

A.P. CIVIL SERVICES (CONDUCT) RULES 1964

GENERAL

- 1.1. Under the proviso to article 309 of the Constitution of India, which empowers the Governor to make rules regulating interalia, the conduct of Government employees, the A.P. Civil Services (conduct) Rules 1964 came to exist.
- 1.2 These rules contain the does and don'ts of Government servants.

SCOPE

Government employee is defined as any person who is a member of Civil Service of the State of Andhra Pradesh or holds any civil posts under the State or in connection with the affairs of the State, whether he is on duty or under suspension or on leave or on foreign service, either within or outside the state.

FAMILY

3. These rules are also applicable to the members of the Family of the Government employee. "Member of the Family" includes the spouse, son, daughter, step-son or step-daughter of such employee whether residing with such employee or not and any other person related to and residing with such employee and wholly dependent on such employee; but does not include a spouse legally separated from such employee or a son, daughter, stepson or step-daughter who is no longer in any way dependent upon such employee or of whose custody such employee is deprived by law.

4. FUNDAMENTAL RIGHTS OF INDIAN CONSTITUTION

- 4.1 ARTICLE: 14 Equality before law.
- 4.2 ARTICLE: 15 Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.
- 4.3 Article: 16 Equality of opportunity in matters of public Employment
- 4.4 Article: 19 Rights to freedom
 - 4.4.1 Freedom of speech and expression
 - 4.4.2 Freedom of assembly
 - 4.4.3 Freedom of association
 - 4.4.4 Freedom of movement
 - 4.4.5 Freedom of residence and settlement
 - 4.4.6 Freedom of profession, Occupation, trade or Business.

5. RESTRICTIVE PROVISIONS OF CONDUCT RULES

5.1 Restriction on constitutional rights

5.1.1 Taking part in politics and elections (Rule-19)

5.1.2 Joining of and Forming Associations

5.1.3 Demonstrations and Strikes (Rule-4&5)

5.1.4 Connection with press and Radio, Criticism of Government (Rule-15&16)

5.1.5 Acquisition and Disposal of Property (Rule-9)

5.2 Restriction on personal Rights

5.2.1 Private Trade and Employment (Rule-10&12)

5.2.2 Investing, Lending and Borrowing (Rule-8)

5.2.3 Collection of Subscription (Rule-7)

5.2.4 Acceptance of Gifts (Rule-6)

5.2.5 Prohibition of sexual harassment of working women (3-C)

5.2.6 Vindication of Acts and Character (Rule-20)

5.2.7 Canvassing of outside influence (Rule - 24)

5.2.8 More than one marriage (Rule-25)

5.2.9 Consumption of Intoxication drinks (Rule-26)

5.3 The ultimate aim of such restrictions which forbid the Government servant to do certain acts is mainly intended to improve the tone of Public Service. The relationship between the Government and the Government servant is governed by the Law of Master and Servant relationship.

5.4 A Government servant is expected to maintain a reasonable and decent standard of conduct and not bring discredit to his service by his misdemeanor.

5.5 Thus neglect by a Government servant of his wife and his children in a manner unbecoming of a Government servant, may be regarded as a good and sufficient reason to justify action being taken against him.

5.6 If the Government were to sit back and permit its officials to commit any outrage in their private Life, provided it falls short of criminal offence, the result may very well be catastrophic fall in the moral prestige of the Administration.

5.7 The State could demand a certain standard of conduct from the Government

servant not only while performing their official duties but in their private life as well.

- 5.8 Arguments are often raised to the effect that in view of the complexities of modern life, the consideration of expediency should outweigh the considerations of Honesty. Consideration of expediency may be irresistible at times but their evils are merely to be put up with and not to be extolled or prescribed as standards of life and work.
- 5.9 A Public Officer is not at liberty to amass fortune by taking illegal gratification even though willingly given.

