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## PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATION

The 6<sup>th</sup> November, 2019.

**No.PER.100/90/Pt/97. – In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to make following rules, namely, -**

### THE MEGHALAYA SERVICES (CONDUCT) RULES, 2019

1. **Short title, commencement and application-** These Rules may be called the Meghalaya Services (Conduct) Rules, 2019.
  1. They shall come into force with effect from the date of their publication in the Official Gazette.
  2. Save as otherwise provided they shall apply to every person appointed to a Civil Service or post in connection with the affairs of the State of Meghalaya:

Provided that nothing in these Rules shall apply to a Government employee who is:-

- (a) a member of the All India Service; or
- (b) a holder of any post in respect of which the Governor may by a general or special order, direct that these Rules shall not apply.

2. **Definitions:-** In these Rules, unless the context otherwise requires:-

- (a) "Government" means the Government of Meghalaya.
- (b) "Government employee" means any person appointed by the Government to any Civil Service or post in connection with the affairs of the State of Meghalaya.

**Explanation:-** A Government employee whose services are placed at the disposal of a Company, Corporation, Organisation or a Local Authority by the Government shall, for the purpose of these Rules, be deemed to be a Government employee serving under the Government notwithstanding the fact that his salary is drawn from sources other than the Consolidated Fund of the State;

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

**3. General:** - (1) Every Government employee shall, at all times, maintain absolute integrity and devotion to duty and shall do nothing which is unbecoming of a Government employee.

(2) Every Government employee holding a supervisory post shall take all possible steps to ensure that all Government employees under his supervision, control or authority maintain absolute integrity and devotion to duty.

(3) Every Government employee shall, in the performance of his official duties or in the exercise of powers conferred on him, act in the best of his judgement except when he is acting under such direction of his official superior. When acting under such direction, he shall obtain the direction in writing and, where it is not practicable to obtain the direction in writing, shall obtain written confirmation of the direction as soon as possible, thereafter.

**Explanation:-** Nothing in Sub-rule (3) shall be construed as empowering a Government employee to evade his responsibility by seeking instructions from, or the approval of a superior officer or authority, when such instructions are not necessary under the scheme of delegation of powers and responsibilities.

#### **State Government's Instructions**

The conduct of Government business on the basis of oral orders or instructions of officers having the power to give orders or instructions of such has been carefully examined in the light of the above provisions. With a view to remove any doubt as to the role of oral direction in the transaction of Government business, Government have decided to lay down the following instructions which will serve the purpose of Guidelines in the matter:-

- (i) Oral instructions should not, as far as possible, be issued by senior officers to their subordinates.
- (ii) If the oral instructions are issued by any senior officer, they should be confirmed by him in writing immediately thereafter.
- (iii) If a junior officer seeks confirmation to the oral instructions given by the senior, the latter should confirm it in writing whenever such confirmation is sought.
- (iv) A junior officer who has received oral orders from his superior officer should seek confirmation in writing as early as practicable.
- (v) Whenever a member of the personal staff of a Minister communicates an oral order on behalf of the Minister, it should be confirmed by him in writing immediately thereafter.
- (vi) If a junior officer receives oral instructions from the Minister or from his personal staff and the order are in accordance with the norms, rules regulations or procedures, they should be brought to the notice of the Secretary or Head of the Department, as the case may be, for information.
- (vii) If a junior officer receives oral instructions from the Minister or his personal staff and the orders are not in accordance with the norms, rules, regulations or procedures, he should seek further clear orders from the Secretary or Head of the Department, as the case may be about the line of action to be taken, stating clearly that the oral instructions are not in accordance with the rules, regulations, norms or procedures.

All concerned are to observe the above instructions strictly and invariably in future.

**Foot Note:-** Since the personal staff of Ministers, whether belonging to organised services or otherwise are governed by the provisions of the Conduct Rules, they are also required to observe the orders outlined above.

**3(A) Duty** (1) Every employee shall perform all the tasks assigned to him, ensuring the quality of performance expected of him, within the time set for the purpose.

(2) Every employee shall implicitly obey the order of his superior officer and shall not exhibit any kind of insubordination, either alone or in combination with others.

(3) No employee shall wilfully or otherwise neglect his duties.

(a) Every Government employee shall at all times-

- (i) maintain absolute integrity;
- (ii) maintain devotion to duty;
- (iii) do nothing which is unbecoming of a Government employee.
  - (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 sections of society;
  - (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 organization 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-privilege 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.

(b) (i) Every Government employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all government employees for the time being under his control and authority;

- (ii) No Government employee shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior;
- (iii) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;
- (iv) A Government employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.

#### **State Government's Instructions**

The Conduct Rules for various services have enjoined the need for every member of the Government Service to maintain absolute integrity and devotion to duty and to refrain from doing anything which is unbecoming of a member of the Service. It is also expected that Government officials should take all possible steps to ensure the integrity of and devotion to duty of all government employees under the control and authority. Government reiterate that all the State Government officials, are expected to scrupulously observe the provisions of the relevant Conduct Rules both in letter and in spirit. It is emphasized that Government employees should conduct themselves in a manner which inspires the confidence and respect of the members of the public.

#### **3. B. Absence from Duty:-**

**“No employee shall be absent from duty without permission from the competent authority”**

#### **State Government's Instructions**

Government are seriously concerned at the increasing tendency among Government employees to absent themselves from duty voluntarily in response to calls for non-cooperation movements, bandhs, picketing, etc., organised by certain organisation. Government employees, like other citizens, have their own views and feelings but it is wrong and wholly impermissible for them to participate in or support by absence from duty, or by other acts, what is essentially a political movement. In this connection attention of all concerned is drawn to the above provision of Rule 3 (1) which enjoins that every Government employees shall at all times (i) maintain absolute integrity, (ii) maintain devotion to duty, and (iii) do nothing which is unbecoming of a Government employee. No Government can function if Government employee violate discipline and the rules of conduct by which they are governed and join, in any manner, either in a political protest or expression of political feeling. To meet such and other similar situations, the following instructions are issued for guidance and strict compliance by all concerned.

