



GOVERNMENT OF HARYANA

COMPENDIUM OF INSTRUCTIONS
ON
CONDUCT & DUTIES
(VOLUME – VI)

CHIEF SECRETARY, GOVERNMENT OF HARYANA

YEAR -- 2009



PREFACE

After the formation of Haryana State, for the first time in 1985, Compendium of instructions issued by the General Administration Department, Government of Haryana, was published. This compendium was in two parts. Subsequently, in 1994, all the instructions issued from 1985 upto that year, were published in the form of another compendium. The next edition, which appeared in 2001, contained all the instructions issued from 1994 until 2001. These four compendia are not easily available and therefore could not be utilized fully. The earlier editions were not reprinted by the Government. Moreover, each of these compendia contained instructions relating to different subjects. Due to this, whenever a particular topic needed to be searched all the four compendia had to be scanned. Besides, a large number of instructions were also issued after 2001. This also made the updation of these compendia necessary.

Therefore, it was decided to compile the contents of these compendia in a subject-wise fashion. It would require nine volumes, replacing all the four earlier compendia, i.e., those published in 1985, 1994 and 2001. The present compendium is the sixth volume in this series and relates to "Conduct & Duties".

The new Compendia would also be available on the websites www.haryana.gov.in and www.csharyana.gov.in. Interested persons can easily download them or any part thereof. The compendia would also be circulated amongst all Administrative Secretaries, Heads of Departments and other offices. The public can also obtain them from the market.

Efforts have been made to include all available Government instructions issued by General Administration Department of the Haryana Government till 30th June, 2009. Although we have taken all possible precautions while compiling the Compendia, there may be some omission or lapse on our part. We would welcome any feedback or suggestion from users of the Compendia.

I acknowledge the hard work put in by the GS-III Branch of General Administration Department, in general, and Shri Rajeev Ranjan, IAS, Joint Secretary, Shri Sushil Kumar Jain, Under Secretary, Sh. Subhash Ahuja, Superintendent and Smt. Raj Kumari, Assistant, in particular, for compiling all Compendia in a very short period of time. Shri Vikas Yadav, HCS, Controller, Printing & Stationary, Shri Vishal Chadha, PCAT, and their team of officials also took steps to ensure a speedy publication. They deserve our appreciation.

I hope that this Compendium would be handy and useful to all concerned.

**Dated Chandigarh,
The 1st July,, 2009**

**DHARAM VIR
Chief Secretary to Government, Haryana.**

EDITORIAL TEAM

Shri Rajeev Ranjan, IAS

Joint Secretary General Administration,
O/o Chief Secretary



Shri Sushil Kumar Jain

Under Secretary,
General Administration



Shri Subhash Ahuja

Superintendent,
General Services III Branch



Smt. Raj Kumari

Assistant,
General Services III Branch



PUBLICATION TEAM

Shri Vikas Yadav, HCS

Controller, Printing & Stationery Department,
Haryana, Chandigarh.



Shri Vishal Chadha

PCAT, Printing & Stationery Department,
Haryana, Chandigarh



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I

**CONDUCT
INSTRUCTIONS**

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Subject:- Prohibition of the grant of free passes for cinemas to Government servants.

I am directed to inform you that the Governor of the Punjab is pleased to order that no person serving under the Punjab Government shall in any circumstances ask for or accept a free pass for any cinema or other place of entertainment and to request that this order may be brought to the notice of all Government servants under your control.

Copy of letter No. 7307-G-50/1-4390, dated the 31st October, 1950, from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject :- Employment of Peons as private servants.

I am directed to refer to my letter No. 3825-C-50/1-2/795, dated the 26th June, 1950 on the subject of employment of peons as private servants and to say that Government have received, in this short interval, numerous representations against the ban on private work prescribed therein, and also a good number of applications from individual Class IV Government servants for permission to engage in or undertake private work outside office hours on payment of remuneration.

2. The matter has, therefore, been considered further in the light of the communications referred to above and while Government strictly adhere to their view as previously expressed that Class IV Government servants should not be burdened with "begar" of any kind, they, nevertheless, realise that the existing orders may operate harshly on certain individuals belonging to this class of Government servants. They have, therefore, decided to modify them to the extent that where an individual Class IV employee applies of permission to engage in or undertake other work outside office hours on receipt of remuneration and the head of department/office concerned is satisfied that engagement on such duties will not interfere with the applicant's duties in office, such an application may be considered on merits on the analogy of rule 18 of the Government Servant's Conduct Rules, 1945, under which it is permissible for higher classes of Government servants to undertake such work and thereby to supplement their income. At the same time, Government desire to make it clear that these employees should not, behind the excuse of work outside office hours, be employed on menial household duties such as sweeping of rooms, cleaning of utensils, and cooking of meals, etc.

Copy of letter No. 8852-G-50/1-4952, dated the 23rd December, 1950, from the Chief Secretary to Government, Punjab to all Heads of the Departments, etc. etc.

Subject :- Instructions Regarding Public Parties and Farewell Entertainments in Honour of Government Servants.

The attention of Government having been drawn to instances in which provisions of rule 4 of the Government Servant's Conduct Rules relating to attendance at entertainments held in honour of a Government servant himself or in any other Government servant or any person who had recently quitted the services of Government had been disregarded. I am directed to say that it appears that instructions in this behalf issued in the prepartition Punjab are not being observed presumably because they have not been re-issued in this State. The policy of the State Government in this behalf continues, however, to be governed by those instructions and I am to enclose for your own information and guidance and that of other Government servants under your control a copy of the Press communique dated the 4th May, 1937 on the subject.

2. I am to request you to ensure that these instructions are understood by all concerned and strictly obeyed.

PRESS COMMUNIQUE

The following communique is issued for the information of the general public :

1. The Government Servant's Conduct Rules lay down that a Government servant shall not except with the previous sanction of the Government attend any public meetings or entertainment held in his honour. This is the general rule but at the same time, subject to the provisions of any general or special order of Government. A Government servant may attend a farewell entertainment of a substantially private and informal character held as a mark of regard to himself on the occasion of his retirement or departure from a district or station. In 1927 Government issued a special order on the subject and directed that no Government servant could attend any farewell entertainment held as a mark of regard to himself, unless the previous sanction of Commissioner or Head of the Department had been obtained for the holding of the entertainment.

2. The Position, therefore, is as follows:-

The prohibition against a Government servant attending any public entertainment in his honour is absolute. Government itself, and not a Commissioner or a Head of Department can grant exemption from this prohibition. Further, a Government servant may not attend any farewell entertainment held as mark of regard to himself, whatever its nature may be without the previous sanction of his Commissioner or the Head of Department.

3. There have been occasions lately when Government has granted exemption from the general prohibition against public entertainments. The position has been carefully reviewed. If public parties are occasionally permitted, the result is that when permission is refused, it is taken not only as a slight

on the Government servant concerned but as an affront to the would-be-hostes. Government does not wish to be put in the position of being accused of either slighting its official or of affronting members of the public, and on the other hand, has no intention of giving general permission for public entertainments in honour of its servants. It has, therefore been decided as a matter of practice the sanction of Government will not be given to Government servants to attend public entertainments in their honour. Requests by Government servants for permission to attend an entertainment, will as formerly, be made to Commissioner or the Head of the Department. The decision of the Commissioner or the Head of the Department will be final, and Government will not interfere.

Copy of Circular letter No.10208-G-52/5381, dated the 25th January, 1953, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject :- Seeking redress in Courts of Law by Government servants of grievances arising out of their employment or conditions of service.

I am directed to say that the question of Government servant having recourse to Courts of Law in matters arising out of their employment or conditions of service has been engaging the attention of Government for some time past and it is considered necessary to lay down that in the matter of grievances arising out of Government servants, employment or conditions of service, the proper course is to seek redress from the appropriate departmental and Governmental authorities. Any attempt by a Government servant to seek a decision on such issue in a Court of Law (even in cases where such a remedy is legally admissible) without first exhausting the normal official channels of redress, can only be regarded as contrary to official propriety and subversive of good discipline and may well justify the initiation of disciplinary action against the Government servant. These instructions may, therefore, be brought to the notice of all Government servants of your department/office.

Compendium of Instructions on Conduct & Duties—Vol. VI

No. 994-P-53/11881

From

Nawab Singh Esquire, I.C.S.,
Chief Secretary to Government, Punjab

To

All Heads of Departments, Commissioners of the
Divisions, all Deputy Commissioners in the Punjab
and the Administrator, Simla.

Dated, Simla —2, the 2nd March, 1953.

Subject :- **Bharat Sevak Samaj—Permission to Government servants to join.**

Sir,

I am directed to invite a reference to Punjab Government letter No. 1 0222-P-52/33627 dated the 17th December, 1952, on the subject noted, above, in which it was stated that the Government servants wishing to join the Bharat Sevak Samaj should obtain prior permission from the appropriate Head of the Office or Department concerned.

2. It has been suggested that having to secure previous permission may itself have the effect of damping the enthusiasm of Government servants who wish to join the Samaj; It is needless to state that such a result was never intended. In order to remove all possibility of doubt on this score, Government have decided that Government servants should be permitted freely to join the Bharat Sevak Samaj and to participate in its activities, and they need no longer obtain prior permission for this. It should, however, be made clear to all concerned that such participation should not be permitted to interfere with the due discharge by them of their official duties, and does not absolve them from the observance of the rules and instructions relating to the conduct and behaviour of Government servants.

Yours faithfully,

Sd/-

Under Secretary, Political,
for Chief Secretary to Government, Punjab.

Copies are forwarded to the Administrative Secretaries to Government, Punjab for information and necessary action, in continuation of this Department's U.O., No. 10222-P-52, dated the 17th December, 1952.

Sd/-

Under Secretary, Political,
for Chief Secretary to Government, Punjab.

To

All Administrative Secretaries to Government, Punjab U.O. No. 994-P-53, dated the Simla-2, the 2nd March, 1953.

Copy of letter No. 4174-P-54/17154, dated the 28th July, 1954 from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject :- Instructions relating to interviews with Ministers.

I am directed to refer to the instructions contained in Punjab Government letter No. 6917-PG/7072, dated the 18th July, 1950, in which it was directed that subordinate officers, should refrain from approaching Ministers directly, or indirectly through M.L.As. or others in connection with personal grievances, and to say that Government have now reconsidered the whole question of the accessibility of Ministers to officers, and have decided that if a subordinate officer wishes to bring a grievance or any other matter to the notice of the Minister-in-charge, he may seek an interview with him by a written request, to be addressed through proper channel. Such an application must disclose the object of the interview, and the superior officer, while forwarding the application, may express his own view in the matter. Permission for interviews should normally be granted reply, but if in any case it is proposed to refuse a request for an interview, the Minister should invariably be informed, and the refusing authority should state the reasons for which the interview is being refused. It is hoped that this procedure will deter subordinate officers from resorting to the irregular practice of approaching Ministers directly, without the knowledge of their superior officers, or indirectly through M.L.As, and others. It is proposed that, in future, if any case comes to the notice of Government in which officers have acted contrary to these instructions suitable action will be taken against him. This may kindly be brought to the notice of all members of your staff.

Copy of Punjab Government Circular letter No. 12897-G-54/1775, dated the 18th January, 1955, from the Chief Secretary to Government Punjab, addressed to all Heads of Departments, etc., etc.

Subject:- Prohibition of plural marriages by Government servants.

I am directed to say that in the I.A.S. (Recruitment) Rules, 1954, recently published, the Government of India have provided that no person who has more than one wife living shall be eligible for appoint to the service; provided that the Central Government may if satisfied, that there are special grounds for doing so, exempt any person from the operation of this provision. In the same way, it has been laid down in the I.A.S. (Conduct) Rules, 1954, that no Government servant who has a wife living shall contract another marriage without first obtaining the permission of the Government of India, notwithstanding that such marriage is permissible under the personal law for the time being applicable to him. The Government of India have also decided that the principles embodied in the above provisions contained in the all India Service Rules should also govern the recruitment and conditions of Service of other Central Government Servants and they propose to include a provision similar to that in the IAS. (Conduct), Rules, 1954 referred to above in there revised Government Servants Conduct Rules and the other provision in the various service rules. Meanwhile they have decided that these principles should be observed as if the relevant rules had in fact been amended in this respect.

2. The Punjab Government have after due consideration decided to make similar provision for governing the recruitment and condition of service of State Government Servants and to amend the

Government Servants Conduct Rules as well as the relevant rules in this behalf. Naturally, in respect of such Government servants, the requisite permission for remarriage would be of the State Government. Since all this will take time, it has been decided that, pending formal incorporation of these provisions in the relevant rules, the principles thereof should be observed as is the relevant rules had in fact been amended in this sense. *The decision may kindly be made known to all existing employees and effect may be given to it forthwith.*

Copy of Punjab Government Circular letter No. 1920-G-55/19071, dated the 9th April, 1955, from the Chief Secretary to Government Punjab, to all Heads of Departments, etc., etc.

Subject :- Prohibition of plural marriages by Government servants in the Punjab State.

I am directed to invite a reference to Punjab Government letter No. 12897-G-54/1775, dated the 18th January, 1955 on the subject noted above and to say that the instructions prohibiting the appointment of a person, who has more than one wife living, to a service under Government, except when exempted by the State Government from the operation of this provision, apply also to cases when the appointment is made by promotion.

Copy of Punjab Government Circular letter No. 10062-G-55/77334, dated the 1st December, 1955, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject: - Prohibition of plural marriages by Government servants.

In continuation of Punjab Government letter No. 7190-G-55/44953, dated the 28th July, 1955, on the subject cited above, I am directed to say that Government have had under consideration the question whether the permission for the remarriage, by a Government servant should be granted by Government in the Administrative Department or central guidance should be given to all Departments or Government to guard against varying practices in the different Departments. After careful consideration it has been decided that central guidance is necessary. I am accordingly to request that all cases involving permission for remarriage by Government servants should be sent to the Chief Secretary in the Gazette Branch for advice before the requisite permission is actually granted.

In supersession of the Regulations published with Punjab Government notification No. 1760-G-37/18874, dated the 1st May, 1937, as amended from time to time. The Governor of Punjab in exercise of the powers conferred by the proviso to clause (3) of Article 320 of the Constitution of India and all powers enabling him in this behalf, is pleased to make the following Regulations specifying the matters in which it shall not be necessary for the Punjab Public Service Commission to be consulted.

Part I-Preliminary

1. These Regulations shall be called the Punjab Public Service Commission (Limitation of Functions) Regulations, 1955
2. In these Regulations unless there is something repugnant in the subject or context:
 - (i) "Commission" means the Punjab Public Service Commission;
 - (ii) 'Initial appointment' means an appointment in the first instance to a service or post which does not involve the promotion or transfer of anyone already in the service of the Punjab Government.

Part II-Limitations

3. It shall not be necessary to consult the Commission on the suitability of candidates for—
 - (a) initial appointment to services or post, carrying an initial salary of two hundred ninety nine rupees or less per mensem ;
 - (b) initial appointment to services or post enumerated in the Schedule 'A' hereto annexed ;
 - (c) appointment to a temporary post, for a period not exceeding six months ;
 - (d) appointment to a permanent post of a person temporarily for a period not exceeding six months, if owing to an emergency having arisen, it is necessary, in the public interest to fill the vacancy immediately and there is likely to be undue delay in making the appointment after consultation with the Commission;
 - (e) promotions or transfers from one service or post to another unless the service or post to which the promotion or transfer is made, is a service or post an initial appointment to which must be referred to the Commission ;
 - (f) officiating promotions or transfers to any service or post, when at the time to making the promotion or transfers there is reason to suppose that the officiating promotion or transfers will be for not more than six months ;
 - (g) appointment to any service or post if such candidates have been Government servants who have retired on pension from same service or from the same post or from a higher class of service or from a higher post of a similar nature ;
 - (h) absorption in a regular allied service of a person who had been recruited initially on a temporary basis in consultation with the Commission and who has rendered satisfactory service under the Punjab Government for a period of at least 10 years and considered suitable for permanent appointment;
 - (i) appointments by promotion or transfer from other service or posts to the services or posts enumerated in Schedule 'C' hereto annexed;
 - (j) *Omitted;*
 - (k) *Omitted;*

- (1) appointment of an L.A.S. Officer or a member of the State Civil Service on the Select list as prepared and maintained under the Indian Administrative Service (Appointment by Promotion) Regulations, 1955, to an ex-cadre post;

Explanation :-For the purpose of clause (1) an ex-cadre post shall mean a temporary post created in the senior-scale of IAS. out side the I.A.S. Cadre.

- (m) appointment to any service of post of any person who may have been recommended for such appointment by the Subordinate Services Selection Board, Punjab.

4. It shall not be necessary to consult the Commission in respect of any of the matters mentioned in clause (a) to (e) Article 320(3) of the Constitution of India in the case of officers of Indian Defence Services other than the Indian Territorial and Auxiliary Forces holding posts in connection with the affairs of the State of Punjab.

5. It shall not be necessary to consult the Commission:-

- (a) on any original or appellate order, connected with a matter of discipline when such order is proposed to be made by an authority subordinate to the Punjab Government ;
- (b) on any original order proposed to be made by the Punjab Government imposing any of the following penalties; -
 - (i) censure;
 - (ii) suspension for not more than one year ;
 - (iii) withholding of increments or promotion, including stoppage at an efficiency bar, for not more than one year with non-continuing effect;
- (c) on any order proposed to be made by the Punjab Government on appeal other than an order enhancing the penalty to that for which consultation with the Commission would have been necessary in case the enhanced penalty had been imposed in an original order when the order appealed against is one of :-
 - (i) censure;
 - (ii) suspension for not more than one year ;
 - (iii) withholding of increments or promotion, including stoppage at an efficiency bar, for not more than one year with non-continuing effect;
- (d) on any petition or memorial connected with a matter of discipline unless it is proposed to revise a previous decision;
- (e) on any case :-
 - (i) relating to the termination of the probation of any person;
 - (ii) relating to the discharge or reversion of an officer otherwise than as a penalty ;
 - (iii) relating to the termination of the employment of any person in accordance with the terms of the contract of his employment ;

- (iv) relating to the imposition of any penalty laid down in any rule or order for failure to pass any test or examination within a specified time ; or
- (v) in which the Commission has at any previous stage given advice in regard to the orders to be passed and no fresh question has thereafter arisen for determination, unless it is proposed to reverse a previous decision;
- (f) on the methods of recruitment and the principles to be followed in making appointments to posts which are not whole-time posts and to posts enumerated in Schedule 'B' hereto annexed;
- (g) *Omitted.*

(Published with Punjab Government Notification No. 15230-G-55/81632 dated 21st December, 1955).

SCHEDULE 'A'

[See Regulation 3(b)]

- (1) Work charged appointments in the Public Works Department.
- (2) Any post which is not a whole time post, where there is any doubt whether a post is or is not a whole-time post the decision shall rest with the Governor.
- (3) Air Raid Precautions Officers.
- (4) Appointments in connection with the Bhakra Nangal Project, which may be filled by the foreign specialists and other foreign personnel.
- (5) Private Secretary (Political) to the Chief Minister.
- (6) Specialist Officer, appointed in India, including Indians recruited abroad, on contracts for periods not in excess of five years, in connection with the Bhakra-Nangal Project.
- (7) Chairman and Members of the Subordinate Services Selection Board.
- (8) 12-1/2 percent of the post of Block Development Officers under the National Extension Service Scheme.
- (9) Assistant Demonstrators in the Glancy Medical College, Amritsar.
- (10) Assistant Registrars of the V.J. Hospital, Amritsar, provided these are tenure appointments and that the tenure would in no case, exceed three years.
- (11) Appointments to temporary posts of Accounts Officers, Forest Officer and Telegraph Officers in the Punjab Public Works Department, Irrigation Branch when filled by deputation from the office of the Accountant-General, Punjab, the Forest Department and the Telegraph Department, respectively.
- (12) Supervisors in the Public Relations Department, Punjab.
- (13) Consolidation Officers in the Consolidation of Holding Department, Punjab, appointed up to 31st March, 1956, and thereafter.

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(14) Chief Instructor and two Assistant Instructors for the Home Economics Department, Punjab.

(15) Five Officers in the Civil (Home) Defence Department.

(16) Assistant Registrars of the Medical College, Amritsar, provided these are tenure appointments and that the tenure would in no case exceed three years .

(17) State Press Liaison Officer at Delhi, under the Public Relations Department, Punjab.

(18) Technical Organiser in the Industries Department.

(19) Officer In-charge, National Discipline Scheme in the Education Department.

(20) Organisers in the Public Relations Department, Punjab.

(21) All posts of B.D. Os. created or to be created in the National Extension Service Blocks in the Lahaul and Spiti

(22) All posts in the Food and Supplies Department, Punjab, when filled by the appointment of ex-employees of Civil Supplies Department.

(Note :-Orders in respect of these posts shall remain operative until the 31 st May, 1960).

(23) Additional Advocate-General, Punjab.

(24) Editor (Urdu) in the Public Relations Department, Punjab.

(25) Youth Welfare Officer for Girls in the Education Department.

(26) All posts in the Departments with initial salary of Rs. 160 per mensem and above created or to be created in the Lahaul and Spiti area provided a resident of that area is appointed thereto.

(27) Supervisor for the Cafeteria in the New Secretariat, building.

(28) Staff Officer in the Civil (Home) Defence Department.

(29) Advocate-General, Deputy Advocate-General and Assistant Advocate-General.

(30) Technician, Walnut Wood Carving Training Centre Kulu (Rs. 200-10-300).

(31) Technician, Paper Machine Training Centre, Nagrota (Rs. 200-10-300).

(32) Technician, Tapestry Training Centre Dharamsala (Rs. 200-10-300).

(33) Sports Officer and Sports Coaches in the Punjab Sports Department.

(34) District Attorneys Grade-I and 7 District Attorneys Grade-II in the Home (Judicial) Department.

(35) Junior and Senior Specialists appointed in India including Indians recruited abroad, on contracts for period not in excess of five years, in connection with the Beas Project.

- (36) (a) Six Class I Coaches.
(b) Six Class II Coaches.
(c) Six Class III Coaches.
(d) Three Divisional Sports Officers.
(e) Nineteen District Sports Officers.
(f) One Deputy Director, Sports.
(g) One Assistant Deputy Director, Sports (General).
(h) One Assistant Deputy Director (Women).
(i) One Director, Mountaineering (Men) Institute, Manali.
(j) Four Instructors for Mountaineering.
(k) One Organiser, Yoga Scheme.
- (37) (a) One Pashmina Textile Expert in Weaving in Pashmina Wool Training Centre at Nurpur (Rs. 200-10-300).
(b) One Carpet Weaving Technician in Carpet Weaving Centre at Baijnath, District Kangra (Rs. 200-10-300).
(c) One Head Designer in Central Organisation and Designing Centre at Dharamsala (Rs. 200-10-300).
(d) One Hooking Technician in Hooking Rug Training Centre at Kulu (Rs. 200-10-300).
(e) One Felting Technician in Namda Training Centre at Kulu (Rs. 200-10-300).
(f) One Chain Stitch Embroidery Technician in Chain Stich Embroidery on Namdas and Hussain Cloth Training Centre, Kulu (Rs. 200-10-400).
- (38) Special Collector in the Stamp and Registration Branch of the Revenue Department in the grade of Rs. 270- 15-300/25-500/25-650.
- (39) Twelve Class III Coaches in the Sports Department.
- (40) Associate Professor of English, Language Teaching Institute, Chandigarh.
- (41) Temporary Assistant Engineers against which pre-final and final year students of the Engineering Colleges in the State of Punjab are appointed on their being granted provisional Short Service Regular Commission.
- (42) Field Publicity Assistants in the Public Relations Department.
- (43) Information Assistants in the Public Relations Department.
- (44) District Farming Planning Education Officers.

- (45) Health Educators.
- (46) Social Scientist Instructors.
- (47) Health Education Extension Officers.
- (48) Assistant District Attorneys in the Home Department.
- (49) Director of Prosecution and Ex-Officio Joint Secretary to Government, Punjab, Home Department.
- (50) The following posts in the Public Relations Department :-
 - (a) Public Relations Officer (Research and Reference).
 - (b) District Public Relations Officers.
 - (c) Photo and Cinema Officer.
 - (d) Art Executive.
 - (e) Technical Officer
 - (f) Senior Photographer.
 - (g) Director, Cameramen.
 - (h) Press Secretary to the Chief Minister.
 - (i) Information Officers.
 - (j) Producer.
 - (k) Exhibition Officer.
 - (l) Senior Actor.
 - (m) Sound Recorder.
 - (n) Production/State Manager.
- (51) Secretary, Punjab State Soldiers 'Sailors' and Air-men's Board.
- (52) Two whole time Members of the Punjab Officer Language (Legislative) Commission.

SCHEDULE 'B'

[See Regulation 5(f)]

- 1. Air-Raid Precautions Officers.
- 2. All appointments in connection with the Bhakra-Nangal Project, which may be filled by Foreign Specialists and other foreign personnel.
- 3. Private Secretary (Political) to the Chief Minister.
- 4. Specialist Officer, appointed in India, including Indians recruited abroad on contracts

for periods not in excess of five years, in connection with the Bhakra-Nangal Project.

5. Chairman and Members of the Subordinate Service Selection Board.
6. 25 percent of the posts of Block Development Officers under the National Extension Service Scheme.
7. Consolidation Officers in the Consolidation of Holdings Department, Punjab, appointed up to 31st March, 1956 and thereafter.
8. All posts in the Food and Supply Department when filled by the appointment of ex-employees of the Civil Supplies Department, Punjab.
9. One Accounts Officer
10. One Assistant Director in the Food and Supplies Department, Punjab. (Note.- Orders in respect of these posts shall remain operative upto 31st May, 1960).
11. One Statistical Officer
12. One Administrative Officer
13. Four District Food and Supplies Controllers
14. Three District Food and Supplies Officers
15. Two Superintendents (Headquarters)
16. Three Superintendents (District Offices)
17. Eight Senior Auditors
18. Six or seven Assistant Food and Supplies Officers.
19. All posts in the Food and Supplies Department, when filled by the transfer of officials serving in other Departments.
20. Additional Advocate-General, Punjab.
21. Editor (Urdu) in the Public Relations Department, Punjab.
22. Youth Welfare Officer for Girls in the Education Department
23. All posts in all Departments with initial salary of Rs. 160 per mensem and above, created or to be created in the Lahaul and Spiti area, provided a resident of that area is appointed thereto.
24. Supervisor for the Cafeteria in the New Secretariat Building.
25. Staff Officer in the Civil Home Defence Department.
26. Advocate General, Deputy Advocate General and Assistant Advocate-General, Punjab.
27. Sports Officers and Sports Coaches in the Punjab Sports Department.
28. District Attorneys, grade I and 7 District Attorneys, grade II, in the Home (Judicial) Department.

29. Junior and Senior Specialists, appointed in India including Indians recruited abroad~ on contracts for periods not in excess of five years in connection with the Beas Project.
30. (a) Six Class I Coaches.
(b) Nine Class II Coaches.
(c) Six Class III Coaches.
(d) Three Divisional Sports Officers.
(e) Nineteen District Sports Officers.
(f) One Deputy Director, Sports.
(g) One Assistant Director, (General).
(h) One Assistant Director, (Women).
(i) One Director Mountaineering Institute, Manali.
(j) Four Instructors for Mountaineering.
(k) One Organiser, Yoga Scheme.
31. Special Collector in the Stamp and Registration Branch of the Revenue Department in the Grade of Rs. 270- 15-300/25-500/25-550.
32. Twelve Class III Coaches in the Sports Department.
33. Associate Professor of English, Language Teaching Institute, Chandigarh.
34. Temporary Assistant Engineers against which pre-final and final years students of the Engineering Colleges in the State of Punjab are appointed on their being granted provisional Short-Service Regular Commission.
35. Assistant District Attorney in the Home Department.
36. Director of Prosecution and *ex officio* Joint Secretary to Government, Punjab, Home Department.
37. The following posts in the Public Relations Department :-
(a) Public Relations Officer (Research and Reference).
(b) District Public Relations Officers.
(c) Photo and Cinema Officer.
(d) Art Executive.
(e) Technical Officer.
(f) Senior Photographer.
(g) Director Cameramen.
(h) Press Secretary to the Chief Minister.

