

CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964

Civil Servant – Definition

- In a democracy a civil servant is an official in the service of the people
- Is recruited based on established criteria & must be aware of the country's laws and regulations
- Is expected to operate in the best interests of the nation and its citizens.
- Is in charge of managing the government's resources and ensuring that they are used efficiently and effectively.
- Must preserve their integrity, fearlessness, and independence in order for a parliamentary system to function well.

Need & Origin

- To maintain ethics and accountability among CS
- To give constitutional protection & to protect against politician-bureaucratic nexus, and political victimization
- To help sustain their integrity and discipline

Several reform committees such as the Santhanam Committee (1964), Hota Committee (2004), and the most recent Second Administrative Reform Committee Report (2005) were constituted.

First "Conduct Rules," a compilation of guidelines with "do's and don'ts," was released in the 1930s. The 1964 version of these regulations was the outcome of the Santhanam Committee's recommendation. Later amendments to these guidelines added other behavioural standards.

AUTHORITY - Article 309 of the Constitution

- "subject to the provisions of this Constitution, Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the Union or of any State"

NEED FOR CONDUCT RULES

- Government servants are responsible towards the Government
- the public with whom they come into contact in their public dealings
- The essence of Government service
- sense of discipline to which all Government employees are subject to
- the privileges to which they, in general are entitled

OBJECTIVE

- building a sound conceptual base of the various provisions of the conduct rules and their appropriate applicability in general and specific cases

CCS (CONDUCT) RULES, 1964

- Analysis of the Rules
- Made up of 25 Rules
- statutory within the meaning of Article 309 of the Constitution
- Clarified by Government Instructions wherever necessary or in case of doubts

CCS (CONDUCT) RULES, 1964

- General (RULE 1 & 2)
- Concept - Government employees are required to adhere to certain standards of conduct both in their official and private capacities
- Date Of Effect-notified by the GOI, Ministry of Home Affairs on 30th November 1964 and came into effect from the same day
- Applicability - to all Government servants **except Railways , All India services (IAS, IPS & Forest Service) & cases where specified by President**

RULE 2

Definitions

- The 'Government' means the Central Government.
- 'Government Servant' means any person appointed by Government to any civil post in connection with the affairs of the Union and includes a civilian defence service.
- Members of family in relation to a GS includes –
- Wife/husband as the case may be of the GS whether residing with the GS or not but does not include wife/husband separated from the GS by a decree or order of the competent court.
- Son or daughter or stepson or stepdaughter of the GS wholly dependent on him.
- Any other person related, whether by blood or marriage, to the GS or to the GS's wife or husband and wholly dependent on the GS.

RULE 3

- Most operative Rule in the Code of Conduct
- The fundamental requirements of this rule are integrity, honesty, efficiency and good behavior of a public servant
- It also takes the form of residuary Rule when no specific Rule of the Code of Conduct is applicable in a given case

Sub-Rule (1) of RULE 3

- every Government servant at all times to-maintain absolute integrity
- maintain devotion to duty; and
- do nothing which is unbecoming of a Government servant.
- MOST OF THE DISCIPLINARY PROCEEDINGS ARISE FROM THE BREACH OF THIS RULE

Sub-Rule (1) of RULE 3

- (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;

Sub-Rule (1) of RULE 3

- (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;

Sub-Rule (1) of RULE 3

- (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 organization which may influence him in the performance of his official duties;

Sub-Rule (1) of RULE 3

- (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;

Sub-Rule (1) of RULE 3

- (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;
- (xxi) perform and discharge his duties with the highest degree of professionalism and dedication to the best of his abilities.

Sub-Rule (1) of RULE 3

- (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.

Sub-Rule (2) of RULE 3

- supervisory post to take all possible steps to ensure the integrity and devotion to duty of his subordinates;
- Employee to act in his best judgement in the performance of his official responsibilities, except when he is acting under the direction of his official superior;
- Direction of the official superior should be in writing. Where oral direction is unavoidable, this should be followed up by the official superior in writing soon after;
- employee who has received oral direction from his official superior should seek confirmation of the same in writing as early as possible whereupon it shall be the duty of the superior to confirm the direction in writing.

