



सत्यमेव जयते

অসম চৰকাৰ

Govt of Assam

HANDBOOK ON

# The Assam Civil Services, Conduct Rules



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ARTPPG Department, GoA

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Dr. Himanta Biswa Sarma



মুখ্যমন্ত্রী, অসম  
Chief Minister, Assam



## FOREWORD

The work environment across the globe is undergoing rapid changes, and the utilization of human resources is evolving accordingly, with Assam being no exception. To keep pace with these changes, it is imperative that the Assam government focuses on empowering its human resources with a global outlook while remaining grounded in Indian values.

To achieve this vision, our government is implementing effective changes in work culture and striving to instill new ideas and a broader perspective in the minds of the officials. In line with this effort, the ARTPPG Department of the Government of Assam is introducing a set of training manuals and handbooks. Our Government is ensuring the smooth functioning of the daily administration with the help of these Training Manuals/ Handbooks for the Grade-3 officials. To effectively cater to the requirements of Grade-3 officials, experts have meticulously drafted the training manuals and handbooks, aiming to cover a wide range of relevant topics. Moreover, focused attempts have been made to embed the books with relevant case studies, examples and FAQs on different topics to enable the users to adapt to the procedural yet divergent needs of today's dynamic administration.

True to the objective of our Government in creating a spirited workforce, introduction of multifaceted learning and training programme have been thought of to enable our officials realize their true potential. This would help them to reorient themselves to the day-to-day administrative developments while performing their duties with honesty and transparency.

I believe the Training Manuals / Handbooks will hold immense value as a guiding light on diverse professional trajectories. They will also serve as a roadmap to steer capacity building of the Grade-III officials in a systematic and coherent manner.

(Dr. Himanta Biswa Sarma)

**Dr. Ravi Kota, IAS**  
Chief Secretary  
Government of Assam



ড° ৰবি কোটা, ভাঃ প্ৰঃ সেঃ  
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Preparation of a Training policy of a State and aligning it with the needs of the variegated workforce which has to constantly prove its relevance in this era of transition towards technology forms the very backbone of the administration in the form of a challenging task. In this due course of action, capacity building of Grade-III officials not only requires them to remain efficient in their daily official duties but also must be able to motivate them to work, learn and evolve in a comprehensive manner.

The present District training manuals for Grade-III officials have been prepared under the aegis of the Administrative Reforms Training Pension and Public Grievances Department (ARTPPG) and the Assam Administrative Staff College (AASC), who were aided by renowned experts and stakeholders from all the concerned fields. The manuals are a product of much detailed and multiple deliberations on the requisite subjects and it also includes valuable inputs from The Institute of Secretariat Training and Management (ISTM), Delhi in certain applicable topics. The Training Needs Assessment (TNA) was diligently conducted by AASC to chalk out an inclusive need based approach suited for a bottom up perspective for the Grade-III officials and also to ensure that no vital subject has been overlooked.

I believe that the Training manuals will help the Trainers and the trainees as well in a holistic manner and I earnestly request all concerned to send us feedback which would be of great help when we take up further revisionary exercises.

(Dr. Ravi Kota)  
Chief Secretary, Assam

Shantanu Gotmare, IAS  
Commissioner & Secretary  
to the Govt. of Assam  
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### MESSAGE

The Department of Administrative Reforms, Training, Pension and Public Grievances (ARTPPG) plays a vital role in the formulation of the State Training Policy and training it's civil servants to build capacity for improving 'Ease of Living' for people of Assam.

The content of the district training manuals aims to bolster capacity of the Grade-3 employees in an elaborate and lucid manner. We have worked meticulously to prepare content of the manuals by collaborating with experts and have actively collated through appropriate stakeholders, which objectively present a comprehensive picture for the officials, covering a broad spectrum of their daily official duties.

I express my sincere thanks to the Committee for vetting the full content. ARTPPG acknowledges the contributions of Committee Members in the preparation of the training manuals. Special mention must be made to the Assam Administrative Staff College, Khanapara and my team in ARTPPG Department for relentless work to get the training manuals.