- (i) Information Officers.
 - (j) Producer.
 - (k) Exhibition Officer.
 - (l) Senior Actor.
 - (m) Sound Recorder.
 - (n) Production/Stage Manager.
38. Secretary, Punjab State Soldiers, 'Sailors' and Air men's Board.

SCHEDULE 'C'

[See Regulation 3(i)]

1. Consolidation Officers in the Consolidation of Holdings Department appointed up to the 31st March, 1956, and thereafter.
2. 12½ percent posts of B.D. Os. under the National Extension Service Scheme.
3. One Accounts Officer (Headquarters)
4. One Assistant Director (Headquarters)
5. One Statistical Officer in the Food and Supplies Department Punjab. (*Note*- Order in respect of these posts shall remain operative up till 31st May, 1960)
6. One Administrative Officer (Headquarters)
7. Four District Food and Supplies Controllers
8. Three District Food and Supplies Officers
9. Two Superintendents (Headquarters)
10. Three Superintendents (District Offices)
11. Eight Senior Auditors
12. Six / Seven Assistants, Food and Supplies Officers.
13. All posts in the Food and Supplies Department, when filled by the transfer of officials serving in other Departments.

Copy of the letter No.15386-G-55/83568, dated the 3rd January, 1956 from the Chief Secretary to Government, Punjab to all Heads of the Departments, etc., etc.

Subject :- Instructions regarding public parties and farewell entertainments in honour of Government servants.

With reference to the instructions contained in the press communique dated the 4th May, 1937, circulated with Punjab Government circular letter No. 8852-G-50/14952, dated the 23rd December, 1950 on the subject noted above. I am directed to say that the question of allowing Government servants to attend farewell entertainments has been considered and it has been decided that a Government servant may attend a farewell entertainments except by a non-official or subordinate Government servant, of a substantially private and inform character held in his honour of any person who has recently ceased to be in the service of the Government or who has retired from service. A suitable provision has been made in the Government Servant's Conduct Rules, 1955, which are being issued separately *vide* Punjab Government letter No. 15229G-55/78145, dated the 5th December, 1955. Instructions referred to above may please be considered to have been modified to this extent.

Copy of letter No. 2319-P(C)-56/9324, dated the 2nd March, 1956 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject :- Government Servants directly approaching Ministers for the redress of their personal grievances etc.

I am directed to invite a reference to Punjab Government letter No. 4174-P-54/17154, dated the 28th July, 1954 in which Government servants were forbidden to approach Ministers for the redress of their personal grievances, except by getting a permission from superior officers. An instance has now come to the notice of Government where a Government servant has approached a Minister in connection with personal affairs, without obtaining the prior approval of his head of Department. Such a practice is not only contrary to the instructions issued by Government from time to time but subverts discipline and should, therefore, be completely stopped. I am to request that all Government servants serving under you should be made to note these instructions carefully and told in express terms that any breach thereof will render them liable to disciplinary action.

Copy of letter No. 2297-P-56/18382, dated the 4th May, 1956, from the Chief Secretary to Government, Punjab, to all heads of Departments in the Punjab.

Subject :- Channel of Correspondence.

I am directed to refer to paragraph 37 of the Punjab Government Consolidated Circular No.5 which *inter-alia* lays down that subordinate officers should always address higher authorities/ Government through their superiors and any body infringing this rule and writing either to higher authorities or attempting in other ways to bring his wishes to the notice of Government will be liable to

disciplinary action. Instances have come to the notice of Government where these instructions have not been observed by Government servants and where higher authorities have been approached over the head of their immediate superiors. This tendency shows indiscipline on the part of Government servants and is required to be firmly curbed. I am accordingly to request you to warn all Government servants working under you not to write or approach, otherwise, the higher authorities or Government through the proper channel viz., the Head of Office, Head of Department, etc., as the case may be, and that any Government servant infringing this rule will render himself liable to disciplinary action.

Copy of Punjab Government Circular letter No. 3992-G-II-56/3421, dated the 15th January, 1957, from the Chief Secretary to Government, Punjab addressed to all Heads of Departments, etc., etc.

Subject :- Plural marriages-Government Servants.

I am directed to invite a reference to Punjab Government letter No. 12897 -G-54/1775, dated the 18th January, 1955 and subsequent instructions issued by them on the matter of prohibition of plural marriages by Government servants and to intimate that the Government of India have amended the Central Civil Services (Conduct) Rules 1955, to provide therein that no women Government servant shall marry any person who has a wife living, without first obtaining their permission. The Government of India have further ordered similar amendments to be incorporated in the rules or orders relating to recruitment to services and posts with which they are concerned

2. As therefore the Punjab Government have decided to follow the Government of India in this behalf in as much as they have decided to order the necessary amendments also being carried out in the corresponding rules and orders relating to the services and posts under them. In respect of Government servants naturally, the requisite permission, for marriage with a person already having a wife living, would be that of the State Government. Since incorporation of necessary amendments in the relevant rules would take time, it has been decided that pending formal incorporation, the principles there should be observed as if the relevant rules had actually been amended.

Copy of letter No. 4540-G-II-57/12538, dated the 15th July, 1957 from the Chief Secretary to Government Punjab, Chandigarh, to all Heads of Departments, etc., etc.

Subject :- Use of Government servants for private work.

Government frequently receive complaints against individual officers alleging that they take private work from Government servants under their control. I am directed to address you in order to clarify policy of Government on this subject

2. The extent to which Government servants are used for private work varies in the different departments. The attitude of the average officer is; however more or less the same in all departments, viz., that using Government servants for private work is a practice which has the sanction of widespread

and old usage. The possibility of this practice amounting, in certain circumstances, dishonesty is neither taken into account by the officers indulging in it, nor by their departmental heads. For dishonesty there is the firm rule that dismissal is the only right punishment, and it is, therefore, a matter of importance to clarify, whether use of Government servants for private work does amount to dishonesty (meriting dismissal) or not.

3. Since circumstances vary a grate deal, it is difficult to lay down a rigid policy that taking private work from Government servants should always be constructed as dishonesty meriting dismissal. The circumstances attending each case would always have to be gone into the severity of punishment in a proved case left to be determined on the merit of that particular case. On one extreme there can be circumstances in which the practice may be totally innocent deserving no notice from Government e.g. the use of a personal orderly out of office hours, with his willingness and on payment for duties not of a menial character. On the other extreme, there can be circumstances in which the practice would amount to dishonesty meriting dismissal e.g. the use of gangmen as regular whole-time domestic servants. Since it is necessary that the honest Government servants should know where exactly he stands, and equally necessary that the dishonest Government servants should have warning of Government's intention to treat certain form of this practice as acts of corruption, this letter seeks to analyse the various types of cases and to indicate the lines on which they should be dealt with.

4. Broadly speaking, two kinds of cases arise:

- (i) Where the Government's servants from whom private work is taken are on the personal staff of the officer concerned, e.g. his Personal Assistant, Stenographer or orderlies.
- (ii) Where the Government servants from whom private work is taken are not on the personal staff of the officer concerned, though his subordinates otherwise.

5. Regarding (i) there saw dispread practice for personnel Assistants and Stenographers to be utilised for maintaining some of private files of their officer and also for taking private dictation of occasional character. Within reasonable limits and so long as this does not effect Government work aversely, there can be no objection to the practice. For orderlies the nature of their duties is such that it is difficult to draw the line as to where official work ceases and private work begins. Here too, within reasonable limits, there can be no objection to some private work being taken from orderlies and peons. These limits have been defined in a whole series of policy letters noted in the margin on the subject 'Employment of peons as private servants' .

The gist of these is that peons may with their consent on payment and outside office hours be utilised for private work of a non-menial character. Sometime it is necessary to make a peon do private work of an occasional character even during office hours, and no serious objection can be taken to this. Cases falling in this category are thus simple ones, the brief position in respect of them being that no notice need be taken unless reasonable limits are exceeded, in which events at worst there would be an instance of irregular (not corrupt) conduct.

- (i) *No. 775 (H. Genl.) dated the 11th January, 1922.*
- (ii) *No. 5897 (H Genl.) dated the 20th November, 1934.*
- (iii) *No. 5248-G-47/36389, dated the 31st May, 1947.*
- (iv) *No. 7104-G-48/57106, dated the 22nd October, 1948.*
- (v) *No. 7307-G-50/14390, dated the 31st October, 1950.*
- (vi) *No. 1978-G-51/1/3370, dated the 9th June, 1951.*
- (vii) *No. 9566-G-53/90920, dated the 21st November, 1953.*

6. Regarding (ii) a distinction needs to be made between cases in which private work is taken from such Government servants on rare occasions (e.g. at the time of packing-up on transfer) and when private work is taken on a regular and more or less whole time basis (e.g. case of gangmen mentioned in para 3 of this letter). The former amounts to irregular conduct if the Government servants concerned are utilized against their will or during office hours. The later is a serious type of case in which dishonest conduct should normally be presumed. Facts may differ widely in such cases, but the test for classifying a particular case as a case of dishonesty is whether wilful dishonesty is actually present. If so, no quarter should be given.

7. The practice of using Government servants for private work has been a widespread and an old one, and until now it has never been regarded with such severity, even when an element of dishonest conduct was present. For the future, Government would like the new standards of judgement laid down in this letter to be applied to individual cases that come up. I am to request you to bring these instructions to the notice of all concerned serving under you for strict compliance. Past cases involving element of dishonesty should not be ignored, but should receive lighter punishment (depending on individual circumstances) than the extreme one of dismissal which normally goes with dishonesty.

Copy of Circular letters No. 7686-G-58/19409, dated the 30th June, 1958 from the Additional Chief Secretary to the Government, Punjab, to all Heads of Departments, etc., etc.

Subject :- Use of Government servants for private work.

I am directed to invite your attention to the instructions contained in Punjab Government's circular letter No. 4540" GII-57/12538, dated the 15 July, 1957, on the above subject, and to say that cases are still being reported to Government regarding the misuse of Class IV Government servants, for private work during office hours or when they are actually supposed to be on duty elsewhere and are shown as such in the relevant record. In two such cases which came to the notice recently, the officers concerned have been warned, and copies of the warning issued to them have been placed on their personal files. A lenient view was taken in these cases as these were first to be reported, after the issue of instructions contained in the above-mentioned letter. I am desired to say that a more serious view will be taken in cases involving contravention of these instructions, and to reiterate that use of Government servants as regular whole time domestic servants will, in future, be treated as dishonesty meriting the severest punishment.

2. I am to request you to bring these instructions to the notice of all concerned serving under you.

Copy of Punjab Government letter No. 3672-GII-59/248, dated the 11th May, 1959 from the Chief Secretary to Government Punjab, to all Heads of Departments etc., etc.

Subject :- Approach to Members of the State Legislature.

I am directed to say that in spite of repeated instructions issued on the subject, from time to time, Government have noticed with regret an increasing tendency on the part of Government servants to approach members of the State Legislature for the redress of their grievances connected with their conditions of service etc. In this connection I am also to invite your attention to rule 20 of the Government Servants Conduct Rules, 1955, which *inter-alia* lays down that no Government servant shall approach any members of the State Legislature or of Parliament with a view to get his grievances removed or to furthering any object. It has come to the notice of Government that neither the executive instructions issued on the subject nor the statutory provisions of Rule 20 *ibid* are being adhered to by the Government servants. Such a practice is not only contrary to the rules but subverts discipline and should, therefore, be completely stopped. I am to request that all Government servants serving under you should be made to note these instructions carefully and told in express terms that any breach thereof will under them liable to disciplinary action.

Copy of Circular letter No. 4198/GH-59/5323, dated the 20th June, 1959, from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject :- Seeking redress in Courts of Law by Government servants of grievances arising out of their employment or conditions of service.

Sir,

In supersession of the instructions contained in Punjab Government letter No. 10208-G-52/5381, dated the 25th January, 1953, on the subject noted above. I am directed to communicate the following revised instructions in this respect for your information and guidance :-

- (a) Government servants seeking redress of their grievances arising out of their employment or conditions of service should in their own interest and also consistently with official propriety and discipline, first exhaust the normal official channels of redress before they take the issue to a court of law.
- (b) Where, however, permission to sue Government in a court of law for the redress of such grievances is asked for by any Government servant either before exhausting the normal official channels of redress or after exhausting them, he may be informed that such a permission is not necessary and that if he decides to have recourse to a court of law, he may do so on his own responsibility.

Copy of Circular letter No. 1116-GII-60/6152, dated 18th February, 1960 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject :- Scrutiny of property returns submitted under rule 10 of the Government Servants Conduct Rules, 1955.

I am directed to invite your attention to para 1(4) of the Punjab Government letter No. 637-G-56/19033, dated the 16th March, 1956, which enjoins that the property returns should be scrutinised when these are received, so that particular enquiries, if considered necessary, may be made from the Government servant concerned. It has been noticed of late that neither proper and regular scrutiny of such returns is carried out by the authorities concerned nor suspected cases of corruption are being enquired into. In order to achieve this object Government have decided that all property statements when received should be scrutinised carefully by the Departments concerned and in case of such Government servants, whose assets appear to be, *prima facie*, in excess of their status and emoluments, their statement should be forwarded to the Vigilance Department for further scrutiny. It has further been decided that the Vigilance Department on the basis of such information as it has, should have the right to call for the return of any employee for purposes of scrutiny and enquiry.

2. I am to add that for the present this procedure has been introduced for two years and the position may be reviewed after the expiry of this period to see whether it requires further elaboration.
3. The receipt of this letter may be acknowledged.

Copy of letter No. 1036-P-60/12434, dated the 19th May, 1960 to the all Heads of the Department, etc., etc.

Subject :- Participation of Government Servants in Political activities and agitations.

I am directed to invite your attention to rule 22(1) of the Government servants Conduct Rules, 1955, which lays down that no Government servant shall take part in subscribe in aid of or assist, in any way, any political movement in India or aboard relating to Indian affairs. It has been explained in the rule that the expression "Political Movement" includes any movement or activities tending directly or indirectly to excite dis-affection against or to embarrass, the Government as by law established, and to promote feelings of hatred enmity between different classes of subjects of the Indian Union, or to disturb the public peace. In this connection, I am to point out that a rigid and strict line will be taken in regard to employees who associate themselves or take part in politics and that Government will not make any concession regarding re-employment where employees are dismissed or discharged because of association with politics or any political movement. This may kindly be brought to the notice of all Government Servants working under you.

2. The receipt of this letter may please be acknowledged.

Copy of Circular letter No. 15948-GS-63/44659, dated the 8th December, 1960 from the Chief Secretary to Government Punjab to all Heads of Departments etc., etc.

Subject :- Attendance of Government servants at the meetings/conventions etc. of the Bharat Sewak Samaj.

I am directed to say that according to the instructions consigned in Punjab Government letter No. 994-P-53/11881, dated the 2nd March, 1953, Government servants can associate themselves with the activities of the Bharat Sewak Samaj without obtaining the prior permission of Government subject to the condition that such association is not permitted to interfere with the due discharge of their official duties and does not absolve them from the observance of rules and instructions relating to their conduct and behavior. In this connection, enquires have, however, been made by various departments on the following two points :—

- (i) Whether or not the period spent by Government servants in attending the meetings and conventions of the Bharat Sewak Samaj, is to be treated as period spent on duty.
- (ii) Whether or not Government servants who participate in annual conventions and other meetings arranged by the Bharat Sewak Samaj, should be paid T.A. and D.A. by the Government.

After careful consideration of the matter, the Government have taken the following decisions :—

- (i) The period of absence, which normally does not exceed three days at a time, should be treated as duty in the case of those Government servants who are required exclusively to attend conventions and meetings of the Bharat Sewak Samaj as ex-officio members of the Managing Body of the Punjab Branch of the Bharat Sewak Samaj, subject to other conditions laid down in the Punjab Government letter referred to above.
- (ii) These Government servants should receive T.A. and D.A. from the funds of the Samaj.
- (iii) In case, where the officers/officials attend the meetings/conventions of the Bharat Sewak Samaj, while they are officially on tours which are undertaken with the prior approval of the competent authority and include attendance of the meetings/conventions of the Samaj, they shall be all along treated as on duty and drawn T.A./D.A. from the Government funds in the normal manner.

2. I am to request you that these decisions may be brought to the notice of all Government servants working under your control.

3. The receipt of this letter may be acknowledged.

Copy of letter No. 16935-GS-60/1295, dated the 23rd January, 1961 from the Chief Secretary to Government, Punjab, to all Heads of the Departments, etc., etc.

Subject :- Celebration of marriages-Permission for.

I am directed to bring to your notice that complaints have been made to Government that some officers, while celebrating the marriage of sons or daughters at the place of their posting, take undue advantage of their position in collecting material and arranging amenities. This practice brings a bad name to the official machine and to Government and it has now been decided that an officer who wants to celebrate the marriage of his son or daughter or other relation at the place of his posting should invariably obtain the prior permission of the appointing authority and where the appointing authority happens to be Government, then the Administrative Secretary concerned. Such permission will not be required if the marriage is to be celebrated at the head quarters of the Government, i.e. Chandigarh or in the village or the town to which the officer himself belongs. In the case of displaced officers, who do not possess property anywhere in the Punjab, permission to celebrate the marriage in any particular place will still be necessary.

2. As regards leave for the celebration of the marriage, Government have decided that it should be applied for the officer concerned if he thinks it necessary, and will be granted to the extent administratively feasible.

3. I am also directed to emphasize that in order to avoid public criticism officers should when performing the marriage of their sons or daughters or other dependents, scrupulously avoid the use of their official position in the collection of material or arranging amenities through their staff or members of the public with whom they are directly or indirectly concerned in the discharge of their duties as Government servants. Officers should also not accept gifts and presents from such persons. In this connection, attention is invited to the provisions contained in rule 3 of the Government Servants Conduct Rules, 1955, and rule 10 of the All India Services (Conduct) Rules, 1954, which should be observed scrupulously by all the officers.

4. I am to request that these instructions be brought to the notice of all persons working under you for compliance.

Copy of circular letter No. 6375-GS-61/23734, dated the 6th July, 1961, from the Chief Secretary to Government, Punjab to all Heads of the Departments, etc., etc.

Subject :- Formation of Co-operative Societies by government Servant.

I am directed to say that the proviso to rule 12 of the Government Servants Conduct Rules 1955 enjoins that a Government servant pay in accordance with the provisions of any general or special order of the Government take part in promotion, registration or management of a Co-operative Society registered under the Co-operative Societies Act, 1912 (II of 1912), or under any similar State Law. No general or special order as envisaged in the above rule has so far been issued. On the other hand, thrift and Credit Societies of Government servants are in existence and functioning in various

Departments without such Government servant, having obtained previous sanction of the Government. Government had been advised that in the absence of any general or special order in this behalf: it is necessary for a Government servant to take previous sanction of Government to join a, Co-operative Society. This position should, therefore be brought to the notice of all Government servants working under your control.

2. It has however, been represented to the Government that if formal sanction is taken in individual cases, the enrolment of members of Co-operative Societies, Canteens and Stores will receive a set-back and this will not be desirable in view of Government policy to encourage such Co-operative Societies among Government servants to enable them to derive benefit from the Co-operative movement. Government have carefully considered this proposition and decided to expect all Government servants generally from the operation of rule 12 of the Government Servants Conduct Rules, 1955 in so far as the following types of Co-operative Societies formed by Government servants are concerned :-

- (i) Service Co-operatives.
- (ii) Salary-earners Co-operative Thrift and Credit Societies.
- (iii) House Building Societies.
- (iv) Cooperative Stores and Canteens.
- (v) Co-operative Societies connected with Social Welfare or Educational Work.

These order may as well be brought to the notice of all Government servants working under you.

Copy of Punjab Govt. Circular letter No. 728-8GS-62/1501, dated 15th January, 1962, from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject :- Allegations against individual Government servants in the Press—Action to be taken in the case of Government servants involved in legal proceedings— provision for legal and financial assistance.

I am directed to say that Government have for some time past been considering the question of adopting a suitable procedure in regard to the action to be taken in the case of allegations against individual Government Servants in the Press and to provide legal and financial assistance to the Government servant involved in legal proceedings and have decided as follows :—

2. When allegations are made in the Press or by individuals against a Government servant in respect of his conduct in the discharge of his public function a preliminary confidential enquiry by a senior officer may be ordered by Government, depending on the nature of the case.

3. If such an enquiry leads to the conclusion that the allegations are based on ignorance, insufficient information or even malice it should be further considered whether, having regard to the nature and circumstances of the case, any action in a Court of Law is necessary to indicate the conduct of the Government servant concerned, for in some cases, more publication of the result of enquiry may

not always carry conviction with the public. If it is decided to have resort to a Court of Law, it should also be considered whether Government should themselves initiate proceeding in a Court of Law against the party which made the allegations or whether the Government servant should be required to initiate such proceedings if on the other hand, it is considered as a result of the enquiry that there are reasonable grounds to doubt the propriety and correctness of the conduct of the Government servant, or if the enquiry is not conclusive Government may entrust the case to the Vigilance Department for investigations or order a full departmental enquiry under the Punjab Civil Services Rules, or require the officer to indicate his conduct by resorting to a Court of Law.

4. In case where Government decide to initiate Criminal Proceedings themselves the provisions of Section 198- B of the Criminal Procedure Code should be made use of. According to these provisions the complaint can be filed within six months of the date of the alleged offence, by the Public Prosecutor directly in a Court of Session with previous sanction of the Government and the case will thereafter be pursued by Government. Where the Government decide to institute civil proceedings the usual procedure for institution of civil proceedings by Government may be followed.

5. In cases where the Government servant is required to vindicate his conduct in a court of law Government will give financial assistance as laid down in this letter.

6. When a Government servant desires to institute proceedings *suo moto* to vindicate his conduct in the course of the discharge of his official duties, he will have to obtain the previous sanction of the Government as required in rule 23 of the Government servants Conduct Rules, 1955. If Government decide to grant such sanction no question of reimbursement of any expenses to the Government servant will arise, but advances may be granted as laid down in the following paragraphs.

7. The appropriate authority for taking decisions in each case will be the Administrative Department concerned who will consult the Finance Department and the Legal Remembrancer to Government Punjab where necessary.

8. (a) *Proceedings initiated by Government in respect of matters connected with the official duties or position of the Government servant.*

Government will not give any assistance to a Government servant for his defence in any proceedings, civil or criminal instituted against him by the State in respect of matter arising out of the or connected with his official duties of his official position, should, however, the proceedings, conclude in favour of the Government servant. Government will entertain in his claim or reimbursement of costs incurred by him or his defence, and if Government are satisfied from the facts and circumstances of the case that the Government servant was subjected to the strain of the proceedings without proper justification, they will consider whether the whole or any reasonable proportion of the expenses incurred by the Government servant for his defence would be reimbursed.

(b) *Proceedings in respect of matters connected with official duties or position of the Government servant.*

Government will not give any assistance to a Government Servant or reimburse the expenditure incurred by him in the conduct of proceedings in respect of matters not arising out of or connected with his official duties or his official position irrespective

or whether the proceedings were instituted by a private party against the Government servant or *vice versa*.

(c) *Proceedings instituted by private party against a Government servant in respect of matter connected with his official duties or position.*

(i) If the Government on consideration of the facts and circumstances of the case consider that it will be in the public interest that Government should themselves undertake the defence of the Government servant in such proceedings and if the Government Servant agrees to such a course, the Government servant should be required to make statement in writing as in Annexure 'A' and thereafter Government should make arrangements for the conduct of the proceedings, as if the proceedings had been instituted against Government.

(ii) If the Government Servant proposes to conduct his defence in such proceedings himself the question of reimbursement of reasonable costs incurred by him for his defence may be considered in case of the proceedings conclude in his favour in determining the amount or cost to be so reimbursed. Government will consider how for the court has indicated the acts of the Government servant. The conclusion of the proceedings in favour of the Government servant will not by itself justify reimbursement.

To enable the Government servant to meet the expenses of his defence Government may sanction at their discretion an interest-free advance not exceeding Rs. 500 or the Government servant's substantive pay for three months whichever is greater after obtaining from the Government servant a bond in the form reproduced as Annexure B. The amount advanced would be subject to adjustment against the amount, if any, to be reimbursed as above.

(d) *Proceedings instituted by a Government servant on his being required by Government to indicate his official conduct.*

A Government servant may be required to vindicate his conduct in a court of law in certain circumstances. The question whether costs incurred by the Government servant in such cases should be reimbursed by the Government, and if so, to what extent should be left over for consideration in the light of the result of the proceedings, Government may, however, sanction an interest-free advance, a suitable instalment of an amount to be determined by them in each case on the execution of a bond by the Government servant in the form reproduced in Annexure 'B'.

In determining the amount of costs to be reimbursed on the conclusion of the proceedings, the Government will consider to what extent the court vindicated the acts of government servant in the proceedings. Conclusion of the proceedings in favour of the Government servant will not itself justify reimbursement. but will be a strong consideration in favour of doing so.

(e) *Proceedings instituted by a Government servant suo moto with previous sanction of Government to vindicate his conduct arising out of or connected with his official duties or position.*

If a Government servant resorts to a Court of Law with the previous sanction of Government to vindicate his conduct arising out of or connected with his official duties or position though not required to do so by Government, he will not ordinarily be entitled to pay any assistance but Government may in deserving cases, sanction advances in the manner indicated in sub-para C (ii) above, but no part of the expenses incurred by the Government servant will be reimbursed to him even if he succeeds in the proceedings.

Clause (d) of article 320 (3) of the Constitution required consultation with the Public Service Commission or any claim by a Government servant for the reimbursement of the costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty. In order cases consultation with the Public Service Commission is not obligatory, but it will be open to Government to seek the Commission's advice, if considered necessary. The question whether a case falls under article 320 (3) (d) of the constitution so as to require consultation with the Commission may at time be difficult to determine. It may be stated generally that the is obligatory in a case where a reasonable connection exist between the act of the Government servant and the discharge of his official duties, the act must bear such relation to the official duties that the Government servant could lay a reasonable but not a pretended or a fanciful claim that he did it in the course of the performance of his duties.

9. The recovery of advance will be made in not less than twelve and not more than twenty-four equal instalments, the exact number being determined by the sanctioning authority.

The advance will be debatable to the head "P-Loans and Advances by State Government Loans to Government Servants-M-other Advances-Advances for legal proceedings" for expenditure connected with the interest-free advances to Government servants involved in legal proceedings.

10. These instructions are being issued with the concurrence of the Finance Department,-vide their U.O. No. 5447-FGI-(DS)-61, dated the 21st December, 1961. I am to request that these instructions may be brought to the notice of all Government servants under your control.

11. The receipt of this letter may please be acknowledged.

ANNEXURE 'A'

(Here enter description of the proceedings)

The Government of Punjab having been pleased to undertake my defence in the above proceedings.. I hereby agree to render such assistance to Government as may be required for my defence and further agree that I shall not hold Government in any way responsible if the proceedings end in the decision adverse to me.

Dated :

Signature of the Government Servant

ANNEXURE 'B'

By this Bond, I _____ (here give the name and other particulars of the Government servant including post held by him) acknowledge myself bond to the Government of Punjab in the sum of Rs. _____ (here enter a sum representing double the amount advanced) to the said Government.