RULE 3

- Rule 3 (A) –No GS shall (a) in the performance of his official duties, act in a discourteous manner; (b) in his official dealings with the public or otherwise adopt dilatory tactics or wilfully cause delays in disposal of the work assigned to him.
- Rule 3(B)-Every GS shall act in accordance with the Government's policies regarding age of marriage, preservation of environment, protection of wildlife and cultural heritage; (ii) observe the Government's policies regarding prevention of crime against women.

Rule 3(c)- Sexual harassment at workplace

- (1) No GS to indulge in any act of sexual harassment of any woman at any work place.
- (2) Every GS who is incharge of a work place shall take appropriate steps to prevent sexual harassment to any woman at the work place.
- (a) "sexual harassment" includes any one or more of the following acts or behaviour (whether directly or by implication) i) physical contact and advances; or (ii) a demand or request for sexual favours; or (iii) making sexually coloured remarks; or (iv) showing pornography; or (i) any other unwelcome physical, verbal, non-verbal conduct of a sexual nature.
- (b) the following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment : -
(i) implied or explicit promise of preferential treatment in employment; or (ii) implied or explicit threat of detrimental treatment in employment; or (iii) implied or explicit threat about her present or future employment status; or (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or (v) humiliating treatment likely to affect her health or safety.
- (c) "workplace" includes,- (i) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the Central Government; (ii) hospitals or nursing homes; (iii) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto; (iv) any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey; (v) a dwelling place or a house.'

GOI Decisions on Rule 3 GOI Decisions on Rule 3

- Dishonest employee not to be placed in a position where there is considerable scope for discretion.
- Employee to observe due courtesies and regard in their dealings with MPs/MLAs.
- Take care of his wife and family
- Avoid practice of untouchability
- Do not act in a discourteous manner
- To observe proper decorum during the lunch- break
- To obtain permission from competent authority before leaving station/headquarters

RULE 4

Employment of near relatives of Government servants in companies or firms

- No Class I Officer shall, except with the previous sanction of the Government, permit his son, daughter or other dependant, to accept employment in any company or firm with which he has official dealings or in any other company or firm having official dealings with the Government:
- employee debarred from participating in business or using his influence in procuring employment for family members
- GOI decision All employees (except Group 'D') under the Government of India on first employment should furnish information in respect of their close relations

RULE 5

Taking Part In Politics And Elections

- Not to take part in politics, not do canvassing , not to assist any such activity, not to collect subscriptions to aid, not to display party symbols at his residence or on his vehicle
- Not to allow even family members to participate
- GOI Decisions
- Employees to maintain political neutrality
- Not to attend political meetings
- GS can attend to poll duties as mandated

RULE 6

Joining Of Associations

- Not to join any association activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality
- GOI Decision
- In cases of violation of the rule disciplinary action to be taken by the Head of the Department

RULE 7

Demonstrations and strikes by Government servants

- Not to participate in any demonstration or strike prejudicial to the interest of the Government
- GOI Decisions
- Defines strikes as refusal to work or stoppage or slowing down of work by a group of employees
- Not to 'Gherao' any public servant
- Violation may attract disciplinary action

RULE 8

Connection with Press or other media

- Not to conduct or participate in the editing or management of, any newspaper or other periodical publications or electronic media
- GOI decision
- No permission necessary for participation in A.I.R. programmes and receiving of honorarium

RULE 9

CRITICISM OF GOVERNMENT

- Abstain from criticizing the policies of the Government GOI Decisions
- To avoid passing resolutions/ making statements and/or expressing opinion on issues
- To avoid being signatories or parties to resolutions, etc., passed by service associations/unions/federations, except as office bearer of any association/trade union

RULE 10

Evidence before Committee or any other authority

- Government servant not permitted, except with the previous sanction of the Government, to give evidence in connection with any inquiry conducted by any person, committee or authority GOI Decision
- Does not apply - who appear before the Pay Commission on behalf of service associations
- Does not apply to- (a) evidence given at an enquiry before an authority appointed by the Government, Parliament or a State Legislature; or (b) evidence given in any judicial enquiry; or (c) evidence given at any departmental enquiry ordered by authorities subordinate to the Government.

