest. Failure to do so will be treated as suppression of material information and he will be liable to disciplinary action.
- The intimation about arrest and connected circumstances should also be reported to superior officer even if released on bail.
- A Government servant can participate in activities or work of public utility provided these do not interfere with the performance of his official duties. This applies to activities organized by Govt. Department or Bharat Sewak Samaj and not by private organization.
- A Govt. servant can be permitted to join as volunteer in the Civil Defence Service.
- A Govt. servant can enroll as member of St. John Ambulance Brigade and receive training but this should not interfere in discharge of his duties.
- A Govt. servant may be permitted to join Home Guards Organization.
- A Govt. servant may be permitted to join the Territorial Army.

- In matters relating to grievance concerning employment or conditions of service, a Govt. servant may first exhaust the normal official channels before taking the matter to a Court. In any case permission is not necessary for suing the Government in a Court of Law.
- A Govt. servant must be impartial and must not show undue favor or ill will in his official dealings.
- A Govt. servant should show courtesy and consideration to Members of Parliament and of State Legislature. He should consider carefully and listen patiently to what the Members may have to say. He should always act according to his best judgement.
- Making of joint representation by Govt. servants amounts to subversive of discipline.

Alignment of Service Rules with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013:

On promulgation of the 'Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013' { SHWW (PPR) Act } and notification of the 'Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013', providing for a redressal mechanism for handling cases of sexual harassment at workplace, Rule 3-C of CCS (Conduct) Rules, 1964 has been amended as follows:

Rule 3-C: Prohibition of sexual harassment of working women:

- (1) No Government servant shall indulge in any act of sexual harassment of any woman at any work place.
- (2) Every Government servant who is in charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

The rule also details as to what entails sexual harassment, and what constitutes a workplace.

(Rule- 3 C)

4. Employment of near relatives of Government servants in companies or firms.

A Government servant should not use his influence to get employment for members of his family in any company or firm. A Class-I officer shall seek previous sanction of the Govt. for permitting his son, daughter or other dependent to accept employment in any company or firm with which he has official dealings. The same condition will also apply in case of a company or firm having official dealings with the government. In case of urgency the matter should be reported to the government and employment accepted provisionally. A Government servant needs to inform the prescribed authority the fact of his family member accepting employment in a company or firm and also intimate if he had any official dealings with that company or firm. Every matter concerning giving of contract to any company or firm in which any member of his family is employed should be reported to the official superior and disposed as per the instructions received.

(Rule – 4)

Government of India's Decisions

- Employment includes apprenticeship with firms, whether paid or unpaid
- Government servants other than Group 'D' employees need to furnish information in report of their close relations when first appointed to the service.

5. Taking part in politics and elections

A Govt. servant should not be associated with any political party or organisation which takes part in politics. He should prevent members of his family from assisting any movement or activity which is subversive of the Government. If he is unable to do so he should report the matter to the Government. With regard to a question whether any organisation takes part in politics or movement/activity being subversive of Government, the final decision will be taken by the Government. Further, a Government servant should not canvass, influence or participate in any manner in an election to legislature or Local Authority. A Government servant has, however, a right to cast his vote without disclosing the manner in which he would vote. At the same time he would not be liable to have contravened the provision if he is assigned the responsibility of conducting an election under a prevalent law. The act of displaying electoral symbol on his vehicle etc. would amount to using his influence in the election.

(Rule-5)

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- A Govt. servant intending to join or participate in activities of any organisation should ensure that its aims and activities are not objectionable.

- Attendance at meetings organized by a political party should not be contrary to the prescribed provisions. If it is a public meeting, it is not contrary to any prohibiting order and the Govt. servant himself does not speak or takes a prominent part.
- Normal arrangement during election tours of Ministers and arrangements by district offices for providing normal courtesies to Ministers is permitted.
- A Govt. servant who proposes or seconds the nomination of a candidate at an election or acts as a political agent commits a breach of the Conduct Rules.
- A Govt. servant should maintain political neutrality in all respects.
- Taking part by a Govt. servant in a meeting or demonstration by a political party should be avoided.
- Govt. servants should keep away from demonstrations organized by political parties held in the neighbourhood.
- Participation in the activities of Dharma Pracharak Sanstha and Door Darshi Party is liable to disciplinary action.

6. **Joining of Associations by Government servants**

A Government servant should not be connected to an association whose aims & objectives or activities are prejudicial to the interests of:-

- sovereignty and integrity of India or
- public order or
- morality

(Rule-6).