I sincerely hope that that these manuals will be extremely useful to the trainers, trainees and as well as the officials.

(Shantanu Gotmare)



## **Foreword**

The District Training Manuals for Grade-III officials of the Government of Assam have been designed by the Assam Administrative Staff College (AASC) with the help of renowned guest faculty and experts under the able guidance of the Administrative Reforms, Training, Pension and Public Grievances (ARTPPG) Department and inputs from the Institute of Secretariat Training and Management (ISTM), New Delhi.

I hope these manuals will be used extensively by the trainers and trainees and will help the officials become more knowledgeable, competent and productive at their work places.

I would like to convey my gratitude to all the renowned guest faculty and to all the individuals associated with the successful publication of the manuals for their inputs and support throughout the process of designing and printing these manuals.

A handwritten signature in blue ink, appearing to read 'Riju Gogoi', written in a cursive style.

Riju Gogoi  
Director of Training  
Assam Administrative Staff College

# The Assam Civil Services Conduct Rules

**Objectives:** At the end of the session, the participants will be able to :

- Explain who is a civil servant
- Describe 'Misconduct'
- State what a civil servant should do
- State what a civil servant should not do
- Discuss PRANAM Act 2017

## The Assam Civil Service Conduct Rules 1965

### 1. INTRODUCTION

All of us are Government servants, serving in different capacities and performing numerous and diverse duties on behalf of the Government of our country, our State, and our people.

**In the performance of our duties as a Government servant, and in the conduct of our lives, we cannot do just as we wish but are bound by certain rules and regulations.**

**The rules that regulate the conduct of employees are known as the Conduct Rules.**

- Even though each State has adopted its own Conduct Rules, these rules are similar, if not identical for civil servants and civilian employees of Government and Government organisations all over the country. The standard pattern is laid down by the Central Civil Services (Conduct) Rules, 1964 – and State Governments have followed these rules, not only in spirit, but in most cases in letter too.
- The authority to make such rules is vested in Governments by the Constitution, notably by Article 309, which allows legislatures to make rules regarding, amongst others, the conditions of service of Government employees. **The Rules are statutory and have the force of law.**
- The Rules are applicable to all Government servants holding civil posts. Conduct Rules apply uniformly to all classes of Government employees – irrespective of rank, post, department and status. The same rules govern the conduct of peon and policeman, Commissioner and constable, driver and Deputy Commissioner. For the State of Assam, these rules are called the Assam Civil Service (Conduct) Rules, 1965.

They do not however apply to members of the All India Services for whom a different but similar set of civil service rules.

## 2. MISCONDUCT

**'Misconduct'**, i.e. that which attracts the provisions of the Conduct Rules, is a very wide expression – it includes corruption and criminal action (anything which attracts the provisions of criminal law, for example, theft, rioting and intimidation), but goes much beyond, and even includes actions related to the personal life and domain of the Government servant.

**The term misconduct denotes transgression of some definite rules of action or behaviour.**

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Such misdemeanour may broadly take any one or more of the following forms:

- ▶ an act which is **prejudicial to the interests** of the Government or to the public interest
- ▶ an act which is **incompatible with due or peaceful discharge of duties**
- ▶ conduct so **grossly immoral** that the employee cannot be trusted
- ▶ an act or conduct which leads to the conclusion that **Government cannot rely on his faithfulness**
- ▶ **abusive behaviour** or tendency to disturb the peace of the workplace
- ▶ **insubordination**
- ▶ **lack of integrity and honesty**
- ▶ **habitual negligence**
- ▶ **An act which may embarrass** the Government, **tarnish** the image of the administration or **affect the reputation** of the Government adversely.

**If the Government servant conducts himself in a way inconsistent with due and faithful discharge of his duty, it is misconduct. A disregard of an essential condition of the contract of service may also constitute misconduct.**

Yes, bona fide errors of judgement in the discharge of official duties would not be construed as 'misconduct', but then these errors should not stem from any dishonest motives.