RULE 11

Unauthorized communication of information

- Not to communicate directly/indirectly, any official document/ part thereof or information to any GS or any other person to whom he is not authorized to communicate
- GOI Decisions
- A Govt. servant should communicate information in good faith to a person as per Right to Information Act, 2005.
- not necessary to disclose the identity of the superior officer who made adverse remarks
- duty of all Government servants to safeguard the security of all classified information to which they have access

RULE 12

Subscriptions

- No GS shall except with the previous sanction of the Government or of the prescribed authority, ask for or accept contributions to, or otherwise associate himself with the raising of any funds
- GOI decisions
- not to sponsor the raising of funds from the public for any purpose
- can freely collect subscription for Flag day collections , National Foundation for Communal Harmony

RULE 13

Gifts

- No GS shall accept, or permit any member of his family or any other person acting on his behalf to accept, any gift - cash or kind
- avoid accepting lavish hospitality or frequent hospitality from any individual, industrial or commercial firms, organisations
- "Gift" includes free transport, boarding, lodging or other service or any other pecuniary advantage or gifts from colleagues at the time of retirement with permission
- Casual meal, lift, social hospitality, gifts from foreign dignitaries of small value etc are allowed

RULE 13

- (1) Save as provided in these rules, no GS shall accept, or permit any member of his family or any other person acting on his behalf to accept, any gift & shall make a report to the Government, if the value of such gift exceeds -
Rs.5,000 – GS holding any Group 'A & 'B' posts;
Rs.2,000 – GS holding any Group 'C' posts.

RULE 13

- [(2) During weddings, anniversaries, funerals or religious functions, when gifting is in conformity with the prevailing religious and social practice, a GS may accept gifts from his near relatives or from his personal friends having no official dealings with him, but shall make a report to the Government, if the value of such gift exceeds;-
 - (i)Rs25000/- in the case of Group 'A' post;
 - (ii)Rs15000/- in the case of a Group 'B' post;
 - (iii)Rs.7500/- in the case of a Group 'C' post; and

RULE 13-A

Dowry

- Not to give or take or abet the giving or taking of dowry;
- Not to demand directly or indirectly, from the parent or guardian of a bride or a bridegroom, as the case may be, any dowry
- GOI decision
- violation of the provision of Dowry Prohibition Act, 1961
- institution of disciplinary proceedings

RULE 14

Public Demonstrations in honor of Government servants

- No Government servant shall, except with the previous sanction of the Government, receive any complimentary or valedictory address or accept any testimonial or attend in a meeting or entertainment held in his honor
- GOI clarification
- Not to accept awards or monetary benefits instituted by private trusts/foundations

RULE 15

Private trade or employment

- Without prior permission not to engage directly or indirectly in any trade or business
- hold an elective office
- canvass in support of any business of insurance agency
- Exceptions - no permission required for
- honorary work of a social or charitable nature;
- occasional work of a literary, artistic or scientific character;
- participation in sports activities
- Taking part in the registration, promotion or management of a literary, scientific or charitable society or of a club

RULE 15

- report to the Government if any member of his family is engaged in a trade or business or owns or manages in insurance agency
- no GS may accept any fee for any work done by him for any private or public body

GOI Decisions

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

RULE 15-A

Sub-letting and vacation of Government accommodation

- No GS can sub-let, lease or otherwise allow occupation by any other person of Government accommodation which has been allotted to him
- after the cancellation of his allotment of Government accommodation vacate the same within the time-limit prescribed by the allotting authority

RULE 16

Investments, lending and borrowing

- No GS shall speculate in any stock, share or other investments
- Except occasional investments made through stock brokers or other persons duly authorized and licensed or who have obtained a certificate of registration under the relevant law.
- Explanation - Frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.
- No GS shall make, or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties either himself or through any member of his family
- Lend or borrow or deposit money as a principal or an agent, to, or from or with, any person or firm or private limited company which may place him under a pecuniary obligation
- Lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid This will not, however, apply in the ordinary course of business with a Bank or public limited company.
- No GS who is part of any decision making process in case of IPOs of PSUs , shall either directly or thru family member apply for allotment of shares.
- A Government Servant can raise a temporary loan from a relative or a personal friend free of interest