- (1) A Government employee abstaining from duty for any reason whatsoever without permission shall not be entitled to any pay and allowances during the period of such absence.
- (2) The authorities concerned should, however, after proper enquiry to the facts and circumstances explained by such employees in their written explanation, satisfy themselves that they are guilty of such indiscipline before imposing the above punishment.
- (3) Secretaries, Heads of Departments and Heads of Offices should advise their employees against participating in noncooperation movements or absenting themselves on the pleas of bandh, picketing, etc., and may issue a cautionary notice in advance to all Government employees that those who absent themselves on such occasion will be liable for action under the Rules.

#### **3. C. Prohibition of Sexual Harassment of working Women**

- (1) No member of the Service shall indulge in any act of sexual harassment of any woman in the work place.
- (2) A Government employee in-charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

**Explanation – For the purpose of this Rule,**

- (a) **“Sexual harassment” includes such unwelcome sexually determined behaviour, whether directly or by implication, as below:-**
- (i) physical contact and advances;
  - (ii) a demand or request for sexual favours;
  - (iii) sexually coloured remark;
  - (iv) showing pornography
  - (v) any other unwelcome physical, verbal or non-verbal conduct tantamount to outraging the modesty of woman.
- (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, organization, 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 State 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 journeys;
  - (v) a dwelling place or a house.

**3. D. Prohibition of employment of children below 14 years of age:-**

No member of the Service shall employ any child below the age of 14 years.

**4. Gifts:-** (1) Save as otherwise provided in these Rules, no Government employee shall permit any member of his family, or any other person acting on his behalf, to accept any gift.

**Explanation** – The expression “gift shall include free transport, boarding, lodging or other service or any other pecuniary advantage, when provided by any person other than a near relative or personal friend having no official dealings with the Government employee”.

**Note (I):-** A casual meal, lift or other hospitality shall not be deemed to be a gift.

**Note (II):-** A Government employee shall not accept hospitality, from any individual having official dealings with him or from industrial or commercial firms, organizations, etc.

(2) On occasions such as weddings, anniversaries, funerals or religious functions, when the making of a gift is in conformity with the prevailing religious or social practices, a Government employee may accept gifts from his near relatives but shall promptly report to the Government if the value of any such gift exceeds:-

- (i) ₹. 25,000/- in the case of a Government employee holding any Group ‘A’ post,
- (ii) ₹. 15,000/- in the case of a Government employee holding any Group ‘B’ post.
- (iii) ₹. 7,500/- in the case of a Government employee holding any Group ‘C’ post, and
- (iv) ₹. 5,000/- in the case of a Government employee holding any Group ‘D’ post.

(3) In other cases, a Government employee shall not accept or permit any member of his family or any other person acting on his behalf, to accept any gift without the sanction of the Government, if the value thereof exceeds:-

₹. 1,500/- in case of a Government employee holding any Group 'A' or Group 'B' post:

(a) ₹. 500/- in the case of a Government employee holding any Group 'C' or Group 'D' post.

**5. Giving or taking of Dowry:- No Government employee shall:-**

(a) Give or take or abet the giving or taking of dowry; or (b) demand any dowry, directly or indirectly, from the parents or guardians of bride or bridegroom, as the case may be.

**Explanation:-** For the purpose of this rule 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

**Definition of dowry:** - In this Act, "Dowry" means any property or valuable security given or agreed to be given either directly or indirectly-

- (a) by one party to a marriage to the other party to the marriage; or
- (b) by the parents of either party to a marriage or by any other person to either party to the marriage or to any other person; at or before or any time after the marriage in connection with the marriage of the said parties, but does not include dower or mahar in the case of persons to whom the Muslim Personal Law (Shariat) applies.

**6. Public functions in honour of Government employee:-** No Government employee shall, except with the previous sanction of the Government, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour or in the honour of any other Government employee:-

Provided that nothing in this Rule shall apply to:-

- (a) A farewell entertainment of a substantially private and informal character held in honour of the Government employee or any other Government employee on the occasion of his retirement or transfer or of any person who has recently quit his service under any government; or
- (b) The acceptance of simple and inexpensive entertainment arranged by public bodies or institutions.

**Note:** Coercion of any sort on any Government employee to induce him to subscribe towards any farewell entertainment even if is of a substantially private or informal character, is strictly prohibited.

**State Government's Decision**

Apart from the instruction contained in the above Rule, it has also been clarified that it would be against the spirit of the Rule, as also inappropriate and inconsistent with the rule of detached impartiality for members of the Service, to accept invitations to declare buildings open or to lay foundation stones of new building, or to allow bridges, roads, buildings, etc., to be named after them.

**7. Presentation of trowels, etc. at ceremonial functions.-** No Government employee shall except with the previous sanction of the government, receive any trowel key or other similar articles offered to him at a ceremonial function such as the laying of a foundation stone or the opening of a public building.

**8. Criticism of Government:-** No Government employee shall, in any broadcast over the electronic or social media or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance make any statement of fact or opinion:-

- (a) Which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or any State Government; or

- (b) Which is capable of embarrassing the relations between the Central Government and the Government of any State; or
- (c) Which is capable of embarrassing the relations between the Central Government and the Government of any foreign country

Provided that nothing in this Rule shall apply to any statement made or views expressed by a Government employee in his official capacity or in the due performance of the duties assigned to him.

#### **State Government's Decision**

Government would reiterate that all State Government officials are expected to scrupulously observe the provisions of the relevant Conduct Rules both in letter and spirit. Government would emphasize that all Government employees should refrain from indulging in criticism of any another Department on policy or action of the Government to non-official bodies, etc., which could then find their way to the Press, thereby embarrassing the relations among different Department and tarnishing the image of the Government.

**9. Subscriptions:-** No Government employee 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 or other collections in cash or in kind, in pursuance of any object whatsoever.