## MISCONDUCT IN PRIVATE LIVES

The term "misconduct" is a very wide expression and covers any conduct - whether in the course of discharge of official duties or in private life that renders a person unfit for his office or is likely to embarrass the Government/administration. He should not drink alcoholic liquor in public or behave in a disorderly manner at social functions. He should not be habitually in debt. He should not indulge in gambling or lead an immoral life.

Government cannot permit its officials to commit moral excesses in private life because it may lead to a detrimental fall in the prestige of the Government.

### 3. CONDUCT UNBECOMING OF A GOVERNMENT SERVANT

The term “CONDUCT UNBECOMING OF A GOVERNMENT SERVANT” is used in the Conduct Rules to denote action, which even though not specifically ‘forbidden’ by the rules, is not APPROPRIATE, or BEFITTING the position of a Government servant.

### 4. CORRUPTION

**‘Corrupt practices’ attract the penal provisions of law – in the Indian Penal Code (which has special provisions dealing with corruption in the public sphere), and through the Prevention of Corruption Act.**

Section 161 of the Indian Penal Code deals with ‘Public servants taking gratification other than legal remuneration in respect of an official act’. Section 165 covers ‘Public servants obtaining valuable thing without consideration, from person concerned in proceeding or business transacted by such public servant’.

The Prevention of Corruption Act covers in considerable detail ‘Criminal misconduct in discharge of official duty’.

- ▶ **‘Corrupt practices’ not only invite the provisions of criminal law, but are also ‘Misconduct’, and a violation of the ‘Conduct Rule**

### 5. WHAT A CIVIL SERVANT MUST DO

The Civil Service Conduct Rules broadly lay down **four principal duties** of the Government servant. He is required to:

- 1) **Maintain absolute integrity** i.e. wholesomeness, honesty & purity
- 2) **Maintain devotion to duty**
- 3) **Do nothing which is unbecoming of a Government servant**
- 4) **Abide by the instructions issued by Government from time to time**

**All Government servants will act in their best judgement in the performance of their official duties or in the exercise of powers conferred on them.**

This is to be kept in mind always while performing duties, except when acting under the specific direction of an official superior. Further, if he is acting under such direction, then, wherever practicable he should obtain the direction in writing. If this is not possible, he should then obtain written confirmation of the direction as soon thereafter as possible.



However, this does not mean empowering a Government servant to evade or shirk responsibility by seeking instructions from, or approval of a superior officer when such instructions are not necessary and it is within his own jurisdiction, powers and responsibilities.

## 6. WHAT A GOVERNMENT SERVANT SHOULD NOT DO

### 6.1. RECEIPT OF GIFTS

A Government servant is bound by the Conduct Rules, not to:

- ▶ ACCEPT GIFTS
- ▶ PERMIT A MEMBER OF HIS FAMILY, OR ANYONE ELSE TO ACCEPT GIFTS ON HIS BEHALF

A Government servant may not accept gifts, except on certain occasions – and in certain circumstances - such as weddings, anniversaries, funerals, or religious functions when making of gifts is in conformity with prevailing religious or social practices. However, limits have been prescribed on the value of the gifts that can be received.

The expression 'gift' includes free transport, boarding and lodging or any other service or pecuniary advantages when provided by any person other than his relative or personal friend who has no official dealings with the Government servant.

The Conduct Rules require a Government servant to avoid accepting lavish or frequent hospitality from any person who has official dealings with him or from industrial or commercial firms or organisations.

### 6.2. PUBLIC DEMONSTRATIONS IN HONOUR OF GOVERNMENT SERVANTS

A Government servant is bound by the Conduct Rules, not to:

- ▶ RECEIVE ANY COMPLIMENTARY OR VALEDICTORY ADDRESS
- ▶ ACCEPT ANY TESTIMONIAL OR ATTEND ANY MEETING / ENTERTAINMENT HELD IN HIS HONOUR OR IN THE HONOUR OF ANY OTHER GOVERNMENT SERVANT.

These restrictions are however not binding if prior sanction of the Government is obtained. This rule shall also not apply to:

- A farewell entertainment given either on retirement or transfer
- The acceptance of simple and inexpensive entertainment arranged by public bodies or institutions.