Rule 16

- Vide OM dt 2019, it is mandatory that intimation should be sent to the prescribed authority in respect of all GS, if the total transactions in shares, securities, debentures, mutual funds scheme, etc. exceeds six months' basic pay of GS during the calendar year (to be submitted under Rule 18(4) by 31st January of subsequent calendar year).

Rule 16

- Since shares, securities, debentures, etc. are treated as movable property for the purpose of Rule 18(3) of CCS(Conduct) Rules, 1964, if an individual transaction exceeds the amount prescribed in Rule 18(3), the intimation to the prescribed authority would be necessary.
- This is in addition to the intimation based on ceiling on limits.

RULE 16

GOI decisions

- All officers should be advised not to approach their subordinates for standing surety for loans taken from private sources either by them or by their relatives or friends

RULE 17

Insolvency and habitual indebtedness

- A GS shall manage his private affairs by avoiding habitual indebtedness or insolvency
- If any legal proceeding is instituted for recovery of any debt due from him or for adjudging him as an insolvent, he shall forthwith report the full facts of the legal proceedings to the Government

RULE 18 – MOVABLE , IMMOVABLE PROPERTY RETURNS

- **Rule 18(1)(i)** On his first appointment every officer is supposed to submit the return of assets & liabilities, in the below prescribed forms giving the full particulars:
- Form No 1: Statement of immovable property (land, house, shops, other buildings etc) inherited/owned/acquired/held by him on lease or mortgage either in his own name/in the name of family member/name of other persons
- Form No 2: Statement of liquid assets(Cash, Bank Balance, deposits, loans, investments such as shares, debentures) inherited, owned, acquired or held by him
- Form No 3: Statement of movable property (jewellery, precious metals and stones, motor cars, AC s etc) inherited/owned/acquired or held by him
- Form No 4: Statement of PF and Life Insurance Policies
- Form No 5: Statement of debts and other liabilities incurred by him directly or indirectly
- No Government servant shall accept without the previous knowledge of the prescribed authority acquire or dispose off any immovable property by lease, mortgage, purchase, sale, gift

Rule 18

- **Rule 18(1)(ii)** Every Group 'A' & 'B' officer shall submit an Annual Return no later than 31st January in prescribed form giving full particulars of immovable property inherited/owned/acquired/held by him on lease or mortgage either in his own name or name of any family member or any other person. **Failure to submit the returns in time or furnishing of wrong information can form good and sufficient reason for instituting disciplinary proceedings against him.**
- **Rule 18(2):** No GS shall except with the previous knowledge of the prescribed authority acquire or dispose of any immovable property by lease/, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family. **Prior sanction needed if transaction is with person having official dealing with the GS**
- **Rule 18(3):** Transaction in movable property by him or family members to be reported within one month if value of transaction is more than two months basic pay. **Prior sanction needed if transaction is with the person having official dealings with the GS**
- **Rule 18(4):** Additionally the Government may at any time require any GS to furnish complete statement of movable/immovable property held/acquired by him
- **Rule 18(5):** The Government may exempt any category of GS belonging to Gr C or Gr D from the provisions of above rules, except Rule 18(4)

Rule 18

- Explanation I. - For the purposes of this rule -
- (1) "movable property" includes-
- (a) jewellery, insurance policies, the annual premia of which exceeds Rs.10,000/- or one-sixth of the total annual emoluments received from Government, whichever is less, shares, securities and debentures;
- (b) all loans, whether secured or not, advanced or taken by the Government servant;
- (c) motor cars, motor cycles, horses or any other means of conveyance; and
- (d) refrigerators, radios radiograms and television sets.
- 2. "Prescribed authority" means-
- (a) (i) the Government, in the case of a Government servant holding any Group 'A' post, except where any lower authority is specifically specified by the Government for any purpose;
- (ii) Head of Department, in the case of a Government servant holding any Group 'B' post;
- (iii) Head of Office, in the case of a Government servant holding any Group 'C' or Group 'D' post;
- (b) in respect of a Government servant on foreign service or on deputation to any other Ministry or any other Government, the parent department on the cadre of which such Government servant is borne or the Ministry to which he is administratively subordinate as member of that cadre.
- Explanation II.- For the purpose of this rule '*lease*' means, except where it is obtained from, or granted to, a person having official dealings with the Government servant, a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