#### **10. Consumption of intoxicating drinks and drugs and indulgence in vices:-**

A Government employee shall:-

- (a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;
- (b) not be under the influence of any intoxicating drinks or drugs during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drinks or drugs;
- (c) not consume any intoxicating drinks or drugs in a public place;
- (d) not appear in a public place in a state of intoxication;
- (e) not use any intoxicating drink to excess;
- (f) not indulge in fornication, gambling or other vices which may tend to reduce his efficiency as a public servant or detrimental to his self-esteem or the Government's public esteem.

**Explanation:-** For the purpose of this Rule "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.

#### **State Government's Decision**

The above provisions of this Rule are of special importance in the context of the latest endeavour to reduce the consumption of alcoholic beverage and drug. While it is expected that every Government employee will scrupulously adhere to the provisions of the Meghalaya Civil Services (Conduct) Rules mentioned above, it is also expected of the disciplinary authorities to keep strict watch on the conduct of the Government employees in regard to matters covered by the aforesaid rules. Violation of any of the above provisions will constitute a good and sufficient reason for taking disciplinary action against a Government employee. The disciplinary authorities should take a very serious view of any violation of the above Rule and should not hesitate to impose the severest punishment on such Government employees who are proven guilty of violating the said rules.

#### **11. Investment, lending and borrowing:- (1) No Government employee shall speculate in any stock, share or other investment.**

**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.

(2) No Government employee 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.

(3) If any question arises as to whether any transaction is of the nature referred to in Sub-rule (1) or Sub-rule (2), the decision of the Government thereon shall be final.

(4) No Government employee shall, save in the ordinary course of business with a bank, or firm duly authorised to conduct banking business, either himself, or through any member of his family, or any other person acting on his behalf-

- (a) lend or borrow money as principal or agent, to or from any person with whom he is likely to have official dealings, or otherwise place himself under pecuniary obligation to such person; or
- (b) lend money to any person with interest or in a manner whereby return in money or in kind is charged or paid-

Provided that a Government employee may give to or accept from a relative or a personal friend a purely temporary loan free of interest of an amount not more than ₹. 10,000/-, or operate a credit account with a bona-fide trade man.

Provided further that nothing in this Sub-rule shall apply in respect of any transaction entered into by a Government employee with the previous sanction of the Government.

(5) When a Government employee is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of Sub-rule (2) or Sub-rule (4), he shall forthwith report the circumstances to the prescribed authority and shall thereafter act in accordance with such order as may be made by such authority.

**12. Insolvency and habitual indebtedness:-** A Government employee shall so manage his private affairs so as to avoid habitual indebtedness or insolvency. A Government employee against whom any legal proceeding is instituted for recovery of any debt due from or adjudging him as an insolvent, shall forthwith report the full facts of the legal proceedings to the Government.

**Note:-** The burden of proving shall lie with the Government employee that the insolvency or indebtedness was the result of circumstances which, with exercise of ordinary diligence, the Government employee could not have foreseen, or over which he had no control, and had not proceeded from extravagant or dissipated habits.

**13. Movable, Immovable and Valuable property:-** (1) Every Government employee shall on his first appointment to any service, or post and thereafter at such intervals as may be specified by the Government, submit a return of his assets, and liabilities, in such form as may be prescribed by Government, giving the full particulars regarding-

- (a) the immovable property owned, inherited, or acquired by him by lease, mortgage or otherwise, whether in his own name or of any member of his family or any other persons.
- (b) shares, debentures and cash including bank deposits held, owned, inherited or acquired by him.
- (c) other movable property held, owned, inherited or acquired by him; and
- (d) debts and other liabilities incurred by him directly or indirectly.

**Note:-** (I) Sub-rule (I) shall not ordinarily apply to Group 'D' employees, but the Government may direct that it shall apply to any such Government employee or Group of such Government employees.

(II) In all returns, the value of items of movable property worth less than ₹. 10,000/- may be added and shown as a lump-sum. The value of articles of daily use such as clothes, utensils, crockery, books, etc., need not be included in such return.

(2) No Government employee 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:-

Provided that the previous sanction of the prescribed authority shall be obtained by the Government employee if any such transaction is:-

- (a) with persons having official dealings with the Government employees;
- (b) otherwise than through regular or reputed dealers.

(3) Every Government employee shall report to the prescribed authority every transaction entered into by him, either in his own name or in the name of a member of his family in respect of movable property, if the value of such property exceeds ₹. 10,000/-.

Provided that the previous sanction of the prescribed authority shall be obtained if any such transaction is:-

- (a) with persons having official dealings with the Government employee;
- (b) otherwise than through regular or reputed dealer.

(4) The Government, or the prescribed authority, may, at any time, by general or special order, require a Government employee to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him on his behalf, or by any member of his family, as may be specified in the order. Such statement, if so required by the Government, or by the prescribed authority, shall include the details of the means by which, or the source from which, such property was acquired.

(5) The return as mentioned in Sub-rule (1) or statement as mentioned in Sub-rule (4) must be certified by the Government employee as true to his knowledge and belief.

(6) Any Government employee concealing any of his assets or liabilities which he is liable to declare under Sub-rules (1) or (4) above shall be liable to disciplinary action provided that bona-fide omission or mistakes shall not make him so liable.

(7) If any Government employee, or any other person on his behalf, or any member of his family, is found in possession of pecuniary resources or property which appear to the Government to be disproportionate to his known sources of income, the Government shall presume, unless the contrary is proved, that the Government employee acquired such property by dishonest means and the Government shall take such action against the Government employee concerned as deemed necessary.

(8) The Government may exempt any category of Government employees belonging to Group 'C' or Group 'D' from any of the provisions of this Rule except Sub-rule (4), (5), (6) and (7).

**Explanation:** For the purpose of this Rule the expression,

- (a) **'movable property' includes-**
  - (i) shares, securities, debentures, jewellery and insurance policies, the annual premium of which exceed Rs.10,000/-;
  - (ii) loans advanced by such Government employee whether secure or not;
  - (iii) motor cars, motor cycles, or any other means of conveyance, and
- (b) **'prescribed authority' means-**
  - (i) the Government, in the case of a Government employee holding any Group 'A' posts, except where any lower authority is specifically designated by the Government for any purpose;
  - (ii) Head of Department, in the case of a Government employee holding any Group 'B' post;

- (iii) Head of office, in the case of a Government employee holding any Group 'C' or Group 'D' post;
- (iv) In respect of a Government employee on foreign service or on deputation to any other Government, the parent department or the cadre on which such Government employee is borne.