6.1 EVERY GOVERNMENT SERVANT SHOULD AT ALL TIMES:

- 6.1.1 Maintain devotion to duty
- 6.1.2 Maintain absolute integrity, discipline, impartiality and a sense of propriety.
- 6.1.3 Do nothing which is unbecoming of such employee or derogatory to the prestige of Government.
- 6.1.4 Not act in a manner which will place his official position under any kind of embarrassment
- 6.1.5 Exercise his best judgment in the performance of his official duties except when he is acting under a direction from his official superior.
- 6.2 Integrity is uprightness, honesty or purity.
- 6.3 Devotion to duty is faithful service.
- 6.4 Unbecoming of a Government servant is unmannerly attitude, insubordination, lack of decorum, laziness, corrupt habits, shirking of responsibility and other things which are normally branded as unworthy of a Government servant.
- 6.5 The dictionary meaning of misconduct is given as bad management, mismanagement, culpable neglect of an official in regard to his office. It is a transgression of some established and definite law or a forbidden act. It implies a wrongful intention and not a mere error of judgment. Misconduct is something more than mere negligence. It is the intentional doing of something when the doer knows it to be wrong or which he does recklessly, not caring what the result may be. It is a sufficiently wide expression and covers any conduct which in any way renders a person unfit for his office or is likely to tamper or embarrass the administration. In this sense, grossly improper or unbecoming conduct in public life may also become misconduct and may render an officer liable to disciplinary action.
- 6.6 Moral is concerned with right and wrong or duty which one owes to ones fellow beings or to the society in general.

- 6.7 Moral turpitude is a reprehensible act contrary to the accepted notions of right and customary rule or code of conduct accepted by the society. It would mean anything done contrary to justice, honesty, modesty or good morals.
7. No Government employee can associate himself with an association, the object or activities of which are prejudicial to the interests of the Sovereignty and Integrity of India or public Order.
8. He should not participate in strike or absent from duty or work without permission, or neglect his duties with the object of compelling any superior officer or Government to take or omit to take official action or indulge in demonstrative fast like hunger strike or refuse to receive his pay.
9. No gifts can be accepted the prominent exception being a gift of a value of less than rupees two hundred from personal friends on ceremonial occasions such as weddings.
10. Every Government employee (other than members of last grade service) should, on first appointment to the Government service, submit to Government a statement of all immovable properties, irrespective of its value and movable property whose value exceeds Rs. 1,00,000/- in the forms prescribed in Annexure-1 and 2 to Rule 9. (Sub Rule-7)
11. He should also submit before 15th January of every year, a declaration in the forms given in Annexure I and II of Rule 9 (7) of all immovable/movable property owned, acquired or inherited by him or held by him on lease/or on mortgage, either in his own name or in the name of any member of his family.
12. Every Government Servant shall intimate to the competent authority within 15 days from the date of receipt of foreign currency or foreign goods of the value exceeding Rs. 50,000/- from any Person by him or by any member of his family or by any person on their behalf.
13. No Government employee should except after previous intimation to the head of the Department acquire or dispose of or permit any of his family member to acquire or dispose of, any immovable property by exchange, purchase, sale, gift or otherwise either by himself or through others. If such a transaction is conducted from sanction of the Head of the Department Appointing authority/Regional Officer/District Collectors/Other District Officers, as the case may be, as specified in sub-rule (10) of rule 9 should be obtained. Same is the case with the movable property exceeding Rs.1, 00,000 in value.
14. The violation of above and or any of the following rule of conduct, would be treated as negligence/misconduct and is required to be dealt with under the A.P. Civil Service (CCA) Rules 1991.

RULE NO. NATURE OF PROHIBITION IN THE CONDUCT RULES

3 – B Adopt dilatory tactics or willfully cause delays

- 3 – C Indulge in sexual harassment with any working women
- 4 Strikes
- 5 Demonstrations
- 6 Acceptance of gifts, services, entertainments, address and other forms of felicitations.
- 7 Collection of subscriptions or other pecuniary assistance in pursuance of any object.
- 8 Lending, borrowing and insolvency
- 9 Acquiring or disposing of immovable or movable property.
- 10 Indulging in private trade, business and investment.
- 11 Promotion and management of companies in private capacity.
- 12 Private employment.
- 13 Publication of books.
- 14 Communication of official documents or information
- 15 Connection with press.
- 16 Participation in radio broadcast and contribution to newspapers and periodicals
- 17 Criticism of the policy or action of Government or any other State or Central Government.
- 18 Evidence before any committee, commission or other authority.
- 19 Taking part in politics and elections.
- 20 Vindication of acts and character of Government employee.
- 21 Working with or under relatives in Government service.
- 22 Employment of a member of the family in a private firm.
- 23 Government employee not to deal in his official capacity with matters concerning himself, his relatives or dependants.
- 24 Influencing authorities for furtherance of interests.
- 25 Bigamous marriages
- 26 Dowry
- 27 Consumption of Intoxicating substances.