Government of India's Decisions

- Individual Govt. servants or their associations/unions do not have any right to display posters or other notices on the walls, doors etc. of the office premises
- Action for violation of Rule-6 relating to joining of association by Govt. servants action can be taken by a disciplinary authority when an authority not below the level of Head of Deptt. decides the activities of the Association attract provisions of Rule

7. **Demonstration and Strikes**

A Govt. servant should not participate in any demonstration which is prejudicial to the interests of sovereignty and integrity of India, security of State, friendly relations with foreign States, public order, decency or morality, contempt of Court defamation or incitement to an offence. He should also not engage in strike or coercion relating to any matter concerning his service or that of other Govt. servant.

(Rule-7)

Government of India's Decisions

- A Govt. servant who in an office bearer of an Executive Committee of a Service Association should not deal with representations or other matters related to the Association.
- Participation of Government servant in 'Gherao' which involves forcible confinement of public servants would amount to subversion of discipline and harmful to public interest and would attract the relevant disciplinary provisions.
- Holding meetings/demonstrations by Govt. servant without permission within the office premises is strictly prohibited.

8. Connection with Press or Other Media

A Government servant requires previous sanction of the Govt. to own or participate in the editing/management of any newspaper or periodical publication or electronic media. The sanction is not needed in the bona fide discharge of his official duties like publishing a book or participate in a public media.

(Rule-8)

Government of India's Decision

- The time limit prescribed for grant of permission may be adhered to.

9. Criticism of Government

A Government servant cannot make any statement of fact or opinion via any broadcast or document or press directly or indirectly, which is an adverse criticism of any recent or current policy of the Central/State Government. This will also apply in cases which are capable of embarrassing the relations between Central Govt. and State Govt. and Central Govt. and Foreign State. This will not apply when a Govt. servant makes statements or expresses views in his official capacity.

(Rule -9)

Government of India's Decision

- The Govt. servant visiting abroad should avoid making any written or oral statement without prior approval.

10. **Evidence before Committee or any other Authority**

A Government servant requires previous sanction of the Government for giving evidence in connection with an enquiry conducted by any person, committee or authority. However, he shall not criticize the policy or any action of the Government. This does not apply in case of evidence given at enquiry before an authority of Government, evidence given in a judicial enquiry or evidence given at a departmental enquiry.

(Rule- 10)

Govt. of India's Decisions

The witnesses while appearing before a Parliamentary Committee should follow points of conduct and etiquette some of which are as follows:-

- give due respect to the Chairman and Committee/Sub-Committee
- to speak when asked
- make submissions in courteous and polite language etc.

Govt. servants are free to submit memoranda to the Commission and give frank expression to their personal views but there should not be given any publicity. Memoranda can also be submitted to the Pay Commission.

11. **Communication of Official Information**

A Govt. servant should communicate information in good faith to a person as per Right to Information Act, 2005. He should not in other cases communicate any official document or classified information to any Government servant or any other person to which he is not authorized to communicate such information.

(Rule – 11)

12. **Subscriptions**

A Government servant requires previous sanctions of the Government for asking or accepting contributions or associating with raising of any fund or collections.

(Rule-12)

13. **Gifts**

A Govt. servant shall not accept or allow a member of his family to accept any gift. On occasions like Weddings, anniversaries or religious functions gifts may be accepted from near relatives or personal friends who have no official dealings with him in terms of religious and social practice. However, such relatives and personal friends should not have official dealings with the Government servant. He shall report the fact of accepting gift to the Government if the value of gift exceeds certain monetary limits. These are as follows: -

Holders of Group 'A' post	-	above Rs. 25,000/-
Holders of Group 'B' post	-	above Rs. 15,000/-
Holders of Group 'C' post	-	above Rs. 7,500/-

A Government servant, in other cases, cannot accept a gift without the sanction of Government if the value exceeds certain monetary limits. These are as follows: -

Holders of Group 'A' or Group 'B' post	-	above Rs.5000/-
Holders of Group 'C'	-	above Rs.2000/-

A Government Servant, being a member of Indian delegation or otherwise, may receive and retain gift from foreign dignitaries in accordance with the Foreign Contribution (Acceptance or Retention of Gifts or Presentations) Rules, 2012.