### 6.3 PRESENTATION OF TROWELS AT CEREMONIAL FUNCTIONS

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ ACCEPT ANY TROWEL, KEY OR OTHER SIMILAR ARTICLE.

A Government servant shall not, except with previous sanction of the Government, accept any trowel, key or similar article offered to him at a ceremonial or public function.

### 6.4 CRITICISM OF GOVERNMENT

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ CRITICISE STATE/ CENTRAL GOVERNMENT POLICY

**A Government servant shall not make any statement or express any opinion criticising Government policy.** He shall also not make any statement that could embarrass relations between the Government of India and a foreign country or even the relations between the Central and State Governments.

### 6.5 SUBSCRIPTIONS

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ ASK FOR OR ACCEPT CONTRIBUTIONS, OR ASSOCIATE IN FUND RAISING in pursuance of any object without the permission of the authority concerned.

### 6.6. CONSUMPTION OF INTOXICATING DRINKS AND DRUGS, AND VICIOUS HABITS

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ HABITUALLY USE ANY INTOXICATING DRINK OR DRUG TO EXCESS
- ▶ INDULGE IN VICIOUS HABITS
- ▶ APPEAR INTOXICATED IN A PUBLIC PLACE

### 6.7. INVESTMENT, LENDING AND BORROWING

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ SPECULATE IN STOCKS, SHARES OR OTHER INVESTMENTS
- ▶ NOT TO BORROW / LEND MONEY

Frequent purchase or sale (or both) of shares, securities or other investments are deemed to be speculation within the ambit of this Rule.

A Government servant shall also not lend or borrow to or from any person with whom he is likely to have official dealings or which will place him under any pecuniary obligation to such person. Further, he is not to lend money to any person at interest or in a manner whereby return in money or kind is charged or paid.

## 6.8. MOVABLE, IMMOVABLE AND VALUABLE PROERTY

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ ACQUIRE OR DISPOSE PROPERTY WITHOUT THE PREVIOUS KNOWLEDGE OF PRESCRIBED AUTHORITY

A Government servant, on his first appointment and at such intervals as may be specified by Government, should submit a return of his assets and liabilities in the prescribed form giving details of his: -

- (a) Immovable properties
- (b) Shares, debentures and cash including bank deposits.
- (c) Other movable properties; inherited by him, or owned or acquired or held by him, either in his own name or in the name of his family or in the name of any other person, and also
- (d) Debts and other liabilities incurred by him directly or indirectly.

A Government servant shall not, except with the previous knowledge of the prescribed authority, acquire or dispose any immovable property by way of lease, mortgage, purchase, sale, gift, etc. in his own name or in the name of any other member of his family.

In case of movable property, a Government servant is required to report to the prescribed authority any transaction entered by him or in the name of any member of his family, if the value of such property exceeds Rs. 10,000/- for Class I posts, Rs. 5,000/- for Class II posts and Rs. 1,000/- for Class III or IV posts.

**The Government or prescribed authority reserves the right to ask the Government servant to furnish a detailed statement of such movable and immovable property held or acquired by him, or any member of his family or any person on his behalf.**

**If a Government servant conceals any of his assets/liabilities, he is liable for disciplinary action.**

If a Government servant is found to be in possession of pecuniary resources or property disproportionate to his known sources of income the Government shall presume, unless proved otherwise, that such property was acquired by dishonest means and therefore take disciplinary action against the erring Government servant.

## 6.9 PRIVATE TRADE OR EMPLOYMENT

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ ENGAGE IN ANY TRADE OR BUSINESS OR UNDERTAKE ANY EMPLOYMENT

**A Government servant shall not, directly or indirectly engage in any trade or business or undertake any other employment, except with the previous sanction of the Government.**

**However, he may, without such sanction undertake honorary work** of a social/charitable nature and occasional work of literary, artistic or scientific character. This is however subject to the condition that such work does not hamper the discharge of official duties and that he will discontinue such work, if so directed by the Government.