**14. Transaction in immovable property outside India:-** Notwithstanding anything contained in Sub-rule (2) of Rule 13, no Government employee shall, except with the previous sanction of the prescribed authority:-

- (a) acquire by purchase, mortgage, lease, gift, or otherwise, either in his own name, or in the name of any member of his family, any immovable property situated outside India.
- (b) dispose of by sale, mortgage, gift, or otherwise, or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him, either in his own name, or in the name of any member of his family.
- (c) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern:-
  - (i) for the acquisition by purchase, mortgage, lease, gifts or otherwise, either in his own name, or in the name of any member of his family, of any immovable property.
  - (ii) for the disposal by sale, mortgage, gift or the grant of any lease in respect of any immovable property which was acquired or is held by him, either in his own name, or in the name of any member of his family.

**Explanation:-** Under this Rule, "prescribed authority" has the same, meaning as Rule 13.

**15. Private trade or employment:-** (1) Subject to the provisions of Sub-rule (2), no Government employee shall, except with the previous sanction of the Government:-

- (a) engage directly or indirectly in any trade or business; or
- (b) negotiate for, or undertake, any other employment, or
- (c) hold an elective office, or canvass for a candidate or candidates for an elective office, in any body, whether incorporated or not, or
- (d) canvas in support of any business of insurance agency, commission agency, etc., owned or managed by any member of his family, or
- (e) take part, except in the discharge of his official duties, in the registration, promotion or management of any Bank or other company registered or required to be registered, under the Companies Act, 1956 (1 of 1956), or any other law for the time being in force, or of any co-operative society for commercial purposes.
- (f) Participate in or associate himself in any manner in the making of:-
  - (i) a sponsored media (radio or television) programme; or
  - (ii) a media programme commissioned by Government media but produced by a private agency; or
  - (iii) a privately produced media programme including video magazine;

(2) (A) A Government employee may, without the previous sanction of the Government-

- (a) undertake honorary work for a social or charitable nature, or
- (b) undertake occasional work of a literary, artistic or scientific character, or
- (c) participate in sports activities as an amateur, or
- (d) take part in the registration, promotion or management (not involving the holding of an elective office) of a literary, scientific or charitable society or of a club of similar organization, the aims or objects of which relate to promotion of sports, cultural or recreational activities, registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being force, or
- (e) take part in the registration, promotion or management (not involving the holding of elective office) of a co-operative society substantially for the benefit of Government employees, registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law for the time being in force;

Provided that-

- (i) he shall discontinue taking part in such activities, if so directed by the Government; and
- (ii) in a case falling under Clause (d) or Clause (e) of this Sub-rule, his official duties shall not suffer thereby and he shall, within a period of one month of his taking part in such activity, report to the Government giving details of the nature of his participation.

(3) Every Government employee shall report to the Government if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

(4) Unless otherwise provided by general or special orders of the Government, no Government employee may accept any fee for any work done by him for any private or public body or any private person without the sanction of the prescribed authority.

**16. Prosecution of studies by Government employees in educational institution:-**

No Government employee while in Government service, shall join or attend any educational Institution for the purpose of preparing himself for, or shall appear at any examination of a recognised Board or University, without obtaining previous permission from the appointing authority.

Provided that the appointing authority may refuse such permission in the interest of public service on consideration that such joining or attending any educational institution, or appearing at any examination, may create dislocation of work, or stand in the way of the efficient discharge of the duties by the Government employee concerned. Permission for study leave, or any other kind of leave granted for the purpose of joining or attending any educational institution, shall be subject to the condition that the Government employee shall not seek election to, or hold any elected office in Students' Union or other Association of Students, except Associations formed for purely literary, academic or artistic pursuits.

**Explanation:-** Persons doing executive work should not normally be given permission to pursue higher studies. Moreover, where giving permission means a big gap in the working strength of the office, permission may be refused by the appointing authority at his discretion.

**17. Unauthorised Communication of information:-** Every Government employee shall, in performance of his duties in good faith, communicate information to a person in accordance with the Right to Information Act, 2005 and the rules made there under:-

Provided that no Government employee shall, except in accordance with any general or special order of the Government, or in the performance, in good faith, of the duties assigned to him, communicate, directly or indirectly, any official document, or any part thereof, or classified information, to any Government employee or to any other person to whom he is not authorised to communicate such document or classified information.

**18. Connection with Print or Electronic Media:-** (1) No Government employee shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in the editing or management of any newspaper/periodical or other publications, in print or electronic media.

(2) No Government employee shall, except with the previous sanction of the Government, or of the prescribed authority, or except in the bona-fide discharge of his duties:-

- (a) publish a book himself or through a publisher or contribute an article to a book or a compilation of articles; or
- (b) participate in a broadcast over the electronic media or contribute or write a letter or article to any newspaper or periodical either in his own name or anonymously or pseudonymously.

Provided that no such sanction shall be required:-

- (i) if such publication is through a publisher and is of a purely literary, artistic or scientific character; or
- (ii) if such contribution, broadcast, or writing is of a purely literary, artistic or scientific character.

**19. Evidence before a Committee or any other authority:-** (1) Save as provided in Sub-rule (3) below, no Government employee shall, except with the previous sanction of the Government, give evidence in connection with any enquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under Sub-rule (1), no government employee giving such evidence shall criticise the policy or any action of the Central Government or State Government.

(3) Nothing in this Rule shall 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.

**20. Taking part in politics and elections:-** (1) No Government employee shall be a member of, or otherwise be associated with any political party, or with any organisation which takes part in politics, or whose activities have political bearing, nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

(2) It shall be the duty of every Government employee to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be subversive of the Government as by law established. Where a Government employee is unable to prevent a member of his family from taking part in, or subscribing in aid of or assisting in any other manner any such movement or activity, he shall make a report to that effect to the Government.

