

The background is a dark teal color. It features several decorative elements: a large teal circle in the bottom-left, a medium teal circle in the top-right, a smaller teal circle in the bottom-right, and a red vertical rectangle in the top-right corner. The main title is centered in white text.

Conduct for Govt. Employees

UNDERSTANDING CONDUCT AND CONNECTED ISSUES

What is Conduct

- ▶ Conduct is the way of behaviour.
- ▶ In respect of Govt. Servants it's the standard of behaviour that guides decisions, procedures and system of Govt. as prescribed through laws
- ▶ Conduct is necessary for all spheres of life
- ▶ For society its known as social norms
- ▶ Conduct by Govt. Servants is backed by law
- ▶ When its backed by law its **mandatory**

Concept of conduct

- ▶ Govt. Servants are required to adhere to certain standards of conduct both in their official and private capacities.
- ▶ Its basically the compilation of **do's and don'ts** prescribed by the Govt. in the form of Rules.
- ▶ It has to be followed by all Govt. Servants
- ▶ Violation invites action as per provisions of Discipline and Appeal Rules
- ▶ Rules are framed under delegation from Article 309 of the Constitution of India

Relevance of Conduct Rules

- ▶ Since its framed by competent authority under delegation from the Constitution of India its always relevant.
- ▶ There may be a few amendments from time to time but the relevance remains unaffected unless the Rules are completely repealed.
- ▶ Such Rules are **delegated legislations** and are laws.

Relevance of Conduct Rules

- ▶ Employers/Govt. expects workplace conduct by its employees/servants
- ▶ Public Servants/Employees are also expected to follow such conduct.
- ▶ Conduct prescribed in laws are legally enforceable

Need for Conduct Rules

- To have a sense of discipline
- To build a sound conceptual base on the duties
 - ▶ Govt. Servants are responsible towards
 - *The Government who appoints them
 - *The public with whom Public Servants Come into contact in public dealings

Salient features

- ▶ Every Govt. Servant at all times-
- **Maintain absolute integrity**
- **Maintain devotion to duty**
- **Do nothing which is unbecoming of a Govt.Servant (Rule 3)**

Majority of disciplinary proceedings arise out of violation of this rule

Conduct amounting to

▶ Prejudicial to the interest of Govt.

▶ Cannot be relied on the faithfulness of the GS

▶ Habitual neglect or negligence of work

▶ Abusive and disturbs the peace of work place

▶ Wilful insubordination/disobedience

▶ Dishonesty, untrustworthiness, theft or fraud

▶ Strike, picketing, gherao, disorderly behaviour

▶ Habitual late attendance

Salient features

- ▶ Rule 3 is the most operative rule in the Assam Services Conduct Rules-1965
- ▶ Fundamental requirements of the rules are **integrity, honesty, efficiency and good behaviour of a Govt. Servant.**
- ▶ Also takes the form of a residuary rule when no specific rule is applicable

Salient Features

- ▶ Supervisory post to ensure integrity and devotion to duty of his subordinates
- ▶ Govt. Servants to act in his best judgment except when acting under order from superior
- ▶ Direction of superiors should be in writing
- ▶ Public Servants who receives **oral direction** should seek confirmation in writing.

Salient features

▶ **Acceptance of gift**

- ▶ No Govt. Servant shall accept or permit any member of his family or any person acting on his behalf to accept any gift.
- ▶ Should avoid accepting lavish/frequent hospitality from any individual having official dealings or from industrial or commercial firms /organizations etc.
- ▶ Gift includes free transport, boarding, lodging or other service or any other pecuniary advantage.

Gift

- ▶ Shall make a report to Govt. if the value of the gift exceeds the limit prescribed by Govt.
- ▶ A casual meal, lift or other social hospitality shall not be deemed as gift.
- ▶ May accept gift from personal friends having no official dealings with him. Shall make a report to Govt. if value of such Gifts exceed the limit prescribed.

Salient features

- ▶ **Public demonstration** in honour of Govt. Servant only with previous sanction of Govt.
- ▶ Govt. Servants need to abstain from **criticizing** Govt. policy etc.
- ▶ Govt. Servant shall not accept or ask for **contribution/Subscription** etc without previous sanction of Govt.

Salient features

- ▶ Consumptions of **Intoxicating Drinks** and **Drugs** etc.- To strictly abide the law in force
- ▶ Investment , lending and borrowing-No speculation in any stock, share and other investments- make or permit any member of his family or any person acting on his behalf to make any investment which may embarrass him or influence him in discharge of official duty

Salient features

- ▶ Either himself or through any member of his family- **should 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
- ▶ Should lend money to any person at interest or in a manner whereby return of money or in kind is charged or paid

Salient features

► **Moveable, immovable and valuable property**

-Every Govt. Servant is required on his first appointment submit a return of his assets and liabilities giving complete particulars of

*Immovable property/Cash, Bank deposits, shares and debentures/Other movable properties/Debts and other liabilities

(Inherited by him or acquired/owned/ held by him by lease etc.)

Salient features

- ▶ No Govt. Servant shall accept without the previous knowledge of the prescribed authority acquire or **dispose off any immovable property by lease/mortgage/gift /sale etc.**
- ▶ Previous sanction of prescribed authority shall be required in certain cases-

Salient features

- ▶ Government Servant shall report to Prescribed Authority every transaction in his own name or in the name of member of his family in respect of **Movable property**.
- ▶ *Previous sanction will be necessary if its with a person having official dealings or otherwise than through a regular or reputed dealer*

Salient features

▶ **Private Trade or Employment**

*Without prior permission not to engage directly or indirectly in any trade or business

* No permission required for literary, charitable, scientific nature/ participation in sports

No prosecution of studies without permission from the appointing authority

▶ Should remain careful about insolvency and habitual indebtedness

Important features

- ▶ No unauthorised communication of documents
- ▶ Participation or management of press not allowed without Govt. permission
- ▶ Should not give evidence in any enquiry etc without Govt. sanction
- ▶ Not to criticise Govt. policy
- ▶ Evidence in judicial enquiry/departmental enquiry/Parliamentary/Assembly Committee is allowed

Important features

- ▶ Govt. Servants cannot take part in Politic/Elections
- ▶ Employment of near relatives in private undertakings enjoying Govt. patronage not allowed
- ▶ Not to engage in demonstration/strike
- ▶ Not to go to court/press without previous Govt .sanction for vindication of official work
- ▶ However, can go in private capacity

Features

► Restrictions regarding marriage

- No Govt. servant without Govt. permission shall enter into or contract a marriage with a person having a spouse living
- The above is notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to the GS
- No GS shall have more than two children after 01/01/2021
- Declaration at the first appointment. Form prescribed vide 2019 amendment. Also by existing GS
- No child marriage

Thanks