Now the above written Bond is conditioned to be void in case the above bounder (Government servant), his personnel representatives or any person acting for and on behalf of the above bounden (Government servant) shall, on demand, pay to the said Government or its representatives or assigns or their attorney authorised to receive the same, the said sum of Rs. _____ but in the event of the above bounden (Government servant) or his personal representatives or any person acting for and on his behalf failing to pay the said sum on demand, the above written Bond shall remain in full force and effect.

Dated this the _____ day of _____ 19 _____ .

Signature of the Govt. Servant

Witnesses :—

(Published in the Punjab Government Gazette, Legislative Supplement Ordinary,
dated the 26th January, 1962)

Copy of letter No. 16110-8GS-62/39005, dated 6th November, 1962 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject :- Approaching Ministers and other higher officers.

I am directed to say that the Government has observed that the tendency on the part of officials to approach higher officers and Ministers by ways other than those indicated through 'proper channel' is on the increase. This practice is contrary to the instructions issued by the Government from time to time and subverts discipline. In this context, attention is invited to the instructions contained in Punjab Government letter No. 4174-P-54/17154, dated the 28th July, 1954 which may be brought to the notice of all Government servants under your control for strict compliance. They may be told in express terms that you will take strict disciplinary action against them for any infringement of these instructions.

2. The receipt of this communication may kindly be acknowledged

Copy of Circular letter No. 15837-7GS-62/39797, dated the 8th November, 1962, from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject :- Eradication of corrupt practices among officials.

Government is of the opinion that the Establishment clerks in all the Departments have great scope for resorting to corruption. You are accordingly desired to post officials of proved integrity to such posts.

2. The receipt of this letter may be acknowledged.

Copy of Punjab Government Circular letter No. 8323-6GS-63/22817, dated 5th July, 1963 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :- Punjab Government Servants (Conduct) Rules, 1955-Form of report to be submitted to the prescribed authority regarding purchase of land material etc. for building/making additions a house-Rule 8 thereof.

In supersession of Punjab Government letter No. 2874-GII-58/49622, dated the 26th June, 1958 on the subject above, I am directed to say that the construction/extension of a house by a Government employee amounts to acquisition by him of a immovable property for which the previous knowledge or sanction as the case may be, of the prescribed authority, is required under rule 8 of the Punjab Government Servants, (Conduct) Rules, 1955. A question has been raised whether the purchase of any movable property, exceeding five hundred rupees in value, required for the construction/extension of the house comes within the scope of rule 8(2) *ibid*, which requires that a report of such transactions shall forthwith be sent to the prescribed authority. It would, obviously, be cumbersome and inconvenient if such reports have to be made in respect of every such purchase made in connection with the building of/addition to the house. At the same time the purpose of the rule would be defected. If a check is not kept on such purchases merely because permission has been given for the building of addition to house just before the construction begins. It is, therefore, necessary that whatever a Government employee wishes to build a house or make extensions to it. the following procedure should be followed.

2. Before starting construction of the houses, or extension thereof, he should report or seek permission, as the case may be, in Form I and after completion of the house/extension, he should report in Form II to the prescribed authority.
3. The details in the Performa should be furnished whenever it is possible to do so. Where, however, it is not possible to furnish these details, the officer, should mention the covered area on which the building is proposed to be erected and estimated cost of the building.
4. These instructions may please be brought to the notice of all Government employees under your control for compliance and its receipt acknowledged.

FORM I

**(Form of report/application (for permission) to the prescribed authority for the building of
or addition to a house)**

Sir,

This is to report to you that I propose to

This is to request that permission may be granted build/make addition to a house.

_____The to me for the building
or a addition(s) to a house _____estimated cost of the land and materials for the
constructions /extensions.

LAND

- (1) Locations (Survey numbers, Village, District, State)
- (2) Area.
- (3) Cost.

BUILDING MATERIALS

- (1) Bricks (Rate/quantity/cost)..
- (2) Cement (Rate/quantity/cost).
- (3) Iron and Steel (Rate/quantity/cost).
- (4) Timber (Rate/quantity/cost).
- (5) Sanitary fittings (cost).
- (6) Electrical fittings (cost).
- (7) Any other special fittings (cost).
- (8) Other charges, if any.
- (9) Labour charges.

Total cost of Land and Building.

Your faithfully,

Form II

(Form of report to the prescribed authority after completion of the building/extension of a house)

Sir,

In my letter No. _____ dated _____ I have reported _____

Permission was granted to me on Order No. _____ dated _____ that I proposed to build/make addition to a house _____ for the buildings/addition to a house _____ The house/extension has since been completed and I enclose a Valuation Report, duly certified to by (A firm of Civil Engineers of repute) _____ of _____

Date:—

Yours faithfully,
(Signature)

VALUATION REPORT

I/We hereby certify that I/we have valued House/(Here enter details of the house/extension) extension thereof _____ Constructed by Shri/ Shrimati (Here enter name etc. of the Government servant.) _____ and I/we give below the value at which we estimated the cost of the house/extension under the following headings :—

	Heading	Cost	
		Rs.	Np.
1	Bricks	...	
2	Cement	...	
3.	Iron and Steel	...	
4.	Timber	...	
5.	Sainitary fittings	...	
6.	All other special fittings	...	
7.	Labour charges	...	
8.	All other charges	...	
	Total cost of the Building/extension	_____	_____

Dated : _____

(Signature of the valuation authority)

**Copy of letter No 4656-6GS-63/24763, dated the 25th July, 1963 from Shri Saroop Krishan I.C.S.,
Financial Commissioner, Planning and Additional Chief Secretary to Government,
Punjab to the address of all Heads of Departments. etc., etc.**

Subject :- Conduct of a Government employee in relation to the proper maintenance of his family.

I am directed to say that instances have come to the notices of the Government in which there has been failure on the part of Government employees in the matter of proper maintenance of their families and the question has arisen as to the action that can be taken in such cases. The position is that a Government employee is expected to maintain a reasonable and decent standard of conduct in his private life and not bring discredit to his service by misdemeanour of this type. Where, therefore, a Government employee is reported to have acted in a manner unbecoming of such employee, for instance by neglect of his wife and family, departmental action can be taken against him on that score. The Government Servants Conducted Rules should not, however, be invoked for this prose and instead basis should be that neglect by a Government employee of his wife and family in a manner unbecoming of him can be regarded as a good and sufficient reason to justify action being taken against him in the terms of Rule 4 of Punjab Civil Services (Punishment and Appeal) Rules, 1952 which specifies the nature of penalties that may for good and sufficient reason be imposed on a Government employee.

2. It should, however be noted that in certain cases the party affected has a legal right to claim maintenance, and if any legal proceedings in that behalf are pending in a court of law, it would not be correct for the Government to take action against the Government employee as such action may be constructed by the Court to amount to contempt.

**Copy of Circular letter No. 18341-DSGS-68/3072, dated the 3rd February, 1964, from the
Planning Commission and Additional Chief Secretary to Government,
Punjab to all Heads of Departments, etc., etc.**

Subject:- Seeking redress in Courts of Law by Employees grievances arising out of their employment or conditions of service.

I am directed to invite reference to Punjab Government Circular letter No. 4198-GII-59/5323, dated the 20th June, 1959, on the subject cited above, in which it is stated inter alia that, when a Government employee desires to sue the Government in a court of law for the redress of grievances arising out of service matters, he may be informed that such permission is not necessary and that if he decides sue the Government he may do so on his own responsibility. I am to say that on reconsideration it has been decided that in such cases, it would be sufficient to inform the Government employee concerned that permission to sue the Government is not necessary, and the words “if he decides to have recourse to a court of law, he may do so on his own responsibility” should not appear in the communication to him.

Copy of Punjab Government Circular letter No. 4068-DSGS-64/12488, dated the 10th April, 1964 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject :- Allegations against individual Government employee in the Press-Action to be taken in the case of Government employees involved in legal proceedings-Provision for legal and Financial assistance.

I am directed to invite reference to Punjab Government letter No. 728/8GS/62/150 1, dated the 15th January, 1962, on the subject cited above and to say that it has been further decided by the Government that where in a civil suit a Government employee sought to be made liable for damages for acts or negligence in discharge of his official duties of civil nature and the Government is impleaded on the ground of vicarious liability, the Government should arrange for the defence of the Government employee also, provided the defence, of the Government and the Government employees are substantially the same and there is no conflict interest. Each case should be examined in consultation with the Law Department before undertaking common defence. If it is decided to arrange for the defence of the Government employee, the Government employee should be required to make a statement in writing as in Annexure 'A' to Punjab Government letter, dated 15th January, 1962, referred to above.

2. These instructions come into force from the date of issue.
3. The receipt of this letter may please be acknowledged.

Copy of letter No. 4453-9GSD-64/22797, dated the 31st August, 1964 from the Chief Secretary to Government, Punjab, to the all Heads of the Departments, etc. etc.

Subject :- Impartial behaviour of Government employees in a secular State.

The Government has recently noticed a trend among some of its employees towards communal tendencies and participation in political movements. Your attention is invited, in this connection, to Government instructions issued *vide* Punjab Government letter No. I 036-P-60/12454, dated the 19th May, 1960 regarding participation of Government employees in political activities and agitation and also Rule 23 of Government Servants conduct Rules which prohibits participation in political movements. Government expects that all its employees should conduct themselves in an impartial manner, and create confidence in the people about their integrity and impartiality. If any case come to the notice of the Government contrary to these instructions and these already issued, Government would be constrained to take strong action against all those employees who indulge in these things.

2. I am to request you to bring these instructions to the notice of all employees and also acknowledged their receipt.

Copy of letter No. 8/64-AIS. III, dated the 14th January, 1965, from the Under-Secretary to the Government of India, Ministry of Home Affairs, New Delhi-II, to the Chief Secretary to the Government, of all State Governments except Orissa and Nagaland.

Subject :- All India Services Conduct Rules, 1954-interpretation.

I am directed to state that recently a question was referred to the Government of India whether wives of All India Services Officers, should be permitted to enter into business or become partners in firms of a commercial nature.

2. After a careful consideration, Government of India are of the opinion that even though the wife of an officer may intend to undertake business activity from funds entirely at her own disposal this legal "separation" between the officer and his wife, may not be fully acceptable or tenable in the public eye, who would be prone to cast aspersions on the officer and the office that he holds. Apart from this, the nature of duties of all India Services Officer is such that he may exercise influence in varying spheres of governmental activity, depending upon the post that he holds from time to time. The State Government on their part may suffer the difficulty of precluding the services of such an officer from departments which might bring him into contact with the business activities of his wife in his official capacity. Even if the officer conducts his affair in absolutely honest manner and keeps his conduct above reproach, the chances of allegations of direct or indirect abuse of his official position, cannot be ruled out.

3. I am to request that while dealing with such request from the All India Services Officers, the State Governments may keep in mind the views expressed above.

Copy of Punjab Government Circular letter No. 140-2-GSI-65/5259, dated 4th March, 1965, from the Chief Secretary to Government, Punjab to all Heads of Department, etc., etc.

Subject :- Possession by Government employees or by any other person on their behalf of pecuniary resources of property disproportionate to their known sources of income.

I am directed to say that a presumption of corruption fairly and reasonably arises against an officer who cannot account for large accretion of wealth which he could not possibly have saved from his known sources of income. This principle has received statutory recognition in section 5(3) of the Prevention of Corruption Act, 1947, and its application in a departmental enquiry against an officer charged with corruption could not, therefore, be unjust or inequitable. In fact, this principle has recently been up-held by the Supreme Court in the case of Shri G.R. Mankar versus Union of India (Civil Appeal No. 160 of 1963).

2. You are, therefore, requested to ensure that, in a departmental enquiry against an officer charged with corruption and found to be in possession of assets disproportion to his known sources of income, the Presenting Officer concerned bring the legal position, as set out in para I above, to the notice of the Enquiring Officer.

3. Punjab Government's letter No. 4167 -2GS-63/9945, dated the 28th March, 1963, may be treated as cancelled.

4. These instructions should be brought to the notice of all government employees working under you.
5. The receipt of this letter may please be acknowledged.

Copy of Punjab Government Circular letter No.1220-I-GSII-65/7944, dated 24th March, 1965, from the Chief Secretary to Government, Punjab, to all Heads of the Departments, etc., etc.

Subject:- All India Services (Conduct) Rules, 1954-interpretation.

I am directed to enclose a copy of letter No. 8/62/64-AIS-III, dated the 14th January, 1965, from the Government of India, Ministry of Home Affairs, on the subject noted above and to say that these instructions will apply *mutatis mutandis* to the P.C.S. and other officers of the State Government who held executive jobs. I am to request you to bring this to the notice of all concerned for information and necessary action.

2. The receipt of this letter may please be acknowledged.

Copy of Circular letter No. 5394-DSGS(I)-65, dated the 6th July, 1965, from the Chief Secretary to Government Punjab, to all Heads of Departments, etc., etc.

Subject :- Approaching Ministers and other officers.

I am directed to invite your attention to the instructions contained in the Punjab Government circular letters noted in the margin, requiring officers and officials of the Government to refrain from approaching directly Minister and other higher officers in connection with personal grievances. In this context it has been brought to the notice of the Government that some Departmental Heads have been too harass to, and had tried to even victimise officers/ officials who have approached Ministers with their grievances whereas no such adverse notice was taken in cases where Government officers/ officials might have seen higher officers/officials over the Head of their immediate Departmental superiors. It was, therefore, suggested that these instructions regarding approaching Ministers should be withdrawn.

1. No. 16110-8GS-62/39005, dated 6-11-62.
2. No. I6424-DSGSII-63, dated 12-11-63.

Government have carefully considered the matter and have decided finally that the existing instructions may remain as they are, but it should be brought to the notice of all concerned that the orders of the Ministers in such cases should be carried out appropriately and no action should be taken against any officials for approaching a Minister, without the permission of the Minister concerned.

3. The receipt of this letter may kindly be acknowledged.

Copy of Punjab Government Circular letter No. 8493-DSGS(I)-65/31233, dated the 15th September, 1965, from the Chief Secretary to Government, Punjab, to all Heads of the Departments, etc., etc.

Subject :- Celebration of marriage-Permission for.

I am directed to invite a reference to Punjab Government circular letter No. 16935-GS-60/1295, dated the 23rd January, 1961 on the subject noted above and to say that Government have reconsidered the whole question and have decided that in future, the practice of obtaining prior permission of the appointing authority by an officer who proposes to celebrate the marriage of his son or daughter or other relation at the place of his posting may be discontinued. The officers, will, however, bear in mind that contents of para 3 of the letter referred to above.

2. The receipt of this letter may kindly be acknowledged.

Copy of Circular letter No. 7653-6 GSI-65/40644, dated the 18th December, 1965 from the Chief Secretary to Government, Punjab, to the all Heads of the Departments, etc., etc.

Subject :- Government employees indulging political matters.

I am directed to invite a reference to para 2 the communication noted in the margin from the Chief Minister, Punjab to your address impressing upon all Government employees that they should not involve themselves in politics directly. This is also required by rule 4 of the All India Services (conduct) Rules, 1954 and rule 22 of the Punjab Government Servants Conduct Rules, 1955. It has further been emphasized that in implementing the decisions of Government the welfare of the public in general has to be kept in mind and not the interests of any particular group or political party and that rules, laws and regulations, should be administered without any discrimination or bias. It has also been desired that all government employees should conduct themselves in such a way that they leave no scope for any feeling that they are aligned with any political party, group or person or that privately or informally they take interest in a particular section.

No. 8904-CPM-65 dated 10th July, 1965.

2. I am directed to inform you that Government shall take a serious view of any violation of these instructions, and to request that any instances that may come to your notice should be brought to the personal notice of the Chief Secretary to Government, Punjab through the Administrative Secretary concerned, for appropriate action.

Copy of Circular letter No. 278-3 GSI-66/3062, dated the 16th February, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject:- Government Servants Conduct Rules, 1955-Clarification of Rule 10 regarding movable and immovable property.

I am directed to invite a reference to rule 10 of the Punjab Government Servant (Conduct) Rules, 1955, regarding control over movable and immovable property held or acquired by a Government employee and to state that a question has arisen whether a Government employee is required to make

a declaration of movable and immovable property held or acquired by him or by any member of his family, as a member of a Joint Hindu Family. The matter has been considered by Government in consultation with the Legal Remembrance and it is observed that as a member of the Joint Hindu Family, a Government employee has some interest in the ancestral property and therefore, under rule 10 of the Government Servants (Conduct) Rules he is bound to send information regarding his interest and the interest of the members of his family in such property. It is immaterial that the extent of his interest cannot be ascertained until the partition actually takes place.

2. It is accordingly to be brought to the notice of all Government employees that they should in future also indicate in the annual property return details of the movable or immovable property held or acquired by them as members of the Joint Hindu Family.

Copy of letter No. 442-5GS-66/199, dated the 11th January, 1967 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- Association of Government employees with the activities of R.S.S./Jamaat-e-Islami.

I am directed to invite attention to Sub Rule (1) or Rule 5 of the Punjab Government Employees (Conduct) Rules, 1966, under which no Government employees shall be a member of or be otherwise associated with, any political party or any organisation which takes part in politics nor shall be take part in, subscribe in aid of, or assist in any other manner, any political movement or activity. It is clarified that the Government have always held the activities of the Rashtrya Swayam Sevak Sangh and the Jamaat-e-Islami to be of such a nature that participation in them by Government employees would attract the provisions of sub-rule (1) of Rule 5 of the Punjab Government Employees (Conduct) Rules, 1966. Any Government Employee who is a member of or is otherwise associated with the aforesaid organisations or with their activities is thus liable to disciplinary action.

2. It is requested that the above position may be brought to the notice of all Government employees under your control.

Yours faithfully,
Sd/-

Under Secretary, Political and Services,
for Chief Secretary to Government, Haryana.

A copy is forwarded to the Financial Commissioner, Haryana and all Administrative Secretaries to Government, Haryana.

1. The Financial Commissioner, Haryana; All Administrative Secretaries to Government, Haryana.

Copy of letter No. 1651-5GS/67/8429, dated 22-5-67 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- Central Civil Services (Conduct) Rules, 1964-Acceptance of passage and hospitality by officers from foreign contracting firms.

I am directed to say that Government have considered the question of whether an officer may be permitted to accept the cost of passage to a foreign country and offers of hospitality by way of free board and lodging during his stay there, if offered by a foreign firm contracting with the Government, either directly or through its agents/representatives in India. The explanation below rule 13 of the Punjab Government Employees (Conduct) Rules, 1966, as now applicable to Haryana Government employees, provided that “gifts” shall include transport, boarding, loading or other services 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. Note (II) below the said rule further provides that a Government employee shall avoid the acceptance of lavish or frequent hospitality from any individuals having official dealings with him or from industrial or commercial firms, organisations etc. In the circumstances, Government have decided that officers should accept nor be permitted to accept offers of the cost of passages to foreign countries and hospitality by way of free board and loading there, if such offers are made by foreign firms contracting with Government either directly or through their agents/representatives in India. The only exception to this will be in respect of facilities for training abroad extended by any foreign firm (which obtain reimbursement from the foreign Government concerned) as part of an aid programme.

2. You are, therefore, requested to bring these instructions to the notice of all concerned.

Yours faithfully,
Sd/-

Under Secretary Political & Services,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action to :—

The Financial Commissioner, Revenue, Haryana. All the Administrative Secretaries to Government, Haryana.

(As amended upto 31-3-82)

Published in the PUNJAB GOVERNMENT GAZETTE, Legislative Supplement Ordinary,
dated the 5th July, 1966

PART III

PUNJAB GOVERNMENT HOME DEPARTMENT (GAZETTE)

Notification

(Rule 5)

The 5th July, 1966

No. G.S.R 143/Const/Art. 309 and 318/66.—In exercise of the powers conferred by the proviso to article 309 and clause (b) of article 318 read with clause (3) of article 187 of the Constitution of India, the Governor of Punjab, after consultation with the Chairman of the Punjab Vidhan Parishad and the Speaker of the Punjab Vidhan Sabha in so far as such consultation is necessary under the aforesaid provisions, is pleased to make the following rules, namely :-

THE GOVERNMENT EMPLOYEES (CONDUCT) RULES, 1966

1. Short title, commencement and application.— (1) These rules may be called the Government employees (Conduct) rules, 1966.

(2) They shall come into force at once.

(3) They shall apply to all persons appointed to Civil Services and posts in connection with the affairs of the State :

Provided that nothing in these rules shall apply to —

(a) members of the All India Services who are subject to the All India Services (Conduct) Rules, 1954 ; and

(b) holders of any post in respect of which the Government may, by general or special order, declare that these rules do not apply.

2. Definitions.- In these rules, unless the context otherwise requires, —

(a) ‘The Government’ means the Government of the State of *Haryana

(b) ‘Government employee’ means any person appointed to any civil service or post in connection with the affairs of the State of *Haryana.

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 purposes of these rules, be deemed to be a Government employee serving under the Government not withstanding that his salary is drawn from sources other than from the Consolidated Fund of the State.

* Substituted *vide* Haryana Govt. Notification No. G.S.R. 67/Const./ Art. 309/Amd. (2)/68, dated the 21st August, 1968.

- (c) “Members of family” in relation to a Government employee includes.—
- (i) The wife or the 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, separate 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 employees and wholly dependent on him but does not include a child or step-child who is no longer in any way dependent on Government employee or of whose custody the Government employee has been deprived of by or under any law;
 - (iii) Any other person related whether by blood or marriage, to the Government employee or to the Government employee’s wife or husband and wholly depend the Government employee.

3. General.—(1) Every Government employee shall at the times—

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

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

** (ii) No Government employees shall, in the performance of his official duties, or in the exercise of powers conferred on him act otherwise than in his best judgement, except when he is acting under the direction of his official superior.

(iii) The direction of the official superior shall ordinarily be writing. Oral directions to subordinates shall be avoided as far as possible. Where the issue of oral direction becomes unavoidable, the official 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.

Explanation.— Nothing in clause (ii) of sub-rule (2) shall be construed as empowering a Government employee to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions. are not necessary under the scheme, of distribution of powers and responsibilities.

***4.** Employment of near relatives of Government employees in companies or 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.

** Substituted *vide* Haryana Govt. Notification No. GS.R. 110/Const/Art. 309/79, dated the 19th October, 1979.

* Amended *vide* Haryana Govt. Notification No. GS.R. 10/Const.1Arts. 309 ,318 and I 87/Amd. {1}/77, dated the 14th January, 1977.

(2) (i) No Class I Officer shall, except with the previous sanction of the Government, permit his son, daughter or other dependent to accept employment in any company or firm with which he has official dealings or in any other company or firm having official dealings with the Government:

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.

(ii) A Government employee shall, as soon as he becomes aware of the acceptance by a member of his family, of an employment in any company or firm, intimate such acceptance to the prescribed authority and shall also intimate whether he has or has had any official dealings with that company or firm :

Provided that no such intimation shall be necessary in the case of a Class I : Officer, if he has already obtained the sanction of, or sent a report to the Government under clause (i)

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

5. Taking part in politics and elections :- (1) No Government employee shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall be 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 and 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 whether any movement or activity fall within the scope of sub-rule (2), the decision of the Government thereon shall be final.

(4) No Government employee shall canvass or otherwise canvass, interfere with, or use his influence in connection with or take part in, an election to any legislature or local authority :

Provided that –

- (i) a Government employee qualified to vote at such election may exercise his right to vote, but where it does so, he shall give no indication of the manner in which he proposes to vote or has voted ;
- (ii) a Government employee shall not be deemed to have contravened the provisions of his sub-rule by reason only that he assists 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.

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.

6. Joining the associations by Government employees—No Government employee shall join, or continue to be a member of an association the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India or public order or morality.

7. Demonstration and Strikes.- No Government employee shall :—

- (i) engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign State, Public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence; or
- (ii) resort to or in any way abet any form of strike in connection with any matter pertaining to his service of any other Government employee.

8. Connection with Press or Radio.— (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 or other periodical publication.

* (2) No Government employee shall, except with the previous sanction of the Government or the prescribed authority or except in the bona-fide discharge on 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 radio broadcast or contribute an article or write a letter to a newspaper or periodical; either in his own name ,or anonymously or pseudonymously or in the name of any other person:

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.

9. Criticism of Government.-No Government employee shall, in any radio broadcast or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or any communication to the press or in any public utterance take any statement of fact or opinion —

- (i) Which has the effect of any adverse criticism of any current recent policy or action .of the Government of India, Government of *Haryana or any other State government;
- (ii) Which is capable of embarrassing the relations between the Government of Haryana and the Government of India or the Government of any other State in India; or

* Substituted *vide* Haryana Govt. Notification No. G.S.R. 32/Const./Arts. 309, 318 and 187, dated 18-2-1968.

- (iii) Which is capable of embarrassing the relations between the Government of India or the Govt. of *Haryana and the Government of any foreign State :

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

10. Evidence before committee or an other authority.- (1) Save as provided in sub-rule (3) 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 Government of India, Government of Haryana or any other State Government.

(3) Nothing in this rule shall apply to.—

- (a) evidence given at 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.

11. Unauthorised Communication of information.— 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 information to any Government employee or any other person to whom he is not authorised to communicate such document or information.

Explanation:—Quotation by a Government employee (in his representation to the Head Office or Head of Department of Governor) of or from any letter, circular or office memorandum, or from the notes on any file, to which he is not authorised to have access, or which he is not authorised to keep in his personal custody or for personal purposes, shall amount to unauthorised communication of information within the meaning of this rule.

12. 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.

****13.** Gifts.— (1) Save as otherwise provided in these rules, no Government employee shall accept or 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 other person other than a near relative or personal friend having no official dealings with the Government.

* Substituted *vide* Haryana Govt. Notification No. G.S.R. 67/Const./Art. 309 /Amd. (2)/68 dated 21st August, 1968.

** Amended *vide* Haryana Govt. Notification No. G.S.R.10/Const./Arts. 309,318 and 187/Amd. (1)/77, dated the 14th January, 1977.

Note.— (i) A casual meal, gift or other social hospitality shall not be deemed to be a gift.

Note.— (ii) A Government employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with from industrial or commercial firms, organisations, 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 practice, a Government employee may accept gifts from his near relatives but he shall make a report to the Government if the value of any such gift exceeds :—

- (i) Rs. 500/- in the case of a Government employee holding any Class I or Class II post;
- (ii) Rs. 250/- in the case of a Government employee holding any Class III post; and
- (iii) Rs. 100/- in the case of a Government employee holding any Class IV post.

On such occasions as are specified in sub-rule (2), a Government employee may accept gift from his personal friends having no official dealing with him, but he shall make a report to the Government if the value of any such gift exceeds-

- (i) Rs. 200/- in the case of a Government employee holding any Class I or Class II post;
- (ii) Rs. 100/- in the case of a Government employee holding any Class III post; and
- (iii) Rs. 50/- in the case of a Government employee holding any Class IV post.

*“(4) In any other case, 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 —

- (i) Rs. 75.00/- in the case of a Government employee holding any Class I or Class II post; and
- (ii) Rs. 25.00/- in the case of a Government employee holding any Class III or Class IV post.”

**** 13-A** Prohibition of dowry-No Government employee shall-

- (i) give or take or abet the giving or taking of dowry; or
- (ii) demand, directly or indirectly, from the parents or guardian or a bride or bridegroom, as the case may be, any dowry.

Explanation :— For the purpose of this rule, “dowry” has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961), as amended in its application to the State of Haryana.

14. Public demonstration 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:

* Substituted *vide* Haryana Govt. Notification No. GS.R.10/Const./Arts. 309,311 and 187/Amd. (1)/77, dated the 14th January, 1977.

** Added *vide* Haryana Government’s above Notification.

Provided that nothing in this rule shall apply to—

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

Note :— Exercise of pressure of influence of any sort on any Government employee to induce him to subscribe towards any farewell entertainment even if it is a substantially private or informal character, and the collection of subscriptions from Class III or Class IV employees under any circumstances for the entertainment of any Government employee not belonging to Class II or Class IV, is forbidden.