**No Government servant may accept any fee for any work done by him for any public or private person without prior official sanction.**

### **6.10 PROSECUTION OF STUDIES BY GOVERNMENT SERVANTS IN ED EDUCATIONAL INSTITUTIONS**

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ PROSECUTE STUDIES WITHOUT PREVIOUS PERMISSION FROM APPOINTING AUTHORITY

The appointing authority may refuse such permission in the interest of public service on consideration that it may create dislocation of work or stand in the way of efficient discharge of duties. Moreover, where such study would leave a gap in the working strength of the office, permission may be refused.

### **6.11 TAKING PART IN POLITICS AND ELECTIONS**

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ BE A MEMBER OF OR BE OTHERWISE ASSOCIATED WITH ANY POLITICAL PARTY.
- ▶ CANVASS OR OTHERWISE INTERFERE OR USE HIS INFLUENCE IN CONNECTION WITH OR TAKE PART IN AN ELECTION TO ANY LEGISLATURE OR LOCAL AUTHORITY.

**This Rule requires the Government servant to be neutral in politics and impartial in elections** – and, of course, keep his views on political matters to himself.

### **6.12 EMPLOYMENT OF NEAR RELATIVES IN PRIVATE UNDERTAKINGS**

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ USE HIS POWER /INFLUENCE TO SECURE EMPLOYMENT FOR ANY MEMBER OF HIS FAMILY IN PRIVATE UNDERTAKINGS

**A Class I officer shall not, unless with prior Government sanction, permit his son/daughter/other dependent to accept employment in any private undertaking with which he has official dealings or in any other undertaking which has official dealing with Government.**

In case acceptance of the employment cannot await the prior accord of permission, then the matter shall be reported to the Government and employment accepted provisionally, subject to the permission of the Government.

A Government servant in the discharge of his official duties shall not deal with any matter or give/sanction any contract to any undertaking/another person, if any member of his family is employed in that undertaking or under that person. If he or any member of his family is interested in such matter or contract, then he shall refer the matter to his official superior and it shall be disposed of according to the instructions of the authority.

### **6.13 DEMONSTRATION AND STRIKES**

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ PARTICIPATE IN DEMONSTRATIONS OR STRIKES

A Government servant is forbidden from participating in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, security of the State, friendly relations with foreign countries, public order, decency or morality or which involves contempt of court, defamation or incitement.

The Rules also forbid resorting to or abetting any form of strike in connection with any service matter whether of his own service or any other Government service.

### **6.14 BIGAMOUS MARRIAGE**

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ CONTRACT ANOTHER MARRIAGE WHEN WIFE/HUSBAND IS LIVING

The rule explicitly lays down that even though such subsequent marriage may be permissible under the personal law applicable to the Government servant, he or she can not contract a second marriage when the spouse is living, without first obtaining the permission of the Government.

### **6.15 UNAUTHORISED COMMUNICATION OF INFORMATION**

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ COMMUNICATE INFORMATION OR ANY OFFICIAL DOCUMENT TO THE OTHER GOVERNMENT SERVANT OR PERSON WITHOUT AUTHORITY/ORDER

## 6.16 CONNECTION WITH PRESS OR RADIO

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ OWN, EDIT, MANAGE ANY PUBLICATION
- ▶ PARTICIPATE IN A RADIO BROADCAST OR WRITE AN ARTICLE / LETTER FOR PUBLICATION

A Government servant, may however, with the previous sanction of Government have connections with the press or radio. He may also in the bonafide discharge of his duties, participate in a radio broadcast or write an article/letter to any newspaper or periodical. **No such sanction will however be required if such broadcast or contribution is of a purely literary, artistic or scientific character.**

## 6.17. EVIDENCE BEFORE COMMITTEE OR ANY OTHER AUTHORITY

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ GIVE ANY EVIDENCE IN ANY ENQUIRY WITHOUT PERMISSION FROM GOVERNMENT

**A Government servant is prohibited from giving evidence in any enquiry except with the prior sanction of the Government.** Even where such sanction has been accorded, he shall see that no criticism of policy/action of the Central or State Government is made while giving evidence.