Points to remember

- Transactions entered into by family members out of their own funds in their own names need not be reported (GID 8 appended to Rule 18)
- Construction of a house and expenditure incurred on repairs or minor construction work amounts to acquisition of immovable property for which intimation/sanction is required
- Sanctioning of loan for acquiring immovable property is to be dealt and permission/intimation, as the case may be, obtained/given in the same application form thereof.
- These returns shall be treated as secret and shall, after such scrutiny be kept in the custody of the authority which maintains the Character rolls of the officers concerned; (GID 2 appended to Rule 18)
- Report of conclusion of a transaction in immovable property should be made forthwith in cases where prior permission to purchase such property was obtained and the amount involved was/was not indicated then.
- Before starting construction of the house, GS should report or seek permission, as the case may be, in Form I and after completion of the house, he should report in Form II to the prescribed authority.
- Prohibition of Government servants from bidding at Government auctions (either personally or by proxy)
- A Government servant who transfers any immovable property or movable property exceeding the prescribed value to a member of his family, should report or obtain sanction of the prescribed authority

Points to remember

- Transactions as members of HUF do not require Government's prior permission. Immovable property transactions should be included in the annual property returns and those in movable property should be reported to the prescribed authority immediately after completion or immediately after the GS comes to know of them. If a GS is unable to give an idea of his share of such property, he may give details of the full property and the names of the members who share it.
- The intention of getting prior sanction of in case of transaction with persons having official dealings is to ensure that –
 - (i) The transaction proposed to be entered into is for bonafide purposes;
 - (ii) the acquisition/sale of the property in question is at fair prevailing market prices and does not involve any element of profiteering or speculation;
 - (iii) there is no reasonable ground to hold that the transaction in question is the result of the exercise of any undue official influence by the officers (e.g. in return for any official favours conferred or likely to be conferred upon the prospective seller/buyer of the property); and
 - (iv) there is nothing otherwise objectionable in relation to the proposed transaction.
- Letting out premises by a GS to a tenant, constitutes a transaction in immovable property under Rule 18 (2) of the CCS (Conduct) Rules, 1964 and shall not be done, except with the previous knowledge of the prescribed authority and previous sanction if :-
 - (a) With a person having official dealings with the Government servant; or
 - (b) otherwise than through a regular or reputed dealer.