(Rule -13)

Govt. of India's Decisions

- I. A Govt. servant shall not be permitted to accept gifts of more than trifling value at the time of transfer. He can accept gifts at the time of retirement from members of staff with prior permission, if required.
- II. Acceptance of passage and hospitality by officers from foreign contracting firms is not permissible.
- III. For receipt of gifts on occasions like weddings from persons having official dealings with the Govt. servants, sanction of Govt. will be required, if the amount exceeds the prescribed limits.

14. **Dowry**

A Government servant shall not give or take dowry. He should also not demand directly or indirectly and dowry from the parents or guardian of a bride or bridegroom.

(Rule 13-A)

15. Public Demonstration in Honour of Government servants

A Government servant cannot receive any complimentary address in his honour or of other Government servant without a previous sanction of the Government. He is however permitted to participate in a farewell entertainment of a private and informal character held in his honour or that of other Government servant on his retirement or transfer. A Govt. servant is also allowed to attend simple and inexpensive entertainments arranged by public bodies or institutions.

(Rule -14)

16. Private Trade or Employment

A Govt. servant requires previous sanction of the Government for following:-

- Engage in any trade or business
- Negotiate for any other employment
- Hold an elective office or canvass for a candidate for an elective office. A Govt. Servant is allowed to hold elective office for a period of two terms or for a period of 4 years whichever is earlier.
- Canvass or support of any business of insurance/commission agency owned or managed by his family
- Take part in registration, promotion or management of any bank or company or cooperative society for commercial purposes.
- Associate in the making of a radio or television programmes, produced by a private agency and a privately produced media programme including a video magazine.

Previous sanction will not be required when a Government servant participate in his official capacity in a programme produced or commissioned by Government media. A Govt. servant does not require previous sanction of the Government for the following:-

- Undertake honorary work of social or charitable character
- Undertake occasional work of a literary, artistic or scientific character
- Participate in sports activities as an amateur
- Participate in registration, promotion or management of a literary, scientific or charitable society which work for promotion of sports, cultural or recreational activities. It is to be ensured that his official duties do not suffer and within one month of participating in such activities he should provide such details to the government.

- Take part in the registration, promotion or management of a cooperative society for benefit of Government servants. He will discontinue participation if directed by Government. He will ensure his official duties do not suffer and within one month should provide details to the Government.

A Govt. servant should report to the Government the details of his family members engaged in a trade or business or own or manage an insurance agency. A Govt. servant may not accept any fee for work done for a private or public body without sanction of the prescribed authority. He can do so if it is permitted under general or special orders of Government.

(Rule-15).

Govt. of India's Decisions

- I. Acceptance of part-time examiner ship of examination papers set by recognized universities is permissible provided the official duties do not suffer.
- II. Sanction of the Govt. will be required for acceptance of a part-time lectureship in the nature of regular remunerative occupation.
- III. Prior permission is necessary for accepting remuneration for services rendered to Co-operative Societies.
- IV. Private practice (consultancy work or of other type of work) is not permissible
- V. A Govt. servant can be permitted to enrol himself as an Advocate but cannot engage in legal profession till he is in Govt. service.
- VI. Prior sanction is necessary for contesting/canvassing in election to sports bodies.

17. Subletting and Vacation of Government Accommodation

A Government servant shall not sublet or lease accommodation allotted to him. He should vacate the accommodation when cancelled within the prescribed time limit.

(Rule15-A)

18. Investments, Lending and Borrowing

A Government servant should not speculate in any stock, share or other investment. He can however, make occasional investments through duly authorized stock brokers or persons registered under law. Speculation means frequent purchase or sale of shares, securities or other investments. A Government servant or his family member should not make investment which

might embarrass him in discharge of his duties. He should not apply either himself or through his family member for allotment of shares in the initial Public Offerings of a Central Public Sector Enterprise.

A Govt. servant should further not lend or borrow or deposit money from/to any person or firm or private limited company which may place him under a pecuniary obligation. He can also not lend money to any person at interest for which something is charged. This will not, however, apply in the ordinary course of business with a Bank or public limited company.

A Government Servant can raise a temporary loan from a relative or a personal friend free of interest.

[Rule-16]

19. **Insolvency and Habitual Indebtedness**

A Government servant is required to manage his private affairs in such way that he avoids habitual indebtedness of insolvency. If any legal proceedings are instituted against him for recovery of any debt he shall report the facts to the Government.