(3) If any question arises, whether a party is a political party or whether any organisation takes part in politics or if activities have political bearing or whether any movement or activity falls within the scope of Sub-rule (2), the decision of the Government thereon shall be final.

(4) No Government employee shall canvass, or otherwise interfere with or use his influence, in connection with or take part in an election to any legislature or local authority in any manner which may cause doubt on his impartiality in relation to such elections and any partisan behaviour would amount to a misconduct:-

Provided that

- (a) a Government employee qualified to vote at such election may exercise his right to vote, but where he does so he shall give no indication of the manner in which he proposed to vote or has voted;
- (b) a Government employee shall not be deemed to have contravened the provisions of this Rule by reason only that he assisted in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force;
- (c) a Government employee may be permitted to offer himself as a candidate for election to a local authority and the Government employee so permitted shall not be deemed to have contravened the provisions of this Rule.

**Explanation:-** The display by a Government employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this Sub-rule.

**Note:-** A Government employee eligible for election to any local body must obtain the permission of the Head of the Office before he files his nomination paper.

#### **State Government's Instructions**

Government has been noticing that some Government officials are indulging in anti-Government activities by participating openly in political movement and activities. Government would reiterate that all State Government officials are expected to scrupulously observe the provisions of the relevant Conduct rules both in letter and spirit and to refrain from indulging in any anti-Government activities. It is emphasized that the instructions contained in the above Rule should be strictly adhered to and any violation of these instructions would be viewed seriously by the Government.

**20A. Contesting in elections to sports bodies, etc.-** No member of the service shall, except with the previous sanction of the State Government hold an elective office in any sports association or federation or body at any level.

**20B. Membership in any Community based Organization, Association or Society-** A member of the service who holds office in a Community based Organization, Association or Society shall furnish information to the Government immediately on holding such office.

Provided that any member of the Service who is already holding office in a Community based Organization, Association or Society shall also furnish such information to the Government immediately.

**NOTE:** The term “Community based Organization, Association or Society” shall not include any “faith based organization”, “clan based organization” and “traditional body”.

**21. Employment of near relatives of Government Employees in Company of Firms enjoying Government patronage:-** (1) No Government employee shall use his position or influence directly or indirectly, to secure employment for any member of his family in any Company or Firm.

(2) No Group ‘A’ Officer shall, except with the previous sanction of the Government, permit his son, daughter or other dependants to accept employment in any Company of Firm having official dealings with the Government:

Provided that where the acceptance of the employment cannot await prior permission of the Government, or is otherwise considered urgent, the matter shall be reported to the Government and the employment, may be accepted provisionally, subject to the permission of the Government.

(3) A Government employee shall, as soon as he becomes aware of the acceptance by a member of his family of any employment in such Company or Firm as referred to in Sub-rule (2) above, intimate such acceptance to the prescribed authority and shall also intimate whether he has or had any official dealings with that Company or Firm:

Provided that no such intimation shall be necessary in the case of a Group ‘A’ Officer if he has already obtained the sanction of, or sent a report to, the Government under Sub-rule (2).

(4) No Government employee shall, in the discharge of his official duties with any matter, sanction any contract to any Company or Firm or any other person, if any member of his family is employed in that Company or Firm or under that person, or if he or any member of his family is interested in such matter or contract in any other manner. The Government employee shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

**22. Demonstrations and Strikes:- No Government employee shall-**

- (a) engage himself, or participate in any demonstration, which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involves contempt of Court, defamation or incitement to an offence; or
- (b) in any way abet any form of strikes or coercion or physical duress in connection with any matter pertaining to his service or the Service of any other Government employee.

#### **State Government’s Instructions**

Instances have come to the notice of the Government that some Government employees have taken part in demonstrations, etc., launched by different organisations. Such an act on the part of the Government employee will be considered as a direct violation of the relevant Rule and he/she will be liable to strict disciplinary action as specified under the Rules.

**23. Vindication of acts and character of Government Employee:-** (1) No Government employee shall, except with the previous sanction of the Government, have recourse to any court or to the print or electronic media for the vindication of any official act which has been the subject matter of adverse criticism or an act of a defamatory character.

(2) Nothing in this Rule shall be deemed to prohibit a Government employee from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the Government employee shall submit a report to the prescribed authority regarding such action.

**Note:-** This Rule does not prohibit a Government employee to take recourse to any court of law of his grievances arising out of his employment or conditions of service and Government permission for such a course of action is not required. At the same time, the Government employee is expected to exhaust all normal official channels of redress before resorting to such course of action.

#### **State Government's Instructions**

Government employees seeking redress of their grievances arising out of their employment or conditions of service should, in their own interest, first exhaust the normal official channels of redress before they take the issue to a Court of Law. However, under the existing rules, permission to sue Government in a Court of Law for the redress of such grievances by any Government employee is not necessary.

**24. Canvassing for non-official or undue influence:-** No Government employee shall bring, or attempt to bring, any political or other undue influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government.

#### **State Government's Instructions**

Some Government employees are in the habit of sending copies of their representations to the Chief Minister and other Ministers for seeking redress of their grievances regarding their service rights or conditions. This practice is contrary to official propriety and discipline. To avoid repetition of such instances the following instructions are issued:-

Whenever, in any matter connection with his service rights or conditions, a Government employee wishes to press a claim or to seek redress of a grievance, the proper course for him is to address his immediate official superior or the Head of his office, or such other authority at the lowest level, as is competent to deal with the matter. An appeal or representation to a higher authority must not be made unless the appropriate lower authority delayed the disposal of the case. Representations to still higher authorities (e.g. those addressed to the Governor, the Government or to the Ministers) must not be made unless all means of securing attention or redress from the lower authorities have been exhausted and even in such cases, the representation must be submitted through the proper channel (i.e. the Head of Office, etc. concerned). Only at that stage the sending of an advance copy of the representation to higher authorities as indicated above is permissible.