15. Private trade or Employment (1) No Government employee shall except with the previous sanction of the Government, engage directly or indirectly in any trade or business or negotiate for, or Undertake, any other employment:

Provided that a Government employee may, without such sanction undertake honorary work of a social or charitable nature or occasional work of artistic or scientific character subject to the conditions that-

- (i) he shall, within a period of one month of his undertaking any such work, report to the Government giving full details ;
- (ii) his official duties do not thereby suffer;
- (iii) he shall discontinue any such work if so directed by the Government:

Provided further that if the undertaking of any such work involves holding of an elective office, he shall not seek election to any such office without the previous sanction of the Government.

Explanation :— canvassing by a Government employee-

- (i) in support of the business of insurance agency, Commission Agency etc., owned or managed by his wife or any other member of his family; or
- (ii) for a candidate for an elective office referred to in the second proviso, shall be deemed to be a breach of this sub-rule.

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

(3) No Government employee shall without the previous sanction of the Government, except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (1 of 1956), or any other law for the time being in force or any co-operative society for commercial purposes :

Provided that a Government employee may take part in the registration, promotion or management or a co-operative society substantially for the benefit of Government employees or of a literary, scientific or charitable society registered under Societies Registration Act, 1860 (21 of 1860) or any corresponding

law in force, subject to the conditions that —

- (i) he shall, within a period of one month of his taking part in such activity, report to the Government giving full details;
- (ii) his official duties do not hereby suffer;
- (iii) he shall discontinue taking part in any such activity if so directed by the Government :

Provided further that, if taking part in any such activity involves holding of an elective office, he shall not seek election to any such office without the previous sanction of the Government.

Explanation I.— A “co-operative society” means a society registered, or deemed to be registered under the co-operative societies Act 1912 (2 of 1912) or any other law relating to co-operative societies for the time being in force in any State.

Explanation II. — Canvassing for a candidate for an elective office referred to in the second proviso shall be deemed to be breach of this sub-rule.

(4) No Government employee shall accept any fee for any work done by him for any public body or any private person without the “ sanction of the prescribed authority.”

16. 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 for influence him in the discharge of his official duties.

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

(4) (i) No Government employee shall save in the ordinary course of business with a bank or a firm of standing 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 within the local limits of his authority or with whom he is likely to have official dealings, or otherwise place himself under any pecuniary obligation to such person, or
- (b) lend money to any person at 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 purely temporary one of a small amount free of interest, or operate a credit account with a bona-fide tradesman or make an advance of pay to his private employee :

*Provided further that a Government employee may, with the previous sanction of the Government enter into any transaction referred to in sub-clause (a) or sub-clause (b).”

* Inserted *vide* Haryana Govt. Notification No. G.S.R. 123/Const./Arts. 303, 318 and 187/Amd. (1)/76, dated the 14th May, 1976.

(ii) 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 there after act in accordance with such order as may be made by such authority.

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

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

18. 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 the Government, giving the full particulars regarding -

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

Note :—I. Sub-rule (I) shall not ordinarily apply to Class IV employees, but the Government may direct that it shall apply to any such Government employee or class of such Government employees.

Note.—II. In all returns the value of items of movable property worth less than Rs. 1,000/- 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.

Note.-III. Every Government employee who is in service on the date of the commencement of these rules shall submit a return under this sub-rule on or before such date as may be specified by the Government after such commencement.

(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 or the prescribed authority shall be obtained by the Government employee if any such transaction is -

- (i) with a person having official dealings with the Government employee; or
- (ii) otherwise than through a regular or reputed dealer.”

“(3) Where a Government employee enters into a transaction in respect of movable property either in his own name, or in the name of a member of his family, he shall, within one month from the date of with transaction, report the same to the prescribed authority, if the value of such property exceeds one thousand rupees in the case of a Government employee holding any Class I or Class II post or five hundred rupees in the case of a Government employee holding any Class III or Class IV posts :—

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

- (i) with a person having official dealings with the Government employee; or
- (ii) otherwise than through a 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 shall, if so, required by the Government or by the prescribed authority, include the details of the means by which, or the source from which, such property was acquired.

(5) The Government may exempt any category of Government employee belonging to Class III or Class IV from any of the provisions of this rule except sub-rule (4). No such exemption shall, however, be made without the concurrence of the Chief Secretary to Government, *Haryana.

Explanation —For the purpose of this rule-

(1) The expression “movable property” includes—

- (i) jewellery, insurance Policies, the annual premium of which exceed Rs. 1,000 or one sixth of the total annual emoluments received from Government which ever is less, shares, securities and debentures;
- (ii) loans and advances by such Government employee whether secured or not; and
- (iii) motor cars, motor cycles, horses, or any other means or conveyance; and
- (iv) refrigerators, radios and radiograms

(2) “Prescribed Authority” means—

- (a) (i) the Government in the case of a Government employee holding any Class I post except where only lower authority is specified by the Government for any purpose ;
- (ii) head of Department in the case of a Government employee holding any Class II posts ;
- (iii) head of Office, in the case of a Government employee holding any Class III or Class IV post;

* Substituted *vide* Haryana Govt. Notification No. G.S.R. 67/const./Art. 300/Amd. 2 (68)/, dated the 21st August, 1968.

- (iv) the Chairman of the *Haryana Legislative Council in the case of Secretary of the said Council and the Secretary in the case of all other employees of the Legislative Council;
- (v) the Speaker of the **Haryana Vidhan Sabha in the case of the Secretary of the said Sabha and the Secretary in the case of all other employees of the Vidhan Sabha.

(b) In respect of a Government employee on foreign service or on deputation to any other Department or any other Government, the Parent department on the cadre of which such Government employee is borne to the department to which he is administratively subordinate as member of that cadre.

19. (1) Vindication of Acts and Character of Government employees—

No Government employee shall, except with the previous sanction of the Government have recourse to any court or to the press for vindication of any official act which has been the subject matter of adverse criticism or on attack or 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 of any act done by him in private capacity is taken, the Government employee shall submit a report to the prescribed authority regarding such action.

20. Canvassing of non-official or other influence.- No Government employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matter to pertaining to his service under the Government.

***“21. Bigamous Marriages.-** (1) No Government employee shall enter into, or contract, a marriage with a person having a spouse living; and

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

Provided that the State 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 other ground for so doing”.

*****22. Consumption of intoxicating drinks and drugs.—**A Government employee shall—

- (a) strictly abide by any law relating to intoxicating of drugs in force in any area in which he may happen to be for the time being;

** Substituted **vide** Haryana Govt. Notification No. GS.R. 93/Const./Arts. 319,318 and 187/Amd. (1)/75, dated the 1st August, 1975.

* Deleted **vide** Haryana Govt. Notification No. GS.R. 67/Const./Art. 309/Amd. (2)168, dated the 21st August,1968.

** Substituted by Haryana Govt. Notification No. GS.R. 67/Const./ Art. 309/ Amd. (2)168, dated the 21st August,1968.

*** Substituted *vide* Haryana Govt. Notification No. GS.R. 10/Const./Arts. 319/318 and 187/Amd. (1)/77, dated the 14th January. 1977.

- (b) take due care that the performance of his duties is not affected in any way by the influence of intoxicating drinking or drugs ;
- (c) not consume intoxicating drinks or drugs in public ;
- (d) not appear in a State of intoxication in a public place;
- (e) not to be present on duty in a State of intoxication ; and
- (f) not habitually use intoxicating drinks or drugs to excess.”

23. Interpretation. — If any question arises relating to the interpretation of these rules it shall be referred to the Chief Secretary to Government, ***Haryana whose decisions thereon shall be final.

24. 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 rule 23 and this rule) 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 order.

25. Repeal and saving .— Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to the Government employees to whom these rules apply are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have made or take under the corresponding provisions of these rules.

SAROOP KRISHAN,
Chief Secretary to Government,
Haryana.

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(as amended up to 31-12-91)

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PART III

PUNJAB GOVERNMENT HOME DEPARTMENT (GAZETTE)

NOTIFICATION

(Rules)

The 5th July, 1966

No. G.S.R.143/Const./Art. 309 and 318/66.-In exercise of the powers conferred by the proviso to article 309 and clause (b) of article 318 read with clause (3) of article 187 of the Constitution of India, the Governor of Punjab, after consultation with the Chairman of the Punjab Vidhan Parishad and the Speaker of the Punjab Vidhan Sabha in so far as such consultation is necessary under the aforesaid provisions, is pleased to make the following rules, namely :—

THE GOVERNMENT EMPLOYEES (CONDUCT) RULES, 1966

1. Short title, commencement and application -(1) These rules may be called the Punjab Government Employees (Conduct) Rules. 1966.

(2) They shall come into force at once.

(3) They shall apply to all persons appointed to Civil Services and posts in connection with the affairs of the State :

Provided that nothing in these rules shall apply to-

- (a) members of the All India Services who are subject to the All India Services (Conduct) Rules, 1954 ; and
- (b) holders of any post in respect of which the Government may by general or special order declare that these rules do not apply.

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

- (a) 'the Government' means the Government of the State of *Haryana.
- (b) 'Government employees' means any person appointed to any civil service or post in connection with the affairs of the State of *Haryana.

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 purposes of these rules be deemed to be a Government employee serving under the Government not with, standing that his salary is drawn from sources other than from the Consolidated Fund of the State.

- (c) "members of family" in relation to a Government employee includes.—
 - (i) the wife or the 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, separate 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 is no longer in any way dependent on Government employee or of whose custody the Government employee has been deprived by or under any law ;
 - (iii) any other person related, whether by blood or marriage, to the Government employee or to the Government employee's wife or husband and wholly dependent the Government employee.

3. Generals-(1) 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.

* Substituted *vide* Haryana Govt. Notification No. C.S.R., 67/Const./Art. 309/Amd. 2 (68)/, dated the 21st August, 1968.

- (2) (i) Every Government employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government employee* under the 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 judgement, except when he is acting under the direction of his official superior.
- (iii) The directions of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. When the issue of oral direction becomes unavoidable, the official 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.

Explanation—Nothing in clause (ii) of sub-rule (2) shall be construed as empowering a Government employee to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

*****4.** Employment of near relatives of Government employees in companies or 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) (i) No. Class I Officer shall, except with the previous sanction of the Government, permit his son, daughter or other dependant to accept employment in any company or firm with which he has official dealings or in any other company or firm having official dealings with the Government :

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 at the earliest but not later than three months**** ; and the employment may be accepted provisionally subject to the permission of the Government.

(ii) A Government employee shall, as soon as he becomes aware of the acceptance by member of his family of an employment in any company or firm intimate such acceptance to the prescribed authority and shall also intimate whether he has or had any official dealings with that company or firm :

* Deleted vide Haryana Govt. Notification NO. C.S.R. 29/Const./Arts. 309, 318 and 187/Amd (1)87, dated the 3rd April, 1987.

** Substituted *vide* Haryana Government Notification No. C.S.R. 110/Const./Arts. 309/79 dated the 19th October, 1979.

*** Amended vide Haryana Govt. Notification No. G.S.R. 10/Const./Arts. 309,318 and 187/Amd.(1)/77, dated the 14th January, 1977.

**** Substituted vide Haryana Govt. Notification No. G.S.R. 29/Const./Arts. 309, 318 and 187/Amd. (1)/87, dated 3rd April, 1987.

Provided that no such intimation shall be necessary in the case of Class II Officer, if he has already obtained the sanction of, or sent a report to the Government under clause (i)

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

5. Taking part in politics and elections.—(1) No Government employee shall be a member of, or be otherwise associated with any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movements 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 sub scribing 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 and where a Government employee is unable to prevent a member of his family from taking part in, or subscribing in aid of 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 whether any movement or activity fall within the scope of sub-rule (2), the decision of the Government, thereon shall be final.

(4) No Government employee shall canvass or otherwise canvass, interfere with, or use his influence in connection with or take part in, an election to any legislature or local authority :

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 propose to vote has voted :
- (ii) a Government employee shall not be deemed to have contravened the provisions of his sub-rule by reason only that he assists 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.

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 with in meaning of this sub-rule.

6. Joining of Associations by Government employees— No Government employee shall join, or continue to be a member of an association the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India or public order or morality.

7. Demonstration and Strikes—No Government employees shall :-

- (i) engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations

with foreign State, public order, decency or morality or which involves contempt of court, defamation or incitement to an offence, or

- (ii) resort to or in any way abet any form of strike in connection with any matter pertaining to his service or any other Government employee.

8. Connection with Press or Radio— (1) No Government employee shall, except with the previous sanction of the Government, on wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication.

******(2) No Government employee shall except with the previous sanction of the Government or the prescribed authority or except in the bonafide 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 radio broadcast or contribute an article or write a letter to a newspaper or periodical ;
either in his own name or anonymously or pseudonymously or in the name of nay other person :

Provided that no such sanction shall be required—

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

*******“Provided further that the Government may withdraw at any time the sanction so granted if there are reasons to believe that the sanction is being misutilised after affording reasonable opportunity of being heard.”

9. Criticism of Government— No Government employee shall, in any radio broadcast 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—

- (i) which has the effect of any adverse criticism of any current recent policy or action of the Government of India, Government of ******Haryana or any other State Government;
- (ii) which is capable of embarrassing the relations between the Government of *****Haryana and the Government of India or the Government of any other State in India; or
- (iii) which is capable of embarrassing the relations between the Government of India or the Govt. of *****Haryana and the Government of any foreign State ;

****** Substituted vide Haryana Government Notification No. G.S.R. 32/Const./Art. 309/318 and 187 dated 18-2-1988.

***** Substituted *vide* Haryana Govt. Notification No. C.S.R., 67/Const./Art. 309/Amd. 2 (68)/, dated the 21st August, 1968.

*******Added *vide* Haryana Govt. Notification No. G.S.R., 29/Const./Art. 309, 318 and 187/Amd. (1)87, dated the 3rd April, 1987.

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

10. Evidence before committee or an other authority—(1) Save as provided in sub-rule(3), 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 Government of India, Government of *Haryana or any other State Government.

(3) Nothing in this rule shall apply to-

- (a) evidence given at 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.

11. Unauthorised Communication of the information—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 information to any Government employee or any other person to whom he is not authorised to communicate such document or information.

Explanation-Quotation by a Government employee (in his representation to the Head Office or Head of Department or Governor) of or from any letter, circular or office memorandum, or from the notes on any file, to which he is not authorised to have access, or which he is not authorised to keep in his personal custody or for personal purposes, shall amount to unauthorised communication of information within the meaning of this rule.

12. Subscription—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.

***13.** Gifts.—(1) Save as otherwise provided in these rules, no Government employee shall accept or 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 other person other than a near relative or personal friend having no official dealings with the Government employee.

Note— (i) A causal meal, gift or other social hospitality shall not be deemed to be a gift.

Note— (ii) A Government employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with from industrial or commercial firms, organisations, etc.

* Amended vide Haryana Govt. Notification No. G.S.R. 10/Const./Arts. 309,318 and 187/Amd.(1)/77, dated the 14th January, 1977.

***“(2) On Occasions such as weddings, anniversaries, functions or religious functions, when the making of a gift is in conformity with prevailing religious or social practice, a Government employee may accept gifts from his near relatives and friends but he shall make a report to the Government if the value of any gift exceeds Rs. 500.”

“(3) In any other case, 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—

- (i) Rs. *100.00 in the case of a Government employee holding any class I or class II post; and
- (ii) Rs. *** 50.00 in the case of a Government employee holding any class III or class IV post”.

******13-A** Prohibition of dowry—No Government employee shall—

- (i) give or take or abet the giving or taking of dowry ; or
- (ii) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

Explanation—For the purpose of this rule, "dowry" has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961), as amended in its applicable to the State of Haryana.

14. Public demonstration in honour of Government employees.—No Government employee shall except with the previous sanction of the Government received any complimentary or valedictory address or accept any testimonial to 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 a Government employee or any other Government employee on the occasion of his retirement or transfer of any person who has recently quit the service of any Government ; or
- (b) the acceptance of simple and inexpensive entertainment arranged by public bodies or institutions.

Notes—Exercise of pressure or influence of any sort on any Government employee to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character, and the collection of subscriptions from Class III or Class IV employees under any circumstances for the entertainment of any Government employee not belonging to Class II or Class IV, is forbidden.

* Amended vide Haryana Govt. Notification No. G.S.R. 10/Const./Arts. 309,318 and 187/Amd.(1)/77, dated the 14th January, 1977.

** Substituted vide Haryana Govt. Notification No. G.S.R. 29/Const./Arts. 309, 318 and 187/Amd. (1)/87, dated 3rd April, 1987.

*** Substituted vide Haryana Government Notification No. G.S.R. 29/Const./Art.309, 318 and 187/Amd. (1)87, dated the 14th January, 1977.

**** Added by Haryana Government Notification No. G.S.R. 10/Const./Art. 309, 318 and (1)/87 dated 14th January 1977.

15. Private trade or Employment—(1) No Government employee shall except with the previous sanction of the Government, engage directly in any trade or business or negotiate for, or undertake, any other employment ;

Provided that a Government employee may, without such sanction undertake honorary work of a social or charitable nature or occasional work of artistic or scientific character subject to the conditions that—

- (i) he shall, within a period of one month of his undertaking any such work, report to the Government giving full details.
- (ii) his official duties do not thereby suffer ;
- (iii) he shall discontinue any such work if so directed by the Government :

Provided further that, if the undertaking of any such work involves holdings of an elective office, he shall not seek election to any such office without the previous sanction of the Government.

Explanation—Canvassing by a Government employee—

- (i) in support of the business of insurance agency, commission agency, etc., owned or managed by his wife or any other member of his family ; or
- (ii) for a candidate for an elective office referred to in the second proviso, shall be deemed to be a breach to this sub-rule.

(2) Every Government employee shall report with in one month* 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.

(3) No Government employee shall, without the previous sanction of the Government, except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (Act, 1 of 1956), or any other law for the time being in force or any co-operative society for commercial purposes ;

Provided that a Government employee may take part in the registration, promotion or management of a co-operative society substantially for the benefit of Government employees of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860) or any corresponding law in force, subject to the conditions that—

- (i) he shall, within a period of one month of his taking part in such activity, report to the Government giving full details ;
- (ii) his official duties do not thereby suffer ;
- (iii) he shall discontinue taking part in any such activity if so directed by the Government;

Provided further that, if taking part in such activity involves holding of an elective office, he shall not seek election to any such office without the previous sanctioned of the Government.

Explanation I.—A "co-operative society" means a society registered or deemed to be registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law relating to co-operative societies for the time being in force in any State.

Explanation II — Canvassing for a candidate for an elective office referred to in the second proviso shall be deemed to be breach of this sub-rule.

(4) No Government employee shall accept any fee for any work done by him for any public body or any private person without the sanction of the prescribed authority."

16. 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 speculated 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 on his official duties.

(3) If any question arises 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) (i) No Government employee shall save in the ordinary course of business with a bank or a firm of standing 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 within the local limits of his authority or with whom he likely to have official dealings, or otherwise place himself under any pecuniary obligation to such person, or
- (b) lend money to any person at 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 purely temporary one of a small amount free of interest, or operate a credit account with a bonafide tradesman or make an advance of pay to his private employee but such amount shall not exceed twelve months emoluments for the construction of house or purchase of built up house and six months emoluments for the purchase of conveyance and other purpose."

***"Provided further that a Government employee may, with the previous sanction of the Government, enter into any transaction referred to in sub-clause (a) or sub-clause (b)".

(ii) 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 provision of sub-rule (2) 'or sub-rule (4); he shall forthwith report the circumstances to the prescribed authority and shall there after act in accordance with such order as may be made by such authority.

17. Insolvency and habitual indebtedness.—A Government employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Government employee against whom

* Substituted vide Haryana Govt. Notification No. G.S.R. 29/Const./Arts. 309, 318 and 187/Amd. (1)/87, dated 3rd April, 1987.

** Inserted vide Haryana Government Notification No. G.S.R. 123/Const./Art.329, 318 and 187/Amd. (1)76, dated the 14th May, 1976.

*** Substituted vide Haryana Government Notification No. G.S.R. 23/Const./Art. 309, 318 and 187/Admn. (1)91 dated 27th March, 1991.

any legal proceedings is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceedings to the Government.

Note— The burden of proving that the insolvency or indebtedness was the result of circumstances which with the 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, shall be upon the Government employee.

18. 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 the Government, giving the full particulars regarding—

- "(a) the immovable property inherited, owned, acquired or held on lease or mortgage by him or his spouse or any member of his family, either in their own name or in the name of any other person ;
- (b) Shares, debentures and cash including bank deposits inherited or similarly owned, acquired or held by him or his spouse or any other member of his family ;
- (c) Other movable property inherited or similarly owned, acquired or held by him or his spouse or any other member of his family ; and
- (d) Debts and other liabilities incurred directly or indirectly by him or his spouse or any other member of his family".

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

Note :-II In all returns the value of items of movable property worth less than Rs. 1,000/- 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.

Note:- III Every Government employee who is in service on the date of the commencement of these rules shall submit a return under this sub-rule on or before such date as may be specified by the Government after such commencement.

(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—

- (i) with a person having official dealings with the Government employee : or
- (ii) otherwise than through a regular or reputed dealer,

******(3) where a Government employee enters into a transaction in respect of movable property either in his own name or in the name of a member of his family, he shall within one month from the date of such transaction, report the same to the prescribed authority, if the value of such property exceeds Rs. 10,000."

*Substituted *vide* Haryana Government Notification No. G.S.R. 93/Const./Arts. 309,318 and 187/Amd. (1)/75, dated the 1st August, 1975.

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

- (i) with a person having official dealings with the Government employee ; or
- (ii) otherwise than through a 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 shall, if so, required by the Government or by the prescribed authority, include the details of the means by which, or the source from which, such property was acquired.

(5) The Government may exempt any category of Government employee belonging to Class III or Class IV from any of the provisions of this rule except sub-rule (4). No such exemption shall, however, be made without the concurrence of the Chief Secretary to Government, *Haryana.

Explanation—For the purpose of this rule-

(1) The expression "movable property" includes-

- (i) Jewellery, insurance policies, the annual premia of which exceed *Rs. 10,000 or one sixth of the total annual emoluments received from Government which ever is less, shares, securities and debentures;
- (ii) loans and advances by such Government employee whether secured or not ;
- (iii) motor cars, motor cycles, horses or any other means of conveyance ; and
- (iv) refrigerators, radios, radiograms and other goods.

(2) "Prescribed Authority" means-

- (a) (i) The Government in the case of a Government employees holding any class I post except where any lower authority is specified by the Government for any purpose ;
- (ii) head of Department in the case of a Government employee holding any Class II post ;
- (iii) head of office, in the case of a Government employee holding any Class III or Class IV post ;
- (iv) The Chairman of the **Haryana Legislative Council in the case of Secretary of the said Council and the Secretary in the case of all other employees of the Legislative Council ;
- (v) the Speaker of the ***Haryana Vidhan Sabha in the Secretary of the said Sabha and the Secretary in the case of all other employees of the Vidhan Sabha.

* Deleted vide Haryana Govt. Notification No. G.S.R. 29/Const./Arts. 309/Amd (2)/68, dated the 21st August, 1968.

** Substituted by Haryana Government Notification No. G.S.R. 67/Const./Arts. 309/Amd. (2)/68 dated the 21st August, 1968.

*** Substituted vide Haryana Govt. Notification No. G.S.R. 29/Const./Arts. 309, 318 and 187/Amd. (1)/17, dated 3rd April, 1987.

- (b) In respect of a Government employee on foreign service or on deputation to any other Department or any other Government, the Parent department on the cadre of which such Government employee is borne to the department to which he is administratively subordinate as member of that cadre.

19. (1) Vindication of Acts and Character of Government employees-

No Government employee shall, except with the previous sanction of the Government have recourse to any court or to the press for vindication of any official act which has been the subject matter of adverse criticism or on attack of a defamatory character.

(2) Nothing in this rule shall be deemed to prohibit a Government employee 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.

"20. Canvassing-No Government employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of a matter pertaining to his service under the Government."

***21. Bigamous Marriages.**-(1) No Government employees shall enter into, or contract, a marriage with a person having a spouse living ; and

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

Provided that the State 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 other grounds for so doing."

****22. Consumption of intoxicating drinks and drugs-** A Government employee shall-

- (a) strict abide by any law relating to intoxicating drink or drugs in force in and area in which he may happen to be for the time being;
- (b) take due care that the performance of his duties is not affected in any way by the influence of any intoxicating drinks or drugs ;
- (c) not consume intoxicating drinks or drugs in public ;
- (d) not appear in a state of intoxication in a public place ;
- (e) not be present on duty in a state of intoxication ; and
- (f) not habitually use any intoxicating drinks or drugs to excess".

* Substituted by Haryana Government Notification No. G.S.R. 10/Const./Arts. 309, 318 and 87/Amd. (1)/76 dated the 14th January, 1977.

** Substituted vide Haryana Govt. Notification No. G.S.R. 10/Const./Arts. 309, 318 and 187/Amd. (1)/77, dated 14 January, 1977.

23. Interpretation-If any question arises relating to the interpretation of these rules, it shall be referred to the Chief Secretary to Government, *Haryana whose decision there on shall be final.

24. Delegation of power-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 power under rule 23 and this rule) 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 order.

25. Repeal and saving- Any rules corresponding to the see rules in force immediately before the commencement of these rules and applicable to the Government employees to whom these rules apply are hereby repealed:

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

SAROOP KRISHAN,
Chief Secretary to Government,
Haryana

* Deleted vide Haryana Government Notification No. G.S.R. 194/Const./Arts. 309/Amd 72, dated the 10th August, 1972.

Copy of letter No. 5824-3GSI-66, dated the 20th October, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject :- Approaching Ministers and other officers.

I am directed to invite your attention to Rule 20 of the Punjab Government Employees (conduct) Rules, 1966 which forbids Government employees from approaching members of the Punjab State Legislature or of the Parliament with a view to having their personal grievances connected with their conditions of service; redressed through them. As this tendency on the part of subordinate officers to approach members of the Legislature as also the Ministers was on the increase the provisions of the rules were specifically brought to the notice of the Government employees enjoining at the same time that cases of breach of these instructions would be suitably dealt with. Again in May, 1956 attention of the Government employees was drawn to paragraph 37 of the Punjab Government Consolidated Circle No.5 which *inter-alia* lays down that subordinate officers should always address higher authorities/Government through their superiors and that any body violating the provision would be liable to disciplinary action. These instructions were reiterated in November, 1962.

2. These instructions also did not have the desired effect and the Government employees continued to approach the Ministers and higher officers through the members of the legislature and other non-officials for the redress of their grievances. This necessitated the reiteration of this Government instructions once again in November, 1963. The Government employees were told that strict disciplinary action would be taken against those guilty of default in this regard.

3. In March, 1965, it was brought to the notice of Government that some Departmental Heads had been too harass to and had even tried to victimize officers/officials who had approached ministers for the redress of their grievances whereas no such adverse notice was taken in cases where Government officers/officials might have seen higher officers over the head of their immediate departmental superiors. As a result of this it was decided that the orders of ministers in such cases should be appropriately carried out and no action should be taken against any official for approaching a minister without the permission of the minister concerned.

4. The matter has been examined further with reference to the relevant provisions in the various conduct rules which generally prohibit Government employees from bringing in any political or other outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service. In a democratic set up, where the impartiality of the services and the detachment from any kind of political influence has to be consciously fostered, the need for this rule and for its strict enforcement cannot be over emphasised. Regular procedures have been prescribed in the various service rules for the redress of grievances. and Government employees are expected not to utilize methods other than those available in the service rules for this purpose. It has, therefore been decided that no outside influence of any kind must be brought in by the Government employees for the redress of their official grievances. The instructions contained in Punjab Government letter No. 5394-DSGS(I)-65, dated the 6th July, 1965, may therefore, be deemed to have been modified to this extent and it may be brought to the notice of all concerned that any violation of the Punjab Government Employees . Conduct Rules will be strictly dealt with.