**However, this rule does not apply to -**

- evidence given before an enquiry appointed by the Government, Parliament or a State legislature
- evidence given in any judicial enquiry
- evidence given in any departmental enquiry

## 6.18 VINDICATION OF ACTS AND CHARACTER

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ HAVE RECOURSE TO COURT/PRESS TO VINDICATE ANY OFFICIAL ACT WITHOUT PREVIOUS SANCTION OF GOVERNMENT

This rule does not prohibit a Government servant from vindicating his character or an act done by him in private capacity. He must however submit a report to the prescribed authority regarding such action.

## 6.19 CANVASSING FOR NON-OFFICIAL OR OTHER INFLUENCES

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ ATTEMPT TO BRING ANY INFLUENCE OVER SUPERIORS to further his interests

## 6.20 MEMBERSHIP OF THE SERVICE ASSOCIATION

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ BE A MEMBER OF ANY SERVICE ASSOCIATION UNLESS SUCH AN ASSOCIATION IS RECOGNISED BY GOVERNMENT

## 6.21 JOINING OF ASSOCIATIONS BY GOVERNMENT SERVANTS

**A Government servant is bound by the Conduct Rules, not to:**

- ▶ BE A MEMBER OF AN ASSOCIATION, WHOSE ACTIVITIES ARE PREJUDICIAL TO THE INTERESTS OF THE SOVEREIGNTY OR INTEGRITY OF INDIA OR PUBLIC ORDER

## 6.22 INSOLVENCY AND HABITUAL INDEBTEDNESS

**A Government servant is bound by the Conduct Rules to:**

- ▶ AVOID HABITUAL INDEBTEDNESS OR INSOLVENCY

A Government servant shall so manage his private affairs as to avoid habitual indebtedness or insolvency. If any case or 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.

## 6.23. GENDER RELATED HARASSMENT

**A Government servant is bound by the Conduct Rules not to:**

- ▶ INDULGE IN ANY ACTS OF SEXUAL HARASSMENT OF ANY WOMAN AT HER WORKPLACE

In addition, every Government servant in charge of a workplace is required to take steps to prevent sexual harassment of any woman at her workplace.

## Check List

### What a Government Servant should:

Do	Not Do
Maintain absolute integrity i.e. wholesomeness, honesty & purity	Maintain absolute integrity i.e. wholesomeness, honesty & purity
Maintain devotion to duty	Receive a complimentary/ address/ testimonial or attend a function held in his honour, or accept a trowel, key or similar article at a public function
Do nothing which is unbecoming of a Government servant	Criticise State/Central Government policy
Abide by the instructions issued by Government	Ask/accept contributions or associate in fundraising
	Habitually use any intoxicating drink or drug to excess, indulge in vicious habits, or appear intoxicated in a public place
	Speculate in stocks, shares or other investments or borrow/lend money
	Acquire/dispose property without the prior knowledge of Government
	Engage in trade/business or undertake other employment
	Prosecute studies without prior permission
	Be a member of or associated with a political party or canvass/ interfere/ use his influence in an election.
	Use his power/ influence to secure employment for a member of his family in a private undertaking



## Check List

### What a Government Servant should:

Do	Not Do
	Participate in demonstrations/ strikes
	Contract another marriage when the spouse is living
	Communicate information or an official document to any other person without authority to do so
	Maintain absolute integrity i.e. wholesomeness, honesty & purity
	Own, edit, manage a publication or participate in a broadcast or write an article/letter for publication
	Give evidence in an enquiry without prior permission
	Take recourse to the courts or the media without prior permission
	Attempt to bring influence over superiors
	Be a member of an unrecognised service association or an anti-national association
	Carry out an act of sexual harassment
	Be habitually indebted or insolvent

# CENTRAL CIVIL SERVICES (CONDUCT) RULES – 1964

M Sethu Ramalingam

*(Deputy Chief (legal), Central Electricity Regulatory Commission)*

## INTRODUCTION

1. Every employer has some expectations from the employees and tries to regulate the behaviour of the employees so as to meet these expectations. The Government as an employer also has some code of conduct for its employees. The 'do's and 'do not's prescribed by the Govt. for its employees are contained in the CCS (Conduct) Rules – 1964. These Rules have been framed by the executive under the powers provided by the proviso to Article 309 of the Constitution of India.