The consideration by the higher authorities of advance copies of representations so received should be governed by the following general principles:-

- (a) If the advance copy does not clearly show that all means of securing attention or redress from lower authorities have been duly tried and exhausted, the representation should be ignored or rejected summarily on that ground, the reasons being communicated briefly to the Government employees.
- (b) If the advance copy shows clearly that all appropriate lower authorities has been duly addressed and exhausted, it should be examined whether, on the facts as stated, grounds for interference or for further consideration appears, prima facie, to exist. Where no such grounds appear, the representation may be ignored or summarily rejected, the reasons being communicated briefly to the Government employee.

- (c) Where some grounds for interference or further consideration appear to exist, the appropriate lower authority should be asked, within a reasonable time, to forward the original representation, with its report and comments on the points urged. It is not advisable to pass orders on any representation without first ascertaining the comments of the appropriate lower authority.

Some Government employees are in the habit of sending copies of the Representation also to outside authorities, i.e. authorities who are not directly concerned with the consideration thereof (e.g. other Ministers, Secretary, Member of Parliament, etc.) This practice is contrary to official propriety and subversive of good discipline and all Government employees are expected scrupulously to eschew it.

There has been a tendency on the part of Government employees to approach Ministers and politicians for redress of their grievances and various other kinds of service matters. In future any such action should be adversely viewed by the appointing authority and appropriate action should, in such case, be taken against the Government employee concerned.

Government have also noticed that the representations duly submitted by the Government employees, to their appointing authorities, have not promptly been attended to and, in some cases, even replies have not been sent. All Administrative Departments/Heads of Departments and all concerned appointing authorities are, therefore, to ensure that the grievances of Government employees whenever submitted to them should be attended to promptly.

**25. Membership of the Service Associations and Recognition of Association of Non-Industrial Government Employees:-** No Government employee shall be a member, representative or office bearer, of any association representing, or purporting to represent, Government employees, unless such Association is recognised. No official recognition shall be given to such Associations which does not comply with the following conditions, namely:-

- (a) membership of the Association or Associations shall be confined to Government employees of a Department, or an office only, and its office amongst its members;
- (b) the Association shall not be in any way, connected with or affiliated to-
- (i) any Association or Federation of Associations which do not satisfy the provisions of Clause (a) above;
- (c) the Association shall not, in any way, be connected with any political party or organisation or engaged in any political activity;
- (d) the Association shall not, in respect of any election to a Legislative body whether in India or elsewhere or to a local authority or body-
- (i) pay or contribute towards any expenses incurred by a candidate for such election;
- (ii) by any means support the candidature of any person for such election;
- (iii) undertake, or assist, in the registration of electors or the selection of candidates for such election; or
- (iv) maintain or contribute towards the maintenance of any member of such legislative body or local authority or body;
- (e) the Association shall not-
- (i) Publish any periodical, except in accordance with any general or special permission of the Government, and such permission shall be given only on condition that writing in the publication is confined to the members of the Association only and that no letters or articles under nom-de-plum or pseudonym, criticism of or comments on any Government communiqué, individual grievances against orders passed by a competent authority, notices or strikes or of organised action with a view to discrediting Government, are published.

- (ii) except with the previous sanction of the Government, publish any representation on behalf of its members, whether in the press or otherwise;
- (f) the Association shall not-
  - (i) allow any outsider to attend its meetings; or
  - (ii) pay or contribute towards the expenses of any Trade Union which has constituted a fund Under Section 16 of the Indian Trade Union Act, 1926 (Act XVI of 1926)

**26. Formation, recognition and rules of procedure of an Association:-** (1) Employees of an office or department who desire to form an association shall convene a meeting and pass a resolution to form themselves into an Association and seek Government's recognition. The resolution signed by all the members present at the meeting together with a copy of the Constitution of the association shall be forwarded to the Head of the Office of Department. The Head of the Office or Department shall scrutinise the constitution to ensure that it does not contain any provision contrary to the instructions issued by the Government in the matter. If any amendments in the Constitution are necessary he shall ask the conveners to have them carried out. The resolution and proposed Constitution shall be forwarded by him to the Chief Secretary to the Government of Meghalaya in the Personnel and A.R. (B) Department.

(2) Subject to fulfilment of provisions of sub-rule (1), the Chief Secretary may grant recognition to the Association subject to such conditions as may be considered necessary.

(3) The association shall from time to time submit the copies of the rules of the Association and the annual statement of its accounts and lists of its members to the Government in Personnel and A.R. (B) Department, through proper channel.

(4) All communications as well as representations shall be addressed and submitted to the Chief Secretary through the Head of Department or Office and to no other authority.

(5) Any amendment of a substantial character proposed to be made in the rules of the association shall be first communicated through proper channel to the Chief Secretary to the Government of Meghalaya in the Personnel and A.R. (B) Department and made only with his concurrence. Any other amendment of minor importance shall be communicated through proper channel to the Chief Secretary as soon as it is made.

(6) The officer who is empowered to grant leave to a Government employee shall so far as it is possible grant leave to an employee who is a representative of a recognised association to attend duly constituted meetings of the association. The grant of such leave shall be subject to the exigencies of public service of which the officer in question shall be the sole judge and in accordance with any orders for the time being in force.

**27. Recognition of Association of Work-Charged staff:-** The provisions of rules 25 and 26 shall not apply to any Government employee drawing a pay of ₹. 26,500 (Rupees Twenty six thousand five hundred) (Pay Matrix Level-6) or less per mensem and holding a non-gazetted post in the Public Works establishments, in so far as they relate to the work-charge staff.

*Explanation* – For the purpose of this rule, 'establishment' does not include any office concerned mainly with administrative, managerial, supervisory, security or welfare functions.

**28. Joining Association by Government employees:-** No Government employee shall join or continue to be a member of any association the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

**29. Restriction regarding Marriage:-** (1) No Government Employee shall enter into or contract a marriage with a person having a spouse living.

(2) No Government employee, having a spouse living, shall enter into or contract a marriage with any person.