5. As already pointed out in Punjab Government letter No. 4174-P-54/17154, dated the 28th, July, 1954 also Government employees seeking intervention of the Ministers should be allowed to see them through the Administrative Secretary of the concerned department. The Administrative

Secretaries should freely grant this permission but where they have reasons to refuse permission they should record their reasons and send these to their respective Ministers.

Copy of letter No. 3598-5GS-68/18551, dated 22-7-68 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- Approaching Ministers/M.L.As.

I am directed to invite reference to Rule 20 of the Punjab Government Employees (Conduct) Rules, 1966, which lays down that “no Government employees shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government.” Reference is also invited to the detailed instructions which were issued in this behalf vide Composite Punjab Government letter No. 5824-3GSI-66, dated the 20th October, 1966.

2. In spite of these instructions, instance have come to notice in which Government employees have approached Ministers, M.L.As. and other influence non-officials in the matter of their postings, transfers and other service matters. Such action on the part of Government employees is subversive of discipline and involves clear violation of the rules which cannot be permitted by Government. I am, therefore, to request that the provisions of the Punjab Government Employees’ (Conduct) Rules, 1966 and the relevant Government instructions should be brought specifically to the notice of all Government employees working under you and they should be warned that any violation of the rules and the instructions will be viewed seriously and that the defaulting employees will render themselves liable to disciplinary action.

Yours faithfully,
Sd/-

Deputy Secretary, Political & Services,
for Chief Secretary to Government, Haryana.

A copy is forwarded to :-

The Financial Commissioner, Revenue, and all Administrative Secretaries to Government, Haryana, for information and necessary action.

Copy of letter No. 5303-68/25396, dated 30-9-68 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject:- Consumption of intoxicating drinks and drugs.

I am directed to invite reference to rule 22 of Punjab Government Employees (Conduct) Rules 1966 which rule lays down *inter alia* that “a Government employee shall not appear in a public place in a state of intoxication”, I am to add that the matter has been considered further and it has- been

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decided to enlarge the scope of this restriction and to provide with immediate effect that a Government employee should neither appear in a State of intoxication in a public place nor take an intoxicating drink in public place.

2. I am to request that the above instructions should be brought specifically to the notice of all Government employees working under you for strict compliance and it should be made clear that serious notice will be taken of any contravention of these instructions.

Yours faithfully,

Sd/-

Deputy Secretary, Political & Services
for Chief Secretary to Government, Haryana.

A copy is forwarded to :—

The Financial Commissioner, Revenue, Haryana. All the Administrative Secretaries for information and necessary action.

—————
Copy of letter No. 2609-5GS-69/9913 dated 20-5-69 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject: - Consumption of intoxicating drinks and drugs by Government employees.

I am directed to refer you to rule 22 of the Punjab employees (Conduct) Rules 1966 (adopted by the Haryana), Government and to Haryana Government letter No 5303-5GS-68/25396, dated the 30th September 1968 (copy enclosed) which provides that a Government employee should neither appear in a State of intoxication in a public place nor take an intoxicating drink in a public place. I am to request that these instructions may again be brought to the notice of all Governments employees working under you and it may be made clear to them that contravention of these instructions will be viewed seriously and that the defaulting employees will render themselves liable to serve disciplinary action.

2. I am to add that while Government do not intend to impose a ban as such on drinking by Government employees in private, they are of the considered opinion that Government employees should try to give up drinking altogether in order to maintain due decorum in public and in private and to set an appropriate example for others to follows. All Governments employees may, therefore, be advised accordingly.

3. The receipt of this letter may please be acknowledged.

Yours faithfully,

Sd/-

Deputy Secretary Political & Services,
for Chief Secretary to Government, Haryana.

A copy each, with a copy of its enclosures is forwarded to:—

The Financial Commissioner, Revenue, Haryana, All Administrative Secretaries to Government Haryana; and the Sales Tax Tribunal, Haryana, for information and necessary action .

Copy of letter No. 3100-5GS-69/13240, dated the 13th June, 1969 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- Association of Government servants with the activities of political parties.

I am directed to invite reference to rule 5(1) of the Government Employees (Conduct) Rules, 1966, as amended by the Government Employees (conduct) Haryana Second Amendment Rules, 1968, notified vide notification No. G.S.R. 67/Const./Art./309/Amd. (2)/68, dated the 21st August, 1968, which is to the effect that "no Government employees shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in subscribe in aid of, or assist in any other manner, any political movement or activity". Reference is also invited to the instruction contained in composite Punjab Government letter No. 7653-6GSI-65/40644, dated the 18th December, 1965 (copy enclosed) wherein Government employees were advised to refrain from aligning themselves with any political party

2. It has to be pointed out in this context that "Anand Marg" and its organisations (list enclosed) come within the purview of these instructions and Government employees joining or associating with any of these organisation will render themselves liable to disciplinary action. Further more Government employees should exercise great care in this matter and should not join any other organisation either whether specifically notified as such by Government or not, if there is the slightest reason to think that organisation has a political aspect. It is essential that Government employees should not only maintain political neutrality but should also appear to do so and should ensure that no doubts are created about their neutrality in any circumstances.

3. I am to request that these instructions may be brought to the notice of all Government employees working under you and it should be made clear to them that any default in this regard will be viewed seriously by Government and will entail severe disciplinary action.

4. The receipt of this letter may please be acknowledged.

Yours faithfully,
Sd/-

Deputy Secretary, Political and Services,
for Chief Secretary to Government, Haryana.

A copy each with copies of its enclosures, is forwarded to :—

The Financial Commissioner, Revenue, Haryana; All Administrative Secretaries to Government, Haryana, and the Sales Tax Tribunal, Haryana for information and necessary action.

Copy of letter No. 3946-5GS-69/17872, dated the 17th July, 1969 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- Association of Government servants with the activities of political parties.

I am directed to refer to para 2 of Haryana Government letter No. 31 00-5GS-69/13240, dated the 13th June, 1969, on the subject noted above where in it was indicated inter alia that Government employees associating with the activities of 'Anand Marg' and any of its organisations would render themselves liable to disciplinary action. The Government of India have recently intimated that the Supreme Court has pending disposal of an application before it for stay, restrained them from giving effect to the orders issued by them to the same effect. The matter has been examined and it is considered that although the order of Supreme Court is directed against the Government of India it would not be appropriate for the State Government too to take any action in this regard pending disposal of the case before the Supreme Court. I am, thereof to request that till further orders, no action should be taken on the instructions that have been issued by the State Government on this subject.

2. The receipt of this letter may please be acknowledged.

Yours faithfully, Sd/-

Deputy Secretary, Political and Services,
for Chief Secretary to Government, Haryana.

A copy each is forwarded to :—

The Financial Commissioner, Revenue, Haryana. All Administrative Secretaries to Government Haryana for information and necessary action.

Copy of letter No. 398-5G8-70/4340, dated the 4th March, 1970 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- Association of Government employees with the activities of R.S.S./Jamaat-e-Islami.

I am directed to invite your attention to Haryana Government letter No. 442/5GS-66/199, dated the 11th January, 1967 on the subject noted above *vide* which it was intimated that any Government employee who was a member or was otherwise associated with the activities of the Rashtrya Swayam Sevak Sangh and Jamaat-e-Islami, was liable to disciplinary action under sub-rule (1) of rule (5) of the Punjab Government Employees (Conduct) Rules, 1966.

2. The provisions of sub rule (1) of Rule 5 *ibid* are similar to those contained in Sub Rule (1) of Rule (5) of the Central Services (Conduct) Rules, 1964. The instructions contained in the letter referred to above were issued on the analogy of the Government of India's communication on the subject.

3. It has brought to the notice of Government that provisions of sub Rule (1) of Rule 5 of the Central Civil Services (Conduct) Rules, 1964 have been challenged in the Supreme Court of India, regarding the participation of Government servants in the activities of 'Anand Marg' and its Organisations. Accordingly, Government have decided that till final disposal of the case by the Supreme Court, it would not be appropriate at this stage to take any action against Government Servants in terms of the letter referred to above for participation in the activities of the Rashtrya Swayam Sevak Sangh and Jamaat-e-Islami.

Yours faithfully,

Sd/-

Deputy Secretary, Political and Services,
for Chief Secretary to Government, Haryana.

A copy each is forwarded to :—

The Financial Commissioner, Revenue, Haryana and All Administrative Secretaries to Government Haryana.

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 4472-5 जी.एस.-1-71/24500, दिनांक 20-8-71 की प्रति।**

विषय :- मंत्री/विधान सभा सदस्यों की सिफारिश के लिए पहुँचना।

मुझे निदेश हुआ है कि उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के पत्र क्रमांक 3598-5 जी.एस. 68/18551, दिनांक 22-7-68 की ओर दिलाऊँ (जिस में यह लिखा गया था कि सरकारी कर्मचारियों को मन्त्रियों, विधान सभा सदस्यों तथा पब्लिक के दूसरे प्रभावी सदस्यों से नियुक्ति, बदली और दूसरे सेवा सम्बन्धित मुआमलों में सिफारिश नहीं करानी चाहिए और जो कर्मचारी ऐसा करेंगे अनुशासनिक कार्यवाही के भागी होंगे), और कहूँ कि इस प्रकार के दृष्टान्त नोटिस में आए हैं, जिन में सरकारी कर्मचारियों ने इन हिदायतों की उल्लंघना की है परन्तु सम्बन्धित विभागों ने उनके विरुद्ध कोई अनुशासनिक कार्यवाही नहीं की।

2. इस मुआमले पर पंजाब सरकारी कर्मचारी (आचरण) नियमावली 1966 की सम्बन्धित व्यवस्था के सम्बन्धित व्यवस्था के संदर्भ जांच की गई है और ऐसा देखा गया है कि सरकारी कर्मचारी द्वारा इस प्रकार की चूक अनुशासन के विरुद्ध है। इससे उपर्युक्त नियमावली के उप नियम 20 की उल्लंघना होती है। इसलिए यह निर्णय लिया गया है कि ऐसे केसों में चूककर्ता कर्मचारी के विरुद्ध पंजाब सिविल सेवाएं (दण्ड तथा अपील) नियमावली 1952 के तहत अनुशासनिक कार्यवाही हमेशा की जाया करे और उपयुक्त दण्ड दिया जाये। इसके अलावा अगर किसी विषेश हालात के कारण इस प्रकार का दण्ड न दिया जाये और सम्बन्धित कर्मचारी को केवल चेतावनी या सरकार की नाराजगी लिखित रूप में जारी की जाये, तो ऐसा Communication की एक प्रति उसकी व्यक्तिगत फाईल (Personal File) में भी जरूर लगाई जावे।

3. यह निवेदन किया जाता है कि इन हिदायतों पर दृढ़ता पूर्वक अमल किया जावे और अपने अधीन कार्य करने वाले सभी सरकारी कर्मचारियों को विशेष तौर पर नोटिस में लाई जायें। कृपया इस की पावती भी भेजें।

भवदीय,

उप सचिव, राजनैतिक एवं सेवायें
कृते : मुख्य सचिव, हरियाणा सरकार।

एक एक प्रति निम्नलिखित को सूचना तथा आवश्यक कार्यवाही के लिए भेजी जाती है :-

- (1) वित्तायुक्त राजस्व, हरियाणा।
- (2) सभी प्रशासकीय सचिव, हरियाणा।

मुख्य सचिव, हरियाणा सरकार की ओर से सभी विभागाध्यक्ष आयुक्त अम्बाला मण्डल हरियाणा के सभी उपायुक्त तथा सभी उपमण्डल अधिकारियों को लिखे पत्र क्रमांक 287-I-जी.एस.-I-72/3104 दिनांक 8 फरवरी, 1972 की प्रति।

विषय :- प्राईवेट कार्य के लिए सरकारी कर्मचारियों का प्रयोग ।

मुझे निदेश हुआ है कि मैं संयुक्त पंजाब सरकार के पत्र 4540-जी.-II 57/12538, दिनांक 15 जुलाई, 1957 (प्रति संलग्न है) द्वारा जारी की गई हिदायतों की ओर आपका ध्यान दिलाऊँ जिसमें अधिकारियों द्वारा सरकारी कर्मचारियों से प्राईवेट कार्य लेने के सम्बन्ध में सरकार की नीति को स्पष्ट किया गया था। उस पत्र में अन्य बातों के अतिरिक्त इस बात पर बल दिया गया था कि प्राईवेट कार्य के लिए सरकारी कर्मचारियों को प्रयोग में लाए जाने के मामलों को गम्भीर दृष्टि से देखा जाए और जब कभी भी Dishonest conduct का कोई तथ्य पाया जाए तब पदच्युति (डिसमिसल) का अधिकतम दण्ड दिये जाने के बारे में भी विचार कर लिया जाए। संयुक्त पंजाब में क्रमांक पी.ओ.एल.-50(3)-61/26382, दिनांक 25 नवम्बर, 1961 द्वारा पुनः अनुरोध किया गया था कि दिनांक 15 जुलाई, 1957 के पत्र में दी गई हिदायतों का कठोरता से पालन किया जाए।

2. यह बात सरकार के ध्यान में आई है कि उपर्युक्त हिदायतों का सभी सम्बन्धित व्यक्तियों द्वारा अनुसरण नहीं किया जा रहा है तथा अब भी ऐसी घटनाएँ होती हैं जिसमें कुछ अधिकारियों द्वारा वर्ग चार (iv) के सरकारी कर्मचारियों को प्राईवेट कार्य पर लगाया जाता है। इस बात का पुनः उल्लेख किया जाता है कि सरकार इस मामले को गम्भीरता की दृष्टि से देखती है तथा चाहती है कि यह सुनिश्चित किया जाए कि यह प्रथा सभी केंसों में, बिना किसी उपवाद के समाप्त कर दी गई है। अतः मैं अनुरोध करूँगा कि आप उपर्युक्त हिदायतों को उनका कठोरता से पालन किये जाने के लिए, अपने अधीनस्थ सभी सरकारी कर्मचारियों के ध्यान में लाएं तथा उन्हें यह स्पष्ट कर दिया जाए, कि इस विषय में कोई चूक होने पर वे कठोर अनुशासनिक कार्यवाही के भागी होंगे।

3. कृपया इस पत्र की पावती भेजी जाये।

**Copy of letter No. 4787-IGSI-72/25531 dated 5-9-72 from the Chief Secretary to Government,
Haryana to All Heads of Departments, etc., etc.**

**Subject:—Amendment in Punjab Government Employees (Conduct) Rules, 1966, as applicable to the
State of Haryana.**

I am directed to address you, on the subject cited above, and to state that the Joint Conference of Central Bureau of Investigation and State Anti-Corruption Officers held at New Delhi from 13th to 15th November, 1967, one of its recommendations, had recommended as under :—

“In all returns the assets belonging to the wife of a male Government servant or of a husband of a female Government servant or his/her dependents, even though these are acquired by the wife or husband or dependents, as the case may be, in her/his own right should also be shown.”

In Rule 18(1)(a) of the Punjab Governments Employees (Conduct) Rules, 1966, it has been provided that every Government Employee shall, on his first appointment to any service of 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 the Government, giving the full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person. Thus, in this rule, there was no provision regarding submission of returns of assets in regard to the property owned, acquired or held by any family member of the Government employee in his/her own right.

2. Keeping in view the above recommendation of the Joint Conference of Central Bureau of Investigation and State Anti Corruption Officers, this State Government is considering the question of amending rule 18(1)(a) *ibid* accordingly. Before this is done, I am to request you to kindly intimate as to whether Government of India/your State Government have considered the above recommendation of the Conference and whether or not they are thinking of amending the All India Services and Central Civil Services/State Government Employees (Conduct) Rules (as the case may be) in accordance with the recommendation of the Conference. If not, the reasons for not accepting the said recommendation of the Conference may please be intimated to State Government at an early date

Yours faithfully,

Sd/-

Deputy Secretary Political & Services,
for Chief Secretary to Government, Haryana.

Copy of letter No. 5489-IGSI-72/27577, dated 18-9-72 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject:- Consumption of intoxicating drinks and drugs by Government employees.

I am directed to invite your attention to the subject noted above and to say that vide State Government Notification No. G. S.R. 194/Const./ Art. 309/ Adm/72 dated the 18th August, 1972 (copy enclosed) rule 22(c) of the Punjab Government Employees (Conduct) Rules, 1966, as adopted for the State of Haryana, has been amended and the revised rule 22 of the Rules *ibid* now reads as under :-

22. Consumption of intoxicating drinks and drugs :—

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) take due care that performance of his duties is not affected in any way by the influence of any intoxicating drinks or drugs ;
- (c) not appear in a State of intoxication in a public place;
- (d) not habitually use any intoxicating drinks or drugs to excess.

2. These provisions are brought to your notice for carefully compliance and should also be brought to the notice of all concerned under your control. Any previous instructions of the State Government on the subject may be deemed to have been modified to this extent.

3. Please acknowledge the receipt of this letter.

Yours faithfully,

(L.M. Jain)

Deputy Secretary, Political & Services,
for Chief Secretary to Government, Haryana.

Copy of O.M. No. 25/4/73 Estt. A, dated 17th February, 1973 from the Deputy Secretary to the Government of India, Cabinet Secretariat, Department of Personnel and A.R., New Delhi to all Ministries/ Departments of the Government of India

OFFICE MEMORANDUM

Subject:- Participation by Government servants in political activities-participation by Government servants in meetings/demonstrations organised by political parties.

The undersigned is directed to invite the attention of the Ministry of Finance etc. to rule 5(1) of the Central Civil Services (Conduct) Rules, 1964 which *inter alia* provides that no Government servant shall be a member of or be otherwise associated with any political party or any organisation which takes part in politics nor shall he take part in or subscribe in aid of or assist in any other manner any political movement or activity. Attention is also invited to the instructions contained in the Ministry of Home Affairs O.M. No. 6/6/69-Estt. B, dated 18th July, 1969 wherein it was emphasised that Government servants should not only maintain political neutrality but should also appear to do so and they should not participate in the activities of or associate themselves with any organisation in respect of which there is the slightest reason to think that organisation has political aspect.

A question has been raised as to whether participation by a Government servant in a public meeting or demonstration organised by a political party would amount to participation in a political movement or activity within the meaning of rule 5(1) of the Central Civil Services (Conduct) Rules, 1964, mentioned above.

This question has been considered, and it is felt that, in the light of the existing provisions of the Conduct Rules and the instructions already issued on the subject, taking any active part by a Government servant in a meeting or demonstration organised by a political party might give cause for an impression which may well be construed as assisting a political movement for example, if a Government servant takes active or prominent part in organising or conducting such a meeting or demonstration or speaks himself therein or attends regularly or even frequently any such a meeting, etc., action on his part is likely to create an impression that he is taking part in or assisting a political movement or activity. In order, therefore, to avoid any doubts about their political neutrality, it would not be in the interest of the Government servants themselves to participate in such meetings or demonstrations.

It is requested that the Ministry of Finance etc. may bring this clarification to the notice of all the employees working under them

Copy of letter No. 820-IGSI-73/6479, dated the 9th March, 1973 from the Chief Secretary to Government, for Haryana to all Heads of Departments, etc., etc.

Subject :- Policy to be followed in regard to international friendship societies as well as social, cultural or other similar organisations known to be connected with political parties.

I am directed to refer to the instructions issued by Haryana Government in their letter No. 3130-5GS-69/13240, dated the 13th June, 1969, in which it was mentioned that Government employee should exercise great care and should not join any organisation whether specifically notified as such by the Government or nor, if there was the slightest reason to think that the organisation had a political aspect. It was also brought to notice that it has essential that Government employees should not only maintain political neutrality but should also appear to do so and should ensure that no doubts were created about their neutrality in any circumstances. It was to be made clear to the Government employees that any default in this regard would be viewed seriously by Government and would entail severe disciplinary action.

2. This matter has been further considered particularly with regard to the policy to be followed in regard to international friendship societies as well as social, culture, or other similar organisations known to be connected with political parties. It has been observed that associations whose avowed aim in to promote friendly relations between the people of India and any specific foreign country have generally been referred to as international friendship societies. Several such friendship societies exist and function in India as well as in other countries. In respect to these, it has been decided that Government officials should not accept any office in or membership of any such international friendship society nor should they participate in the activities of these societies. Administrative Secretaries and other officers after obtaining prior permission of their Administrative Secretaries may however address such societies on non-controversial matters or on cultural relations between India and the country concerned.

3. In regard to social, cultural or other similar organisations known to be connected with political parties, it has been decided that since it is essential that Civil Servants should not only maintain political neutrality but should also appear to do so and there should be no doubts about their neutrality, a civil servant should keep away from any organisation in regard to which there is the slightest reason to think that it has any political overtones. There are instances in which Government have themselves notified committee organisations as political for the purposes of the Government Employees, Conduct Rules and it would be obviously a breach of discipline for any civil servant to associate himself with such an organisation. As, however, there are many other organisations which have not been so notified by Government as political, it is equally necessary that all civil servants should refrain from associating themselves in any manner with such organisations also. In this connection reference is also invited to rule 5(1) of all India Services (Conduct Rules, 1968/Punjab Government Employees (Conduct) Rules, 1966 (as adopted in the State of Haryana) which is to the effect that "no member of the Service/Government employee shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity".

4. I am to request that the above instructions may be carefully noted and also brought to the notice of all concerned for strict compliance. It may be added that any default in this regard will be viewed seriously by Government and will entail serve disciplinary action.

5. The receipt of this letter may please be acknowledged.

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 1871-6 जी.एस.- 1-73/8661 दिनांक 30-3-73 की प्रति।**

विषय :- मंत्री/विधान सभा सदस्यों की सिफारिश के लिए पहुँच करना ।

मुझे निदेश हुआ है कि उपरोक्त विषय पर आपका ध्यान दिलाऊँ और कहूँ कि सरकारी कर्मचारी (आचरण) नियमावली 1966 के नियम 20 में यह व्यवस्था है कि कोई भी सरकारी कर्मचारी अपनी सरकारी सेवा सम्बन्धी मामलों के लिए अपने किसी प्रवर अधिकारी पर कोई राजनैतिक या अन्य प्रभाव नहीं डलवायेगा और न ही डलवाने का प्रयत्न करेगा। हरियाणा सरकार के परिपत्र क्रमांक 3598-5 जी.एस. 68/18551, दिनांक 22-7-68 द्वारा उपरोक्त नियमों की व्यवस्था की ओर ध्यान दिलाया गया था व कहा गया था कि सरकारी कर्मचारियों को मन्त्रियों, विधान सभा के सदस्यों तथा पब्लिक के दूसरे प्रभावी सदस्यों से अपनी नियुक्ति, बदली और दूसरे सेवा सम्बन्धित मामलों में सिफारिश नहीं करवानी चाहिये और जो कर्मचारी ऐसा करेंगे वे अनुशासनिक कार्यवाही के भागी होंगे। इसके पश्चात् सरकार के नोटिस में ऐसे दृष्टांत आये थे जिनमें सरकारी कर्मचारियों ने उपरोक्त हिदायतों की उल्लंघना की थी, अतः उपरोक्त हिदायतों की परिपत्र क्रमांक 4472-5 जी.एस. 1-71/24500, दिनांक 20-8-71 द्वारा दोहराया गया था। इनमें सरकार का यह निर्णय स्पष्ट किया गया था कि ऐसे केसों में चूककर्ता कर्मचारी के विरुद्ध पंजाब सिविल सेवाएं (दण्ड तथा अपील) नियमावली, 1952 के तहत अनुशासनिक कार्यवाही हमेशा की जाया करे और उपयुक्त दण्ड दिया जाया करे। यह भी कहा गया था कि यदि कुछ विशेष हालतों के कारण इस प्रकार दण्ड न दिया जा सके और सम्बन्धित कर्मचारी को केवल चेतावनी या सरकार की नाराजगी ही लिखित रूप में जारी की जानी हो तो ऐसे परिपत्र की एक प्रति उसकी व्यक्तिगत फाईल (परसनल फाईल) में भी जरूर लगा दी जाये।

2. सरकार ने खेद के साथ नोट किया है कि बार-बार हिदायतें जारी करने के बावजूद भी काफी ऐसे दृष्टांत हुए हैं जिनमें कि उपरोक्त हिदायतों की उल्लंघना की गई है और सम्बन्धित अधिकारियों/कर्मचारियों के विरुद्ध कोई अनुशासनिक कार्यवाही नहीं की गई है। राज्य सरकार के विचार में ऐसा अवांछनीय है तथा आपसे पुनः अनुरोध किया जाता है कि इन हिदायतों का भविष्य में कठोरता से पालन किया जाये। यह स्पष्ट किया जाता है कि यदि सरकार के ध्यान में कोई ऐसा केस आया जिनमें कि इन हिदायतों की उल्लंघना की गई हो और सम्बन्धित विभागाध्यक्ष/प्रशासकीय सचिव ने अनुशासनिक कार्यवाही न की हो तो इसका गम्भीर नोटिस लिया जायेगा।

3. आपसे अनुरोध किया जाता है कि इन हिदायतों को अपने अधीनस्थ कार्य करने वाले सभी कर्मचारियों के नोटिस में भी विशेष तौर पर ला दें। इस पत्र की पावती भी भेजने की कृपा करें।

भवदीय,

उप सचिव, राजनैतिक एवं सेवायें
कृते : मुख्य सचिव, हरियाणा सरकार।

एक एक प्रति निम्नलिखित को सूचना तथा आवश्यक कार्यवाही के लिए भेजी जाती है :-

(1) वित्तायुक्त राजस्व/सभी प्रशासकीय सचिव, हरियाणा।

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 3261-6 जी.एस. व -73/14142 दिनांक 5-6-1973 की प्रति।**

**विषय :- सरकारी कर्मचारियों द्वारा अपने सेवा सम्बन्धी मामलों के बारे में हरियाणा लोक सेवा आयोग/
अधीन सेवायें प्रवरण मण्डल के सदस्यों आदि को पहुँच करना ।**

मुझे निदेश हुआ है कि मैं उपर्युक्त विषय पर आपका ध्यान दिलाऊँ और कहूँ कि सरकारी कर्मचारी (आचरण) नियमावली, 1966 के नियम 20 में यह व्यवस्था है कि कोई भी सरकारी कर्मचारी अपनी सरकारी सेवा सम्बन्धी मामलों के लिए अपने किसी प्रवर अधिकारी पर कोई राजनैतिक या अन्य प्रभाव नहीं डलवायेगा और न ही डलवाने का प्रयत्न करेगा। हरियाणा सरकार के परिपत्र क्रमांक 3598-5 जी.एस.-68/18551, दिनांक 22-7-68 की हिदायतों द्वारा (जिन्हें परिपत्रों दिनांक 20-8-71 तथा 30-3-73 द्वारा दोहराया भी गया है उपरोक्त नियमों की व्यवस्था की ओर ध्यान दिलाया गया था व कहा गया था कि सरकारी कर्मचारियों को मन्त्रियों, विधान सभा के सदस्यों तथा पब्लिक के दूसरे प्रभावी सदस्यों से अपनी नियुक्ति, बदली और दूसरे सेवा सम्बन्धित मामलों में सिफारिश नहीं करवानी चाहिये और जो कर्मचारी ऐसा करेंगे वे अनुशासिक कार्यवाही के भागी होंगे। सरकार के नोटिस में एक केस आया है कि जिनमें एक सरकारी अधिकारी ने अपने सेवा सम्बन्धी केस के बारे में हरियाणा लोक सेवा आयोग के सदस्य को स्वयं पहुँच की थी तथा जब उससे इस बारे में स्पष्टीकरण मांगा गया तो उसने उत्तर में यह लिखा कि वह तो स्वयं आयोग को अपना केस पलीड करने के लिए मिला था तथा उसने उपरोक्त हिदायतों की उल्लंघना नहीं की है व हिदायतों की उल्लंघना तो तब होती यदि वह अपने केस के बारे में किसी मन्त्री/विधान सभा के सदस्य आदि द्वारा पहुँच करवाता।

2. इस बारे में एक सामूहिक नीति बनाने के प्रश्न पर सरकार ने विचार किया है और यह निर्णय लिया है कि कोई भी सरकारी कर्मचारी अपने सेवा सम्बन्धी केसों के बारे में हरियाणा लोक सेवा आयोग अधीन सेवायें प्रवरण मण्डल के अध्यक्ष तथा सदस्य को न ही तो किसी मन्त्री/विधान सभा आदि से सिफारिश करवायेगा और न ही वह स्वयं सदस्य को मिलेगा। यहां पर स्पष्ट किया जाता है कि यदि कोई सरकारी कर्मचारी आयोग/मण्डल के सदस्य को मिलने की चेष्टा करता है तो सम्बन्धित अध्यक्ष अथवा सदस्य को चाहिये कि वह उसे मिलने से इनकार कर दें उसकी रिपोर्ट/सम्बन्धित विभाग को भेज दें।

3. इसके साथ-साथ यह भी निर्णय लिया गया है कि यदि किसी सरकारी कर्मचारी का सेवा सम्बन्धी केस मुख्य सचिव के कार्यालय, वित्त विभाग, विधि विभाग अथवा अन्य किसी विभाग में मन्त्रणा के लिए गया हुआ हो तो सम्बन्धित कर्मचारी उपरोक्त विभागों के सम्बन्धित अधिकारियों को सीधा नहीं मिलेगा। यदि कोई सरकारी कर्मचारी अपने केस के बारे में सम्बन्धित अधिकारी से मिलना चाहता है तो राजपत्रित कर्मचारी के केस में सम्बन्धित प्रशासकीय सचिव तथा अराजपत्रित कर्मचारी के केस में सम्बन्धित विभाग अध्यक्ष की लिखित अनुमति के साथ ही कर सकता है।

4. आपसे अनुरोध किया जाता है कि इन हिदायतों का भविष्य में कठोरता से पालन किया जावे व इन हिदायतों को अपने अधीन कार्य कर रहे सभी सम्बन्धित कर्मचारियों के ध्यान में ला दिया जाये कि यदि कोई कर्मचारी इन हिदायतों की उल्लंघना करेगा तो वह अनुशासनिक कार्यवाही का भागी होगा। यह भी स्पष्ट किया जाता है कि यदि सरकार के ध्यान में कोई भी ऐसा केस आया जिसमें कि इन हिदायतों की उल्लंघना की गई हो और सम्बन्धित विभागाध्यक्ष प्रशासकीय सचिव ने अनुशासनिक कार्यवाही न की तो इसका भी गम्भीर नोटिस लिया जायेगा। कृपया इस पत्र की पावती भी भेजी जाये।

हस्ता / -

उप सचिव, राजनैतिक एवं सेवायें
कृते : मुख्य सचिव, हरियाणा सरकार।

Copy of letter No. 5730-4GSI-75/29584, dated 9-10-75 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- Approaching the General Services Branch of the Haryana Civil Secretariat in Connection with Service Matters.