2. Conduct Rules place some restrictions on various activities of the Govt. servants in relation to their performance of the official duties, social activities, financial transactions and even in the domestic/personal arena. The validity of these Rules in the context of the Fundamental Rights enshrined in the Constitution of India has been examined and it has been held that the Rules are valid. In this connection the following points merit attention:

- a. A Govt. Servant who voluntarily enters Govt. service accepts these rules and conditions voluntarily in his/her own interest. Hence these restrictions are not imposed externally but are accepted by the Govt. servant voluntarily.
- b. It is always open to the Govt. Servant to exercise his/her Fundamental Rights by resigning from service.
- c. The rules place reasonable restrictions for certain specific purposes. For example, there is a restriction on the borrowing and lending by the Govt. Servants. Obvious purpose behind this rule is that if a person is not able to manage his finances judiciously, he/she may become a vulnerable target for the unscrupulous elements who may throw baits and drag the Govt. Servant into dishonest activities at the cost of the Govt.

## APPLICABILITY

4. These rules apply to every person who is appointed to a Civil Service or post including Defence Civilians except certain categories of persons. Members of All India Service, (IAS, IPS, etc.) Railway employees, P & T Extra Departmental Agents, etc. are exempt from the application of the CCS (Conduct) Rules 1964. There are other rules of similar nature in respect of the persons to whom the CCS (Conduct) Rules 1964 do not apply.

## DEFINITION

6. Rule 2 contains the definition clause. As per this Rule, the Member of family of a Govt. Servant includes the following:

- a. Spouse is always a member of the family of the Govt. Servant irrespective of the income and the place of residence. i.e. the wife of a Govt. servant earning twice as much as him and staying several kilometers away from him shall be treated as a member of the family of the Govt. Servant in question.
  - b. Legally separated spouse, however, shall not be a member of the family of the Govt. Servant.
  - c. Children and stepchildren who are wholly dependent on the Govt. Servant shall be members of the family. The children/stepchildren whose custody has been legally deprived of shall not be members of the family of the Govt. Servant.
  - d. The Rules do not define the terms “wholly dependent”. However, the definition of the terms for the purpose of LTC may be considered as wholly dependent.
  - e. Any other person, who is related to the Govt. Servant or his/her spouse, by blood or marriage, shall be a member of his/her family subject to the condition of dependency.
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## About the Author

**Smt Nandita Hazarika** is a retired Civil Servant of the Government of Assam with over 27 years of experience. She superannuated as the Additional Secretary & State Mission Director of Assam State Rural Livelihood Mission .

Prior to joining the livelihood sector, she had been working in the area of disaster management and was on deputation with the United Nations Development Programme for nearly 10 years.

She was also selected as an ITEC expert by the Government of India and was assigned to Mauritius for one and a half years as an ITEC expert for conducting a Training Needs Assessment (TNA) of the Mauritius Civil Service in Port Louis, Mauritius.

She is also a Master Trainer of the Government of India and has developed various training modules including one which she had co-authored on Gender and Disaster Management which has been published by UNDP, India & Ministry of Home Affairs, Government of India. She was developed as a trainer on Gender & Disaster Management by UNDP at Colombo, Sri Lanka and has the experience of training the Afghanistan National Disaster Management Authority officials on Gendering Disaster Risk Reduction which was held at Kabul, Afghanistan. Ms Hazarika has also been trained on Distance Learning at Manchester University and has prepared distance learning training modules on Assam Civil Service Conduct Rules, Discipline and Appeal Rules and Assam Leave Rules.

Presently she has been nominated as Director (Independent) NEDFI.

She is also involved in public and social welfare activities through Socio Educational Welfare Association (SEWA)<https://sewango.org>, a NGO with focus on Elderly Care, TI (AIDS) Project, Sustainable livelihood, Mental Health, Natural Farming, Gender Awareness etc.