Provided that the Government may permit a Government employee to enter into, or contract any such marriage as is referred to in Sub-rule (1) or Sub-rule (2), if it is satisfied that:

- (a) such marriage is permissible under the personal law applicable to such Government employee and the other party to the marriage; and
- (b) there are valid and reasonable grounds for so doing.
- (4) A Government employee who has married, or marries, a person other than an Indian national shall forthwith intimate the fact to the Government.

**30. Interpretation:-** If any question arises relating to the interpretation of these Rules the same may be referred to the Government in the Personnel and A.R. (A) Department whose decision thereon shall be final.

**31. Delegation of powers:-** The Government may, by general or special order, direct that any power exercisable by it or any Head of Department under these Rules (except the powers under Rules 25 and 26) shall, subject to such conditions, if any, as may be specified in the order, be exercisable also, by such officer or authority as may be specified in the orders.

**32. Repeal and Savings:-** The Meghalaya Civil Services (Conduct) Rules, 1990 is hereby repealed;

Provided that any order made or action taken under the Rules so repealed shall be deemed to have been or taken under the corresponding provisions of these Rules;

Provided further that such repeal shall not affect the previous operation of any of the said Rules so repealed and a contravention of any of the said Rules shall be punishable as if it were a contravention of these Rules.

**R. V. SUCHIANG,**

Additional Chief Secretary to the Govt. of Meghalaya.

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**ANNEXURE-I****A Guide to DO's and DON'Ts**

(To be noted that the list may not be exhaustive)

**Do's:-**

1. Maintain absolute integrity at all times.
2. Maintain absolute devotion to duty at all times.
3. Those holding responsible posts shall- maintain independence and impartiality in the discharge of your duties.
4. Maintain a responsible and decent standard of conduct in private life.
5. Render prompt and courteous service to the public.
6. Report to your superiors the fact of your arrest or conviction in a Criminal Court and the circumstances connected therewith, as soon as it is possible to do so.
7. Keep away from demonstrations organized by political parties in the vicinity or neighbourhood of Government offices.
8. Maintain political neutrality.
9. Manage private affairs in such a way as to avoid habitual indebtedness or insolvency.
10. If any legal proceedings are instituted for the recovery of any debt due from you or for adjudging you as an insolvent, report the full facts of such proceedings to the Competent Authority.
11. Act in accordance with the Government policies.
12. Observe courtesy and consideration to Members of Parliament and State Legislatures.
13. In performance of duties in good faith, communicate information to a person in accordance with the 'Right to Information Act, 2005' and the rules made there-under.
14. Commit yourself to and uphold the supremacy of the Constitution of India and democratic values.
15. Defend and uphold the sovereignty and integrity of India, the Security of the State Public order, decency and morality.
16. Maintain high ethical standards and honesty.
17. Promote the principles of merit, fairness and impartiality in the discharge of duties.
18. Maintain accountability and transparency.
19. Maintain responsiveness to the public, particularly to the weaker section.
20. Maintain courtesy and good behaviour with the public.
21. Take decisions solely in public interest relating to your public duties and take steps to resolve any conflicts in a way that protects the public interest.
22. Make choices, take decisions and make recommendations on merit alone.
23. Act with fairness and impartiality and not discriminate against anyone, particularly the poor and the under-privileged sections of society.
24. Refrain from doing anything which is or may be contrary to any law, rules, regulations and established practices.
25. Maintain discipline in the discharge of your duties and be liable to implement the lawful orders duly communicated to you.
26. Maintain confidentiality in the performance of your official duties as required by any law 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 relations with foreign countries or lead to incitement of an offence or illegal or unlawful gain to any person.
27. Perform and discharge your duties with the highest degree of professionalism and dedication the best of your abilities.

**Don'ts :-**

1. Do not make joint representations in matters of common interest.
2. Do not indulge in acts unbecoming of a Government employee.
3. Do not be discourteous, dishonest and partial.
4. Do not adopt dilatory tactics in your dealings with the public.
5. Do not convey oral instructions to subordinates. (If any oral instruction is issued due to urgency, confirm it in writing as soon as possible).
6. Do not practice untouchability.
7. Do not associate yourself with any banned organizations.
8. Do not join any association or demonstration whose objects or activities are prejudicial to the interest of the sovereignty and integrity of India, public order and morality.
9. Do not give expressions to views on Indian or foreign affairs, while visiting foreign countries.
10. Do not get involved in unauthorized communication of any official document or information or any part thereof or classified information to any Government employee or any person to whom you are not authorized to communicate such document or classified information authorized to communicate such document or classified information.
11. Do not join or support any illegal strike.
12. Do not accept lavish or frequent hospitality from any individual, industrial or commercial firms, organizations, etc., having official dealings with you.
13. Do not give or take or abet giving or taking of dowry or demand any dowry directly or indirectly from the parent or guardian of a bride or bridegroom.
14. Do not accept any gift from any foreign firm which is having official dealings.
15. Do not engage yourself in canvassing business of Life Insurance Agency, Commission Agency or Advertising Agency owned or managed by the members of your family.
16. Do not lend money to or borrow money from or deposit money as a member or agent, with any person, firm or private company with whom you are likely to have official dealings. Do not otherwise place yourself under pecuniary obligation with such person, firm or private company.
17. Do not approach your subordinates for standing surety for loans taken from private sources either by you/your relations/friends.
18. Do not undertake private consultancy work.
19. Do not speculate in any stock, share or other investment.
20. Do not purchase shares out of the quota reserved for friends and associates of Directors of Companies.
21. Do not bid at any auction of property where such auction is arranged by your own officers.
22. Do not bring any political influence in matters pertaining to your service.
23. Do not consume any intoxicating drinks or drugs while on duty.
24. Do not appear in public place in a state of intoxication.
25. Do not indulge in any act of sexual harassment of any women at her work place.
26. Do not employ children below 14 years of age.
27. Do not accept award of monetary benefits instituted by Private Trust/Foundations, etc.,
28. Do not address the higher authority prematurely on the same issue unless it is established that all the points or submissions made earlier have not been fully considered by the immediate superior or Head of Office or any other authority at the lowest level competent to deal with that matter.
29. Do not use your official position or influence directly or indirectly to secure employment for any member of your family in any company or firm.
30. Do not place yourself under any financial or other obligations to any individual or organization which may influence you in the performance of your official duties.
31. Do not misuse your position as civil servant and take decisions in order to derive financial or material benefits for yourself, your family or your friends.