I am directed to invite your attention to the instructions contained in Haryana Government's circular letters No. 3598-5GS-68/18351, dated the 22nd July, 1968, 4472-5GS-I-71/24500, dated the 20th August, 1971, 1871-IGS-I-73/18661, dated the 30th March, 1973 and 3261-IGS-I-73/14142, dated the 5th June, 1973. It is mentioned in these instructions that if any Government employee approaches higher authorities in service matters he will render himself liable to strict disciplinary action. In this connection, attention is also invite to Rule 20 of the Government Employees (Conduct) Rules, 1966, according to which no Govt. employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government.

The General Services Branch of the Haryana Civil Sectt. deals with different types of service matters. It is also the concerned branch for laying down policy and given advice in matters relating to appointment, promotion etc. It has been observed that despite the clear instructions issued by the Government and the provisions of the Rule 20 of the Government Employees (Conduct) Rules, 1966, employees from the different departments whose case are referred to the Chief Secretary for advice, visit the General Services, Branch and try to discuss the merits of their cases with the Assistant concerned, which hinders the impartial and objective assessment of the merits and demerits of the case. The Government has considered this matter and has decided that the concerned employees or any other employee on their behalf must not approach the Superintendent or the Assistants in the General Services Branch in this connection. If it is found that these instructions are still being contravened, the matter will be brought to the notice of the concerned departments for taking strict disciplinary action against the defaulting officer/official.

3. It has also been noticed that employees from various departments come to the General Services Branch for obtaining copies of circulars on various service matters issued by the Government from time to time. Sometimes the number of such employees is so large that it hinders the working of this Branch. It has, therefore, been decided that copies of circular letters, if required, should be obtained from the General Services Branch between 4 to 5 P.M. everyday and no employee should come for this purpose outside these prescribed hours.

4. It is requested that the above instructions may kindly be brought to the notice of officer/officials working under you for strict compliance. Receipt of these instructions may also be acknowledged.

Yours faithfully,
Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

Copies are forwarded for information and similar necessary action to :-

Financial Commissioner, Haryana and All Administrative Secretaries to Government, Haryana.

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 5936-6 जी.एस. 1-76/5706 दिनांक 11-3-76 की प्रति।**

विषय :- सरकारी कर्मचारियों द्वारा चल, अचल और मूल्यवान सम्पत्ति की विवरणी प्रस्तुत करने के बारे में।

मुझे निदेश हुआ है कि मैं आपका ध्यान सरकारी कर्मचारी (आचरण) नियमावली, 1966 के नियम 18 की ओर दिलाऊँ जिसमें कि यह व्यवस्था की गई है कि प्रत्येक सरकारी कर्मचारी किसी सेवा या पद पर अपनी प्रथम नियुक्ति के समय और उसके बाद सरकार द्वारा निदृष्ट अन्तरालों पर अपनी देनदारियों और लेनदारियों की एक विवरणी सरकार द्वारा नियत फार्म में देगा। सरकारी कर्मचारियों द्वारा इन विवरणियों को देने का मुख्य उद्देश्य यह है कि यह देखा जा सके कि कोई भी सरकारी कर्मचारी आमदनी से अधिक मूल्य की चल-अचल और मूल्यवान सम्पत्ति नहीं प्राप्त करता। इस उद्देश्य की पूर्ति के लिये यह आवश्यक है कि सरकारी कर्मचारी द्वारा उपरोक्त वर्णित विवरणियों की अच्छी प्रकार से जांच की जाये और यदि समक्ष प्राधिकारी के नोटिस में यह बात आती है कि विवरणी में दिखायी गई सम्पत्ति कर्मचारी की आमदनी के मुकाबले अधिक है तो सम्बन्धित कर्मचारी से उसका पूरा ब्यौरा प्राप्त किया जाए और समक्ष प्राधिकारी अपने आपको सन्तुष्ट कर ले कि सरकारी कर्मचारी द्वारा सम्पत्ति प्राप्त करने में किसी प्रकार की अनियमितता नहीं की गई है।

2. इस लिये आपसे अनुरोध किया जाता कि जब आपके अधीन काम करने वाले कर्मचारी अपनी चल, अचल और मूल्यवान सम्पत्ति का ब्यौरा निर्धारित विवरणी में आपको दे तो उसे बगैर जांच किये उसकी व्यक्तिगत फाईल पर न लगा दिया जाए बल्कि समक्ष प्राधिकारी द्वारा अपने आपको सन्तुष्ट करने के बाद ही ऐसा किया जाए और यदि सम्पत्ति को प्राप्त करने के बारे में कर्मचारी की ईमानदारी पर किसी प्रकार का भी सन्देह हो तो इस बारे में पूरी जांच करके ही इस विवरणी को उसकी व्यक्तिगत फाईल पर लगाया जाए।

3. कृपया इन हिदायतों को अपने अधीन काम कर रहे कर्मचारियों के नोटिस में ला दिया जाए और इन हिदायतों का दृढ़ता से पालन किया जाए।

भवदीय,

हस्ता / -

उप सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

इसकी एक प्रति निम्नलिखित को सूचनार्थ तथा आवश्यक कार्यवाही के लिए भेजी जाती है :-

- (1) वित्तियुक्त, हरियाणा सरकार के सभी प्रशासकीय सचिव

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 5733-जी.एस. 1-77/40529 दिनांक 29-12-77 की प्रति।**

विषय :- सरकारी कर्मचारियों द्वारा चल, अचल और मूल्यवान सम्पत्ति की विवरणी प्रस्तुत करने के बारे में ।

मुझे निदेश हुआ है कि मैं आपका ध्यान सरकारी कर्मचारी (आचरण) नियमावली, 1966 के नियम 18 की ओर दिलाऊँ जिसमें यह व्यवस्था है कि प्रत्येक सरकारी कर्मचारी किसी सेवा या पद पर अपनी प्रथम नियुक्ति के समय और उसके बाद सरकार द्वारा निर्दिष्ट अन्तरालों पर अपनी देनदारियों और लेनदारियों की एक विवरणी राज्य सरकार द्वारा नियत फार्म में देगा। राज्य सरकार के परिपत्र क्रमांक 593-6 जी.एस.-1-76/5706, दिनांक 11-3-1976 द्वारा यह अनुरोध किया गया था कि सरकारी कर्मचारियों द्वारा चल, अचल और मूल्यवान सम्पत्ति का ब्यौरा देने वाली विवरणियों की भली प्रकार से जांच उपरान्त ही उन्हें सम्बन्धित कर्मचारियों की फाईलों पर लगाया जाए।

2. काफी समय से यह मामला राज्य सरकार के विचाराधीन है कि प्रसंगाधीन विवरणियों को कितने अन्तरालों पर सरकारी कर्मचारियों द्वारा प्रस्तुत किया जाए। इस सम्बन्ध में यह निर्णय लिया गया है कि प्रत्येक सरकारी कर्मचारी स्वयं वित्तीय वर्ष के अन्त में ऐसी विवरणी अपने नियुक्ति प्राधिकारी को देगा।

3. कृपया इन हिदायतों को आपके अधीन काम कर रहे सभी कर्मचारियों के नोटिस में ला दिया जाए तथा इन की दृढ़ता से पालना की जाए।

4. कृपया इस परिपत्र की पावती भेजी जाए।

भवदीय,

हस्ता / -

उप सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति सभी वित्तायुक्तों तथा हरियाणा के सभी प्रशासकीय सचिवों को सूचना तथा ऐसी ही कार्यवाही हेतु भेजी जाती है।

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 11/10/78-जी.एस. I दिनांक 28-6-78 की प्रति।**

विषय :- सरकारी कर्मचारियों द्वारा सरकारी कर्मचारी (आचरण) नियमावली, 1966 के नियम 16 के अन्तर्गत उधार लेने तथा देने के बारे में व्यवस्था का स्पष्टीकरण ।

मुझे निदेश हुआ है कि मैं आपका ध्यान उपरोक्त विषय की ओर दिलाऊँ और सूचित करूँ कि सरकारी कर्मचारी (आचरण) नियमावली, 1966 के नियम 16(4) में यह व्यवस्था है कि कोई सरकारी कर्मचारी स्वयं या अपने परिवार के सदस्यों की या उसकी ओर से काम करने वाले किसी व्यक्ति के माध्यम से किसी व्यक्ति को ब्याज पर या ऐसी विधि से धन उधार नहीं देगा जिस में धन या जिस रूप में प्रभार लिया या दिया जाये। परन्तु सरकारी कर्मचारी किसी सम्बन्धी या निजी मित्र को या उनसे बिना ब्याज के थोड़ी राशि उधार दे या ले सकता है या किसी वास्तविक व्यापारी के साथ उधार खाता खोल सकता है या अपने निजी सेवक को उसके वेतन की पेशगी दे सकता है। सरकारी कर्मचारी (आचरण) नियमावली, 1966 में 'थोड़ी राशि' वाक्यांश को परिभाषित नहीं किया गया है। प्रत्येक मामले में उनके गुण-दोष के आधार पर विचार किया जाना होगा। राशि थोड़ी है या नहीं, इस प्रश्न का निर्णय उधार लेने वाले व्यक्ति की हैसियत और आय तथा उस उधार को वापिस करने के लिए किये गये प्रस्ताव के ढंग के संदर्भ में किया जाना होगा। अतः आपसे अनुरोध है कि यह स्थिति आपके अधीन काम कर रहे सभी कर्मचारियों के ध्यान में आवश्यक कार्यवाही हेतु ला दी जाये।

भवदीय,

हस्ता / -

उप-सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति :-

वित्तियुक्त राजस्व, हरियाणा सरकार के सभी प्रशासकीय सचिव की सूचना तथा ऐसी ही कार्यवाही हेतु भेजी जाती है।

Copy of letter No. 28034/5/78 Estt. A, dated 1st September, 1978 from the Deputy Secretary to the Government of India, Ministry of Home Affairs, Department of Personnel and A.R., New Delhi to all Ministeries/Departments of Government of India with usual number of spare copies

OFFICE MEMORANDUM

Subject :- Central Civil Services (Conduct) Rules, 1964-Use of public servants and public facilities for purpose of holding rallies etc.

The undersigned is directed to say that instances have come to the notice of the Government in which public servants and public utility facilities were used for arranging crowds for rallies and for arranging transport for bringing those crowds, involving violations of laws and rules in regard to the use of such transport. In this connection attention is invited to rule 5 (I) of the CCS (Conduct) Rules, 1964 which provides that no Government servant shall be a member of, or be otherwise associated with any political party or organisation which takes part in politics; nor shall he take part in, subscribe in aid of or assist in any other manner, any political movement or activity. It is also clarified in this department M. No. 25/4/73 Estt. 9A, dated 17th February, 1973 (copy enclosed) that it is advisable for a Government employee not to attend even public meetings for demonstrations organised by a political party or having political aspects. It will not suffice to say that such arrangement., were made on the orders of superior officers as the explanation below sub rule (2) of rule 3 of the CCS (Conduct) Rules, 1964 clarifies that nothing in clause (ii) of the aforesaid sub rule (2) shall be construed as empowering a Government employee to evade his own responsibilities. It hardly needs to be emphasised that Government servants should not only maintain political neutrality but should also appear to do so taking active part in holding rallies in support of any political party by arranging for crowds and arranging transport for bringing those crowds would, therefore, clearly attract the provisions of the aforesaid rule of the conduct rules, Government employees should, therefore, resist from engaging in such activities which may be construed as participation in the activities of a political party.

2. Ministry of Finance etc. are requested to bring contents of this Office Memorandum to the notice of all Government servants serving under their control.

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 25125/78-जी.एस. I
दिनांक 28-9-78 की प्रति।**

विषय :- प्राईवेट कार्य के लिए सरकारी कर्मचारियों का प्रयोग ।

मुझे निदेश हुआ है कि उपरोक्त विषय पर मैं संयुक्त पंजाब के पत्र संख्या 4540-जी.- II-57/12538, दिनांक 15 जुलाई, 1971 (प्रति संलग्न है) द्वारा जारी की गई हिदायतों की ओर आपका ध्यान दिलाऊँ जिसमें अधिकारियों द्वारा सरकारी कर्मचारियों से प्राईवेट कार्य लेने के बारे में सरकार की नीति को स्पष्ट किया गया था। हरियाणा सरकार के पत्र क्रमांक 287-I जी.एस.- I-72/3104 दिनांक 8-2-1972 (प्रति संलग्न है) द्वारा पुनः अनुरोध किया गया था कि इन हिदायतों का कठोरता से पालन किया जाए।

2. सरकार के ध्यान में पुनः यह बात आई है कि उपरोक्त हिदायतों की पालन सभी सम्बन्धित व्यक्तियों द्वारा नहीं की जा रही है। सरकार ऐसी कार्यवाही को गम्भीरता पूर्वक देखती है तथा चाहती है कि यह सुनिश्चित किया जाए कि किसी श्रेणी चार के सरकारी कर्मचारी को प्राईवेट काम के लिए प्रयोग में न लाया जाए। इसलिए आपसे अनुरोध है कि उपरोक्त अनुदेशों का कठोरता से पालन किया जाये और आप अपने अधीनस्थ सभी सरकारी कर्मचारियों के ध्यान में यह अनुदेश लायें और उन्हें यह स्पष्ट कर दिया जाए कि इस विषय में चूक होने पर वे कठोर अनुशासनिक कार्यवाही के भागी होंगे।

कृपया इस पत्र की पावती भेजी जाए।

भवदीय,

हस्ता / -

अवर-सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति सभी अनुलग्नकों सहित, निम्नलिखित को सूचनार्थ तथा आवश्यक कार्यवाही हेतु भेजी जाती है :-

- (1) वित्तियुक्त/सभी प्रशासकीय सचिव, हरियाणा सरकार।

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 11(5)-2 जी.एस.- I-79
दिनांक 31-5-79 की प्रति।**

विषय :- सरकारी कर्मचारी (आचरण) नियमावली-1966 के नियम 5 (I) के अन्तर्गत रैलीज में हिस्सा लेने बारे।

मुझे निदेश हुआ है कि मैं आपका ध्यान उपरोक्त विषय की ओर दिलाऊँ तथा भारत सरकार, गृह विभाग द्वारा केन्द्रीय सिविल सेवाएं (आचरण) नियमावली, 1964 के नियम 5 (I) के बारे में जारी की गई हिदायतों क्रमांक

28034/5/78 -दिनांक 1-9-78 की प्रति अनुलग्नक सहित आप को भेजूं। हरियाणा राज्य में सरकारी कर्मचारी (आचरण) नियमावली 1966 के नियम 5(I) में भी इसी प्रकार की व्यवस्था है जैसी कि केन्द्रीय सिविल सेवाएं (आचरण) नियमावली 1964 के नियम 5(I) में है अतः आप से अनुरोध है कि इस बारे भारत सरकार द्वारा जारी की गई हिदायतें अपने अधीन काम कर रहे सभी अधिकारियों/कर्मचारियों के ध्यान में ला दी जाएं।

भवदीय,

हस्ता / -

उप-सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार

Copy of letter No. 11/9/79-2-GSI, dated 2nd April, 1980 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject:- Association of Government employees with the activities of R.S.S./Jamaat-e-Islami.

I am directed to invite your attention to Haryana Government letter No. 398-5GS-70/4340, dated the 4th March, 1970 on the subject noted above *vide* which it was intimated that since the provisions of sub rule I of rule 5 of the Central Civil Services (Conduct) Rules, 1964 had been challenged in the Supreme Court of India, regarding the participation of Government servants in the activities of 'Anand Marg' and its organisations, it would not be appropriate to take any action against Government Servants for participation in the activities of the Rashtrya Swayam Sevek Sangh, Jamaat- Islami till final disposal of the case by the Supreme Court.

2. The matter has been reconsidered and it has been decided that it is not necessary to held up action against a Government servant merely on the ground that rule 5 of the Central Civil Services (Conduct) Rules, 1964 had been challenged in the Supreme Court. Unless the Supreme Court strikes down the relevant portion of the Conduct Rule, action in terms of Haryana Government letter No. 442/4GS-66/199, will continue to be taken.

3. It is requested that the above position may be brought to the notice of all Government employees under your control.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to :—

- (i) The Financial Commissioner, Revenue, Haryana
- (ii) All Administrative Secretaries to Government, Haryana.

Copy of letter No. 53/52/80/3 PP, dated 4th July, 1980 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- The Mother's Birth Centenary Celebrations Committee, Punjab, Haryana and Himachal Pradesh and Chandigarh-Participation of IAS Officers.

I am directed to address you on the subject cited above and to say that for sometime past, the State Government have had under their consideration the matter regarding the participation of State Government Officers in the aforesaid Committee. After careful consideration, it has been decided since this institution does not appear to be connected with any caste, creed or community, in as much as its avowed objects are educational, ethical and spiritual, therefore, there should be no objection to officers of the State being associated with its activities including setting up of libraries and buildings and bringing out publications etc. However, the officers will of course, not associate themselves with any fund collections.

2. These instructions may please be brought to the notice of the concerned officers of the State for information and compliance.

Yours faithfully.

Sd/-

Deputy Secretary, Protocol,
for Chief Secretary to Government, Haryana.

A copy is forwarded to :— All Financial Commissioner, Haryana, and All Administrative Secretaries to Government Haryana, for information and necessary action.

Copy of letter No. 9/12/80-GSII, dated 24th September, 1980 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- Giving of gifts by the autonomous bodies under the Haryana Government including Corporations, Boards and Cooperative Banks.

I am directed to invite your attention to the instructions contained in this Department U.O. No. 2257-1GSII-76, dated 22/23-3-1976 wherein it was mentioned that instances had come to the notice of the Government where corporate bodies had given gifts to official members of their respective Boards. It was desired that this practice should be discouraged and premonitory instructions should be issued to all such bodies under your administrative control to discontinue such a practice forthwith.

2. It has again been noticed that autonomous bodies under the Haryana Government including Corporations, Boards and Cooperative Banks continue to present, it costly articles as souvenir to the members of their Boards/Committee including officials. In so far as the employees of the State Government are concerned permission of the competent authority is required to be taken by them before accepting any gift keeping in view the provisions of rule 13 of the Government Employees (Conduct) Rules, 1966. For the members of the All India Services similar provisions exist in rule 11 of the All India Services (Conduct) Rules, 1968. The non-Official members are not governed by the provisions of the aforesaid Conduct Rules.

Conduct Instructions

3. The Government considers that the practice of offering gifts to the members by the corporation should be discouraged. If, however, on a rare occasion it is considered desirable to offer gifts there should be a proper resolution passed to justify the giving of gifts. In any case the value of a gift given to or accepted by a member must not-exceed Rs. 75/- -. This will obviate the need for obtaining permission by the official members of the Boards/Committees and also be in keeping with the idea of economy in expenditure. The concerned autonomous body should send a report to the concerned administrative Department regarding gifts given to its members. Any person (including the recipient of a costly gift) violating these instructions will be liable to the charge of misconduct.

4. It is requested that strict instructions should be issued to all the autonomous bodies including Corporations! Boards and Co-operative Banks under your control for compliance. A copy of the instructions issued to the respective Board/Co-operative should be endorsed to this Department for information.

Yours faithfully,
Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana.

No. 9/12/90-IGSII

dated Chandigarh, the 24th September, 1980.

A copy each is forwarded to for information and necessary action:-

All Heads of Departments; the Commissioners, Ambala and Hisar Divisions; and all Deputy Commissioners and Sub-Divisional Officers (Civil) in the State.

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana.

Copy of letter No. 46/11/78-3PP, dated 6th October, 1980 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- Collection of funds by official agencies-Eradication of corruption-Banning of Red Cross Fairs.

I am directed to refer to the Chief Secretary's (3) D.O. No. 161-PSCS (H)-77, dated the 27th June, 1977, and Haryana Government letter No. 46/11/78/PP(3), dated the 29th September, 1978 and 17th December, 1979, on the subject cited above and to say that despite the imposition of complete ban on the holding of Red Cross Fairs at district head quarters, Sub-Divisional headquarters etc. instances have again come to the notice of the Government where permission for holding fairs such as fun Fairs in aid of St. John Ambulance Association, Summer Festivals by Welfare Society for Handicapped,

Scheduled Castes and Backward classes and Trade Fairs by Hind Kusht Nivaran Sangh etc. in the State was granted by the District authority. The matter has been reconsidered by Government and I am directed to clarify that the ban imposed on holding Red Cross Fairs is also applicable to all other fairs of this type in the State. Any permission granted to hold such fairs is contrary to the Government instructions issued on the subject.

2. I am, therefore, to impress upon you that in future no permission for holding of any such fairs may be granted by you except with prior approval of the Government and any departure/violation of Government instructions will be viewed seriously.
3. Receipt of this letter may please be acknowledged.

Yours faithfully,
Sd/-

Deputy Secretary, Protocol,
for Chief Secretary to Government, Haryana.

A copy is forwarded to :-

All Financial Commissioner, Haryana, All Administrative Secretaries to Government Haryana, for information and necessary action.

Copy of letter No. 11-10-80-2GSI dated 10-10-80 from the Chief Secretary to Government, Haryana to All Heads of Departments etc., etc.

Subject :- Approaching Ministers, Members of Parliament of Vidhan Sabha etc. for their recommendations in Service Matters.

I am directed to invite your attention to the instructions contained in the Haryana Government circular, letter No. 1871-IGS1-73/8661, dated the 30th March, 1973, on the subject noted above and to say that rule 20 of the Haryana . Government Employees (Conduct) Rules, 1966 envisages that no Government employees shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matter pertaining to the service under the Government. Accordingly, any Government employee found guilty of approaching Ministers, Members of Parliament or Vidhan Sabha or any other influential public persons to influence his superiors regarding any of his service matter, viz, appointment, transfer, promotion etc. is liable for disciplinary action against him.

2. It has been observed that in spite of clear instructions, certain employees still continue to approach political persons in regard to their service matters and largely for securing transfers or for cancellation of their transfer orders in order to check any violation of Government instructions. I am to request you to keep a strict watch over these matters and to initiate disciplinary action against employees who are found violating these instructions. These instructions should be brought to the notice of all

employees working under your control for information and strict compliance.

3. Receipt of this letter may please be acknowledged.

Yours faithfully,
Sd/-
(RAM PARKASH)
Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy each is forwarded to the following for information and strict compliance :—

The Financial Commissioner Revenue, Haryana and All Administrative Secretaries to Government, Haryana.

Copy of letter No. 239-PSCS (H)-80, dated 11th November, 1980 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :- Streamlining of administration-re-organising time schedules of judicial and executive work for the purpose of optimisation etc.

I am directed to refer to Haryana Government letter No. 239-PSCS (H)-80, dated the 25th April, 1980, on the above subject wherein it was *inter alia* laid down that the first three days of the week should be earmarked for the disposal of court, work by the Commissioners, Collectors, Additional/ Special Collectors and Sub Divisional Officers (Civil).

2. It has come to the notice of the Government that meetings at the State and Divisional headquarters are sometimes fixed on the first three days of the week, requiring the presence of the Deputy Commissioners, with the result that Court work at the district level has to be postponed. It is, therefore, reiterated that meetings should not be fixed on the first three days of the week, save in exceptional circumstances of need, so that the object underlying the instructions contained in the letter quoted above, is not defeated.

Yours faithfully,
Sd/-
Under Secretary, Administrative Reforms,
for Chief Secretary to Government, Haryana.