Points to remember

- Subscription to a chit fund is transaction in movable property. If annual subscription exceeds the monetary limits, prescribed in Rule 18 (3) it has to be reported. Previous sanction Government is necessary if the GS has official dealings with the chit fund and if it is not a registered chit fund company.
- The amount receivable from the chit fund can be classified into two categories :-
- (i) receiving the total of the contributions payable by all subscribers for any one instalment less the discount or commission payable to the Chit Fund Company by bid before the expiry of the period upto which the subscription is to be made; and
- (ii) receiving the amount at the time of maturity.
- As regards (i) above, since the amount received by a subscriber from the chit fund by bid would be more than the amount subscribed by him and the difference will have to be made good by him by future subscriptions upto the total period of the chit fund, the amount received in such case would amount to a loan received from the Chit Fund Company. Since the Chit Fund Company is not a banking company and the provisions of the Banking Regulations Act, 1949, are not, therefore, applicable to such companies, the loan received from the Chit Fund Company as explained above, may be regulated under sub-rule (4) of rule 16 of the CCS (Conduct) Rules, 1964. As regards (ii) above, if the amount received from the Chit Fund exceeds the prescribed limits in sub-rule (3) of rule 18 ibid the Government servant has to report to the prescribed authority under that sub-rule because the amount received by him would not be exclusively the amount subscribed by him but will also include the commission payable by the Chit Fund Company.
- A Government servant need not obtain prior permission from the Prescribed Authority for taking a Life Insurance Policy. He should, however, submit a report to the Prescribed Authority, if the annual premium on an insurance policy exceeds the monetary limits laid down in Rule 18 (3) of the CCS (Conduct) Rules, 1964. If, in any case, the annual premium initially determined was less than the monetary limits prescribed in the aforesaid rule 18 (3), but on conversion, the annual premium exceeds the said limits, a report to the Prescribed Authority is necessary at that stage. When a Government servant receives the sum assured as survival benefit/on maturity of the policy, he need not submit any report in this regard.
- A Government servant need not report to the Prescribed Authority the fact of his having taken an insurance policy, if the annual premium thereon is less than the monetary limits prescribed in rule 18 (3) of the CCS (Conduct) Rules, 1964. He should, however, submit a report to the Prescribed Authority at the time of receiving the sum assured as survival benefit/on maturity of the policy.
- Regarding the point raised in para 1 (iii) it is clarified the Fixed Deposits in Bank or Deposits in a Savings Bank account made by a Government servant from out of his salary or of accumulated savings would not come within the purview of rule 18 (3) of the CCS (Conduct) Rules, 1964.

Points to remember

- **Time limits for grant of permission to be reckoned from the date of receipt of request of the GS for necessary permission under the relevant conduct rule. An acknowledgement showing the date of receipt may be given to the GS when a request for permission is received.**
- **Rule 18 (2) and (3) and 18-A -30days**
- **In the event of failure on the part of the competent authority to communicate its decision to the GS within the time-limit above, the GS shall be free to assume that permission has been granted to him.**

Points to remember

- **Fixed Deposits with public limited companies, whether in the private sector or the public sector, will be covered by the saving clause in the Rule 16 (4) of the CCS (Conduct) Rule, 1964 as public limited companies receive deposits from the public on authorization given by the Government under the Companies (Acceptance of deposit from the public) Rules, 1975. However, where the amount of deposit with a public limited company exceeds the monetary limits laid down in Rule 18 (3) of the CCS (Conduct) Rules, 1964, then a report to prescribed authority in regard to the deposit will be necessary under that rule.**
- **Fixed Deposits with Banks are, as per Rule 16 (4) of the CCS (Conduct) Rules, 1964 are exempt from the operation of this rule. However, in regard to Fixed Deposits with Banks also, a report should be made to the prescribed authority under Rule 18 (3) of the CCS (Conduct) Rules, 1964, if the monetary limit laid down therein are exceeded.**
- **Day-to-Day Savings Bank transactions, either with a Bank or with a post-office would not, however come within the purview of Rule 18 (3) of the CCS (Conduct) Rules, 1964.**

Points to remember

- **Transaction in immovable property under GPA would attract the provisions of the Conduct Rules as it is effectively de-facto transfer of possession of the immovable property.**
- Bidding by Govt. officers is prohibited where auctions are arranged by their own officers
- **A charge of corruption under the PCA should be held proved in case the GS is unable to account satisfactorily possession by himself or by any other person on his behalf of pecuniary resources or property disproportionate to his know sources of income.**

Rule 18A – Transaction in immovable property abroad

- Transaction in immovable property located outside India and transaction in immovable property with any foreigner/foreign govt/foreign organisation/ foreign concern, requires previous sanction of the prescribed authority whether the transaction in the official's name or in the name of any of his family members.