[Rule-17]

20. **Movable, Immovable and Valuable Property:**

A Government servant when first appointed should submit details of his assets and liabilities regarding immovable property in his name or members of his family or any other person. Details of shares, debentures and cash and other movable property will also be provided by him along with debts and liabilities incurred directly or indirectly.

The Annual Property Returns required to be filed under the Central Civil Services (Conduct) Rules, 1964 may be filed in the prescribed form 11. The returns are required to be filed by all the Government servants belonging to Group 'A' & 'B', 'C' and erstwhile Group 'D', in terms of Rule 18 (4) of the CCS (Conduct) Rules, 1964 which empowers the Government to require a Government servant to submit a statement of movable or immovable property as may be specified in the orders from time to time.

A Government Servant shall acquire or dispose immovable property in any manner with previous knowledge of the prescribed authority. If such transaction is with a person with whom he has official dealings, previous sanction of the

prescribed authority shall be obtained. Transaction include purchase, sale and lease but not renting.

In case of a transaction of movable property by a Govt. Servant, he is required to report the same to the prescribed authority within one month of the date of transaction. This is applicable when the value of such property exceeds two months basic pay. If the transaction is with a person with whom the Govt. servant has official dealings, previous sanction of the prescribed authority shall have to be obtained.

The Government or prescribed authority can seek details of movable or immovable property from a Government servant. This may include the means by which the property was acquired.

(Rule – 18)

Government of India's Decisions

- Bidding by Govt. officers is prohibited where auctions are arranged by their own officers
- A charge of corruption arises reasonably if a Govt. servant is not able to satisfy his assets in movable and immovable property

21. Restrictions in Relation to Acquisition and Disposal of Immovable Property outside India and Transactions with foreigners etc

A Government servant would require previous sanction of the Government for the following:-

- Acquire immovable property located outside India.
- Dispose of any immovable property situated outside India which was in his name or that of his family.
- Enter into any transaction with a foreigner or foreign Govt. for acquisition of any immovable property and for disposal of any immovable property.

(Rule 18-A)

22. Vindication of Acts And Character of Govt. Servant.

A Government should not have recourse to any Court or press for vindication of official act which has been a subject of criticism. For doing this, he would require previous sanction of the Government. If the sanction is not available within three months it will be assumed that the permission is available. Previous sanction will not be required when a Govt. servant acts for vindicating his private

act in his private capacity. He would, however, be required to submit a report to the prescribed authority.

(Rule – 19)

23. Canvassing of Non-Official or other Outside Influence

A Govt. servant shall not attempt to bring political or any other outside influence on any supervisor authority in support of his interests regarding service under the Government.

(Rule -20)

Government of India's Decision

- Government servants should not canvass for out of turn allotment of Govt. accommodation through MPs, prominent persons, politicians etc.
- No notice should be taken of a representation on service matters submitted by a relative of a Govt. servant.

24. Restrictions Regarding Marriage

A Govt. servant shall not enter into a marriage with a person who has a spouse living. He shall not enter into a marriage if he himself has a spouse living. A marriage could however be permitted by the Govt. if such a marriage is permissible under the personal law of the Govt. servant and the other party. Under other permissible grounds also such a marriage could be allowed. If a Govt. servant marries a person who is not an Indian national, he should intimate this to the Government.

25. Consumption of Intoxicating Drinks and Drugs

A Government servant shall abide by the law relating to drinks or drugs applicable to the area where he is being at present. His performance of duty should not be affected in any way by reason of being under influence of such intoxicating drink or drug. He should neither consume such drink or drug in public nor appear in a public place in a state of intoxication. Excessive use of drink or drug is also not permitted.

(Rule -22)

Govt. of India's Decisions

- I. Every Govt. servant to adhere to provisions of Conduct Rules regarding consumption of intoxicating drinks or drugs.

- II. Govt. servants should refrain from consuming intoxicating drinks at official parties arranged by foreign missions. This will also apply in case of parties arranged by Govt. or semi Govt. organizations where foreigners are entertained.

26. **Employment of Children Below 14 years of age**

A Government servant shall not employ any child below the age of 14 years.

(Rule- 22A)

Govt. of India' Decision

Employment of Children below the age of 14 years will be a violation of Conduct Rules as well as it will be an offence under Child Labour (Prohibition and Regulations) Act, 1986.

Note: Interpretation

The matters relating to the interpretation of the rules will be finally decided by the Government

(Rule-23)