**ANNEXURE -II****A Guide to acts which amount to misconduct**

(To be noted that the list may not be exhaustive)

The following acts, conduct and commissions of a Government servant amount to misconduct-

1. If the act or conduct is prejudicial or likely to be prejudicial to the interests of the master or to the reputation of the master.
2. If the act or conduct is inconsistent or incompatible with the due or peaceful discharge of his duty to his master.
3. If the act or conduct of the servant makes it unsafe for the employer to retain him in service.
4. If the act or conduct of the servant is so grossly immoral that all reasonable men will say that the employee cannot be trusted.
5. If the act or conduct of the employee is such that the master cannot rely on the faithfulness of his employee.
6. If the act or conduct of the employee is such as to pen before him temptations for not discharging his duties properly.
7. If the servant is abusive or if he disturbs the peace at the place of his employment.
8. If he is insulting and insubordinate to such a degree as to be incompatible with the continuance of the relation of master and servant.
9. If the servant is habitually negligent in respect of the duties for which he is engaged.
10. If the neglect of the servant though isolated, tends to cause serious consequences.
11. Wilful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a superior.
12. Infidelity, unfaithfulness, dishonesty, untrustworthiness, theft and fraud, or dishonesty in connection with the employer's business or property.
13. Strike, picketing, gherao – striking work or inciting others to strike work in contravention of the provisions of any law, or rule having the force of law.
14. Gross moral misconduct – acts subversive of discipline- riotous or disorderly behaviour during working hours at the establishment or any act subversive of discipline.
15. Riotous and disorderly behaviour during and after the factory hours or in business premises.
16. Habitual late attendance.
17. Negligence or neglect of work or duty amounting to misconduct – habitual negligence or neglect of work.
18. Habitual absence without permission and over-staying leave.
19. Conviction by a Criminal Court.

**NOTE – *The terms 'servant' and 'master' have been used in Court judgements to indicate the relationship between a subordinate Government employee and his superiors in the hierarchy of all Government Offices.***

**ANNEXURE-III****A Guide to activities requiring permission/sanction**

(To be noted that the list may not be exhaustive)

Prior permission/sanction of the prescribed authority is necessary-

1. To join educational institutions for further studies.
2. To own wholly or in part or conduct or participate in the editing or management of any newspaper or other periodical publication or electronic media.
3. To give evidence in connection with any enquiry conducted by any person, committee or authority.

Exception-

- (i) Giving evidence at an enquiry before an authority appointed by government, Parliament or a State Legislature; or
  - (ii) Giving evidence in any judicial enquiry; or
  - (iii) Giving evidence at any departmental enquiry ordered by authorities subordinate to the Government.
4. To ask for or accept contributions to or otherwise associate himself in the raising of any funds or other collections in cash or in kind in pursuance of any object whatsoever.
  5. To accept gifts from near relatives and personal friends, when the value exceeds prescribed limits.
  6. To receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour or in the honour of any other Government servant.

Exception –

- (i) To take part in informal farewell entertainment held on occasions like retirement or transfer.
  - (ii) To attend and speak at functions and ceremonies performed by others in respect of purely non-political or cultural institutions.
7. To accept international awards.
  8. To engage directly or indirectly in any trade or business, or hold an elective office, or canvass for a candidate for an elective office, in any body, or canvass in support of any business of insurance agency, commission agency, etc., owned or managed by any member of his family.
  9. To accept fee for work done for any private or public body or person.
  10. Acceptance of a part-time teaching assignment in an educational institution which is in the nature of a regular remunerative occupation.
  11. To enrol himself as an Advocate with the Bar Association (subject to the condition that the Government employee does not engage himself in the legal profession so long as he continues in Government service).

12. To accept remuneration for services rendered regularly to co-operative societies.
13. To undertake medical practice during spare time on purely charitable basis, if registered as a practitioner in any system of medicine.
14. To enter into negotiations with private firms to secure commercial employment even while in service.
15. To hold an elective office Co-operative Societies and other bodies.
16. To acquire or dispose of any immovable property either directly or through Power of Attorney by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family, if the above transaction is with a person having official dealings with the Government employee.
17. To enter into transactions in movable property if the transaction is with a person having official dealings with the Government employee.
18. (a) To acquire by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family any immovable property situated outside India.  
(c) To dispose of, by sale, mortgage, gift or otherwise or grant any lease in respect of any immovable property situated outside India which was acquired or held by him either in his own name or in the name of any member of his family.  
(c) To enter into any transaction with any foreigner, foreign Government, foreign organization or concern.  
(i) For the acquisition, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family of any immovable property,  
(ii) For the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.
19. To have recourse to any Court or to the press for the vindication of any official act which has been the subject-matter of adverse criticism or an attack of a defamatory character.
20. In the case of pensioners who, immediately before retirement, were Group 'A' Officers, to accept any commercial employment before the expiry of one year from the date of retirement.

**ANNEXURE – IV****A Guide to activities not requiring permission/sanction**

(To be noted that the list may not be exhaustive)

In the following cases, permission of the prescribed authority is not necessary:-

1. To seek redress in Courts of Law or in Central Administrative Tribunals of grievances arising out of employment or conditions of service.
2. To publish a book himself or through a publisher, in the bona fide discharge of his duties.
3. To submit Memoranda before Pay Commissions by individual Government servants in their individual capacity (individual grievances should not be put to the Commission)
4. To undertake honorary work of a social or charitable nature.
5. To undertake occasional work of a literary, artistic or scientific character.
6. To participate in sports activities as an amateur.
7. To take part in the registration, promotion or management (not involving the holding of an elective office) of a literary, scientific or charitable society or of a club or similar organization or a co-operative society substantially for the benefit of Government servants.

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