RULE 19

Vindication of acts and character of Government servant

- No GS shall, except with previous sanction of the Government, have recourse to any Court or to the Press for the vindication of any official act
- Nothing in this rule shall be deemed to prohibit a Government servant from vindicating his private character or any act done by him in his private capacity

RULE 19:GOI Directions

- GS seeking redress of their grievances arising out of their employment or conditions of service should, in their own interest and also consistently with official propriety and discipline, first exhaust the normal official channels of redress before they take the issue to a court of law
- GS who may be convicted in a criminal court, to inform his official superiors of the fact of his conviction and the circumstances connected therewith

RULE 20

Canvassing of non-official or other outside influence

- No GS shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government

RULE 20

GOI decisions

- 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.
- Prohibition on bringing any political or outside influence in respect of matters pertaining to service under the Government
- Not to further their service interests through non-Governmental influence

RULE 21

Restriction regarding marriage

- No GS shall enter into, or contract, a marriage with a person having a spouse living Provided that
- such marriage is permissible under the personal law applicable to such Government servant
- there are other grounds for so doing
- A GS who has married or marries a person other than of Indian nationality is required to forthwith intimate the fact to the Government 46

GOI DECISIONS

GOI decisions

- The first point to be scrutinized when an application for permission is received, is whether such marriage is permissible under the personal law applicable to the applicant
- Restrictions against bigamy will apply to female Government servants also
- Form of declaration to be obtained from new entrants regarding their having one or more than one wife 47

RULE 22

Consumption of intoxicating drinks and drugs

- strictly abide by any law relating to intoxicating drinks or drugs in force in any area
- not be under the influence of any intoxicating drink or drug during the course of his duty
- refrain from consuming any intoxicating drinks or drugs in a public place & not appear in a public place in a state of intoxication;
- Explanation: 'public place' means any place or premises (including a conveyance) to which the public have, or are permitted to have, access, whether on payment or otherwise.
- not use any intoxicating drink or drug to excess

GOI decisions

- 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
- Drinking in the lodging room in a hotel will not attract the provisions of Rule 22

RULE 22-A

Prohibition regarding employment of children
below 14 years of age

- No Government servant shall employ to work any child below the age of 14 years

GOI 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.

RULE 23

Interpretation

- If any question arises relating to the interpretation of the CCS (Conduct) Rules 1964, it shall be referred to Government whose decision thereon shall be final GOI decision
- Where the Central Government is satisfied that the operation of any rule causes undue hardship in any particular case, it may, by order, dispense with or relax the requirements of that rule to such extent and subject to such conditions as it may consider necessary, for dealing with the case in a just and equitable manner

RULE 24

Delegation of Powers

The Government may delegate, any of the powers exercisable under these rules, to any officer or authority as specified in the order in this context

RULE 25

Repeal and Savings

- Provides for repeal and saving of rules in existence before these Conduct Rules.

MISCONDUCT: Meaning

- Not capable of precise definition, its reflections receive its connotations from the context, the delinquency in its performance and its effect on the discipline and the nature of duty.
- It may involve moral turpitude;
- it must be improper or wrong behaviour, unlawful behaviour, wilful in character;
- forbidden act, a transgression of established and definite rule of action or code of conduct but not mere error of judgement, carelessness or negligence in performance of the duty; the act complained of bears forbidden quality or character
- MISCONDUCT meaning Its ambit has to be construed with reference to the subject-matter and the context wherein the term occurs, regard being had to the scope of the statute and the public purpose it seeks to serve

MISCONDUCT

- The act or conduct amounting to MISCONDUCT
- Prejudicial to the interests of the master
- master cannot rely on the faithfulness of his employee
- Habitual neglect or negligence of work
- If the Government servant is Abusive or if he disturbs the peace of the place of his employment
- Also includes wilful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a superior
- Infidelity, unfaithfulness, dishonesty, untrustworthiness, theft and fraud
- Strike, picketing, 'gherao'
- Riotous and disorderly behaviour
- Habitual late attendance
- Inconsistent or incompatible with the due or peaceful discharge of his duty to his master

General Info

- The civil services recruited by Union Public Service Commission (UPSC) are categorised into two types.
- **All India Services** - the Indian Administrative Service, the Indian Police Service and the Indian Forest Service.
- All India Services are governed by Article 312 of the Constitution of India.
- These services are selected by the central government with officers allotted to various state cadres.
- The bureaucrats who work directly for the Centre are from each state on central deputation.
- **Central Civil Services** - Indian Foreign Service, the Indian Revenue Service, Customs and Central Excise Service and several others.
- These services are under the central government itself with no state cadre system.