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 16/48/80-6 जी.एस.-I/दिनांक 28-4-81 की प्रति।**

विषय :- सरकारी अधिकारियों/कर्मचारियों द्वारा अपनी सेवा सम्बन्धी मामलों में हरियाणा लोक सेवा आयोग/अधीन सेवाएं प्रवरण मण्डल को सीधे सन्दर्भ करने के बारे में।

मुझे निदेश हुआ है कि मैं उपर्युक्त विषय की ओर आपका ध्यान दिलाऊं और कहूं कि हरियाणा सरकार के क्रमांक 3261-1 जी.एस.-1-73/14142 दिनांक 5-6-1973 द्वारा औरों के साथ-साथ यह हिदायतें जारी की गई थी कि कोई भी सरकारी अधिकारी/कर्मचारी अपने सेवा सम्बन्धी केशों के बारे में हरियाणा लोक सेवा आयोग/अधीन सेवाएं प्रवरण मण्डल के अध्यक्ष तथा सदस्य को न ही तो किसी मंत्री/विधान सभा सदस्य आदि से सिफारिश करवायेगा और न ही वह स्वयं सदस्य को मिलेगा तथा यदि कोई सरकारी अधिकारी/कर्मचारी आयोग/मण्डल के सदस्य को मिलने की चेष्टा करेगा तो सम्बन्धित अध्यक्ष अथवा सदस्य उसे मिलने से इनकार कर देगा और उसकी रिपोर्ट सम्बन्धित विभाग को भेजेगा जोकि सम्बन्धित दोषी अधिकारी/कर्मचारी के विरुद्ध अनुशासनिक कार्यवाही करेगा।

2. सरकार के ध्यान में कुछ ऐसे मामले आये हैं जिनमें कि कुछ सरकारी अधिकारियों/कर्मचारियों ने अपने सेवा सम्बन्धी मामलों में आयोग के अध्यक्ष/सदस्य को किसी मंत्री/विधान सभा सदस्य आदि से सिफारिश तो नहीं करवाई और न ही उनको मिलने की चेष्टा की किन्तु उन्होंने आयोग को अपने सेवा सम्बन्धी मामलों के बारे में सीधे ही पत्र लिख दिये जिन पर कि आयोग की ओर से कोई कार्यवाही वांछित नहीं थी। यद्यपि उपरोक्त हिदायतों में किसी सरकारी अधिकारी/कर्मचारी द्वारा अपने सेवा सम्बन्धी मामलों के बारे में आयोग को सीधा सन्दर्भ भेजने की कोई मनाही नहीं है तथापि सरकार ने ऐसे सन्दर्भों को उचित नहीं पाया है क्योंकि ऐसे सन्दर्भों को निपटाने में आयोग के कार्यालय का समय व्यर्थ में नष्ट हुआ है।

3. मामले में विचारोपरान्त सरकार द्वारा यह निर्णय लिया गया है कि भविष्य में कोई सरकारी अधिकारी/कर्मचारी अपने सेवा सम्बन्धी मामलों के बारे में न केवल आयोग/मण्डल के अध्यक्ष अथवा सदस्य को किसी मंत्री/विधान सभा सदस्य से सिफारिश करवायेगा तथा उन्हें मिलने की चेष्टा करेगा बल्कि वह सीधे ही आयोग/मण्डल को सन्दर्भ भी नहीं करेगा और यदि वह ऐसा करेगा तो अनुशासनिक कार्यवाही का भागी होगा जोकि आयोग/मण्डल से रिपोर्ट प्राप्त होने पर सम्बन्धित विभाग द्वारा की जायेगी।

4. यह स्पष्ट किया जाता है कि ये हिदायतें उन सरकारी अधिकारियों/कर्मचारियों पर लागू नहीं होंगी जो आयोग/मण्डल द्वारा विज्ञापित पदों के विरुद्ध उचित माध्यम द्वारा अप्लाई करेंगे और केवल अप्लाई किये गये पदों के साक्षात्कार, परीक्षा केन्द्र, रोल नं. तथा फीस आदि के बारे में ही जानकारी के लिए आयोग, मण्डल को सीधा सन्दर्भ करेंगे।

5. आपसे अनुरोध किया जाता है कि इन हिदायतों का भविष्य में कठोरता से पालन किया जाये व इन हिदायतों को अपने अधीन कार्य कर रहे सभी सम्बन्धित अधिकारियों/कर्मचारियों के ध्यान में ला दिया जाये।

कृपया इस पत्र की पावती भेजी जाये।

भवदीय,

संयुक्त सचिव, राजनैतिक एवं सेवायें
कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति निम्नलिखित को सूचना तथा आवश्यक कार्यवाही के लिए भेजी जाती है :-

वित्तियुक्त राजस्व, हरियाणा तथा सभी विभागाध्यक्ष

क्रमांक 12/62/86-2 जी. एस. I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

- (1) आयुक्त अम्बाला तथा हिसार मण्डल, सभी विभागाध्यक्ष, सभी उपायुक्त तथा उप मण्डल अधिकारी, हरियाणा।
- (2) रजिस्ट्रार, पंजाब तथा हरियाणा हाईकोर्ट तथा सभी जिला तथा सत्र न्यायाधीश, हरियाणा।
- (3) हरियाणा राज्य के सभी बोर्डज/कार्पोरेशनज के चेयरमैन/मैनेजिंग डाइरेक्टरज।

दिनांक चण्डीगढ़ 14/10/1986

विषय :- अधिकारियों द्वारा अपने नियुक्ति स्थान पर भवन निर्माण करना-पद का दुरुपयोग ।

महोदय,

मुझे निर्देश हुआ है कि उपरोक्त विषय पर आपका ध्यान दिलाऊँ और कहूँ कि सरकार के यह नोटिस में आया है कि कुछ अधिकारी अपने नियुक्ति स्थान पर मकान बनाना शुरू कर देते हैं जिससे उनके विरुद्ध पद तथा सरकारी मशीनरी के दुरुपयोग की शिकायतें आने लगती हैं।

2. उपरोक्त स्थिति को देखते हुए मामले पर सरकार द्वारा विचार किया गया है और यह निर्णय लिया गया है कि सभी राजपत्रित अधिकारी और सभी मण्डलों/निगमों के सम-दर्जे के कर्मचारी/अधिकारी यदि वे अपने नियुक्ति स्थान पर भवन निर्माण करना चाहें तो वह इस बारे में सरकार से पूर्व अनुमति लें।

3. अनुरोध है कि यह हिदायतें आपके अधीन कार्य कर रहे अधिकारियों के ध्यान में ला दें और उन्हें इन हिदायतों का दृढ़ता से पालन करने के आदेश दें।

4. लोक निर्माण विभाग के अधिकारियों पर यह हिदायतें लागू नहीं होंगी और उनके केंसों में यदि क्रमांक 18/91/78-लो.नि. 5 (7) दिनांक 14-7-78 द्वारा जारी की गई हिदायतें लागू रहेंगी।

भवदीय

हस्ता/-

अवर सचिव सामान्य प्रशासन
कृते : मुख्य सचिव, हरियाणा सरकार।

एक एक प्रति सभी वित्तायुक्त व सभी आयुक्त एवं सचिव, हरियाणा को सूचना एवं आवश्यक कार्यवाही हेतु भेजी जाती है।

हस्ता/-

अधीक्षक, सामान्य सेवाएं-I
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

सभी वित्तायुक्त, हरियाणा सरकार
तथा सभी आयुक्त एवं सचिव, हरियाणा सरकार।

अशा : क्रमांक 12/62/86-2 जी.एस. I,

दिनांक 14/10/1986

पृ० क्रमांक 12/62/86-2जी.एस. I,

दिनांक चण्डीगढ़ 14/10/1986

एक एक प्रति सभी मण्डलों/निगमों के अध्यक्षों/प्रशासकों, प्रबंध निदेशकों को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है।

हस्ता / -

अधीक्षक, सामान्य सेवाएं - I

कृते : मुख्य सचिव, हरियाणा सरकार।

एक एक प्रति निम्नलिखित को सूचनार्थ भेजी जाती है :-

- (1) प्रधान सचिव/उप-प्रधान सचिव/विशेष कार्य अधिकारी, मुख्य मंत्री, हरियाणा।
- (2) सचिव/निजी सचिव, मंत्रीगण/राज्य मंत्री, हरियाणा।

हस्ता / -

अधीक्षक, सामान्य सेवाएं - I

कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

- (1) प्रधान सचिव/उप-प्रधान सचिव/विशेष कार्य अधिकारी, मुख्य मंत्री, हरियाणा।
- (2) सचिव/निजी सचिव, मंत्रीगण/राज्य मंत्री, हरियाणा।

हस्ता / -

अधीक्षक, सामान्य सेवाएं - I

कृते : मुख्य सचिव, हरियाणा सरकार।

पृ० क०अशा: क्रमांक 12/62/86-2जी.एस.- I

दिनांक 14/10/86

No. 18/1/87-2GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments,
Commissioners of Divisions,
All Deputy Commissioners and
Sub Divisional Officers (C) in Haryana
2. The Registrar, Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the 7th May, 1987

Subject :- Approaching Ministers and other authorities for recommendations in service matters.

Sir,

I am directed to invite your attention to the instructions contained in circular letters noted in the margin, on the subject cited above, in which Government servants were forbidden to approach Ministers, Members of Parliament or Vidhan Sabha or any other influential public persons in connection with matters pertaining to their service. It was further directed that subordinate officers wishing to bring any matters to the notice to the Govt. should always address higher authorities/Government through their superiors :

2. It has been observed by the Government that these instructions are not being adhered to strictly and there has been increasing tendency on the part of employees to approach higher authorities in the matter relating to their service in violation of Conduct Rules and proper channel. In this respect it is clarified that approaching Governor/Central or State Ministers or any other superior authority or influential public man in connection with their official grievances violates Rule 20 of the Government Employees (Conduct) Rules, 1966 and would attract disciplinary action under Haryana Civil Services (Punishment and Appeal) Rules, 1987.

3. It is, therefore, requested that the above instructions may kindly be brought to the notice of all officers/officials working under you for strict compliance. The employees found violating these instructions would be proceeded against for disciplinary action.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy each is forwarded to the-

- (i) Financial Commissioner, Revenue, Haryana and
- (ii) All Administrative Secretaries to Govt. Haryana for information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

Compendium of Instructions on Conduct & Duties—Vol. VI

- (i) Financial Commissioner, Revenue, Haryana and
- (ii) All Administrative Secretaries to Govt. Haryana.

U.O.No. 18/1/87-2GSI

Dated Chandigarh, 7th May, 1987

Margin

No. 4175-P-54/17/17154 dated 28.7.1954

No. 2319-P(c)-56/9324, dated 2.3.1956

No. 2297-P-56/18382, dated 4.5.56

No. 3672-GII-59/248, dated 11.5.59

No. 5824-3GSI-66, dated 20.10.1966

No. 4903-Pol-1(3)-69 dated 9.1.69

No. 1871-6GSI-73/8661, dated 30.3.1973

No. 11/10/80-2GSI, dated 10.10.80

No.62/29/87-6 GSI

From

The Chief Secretary to Govt. Haryana

To

All the Heads of Departments, Commissioner, Ambala and Hisar Divisions.

All the Deputy Commissioners and

Sub Divisional Officers (Civil) in the State of Haryana.

Dated Chandigarh, the 23rd November, 1987.

Subject :- Restrictions on knitting in offices and bringing of transistors in offices.

Sir,

I am directed to refer to the subject noted above and to say that it has come to the notice of Government that quite & large number of women employees including teachers bring knitting material in the office and they do knitting in the offices. Likewise, some employees have been seen to bring transistors in the offices and listen to various programmes during office hours. In this way, precious office time is wasted. It has, therefore, been decided that no Government/Board/Corporation employee would bring any knitting material/do knitting in the Government offices, including educational institutions, offices of the Boards/Corporations. Further no Government/Boards/Corporations employee would bring transistors in offices or listen to the programmes being broadcast during office hours.

Conduct Instructions

2. I am to request these instructions may be complied with strictly. The violation of these instructions would make the defaulting officers/officials liable for disciplinary action.

3. The receipt of these instructions may kindly be acknowledged.

Yours faithfully,

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana

Endst No. 62/29/87-6GSI

Dated : 23-11-87

A copy is forwarded to all Managing Directors/Chairman of all the Public Undertaking (Corporations/ Boards/Companies/Apex Cooperative Institutions) in Haryana for similar necessary action

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana

Copy is forwarded to all the Administrative Secretaries to Govt. Haryana for information and necessary action.

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana

To

All the Administrative Secretaries to Govt. Haryana,

U.O.No. 62/29/87-6GSI

Dated 23-11-87

A copy is forwarded to the :-

1. Principal Secretary/Deputy Principal Secretary/OSD to Chief Minister and
2. All Secretaries/Private Secretaries to all the Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries for information and necessary action.

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana

To

1. Principal Secretary/Deputy Principal Secretary/O.S.D. to Chief Minister and
2. All Secretaries/Private Secretaries to all the Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries, Haryana.

U.O.No. 62/29/87-6GSI.

Dated 23-11-87

क्रमांक 18/2/88-2 जी.एस.- II

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

- (1) सभी विभागाध्यक्ष,
- (2) आयुक्त हिसार/अम्बाला मण्डल,
- (3) सभी उपायुक्त तथा उप मण्डल अधिकारी, हरियाणा, तथा
- (4) रजिस्ट्रार, पंजाब तथा हरियाणा उच्च न्यायालय, चण्डीगढ़ तथा सभी जिला एवं सत्र न्यायाधीश, हरियाणा।

दिनांक, चण्डीगढ़ 20 अप्रैल, 1988

विषय :- सरकारी कर्मचारियों द्वारा चल, अचल और मूल्यवान सम्पत्ति की विवरणी प्रस्तुत करने के बारे में ।

महोदय,

मुझे निर्देश हुआ है कि मैं आपका ध्यान सरकारी कर्मचारी (आचरण) नियमावली, 1966 के नियम 18 की ओर दिलाऊँ जिसमें यह व्यवस्था है कि प्रत्येक सरकारी कर्मचारी किसी सेवा या पद पर अपनी प्रथम नियुक्ति के समय और उसके बाद सरकार द्वारा निर्दिष्ट अन्तरालों पर अपनी देनदारियों और लेनदारियों की एक विवरणी राज्य सरकार द्वारा निर्धारित फार्म में देगा। राज्य सरकार के परिपत्र क्रमांक 5733-जी.एस.। 77/40529, दिनांक 29-12-1977 द्वारा यह स्पष्ट किया गया था कि प्रत्येक सरकारी कर्मचारी स्वयं वित्तीय वर्ष के अन्त में ऐसी विवरणी अपने नियुक्ति प्राधिकारी को देगा।

2. सरकार द्वारा यह देखने में आया है कि उक्त हिदायतों का दृढ़ता से पालन नहीं किया जा रहा तथा कुछ एक केसों में कर्मचारियों ने कई वर्षों की विवरणियां अपने नियुक्ति प्राधिकारियों को प्रदान नहीं की हैं। सरकार ने इसे गम्भीर रूप में लिया है। अतः आपसे अनुरोध है कि इन हिदायतों को अपने अधीन कार्य कर रहे सभी कर्मचारियों/अधिकारियों के नोटिस में लाते हुए उनकी चल, अचल तथा मूल्यवान सम्पत्ति का ब्यौरा देने वाली विवरणियां शीघ्र पूर्ण करवायें तथा यह भी सुनिश्चित करें कि भविष्य में भी यह विवरणियां प्रत्येक वर्ष समय पर प्रस्तुत की जायें ।

भवदीय,

हस्ता / -

संयुक्त सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति निम्नलिखित को सूचनार्थ तथा आवश्यक कार्यवाही हेतु भेजी जाती है :-

हस्ता / -

संयुक्त सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

- (1) सभी वित्तायुक्त हरियाणा सरकार, तथा
- (2) सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा० क्रमांक 18/2/88-2 जी.एस.। I-88,

दिनांक 20/4/1988

क्रमांक 18/2/88-2 जी.एस. I-88

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

- (1) सभी विभागाध्यक्ष,
- (2) आयुक्त, हिसार/अम्बाला मण्डल,
- (3) सभी उपायुक्त तथा उप मण्डल अधिकारी, हरियाणा तथा
- (4) रजिस्ट्रार, पंजाब तथा हरियाणा, उच्च न्यायालय,
चण्डीगढ़ तथा जिला एवं सत्र न्यायाधीश, हरियाणा।
दिनांक, चण्डीगढ़ 27-1-1989

विषय :- सरकारी कर्मचारियों द्वारा चल, अचल और मूल्यवान सम्पत्ति की विवरणी प्रस्तुत करने के बारे में ।
महोदय,

मुझे निदेश हुआ है कि मैं आपका ध्यान सरकारी कर्मचारी (आचरण) नियमावली, 1966 के नियम 18 तथा इस सम्बन्ध में जारी की गई हिदायतें क्रमांक 5733 जी. एस. I-77/40529, दिनांक 29-12-77 तथा क्रमांक 18/2/88-2 जी. एस. I-88, दिनांक 20-4-88, की ओर दिलाऊँ जिन द्वारा यह स्पष्ट किया गया था कि प्रत्येक सरकारी कर्मचारी स्वयं वित्तीय वर्ष के अन्त में अपनी देनदारी और लेनदारियों की एक विवरणी अपने नियुक्त प्राधिकारी को राज्य सरकार द्वारा निर्धारित फार्म में देगा।

सरकार द्वारा यह देखने में आया है कि उक्त हिदायतों का दृढ़ता से पालन नहीं किया जा रहा। आपसे पुनः अनुरोध है कि इन हिदायतों को अपने अधीन कार्य कर रहे सभी कर्मचारियों/अधिकारियों के नोटिस में लाते हुए उसकी सम्पत्ति विवरणियाँ शीघ्र पूर्ण करवायें तथा यह भी सुनिश्चित करें कि भविष्य में भी यह विवरणियाँ, प्रत्येक वर्ष समय पर प्रस्तुत की जायें।

भवदीय,

हस्ता / -

अवर, सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति निम्नलिखित को सूचनार्थ तथा आवश्यक कार्यवाही हेतु भेजी जाती है :-

1. सभी वित्तायुक्त, हरियाणा सरकार तथा
2. सभी प्रशासकीय सचिव, हरियाणा सरकार।

हस्ता / -

अवर, सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में,

1. सभी वित्तायुक्त, हरियाणा सरकार,
2. सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा : क्रमांक 18/2/88-2 जी.एस.- I

दिनांक चण्डीगढ़ 27/1/1989

क्रमांक 18/1/90-2 जी.एस.-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

- (1) सभी विभागाध्यक्ष, सभी मण्डलों के आयुक्त।
- (2) सभी उपायुक्त और उप-मण्डल अधिकारी (नागरिक)
- (3) रजिस्ट्रार, पंजाब तथा हरियाणा, उच्च न्यायालय, चण्डीगढ़।

दिनांक, चण्डीगढ़ 28-8-1990

विषय :- सरकारी कर्मचारियों द्वारा मुख्य मंत्री महोदय से सीधा सम्पर्क करना ।

महोदय,

मुझे निदेश हुआ है कि मैं आपका ध्यान उपरोक्त विषय पर मार्जिन में दिए गए हरियाणा सरकार के परिपत्रों की ओर दिलाऊँ, जिन द्वारा सरकारी कर्मचारियों को अपने सेवा सम्बन्धी मामलों के लिए मंत्रियों, संसद/विधान सभा के सदस्यों या अन्य प्रभावी नागरिकों से सम्पर्क स्थापित करने से मना किया गया था। इन परिपत्रों में यह भी स्पष्ट किया गया था कि यदि कोई अधीनस्थ कर्मचारी/अधिकारी कोई मामला सरकार के नोटिस में लाना चाहता है तो उसे सदा सरकार को अपने उच्च अधिकारियों के माध्यम से ही सम्बोधित करना चाहिये।

2. यह देखने में आया है कि उक्त हिदायतों को दृढ़ता से पालन नहीं किया जा रहा और आचरण नियमावली के नियम 20 तथा उचित माध्यम (Proper Channel) की व्यवस्था की उल्लंघना करते हुए उच्च प्राधिकारियों से मिलने की प्रवृत्ति बढ़ती जा रही है। अतः पुनः यह स्पष्ट किया जाता है कि भविष्य में यदि कोई कर्मचारी उक्त हिदायतों की उल्लंघना करते हुये या पूर्व अनुमति लिये बिना किसी मन्त्री, सांसद, विधायक या अन्य प्रभावी नागरिक से अपनी सेवा सम्बन्धी मामलों के लिए सम्पर्क करेगा या उन द्वारा दबाव डालने का प्रयास करेगा, तो उसके विरुद्ध कड़ी कार्यवाही की जाएगी।

3. अतः अनुरोध है कि उक्त हिदायतों की दृढ़ता से पालना के लिए अपने अधीन कार्य कर रहे कर्मचारियों/अधिकारियों के ध्यान में ला दिया जाये।

भवदीय,

हस्ता/-

अधीक्षक, सामान्य सेवायें शाखा-I,
कृते : मुख्य सचिव, हरियाणा सरकार।

पृष्ठांकन क्रमांक 18/1/90- जी.एस. I,

दिनांक 28-8-1990

एक प्रति हरियाणा के सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार को इस विभाग के अशा: क्रमांक 39/5/78-जी. एस. I, दिनांक 6-4-1978 के क्रम में सूचनार्थ तथा आवश्यक कार्यवाही के लिए भेजी जाती है।

हस्ता/-

अधीक्षक, सामान्य सेवायें शाखा-I,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

हरियाणा के सभी वित्तायुक्त/आयुक्त एवं सचिव,
हरियाणा सरकार।

अशा: क्रमांक 18/1/90-2 जी. सी. I,
मार्जिन

दिनांक 28-8-1990 ।

क्रमांक 1871-6 जी. एस. I, दिनांक 30-3-1973 ।
क्रमांक 11/10/80-2 जी. एस. I, दिनांक 10-10-80 ।
क्रमांक 18/1/87-2 जी. एस. I, दिनांक 7-5-87 ।

हरियाणा सरकार

सामान्य प्रशासन विभाग

(सामान्य सेवाएं)

अधिसूचना

दिनांक 5 जुलाई, 1991

सं० सा० का० नि० 44/सवि०/अनु० 309, 318 तथा 187/91- भारत के संविधान के अनुच्छेद 187 के खण्ड (3) के साथ पठित अनुच्छेद 309 के परन्तुक तथा अनुच्छेद 318 के खण्ड (ख) द्वारा प्रदान की गई शक्तियों तथा इस निमित्त उन्हें समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, भारत के राष्ट्रपति, हरियाणा विधान सभा के अध्यक्ष के परामर्श से इसके द्वारा सरकारी कर्मचारी (आचरण) नियम, 1966, को आगे संशोधित करने के लिये निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. ये नियम सरकारी कर्मचारी (आचरण) हरियाणा द्वितीय संशोधन नियम, 1991, कहे जा सकते हैं।
2. सरकारी कर्मचारी (आचरण) नियम, 1956 नियम 18 में-
 - (i) उप नियम (3) में, "2000 रुपये" अंकों तथा अक्षरों के स्थान पर, "10,000 रुपए" अंक तथा अक्षर रखे जायेंगे: और
 - (ii) उप नियम (5) में, स्पष्टीकरण में खण्ड (1) में, उप-खण्ड (i) में "2000 रुपए", अंकों तथा अक्षरों के स्थान पर, "10,000 रुपए", अंक तथा अक्षर रखे जायेंगे।

(हस्ताक्षर)

मुख्य सचिव, हरियाणा सरकार

[Authorised English Translation]

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
(GENERAL SERVICES)

Notification

The 5th July, 1991

No. GSR 44/Const./Arts. 309, 318 and 187/91-In exercise of the powers conferred by the proviso to article 309 and clause (b) of article 318 read with clause (3) of article 187 of the Constitution of India and all other powers enabling him in this behalf, the President of India in consultation with the Speaker of the Haryana Legislature Assembly hereby makes the following rules further to amend the Government Employees (Conduct) Rules, 1966, namely :-

1. These rules may be called the Government Employees (Conduct) Haryana Second Amendment Rules, 1991.
2. In the Government Employees (Conduct) Rules, 1966, in rule 18,—
 - (i) in sub-rule (3), for the letters and figures "Rs. 2,000", the letters and figures "Rs. 10,000", shall be substituted; and
 - (ii) in sub-rule (5), in the explanation, in clause (1), in sub clause (i) for the letters and figures "Rs. 2,000", the letters and figures "Rs. 10,000" shall be substituted.

Sd/-

Chief Secretary to Government, Haryana.

No. 18/7/90/2GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions
2. All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
3. Registrar, Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the 21-12-92.

Subject :- Government Employees (Conduct) Rules- Clarification thereof.

Sir,

I am directed to invite your attention to Sub Rule 2 of Rule 18 of the Government Employees (Conduct) Rules, 1966 according to which no Government employee shall except with the previous knowledge of the prescribed authority, acquire or dispose of any moveable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family. The scope of this provision has been engaging the attention of the State Government for sometime past and it is observed that this provision applies only to properties acquired etc. by the members of the service either in their own names or in the names of the members of their families.

In other words the properties either acquired by the members of the families of the employee from out of their own funds or inherited by them would not attracts the provision of these rules. As such the moveable/immoveable properties etc. owned by the members of the families of the employees which are either inherited by them or required by them from out of their own funds are not required to be included in the property returns envisaged in rule 18 of the Government Employees Conduct Rules, 1966. This may be brought to the notice of all concerned for information.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana

No. 18/7/90-2GSI

Dated Chandigarh, the 21/12/92

A copy is forwarded to the Accountant General, Haryana for information and necessary action.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana

Compendium of Instructions on Conduct & Duties—Vol. VI

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretary to Government, Haryana for information and necessary action.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana

To

All the Financial Commissioners/Commissioners and
Secretary to Government, Haryana

U.O.No. 18/7/90-2GSI

Dated Chandigarh, the 21-12-92

A copy is forwarded to the Principal Secretary/Addl. Principal Secretary/OSD/Secretaries/Private Secretaries to the Chief Minister/Ministers/Ministers of State for the information of the Chief Minister/Ministers/Ministers of State.

Sd/-

Deputy Secretary, General Administration
for Chief Secretary to Government, Haryana

To

The Principal Secretary/Addl. Principal Secretary/OSD/Secretaries/Private Secretaries to the Chief Minister/Ministers/Ministers of State.

U.O.No. 18-7-90/2GSI

Dated Chandigarh, the 21-12-92.

No. 18/2/96-2GSI

From

The Chief Secretary to Government, Haryana

To

1. All Commissioners of Divisions.
2. All Heads of Departments.
3. All Deputy Commissioners in the State.
4. All Managing Directors/Chief Administrators of Boards, Corporations and Federations in the State.
5. All Sub Divisional Officers (Civil) in the State.

Dated Chandigarh, the 5th June, 1996

Subject : Prohibition Policy-conduct of public servants.

Sir,

Your attention is invited to the policy of the Government to enforce prohibition strictly throughout the State of Haryana.

2. All public servants, including government employees, and employees of Boards, Corporations, Federations and Autonomous Bodies etc. which are wholly or essentially funded through government, shall strictly abide by the laws of prohibition enforced throughout the State. Any violation thereof would invite strict disciplinary action besides any penalty imposed under the general law.
3. Public servants are expected to provide a lead in the enforcement of prohibition policy through their personal conduct and demeanour. Besides abiding by the laws of prohibition, they are expected to set an example through abstinence and sobriety. It hardly needs reiteration that any public servant shall not present himself on duty or in a public place in a state of intoxication, nor shall be partake of drinks at a public place.
4. These instructions should be brought to the notice of all your subordinate offices for strict compliance. These will be equally applicable to all government servants as also the employees of Boards, Corporations, Federations and Autonomous Bodies etc. mentioned in para 2 infra.
5. The receipt of this circular may please be acknowledged.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana

Compendium of Instructions on Conduct & Duties—Vol. VI

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government, Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners
and Secretaries to Government, Haryana

U.N. No. 18/2/96-2GSI

Dated 5th June, 1996

A copy is forwarded to the Principal Secretary/Dy. Principal Secretary/O.S.D. to Chief Minister/Secretaries/Private Secretaries to Chief Minister/Ministers/Ministers of State/Chief Parliamentary Secretary.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Dy. Principal Secretary/O.S.D. to Chief Minister/Secretaries/Private Secretaries to Chief Minister/Ministers/Ministers of State/Chief Parliamentary Secretary.

U.N. No. 18/2/96-2GSI

Dated Chandigarh, the 5th June, 1996

—————

No. 5/27/95-2GSI

From

The Chief Secretary to Government, Haryana

To

1. All the Heads of Departments, Commissioners Ambala, Rohtak, Gurgaon and Hisar Divisions, all Deputy Commissioners and Sub-Divisional Officers, (Civil) in Haryana.
2. The Registrar, Punjab & Haryana High Court and all District & Sessions Judges in Haryana.

Dated Chandigarh, the March 18, 1997.

Subject :- S.L. Ps filed by the State of Haryana in the Hon'ble Supreme Court of India against the various judgements/orders of Hon'ble Punjab and Haryana High Court on the subject of equal pay for equal work.

Sir,

I am directed to refer to the Subject noted above and to say that some daily-wagers workings in the Public Health Department had filed a number of writ petitions in the Punjab & Haryana High Court praying that they should be paid the same salary as is being paid to regularly employed person holding similar posts in the services of State of Haryana. This prayer was granted by the Hon'ble High Court which directed the State of Haryana to pay to the daily wagers the same salary and allowances as are being paid to regular employees holding similar posts with effect from the dates they were employed on the posts held by them. Public Health Department filed SLPs in the Supreme Court of India against these orders passed by Hon'ble High Court in various writ petitions. Hon'ble Supreme Court of India in one such Civil Appeal No. 14223 of 1996 etc. filed by Public Health Department, Haryana against orders of Punjab & Haryana High Court in C.W.P. No. 15920 of 1994- State of Haryana versus Jasmer Singh & others has allowed the appeal of the Government setting aside the judgements/orders of High Court. The relevant portion of the judgement is reproduced below :-

"The respondents, therefore, in the present appeals who are employed on daily wages cannot be treated as on par with persons in regular service of the State of Haryana holding similar posts. Daily-rated workers are not required to possess the qualifications prescribed for regular workers, nor do they have to fulfil the requirement relating to age at the time of recruitment. They are not selected in the manner in which regular employees are selected. In other words, the requirements for selection are not as rigorous. There are also other provisions relating to regular service such as the liability of a member of the service to be transferred and his being subject to the disciplinary jurisdiction of the authorities as prescribed, which the daily-rated workmen are not subjected to. They cannot, therefore, be equated with regular workmen for the purpose for their wages. Nor can they claim the minimum of the regular pay-scale of the regularly employed.

The High Court was, therefore, not right in directing that the respondents should be paid the same salary and allowances as are being paid to regular employees holding similar posts with effect from the dates when the respondents were employed. If a minimum wage

Compendium of Instructions on Conduct & Duties—Vol. VI

is prescribed for such workers, the respondents would be entitled to it if it is more than what they are being paid."

I am to request you that the above decision of Hon'ble Supreme Court may please be brought to the notice of all the offices working under your kind control for information/strict compliances and any such case(s) where any daily-wager pray to pay same salary as is being paid to regular employee should be decided keeping in view the above decision of Hon'ble Supreme Court.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action to all Financial Commissioners and Secretaries/Commissioner & Secretaries to Government Haryana.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioner and Secretaries to Govt. Haryana.

U.O. No. 6/27/95-2GSI

Dated Chandigarh, the March 18, 1997

No. 18/1/96-2GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh. the 30-4-97

Subject : Declaration of Movable and Immovable Property-Submission of Property Return by Government Officials/Officers.

Sir,

I am directed to invite your attention to Rule 18 of the Government Employees (Conduct) Rules, 1966 and Government instructions issued in this regard vide letter No. 5733-GSI-72/40529, dated 29th December, 1977 and letter No. 18/2/88-2GSI, dated 20-4-88 and letters of even number dated 27-1-89 and 30-3-89, according to which every Government employee is required to submit the detail of his movable & immovable property to his appointing authority at the end of financial year in the form prescribed by the State Government.

2. It has come to the notice of the State Government that these mandatory Annual Property Returns are not being submitted by the officers/officials regularly nor is the matter being followed up by the Controlling Authority to ensure that the Property Returns are filed in time. There are instances where even Heads of Departments are not sending property Returns regularly. These are serious violations of Government employees Conduct Rules and standing Government instructions. The State Government views such lapses seriously. It is requested that all such officers/officials who have not submitted their Property Returns so far as should be asked to do so within a period of one month. If any officer fails to submit his Property Returns even thereafter, strict disciplinary action should be taken against him as per rules, and name of such defaulters communicated to the undersigned.

3. These instructions may be brought to the notice of all concerned for strict compliance.

Yours faithfully,
Sd/-

Under Secretary, General Administration
for Chief Secretary to Government Haryana.

Compendium of Instructions on Conduct & Duties—Vol. VI

No. 18/1/97-2GSI

Dated Chandigarh, the 30-4-97

A copy is forwarded to the Accountant General, Haryana for information and necessary action.

Sd/-

Under Secretary General Administration
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretary to Government Haryana for information and necessary action.

Sd/-

Under Secretary General Administration
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners/Commissioners
and Secretary to Government Haryana.

U.N. No. 18/1/97-2GSI

Dated Chandigarh, the 30-4-97

A copy is forwarded to the Principal Secretary/Addl. Principal Secretary/OSD/Secretaries/Private Secretaries to the Chief Minister/Ministers/Ministers of State for the information of Chief Minister/Ministers/Ministers of State.

Sd/-

Under Secretary, General Administration
for Chief Secretary to Government Haryana.

To

The Principal Secretary/Addl. Principal Secretary/OSD/Secretaries/Private Secretaries to the Chief Minister/Ministers/Ministers of State.

U.O. No. 18/1/97-2GSI

Dated Chandigarh, the 30-4-97

No. 2/10/97-2GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Departments,
Commissioners, Ambala, Rohtak, Gurgaon & Hisar, Divisions,
2. All the Deputy Commissioners and
All Sub Divisional Officers (Civil) in Haryana.
3. The Registrar, Punjab and Haryana High Court
Dated, Chandigarh the July 1, 1997.

Subject :- Expeditious disposal of Promotion cases.

Sir,

It is observed that inordinate delay place in processing of promotion cases, eroding efficiency and undermining motivation. Administrative Secretaries should ensure that promotions of deserving officers take place in time. For this and the present practice of considering such cases should be replaced by a more direct method. For this purpose in the month of November every year panel of all the anticipated vacancies of promotion quota up to 31st December of the next year shall be prepared. Assessment of individual worth and suitability shall be made in the meetings where the Joint/Deputy/ Under Secretary as well as Heads of Departments and Administrative Officer are present with the entire record. The Administrative Secretary shall record the minutes of the meeting and put up to the competent authority for approval under the rules of business. This will obviate the need to make back references and will cut all delays.

2. Such meetings can be taken again if the above mentioned panel for the whole year expires so that promotions are done well in time. The first meeting should be taken within one month from the date of issue of these instructions.
3. This matter had also been discussed in the meeting of Administrative Secretaries on 17th June, 1997.
4. These instructions may be brought to the notice of all concerned and the Heads of the Departments under your control for strict compliance.

Yours faithfully

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government, Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana

To

All the Financial Commissioners/Commissioners
and Secretaries to Government, Haryana.

U.O. No. 2/10/97-2GSI

Dated Chandigarh, the July 1, 1997

**IMMEDIATE
COURT DECISION**

No. 18/3/97-2GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, Commissioners
Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. All Deputy Commissioners and Sub-Divisional
Officers (Civil) in Haryana ; and
3. The Registrar,
Punjab & Haryana High Court, Chandigarh.
Dated Chandigarh, the 3rd June, 1998.

Subject :- Writ Petition (Criminal) Nos. 666-70 of 1992 with Criminal Misc. Petition Nos. 7321-31 of 1992-Vishaka and others Versus State of Rajasthan & others.

Sir,

I am directed to refer to the subject noted above and to say that Supreme Court of India while considering the write petitions cited at subject has observed that the civil and penal laws in force in India at present do not adequately provide for specific protection to women from sexual harassment in places of work. Taking note of the fact that the enactment of such legislation will take considerable time, Hon'ble Apex Court in its judgement in the writ petitions cited at subject has laid down detailed guidelines and norms specified hereinafter for due observance at all work places as well as for the other responsible persons or other institutions for the preservation and enforcement of the right to gender equality of the working women and to ensure the prevention of sexual harassment of women :-

1. Duty of the Employer or other responsible persons in work places and other institutions :

It shall be the duty of the employer or other responsible persons in work places or other institutions to prevent or deter the commission of acts of sexual harassment and to provide procedures for the resolution, settlement or persecution of acts of sexual harassment by taking all steps required.

2. Definition :-

For this purpose, sexual harassment includes such unwelcome sexually determined behaviour(whether directly or by implication) as :

- (a) physical contact and advances ;
- (b) a demand or request for sexual favours ;
- (c) sexually coloured remarks ;
- (d) showing pornography ;
- (e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Where any of these acts is committed in circumstances where under victim of such conduct has a reasonable apprehension that in relation to the victim's employment or work whether she is drawing salary, or honorarium or voluntary, whether in government, public or private enterprises such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory for instance when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or work including recruiting or promotion or when it creates a hostile work environment. Adverse consequences might be visited if the victim does not consent to the conduct in question or raises any objection thereto.

3. Preventive Steps :

All employers or persons in charge of work place whether in the public or private sector should take appropriate steps to prevent sexual harassment. Without prejudice to the generality of this obligation they should take the following steps :-

- (a) Express prohibition of sexual harassment as defined above at the work place should be notified, published and circulated in appropriate ways.
- (b) Appropriate work conditions should be provided in respect of work, leisure, health and hygiene to further ensure that there is no hostile environment towards women at work places and no employee woman should have reasonable grounds to believe that she is disadvantaged in connection with her employment.

4. Criminal Proceeding :

Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the employer shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

In particular, it should ensure that victim, or witness are not victimized or discriminated against while dealing with complaint of sexual harassment. The victims of sexual harassments should have the option to seek transfer of the perpetrator or their own transfer.

5. Disciplinary Action :

Where such conduct amounts to mis-conduct in employment as defined by the relevant service rules, appropriate disciplinary action should be initiated by the employer in accordance with those rules.

6. Complaint Mechanism :

Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism should be created in the employer's organization for redressal of the complaint made by the victim. Such complaint mechanism should ensure time bound redressal of complaints.

7. Complaints Committee :

The complaint mechanism, referred to in (6) above, should be adequate to provide, where necessary, a Complaint Committee, a special counsellor or other support service, including the maintenance of confidentiality.

The Complaints Committee should be headed by a woman and not less than half of its member should be women. Further, to prevent the possibility of any pressure or influence from senior levels, such Complaints Committee should involve a third party, either non-government official or other body who is familiar with the issue of sexual harassment.

The Complaints Committee must make an annual report to the Government department concerned of the complaints and action taken by them.

The employer and person in charge will also report on the compliance with the aforesaid guide lines including on the reports of the complaints Committee to the Government department.

8. Workers' Initiative :

Employees should be allowed to raise issues of sexual harassment at workers; meeting and other appropriate forum and it should be affirmatively discussed in Employer-Employee Meetings.

9. Awareness of the rights of female employees in this regard should be created in particular by prominently notifying the guidelines (and appropriate legislation when enacted on the subject) in a suitable manner.

10. Third Party Harassment :

Where sexual harassment occurs as a result of an act or commission by any third party or outsider, the employer and person in charge will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

2. The Hon'ble Apex Court has directed that the guidelines and norms specified above would be binding and enforceable in law until suitable legislation is enacted to occupy the field. You are accordingly requested to bring these to the notice of all officers/officials working under your control for their information and strict compliance. You are also requested to ensure necessary action for the implementation of guidelines & norms specified above. Complaints Committees as suggested may be constituted in every Department and should be duly notified.

Your faithfully

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners /Commissioners and Secretaries to Government Haryana with the requested to bring these instructions to the notice of all officers/officials working under their kind control for their information/necessary action & strict compliance.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries to Govt., Haryana.

U.O.No. 18/2/97-2GSI

Dated Chandigarh, the 3rd June, 1998.

Conduct Instructions

Endst. No. 18/2/97-2GSI

Dated Chandigarh, the 3rd June, 1998.

A copy is forwarded to the Member Secretary, Bureau of Public enterprises, Haryana, Chandigarh with the request to bring these instructions to the notice of all the Boards/Corporations and Public Undertakings for their information/necessary action and strict compliance.

Sd/-

Under Secretary, General Administration
for Chief Secretary to Government Haryana.

No. 18/3/97-2GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, Commissioners
Ambala, Hisar, Rohtak & Gurgaon Divisions ;
2. All Deputy Commissioners and Sub-Divisional
Officers (Civil) in Haryana ; and
3. The Registrar,
Punjab & Haryana High Court, Chandigarh

Dated Chandigarh, the 10th August, 1999.

Subject :- Amendment in Government Employees (Conduct) Rules, 1966 in pursuance of the judgement of Apex Court in Writ Petition (Criminal) Nos. 666-70 of 1992 with Criminal Misc. Petition Nos. 7021-31 of 1992-Vishaka and others Versus State of Rajasthan and Others.

Sir,

I am directed to refer to Haryana Government circular letter of even number dated 30th June 1998 on the subject noted above vide which detailed guidelines & norms specified in the judgement of Apex Court in the writ petition cited as subject were brought to your notice for due observance in the place of work in order to prevent sexual harassment of women.

2. One of the direction in the judgement of Apex Court was that the rules/regulations of the Government and Public Sector bodies relating to conduct & discipline should include rules/regulations prohibiting sexual harassment and provide for appropriate penalties against the offender. In compliance to it, the State Government has inserted the provision of prohibiting sexual harassment of working

women by the Government servants in the Government Employees (Conduct) Rules, 1966. A copy of the notification issued to this effect is appended herewith. You are requested to bring this to the notice of all officers/officials working under your kind control for their information and strict compliance.

Sd/-

Joint Secretary, General Administration
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners, Commissioners and Secretaries to Government Haryana with the request to bring these instructions to the notice of all officers/officials working under their kind control for their information & strict compliance.

Sd/-

Joint Secretary, General Administration
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

U.O. No. 18/3/97-2 GSI

Dated Chandigarh, the 10th August 1999

No. 18/3/99-2GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, Commissioners Ambala, Hisar, Rohtak and Gurgaon Divisions ;
2. The Registrar, Punjab & Haryana High, Court, Chandigarh ; and
3. All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.

Dated Chandigarh ,the 9th May, 2000

Subject :- Office bearers of Sports Associations-Clarification regarding .

Sir,

I am directed to refer to the subject noted above and to say that it has been observed by the State Government that several officers are holding position in more then one sports association at the cost of official work. There are instance where for the game sports of game, parallel association have been floated by the officer and there is an intense rivalry and even bad blood among those associations each of with claims to be a genuine association .Furthermore , the officers of the Sports Department belonging to a certain discipline hold position in associations relating to other discipline for instance,

a kabaddi coach may be holding a position in Athletics Association or Volley Ball Association. This tendency needs to be curbed with a heavy hand and discipline has to be ensured in the interest of official work and sports promotion in a healthy manner.

2. In All India Services (Conduct) Rules, 1968 which are applicable to the officers belonging to IAS/IPS, IFS, there are regulatory provisions for such participation. Officers belonging to those services are required to take prior permission of the Government in case they want to hold an elective officer and also inform the Government about their participation if they are taking part in a non elective organization.

3. The issue of farming guidelines in respect of officers/officials of the State Government holding position in various sports organization was engaging the attention of the State Government for some time past. After careful consideration of the matter, it has now been decided by the State Government that no Government officer/official will be a member/office bearer of more than one sports association at State level and one at National level. Accordingly, necessary provision has also been incorporated in the Punjab Government Employees (Conduct) Rules, 1966, as Applicable to the State of Haryana, a copy of which is appended herewith, with the request that this may be brought to the notice of all officers/officials working under your control for their information and compliance.

Your Faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government Haryana with the request to bring these instructions to the notice of all officers/officials working under their kind control for their information/necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana

To

All the Financial Commissioners/Commissioners and Secretaries to Government Haryana.

U.O.No. 18/3/99-2GSI

Dated Chandigarh, the 9th May, 2000.

Endst. No 18/3/99-2GSI

Dated Chandigarh, the 9th May, 2000.

A copy is forwarded to the Member Secretary, Bureau of Public Enterprises, Haryana, Chandigarh with the request to bring these instructions to the notice of all the Boards/Corporations and Public Undertakings for their information/necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

Immediate

SUPREME COURT MATTER

From

The Financial Commissioner & Secretary
to Govt. , Haryana, Health Department.

To

1. All Administrative Secretaries to Govt. Haryana,
2. All Divisional Commissioners in the State.
3. Registrar, Punjab & Haryana High Court, Chandigarh.

Memo No. 46/18/99-5HBII
Dated Chandigarh, the 26-11-2001.

Subject :- Regarding ban on smoking

Enclosed herewith please find a copy of letter No. 1502/1999/SC/PILC, dated 6.11.2001 from the Registrar General, Supreme Court of India, New Delhi alongwith copies each of the Hon'ble Supreme Court orders dated 31.8.2001, 28.9.2001 and 2.11.2001 in the CWP. No. 316 of 1999 on the above subject.

Hon'ble Supreme Court after considering all aspects has passed the orders on 2.11.2001 that after considering the adverse effect of smoking in public places, it would be in the interest of the citizens to prohibit the smoking in public places till the statutory provision is made and implemented by the legislative enactment. The persons not indulging in smoking cannot be compelled to or subjected to passive smoking on account of acts of the smokers.

Realising the gravity of the situation and considering the adverse effect of smoking on smokers and passive smokers, we direct and prohibit smoking in public places and issued directions to the Union of India, State Governments as well as the Union Territories to take effective steps to ensure prohibiting smoking in public places namely :-

1. Auditoriums
2. Hospital Buildings
3. Health Institutions
4. Educational Institutions
5. Libraries
6. Court Buildings
7. Public Offices
8. Public Conveyances including Railways.

You are therefore, requested to direct all Subordinate offices, organizations, institutions etc. under your administrative control to implement the above directions of the Hon'ble Supreme Court of India regarding prohibition of smoking on the above mentioned public places.

Conduct Instructions

Compliance report in this respect has to be filed in the Hon'ble Supreme Court with in five weeks from the date of passing of orders *i.e.* 2.11.2001. You are, therefore, requested to take immediate necessary action in the matter and send a report of the action taken in this regard by 30.11.2001 positively to this office.

It may be treated as most immediate.

Sd/

Under Secretary Health,
for Financial Commissioner & Secretary
to Govt. Haryana, Health Department.

No. 18/2/2001-2GSI

From

The Chief Secretary to Government Haryana.

To

1. The all Heads of Departments, Commissioners
Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. The Registrar,
Punjab & Haryana High Court, Chandigarh.
3. All the Deputy Commissioners and Sub-
Divisional Officers (Civil) in the Haryana State.

Dated Chandigarh, the 1st January, 2002.

Subject :- Regarding ban on Smoking.

Sir,

I am directed to invite your attention to the instructions contained in Haryana Government letter No.18/1/89- 2GS1, dated 8.3.89 *vide* which smoking was prohibited in all the public offices under the Government of Haryana and to state that it has come to the notice of the Government that these instructions are not being adhered to and the employees are still indulging in smoking while on duty which is highly deplorable on their part. Undisputedly, smoking is injurious to health and may not only affect adversely upon the health of smokers but also compels the non-smokers to be the helpless victims of air pollution. Smoking is a harmful habit and can lead to grave health hazards and other fatal diseases to the mankind. Realising the gravity of situation and considering the adverse effect of smoking on smokers and passive smokers, the Hon'ble Supreme Court of India, in CWP. No. 316 of 1999 has passed orders on 2.11.2001 prohibiting smoking in the public places namely :-

1. Auditoriums
2. Hospital Buildings

Compendium of Instructions on Conduct & Duties—Vol. VI

3. Health Institutions
4. Educational Institutions
5. Libraries
6. Court Buildings
7. Public Offices
8. Public Conveyances including Railways.

In order to implement the aforesaid orders of Hon'ble Supreme Court, Health Department Haryana has already issued instructions vide Memo. No. 46/18/99-5HBII, dated 26.11.2001 regarding prohibition of smoking in the above mentioned public places (Copy enclosed, enclosures there to not added)

2. Accordingly, I am to request you to bring these instructions to the notice of all the employees working under your kind control for strict compliance. Non-observance of these instructions will be viewed seriously by the Government.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana.

A Copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government Haryana for information and necessary action in the matter.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana.

To

The Financial Commissioners/Commissioners &
Secretaries to Government Haryana.

U.O.No. 18/2/2001-2GSI

dated Chandigarh, the 1st January, 2002.

Endst. No. 18/2/2001-2GSI

dated Chandigarh, the 1st January, 2002.

A copy is forward to the Director Public Relations Haryana for necessary action. It is requested to give *vide* publicity to this issue by electronics as well as print media to make the general public aware of ill-effects of smoking on health of human beings.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana.

[Authorised English Translation]

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
(GENERAL SERVICES)

Notification

The 3rd February, 2006

No. G.S.R.2Const/Art. 187,309 and 318/2006.-In exercise of the powers conferred by the proviso to article 309 and clause (b) of article 318, read with clause (3) of article 187 of the Constitution of India, the Governor of Haryana after consultation with the Speaker of the Haryana Legislative Assembly, hereby makes the following rules further to amend the Punjab Government Employees (Conduct) Rules, 1966, in their application to the State of Haryana, namely :—

1. These rules may be called the Punjab Government Employees (Conduct) Haryana Amendment Rules, 2006.

2. In the Punjab Government Employees (Conduct) Rules, 1966, after rule 13-A, following rule shall be added namely ;—

“13-B. Every Government employee after his marriage shall furnish a declaration to his Head of Department that he has not taken any dowry. The declaration shall be signed by his wife, father and father-in-law.”

MEENAXI ANAND CHAUDHRY,
Chief Secretary to Government, Haryana.

हरियाणा सरकार

सामान्य प्रशासन विभाग
(सामान्य सेवाएं)

अधिसूचना

दिनांक 3 फरवरी, 2006

संख्या सा. का. नि. 2/सवि./अनु. 187, 309 तथा 318/2006.—भारत के संविधान के अनुच्छेद 187 के खण्ड (3) के साथ पठित अनुच्छेद 309 के परन्तुक तथा अनुच्छेद 318 के खण्ड (ख) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, हरियाणा विधान मण्डल के अध्यक्ष से परामर्श के बाद, इसके द्वारा, पंजाब सरकार कर्मचारी (आचरण) नियम, 1966, को हरियाणा राज्यार्थ में आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. ये नियम पंजाब सरकार कर्मचारी (आचरण) हरियाणा संशोधन नियम, 2006, कहे जा सकते हैं।
2. पंजाब सरकार कर्मचारी (आचरण) नियम, 1966 में, नियम 13 - क के बाद, निम्नलिखित नियम रखा जाएगा, अर्थात् :—

“13 - ख. प्रत्येक सरकारी कर्मचारी अपने विवाह के बाद अपने विभागाध्यक्ष को घोषणा-पत्र प्रस्तुत करेगा कि उसने कोई दहेज नहीं लिया है। घोषणा-पत्र उसकी पत्नी, पिता तथा ससुर द्वारा हस्ताक्षरित किया जायेगा।”।

मीनाक्षी आनन्द चौधरी,
मुख्य सचिव, हरियाणा सरकार।

No. 18/1/2004-2GSI

From

The Chief Secretary to Government Haryana .

To

1. All Heads of Departments ; Commissioners, Ambala, Hisar, Gurgaon and Rohtak Divisions.
2. The Registrar ,Punjab and Haryana High Court , Chandigarh : and
3. All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.

Dated Chandigarh, the 21st February, 2006

Subject:- Prohibition of giving or taking of dowry amongst the Government employees – Seeking declaration from the Government employees .

Sir,

I am directed to refer to the subject noted above and to invite your attention to rule 13-A of the “The Government Employees (Conduct) Rules, 1966, which *inter alia* provides that Government employees are prohibited from giving or taking of dowry . In order to enforce the implementation of this rule, the State Government has decided to take a declaration from the unmarried candidates at the time of their entry in to Government service as per specimen appended herewith at Annexure “A”.

2. Further, attention is also is invited to rule 8(4) (1) of the Haryana Dowry Prohibition Rules ,2003 according to which every Government servant after his marriage is required to furnish a declaration is to his Head of the Department that he has not taken any dowry. This declaration is to be signed by his wife, father and father-in-law. On consideration of the matter ,the State Government has incorporated the aforesaid rule as rule 13-B in the ‘The Government Employees (Conduct) Rules, 1966, as well *vide* notification bearing No.G.S.R.2/Const./Art. 187, 309 and 318/2006, dated 3rd February, 2006 (copy enclosed).

In the wake of notification dated 3rd February, 2006 the State Government has decided that the Government employee, after his marriage ,shall furnish a declaration regarding non –acceptance of the dowry by him to his Head of the Department as per declaration at Annexure ‘B’.

3. These instructions may be brought to the notice of all concerned for their information and compliance.

Yours faithfully,
Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana

Conduct Instructions

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners and Principal Secretaries/
Commissioners and Secretaries to Government Haryana .

U.O.No.18/1/2004-2GSI

Dated Chandigarh, the 21st February, 2006.

Endst. No 18/1/2004-2GSI

Dated Chandigarh, the 21st February, 2006.

A copy is forwarded to all the Managing Directors of all the Boards / Corporations and Public Undertakings for their information.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana

A copy is forwarded to Principal Secretary /Additional Principal Secretary I & II/OSD-I&II/
Senior Special Private Secretary /Senior Secretary/ Private Secretary to Chief Minister /Deputy Chief
Minister/ Ministers for information.

Sd/-

Deputy Secretary, General Administration
for Chief Secretary to Government Haryana

To

Principal Secretary /Additional Principal Secretary I&II/OSD -I&II/Senior Special Private
Secretary /Senior Secretary / Private Secretary to Chief Minister / Deputy Chief Minister / Ministers.

U. O . No 18/ 1/2004.-2GSI

Dated Chandigarh, the 21st February, 2006.

Endst . No 18/2004-2GSI

Dated Chandigarh, the 21st February, 2006

A Copy is forwarded to all the Superintendents/ Section Officers/ Deputy Superintendents
and other Officers in Haryana Civil Secretariat and Financial Commissioner's office for information and
necessary action.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana.

Annexure-A

(Declaration to be taken at the time of entry into Government Service).

DECLARATION

WHEREAS the provision of Rule-13. A of the ‘The Government Employees (Conduct) Rules, 1966, (reproduced on the reverse) have been specifically brought to my notice;

AND whereas on date I am unmarried ;

NOW, therefore, Ido hereby undertake that I shall not :-

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

N.B: “dowry” shall the same meaning as in the "Dowry Prohibition Act, 1961.”

I ever in the full understanding that any breach of the rules or law relating to taking or abetting the taking of dowry shall render me liable for appropriate disciplinary action.

Place:

Signature

Name in Block Letters

Copy to:

(Name of Parent/ Guardian)

Address:

Rule 13A of the 'The Government Employees (Conduct) Rules, 1966'.

Prohibition of dowry : No Government employee shall –

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

Explanation: For the purpose of this rule, “dowry” has the same meaning as in the “Dowry Prohibition Act, 1961.”

Annexure-B

(Declaration to be given by the male Government employees after their marriage.)

WHEREAS I was married on.....(date of marriage).

NOW, therefore, in terms of the provisions of Rule 13-B of the ‘The Government Employees (Conduct) Rules, 1966, I, (Name of the Government employee), do hereby declare that I have not taken or abetted in the taking of any dowry. This declaration has also been signed by my wife, father and father-in-law.

Note: To be declared only if either, the father or father-in-law or both are not living on the date of declaration.

I declare and affirm that my father /my father-in-law /both my father and father-in-law, are not alive

Place :

Signature.....

(Name of the Government employee in Block letters with designation)

1. Signature of Father
2. Signature of wife
3. Signature of father-in-law.....

II

SEXUAL HARASSMENT

हरियाणा सरकार

सामान्य प्रशासन विभाग

(सामान्य सेवाएं)

अधिसूचना

दिनांक 11 जून, 1999

संख्या सा० का० नि० 60/सवि०/अनु० 187, 309 तथा 318/99. - भारत के सविधान के अनुच्छेद 187 के खण्ड (3) के साथ पठित अनुच्छेद 309 के परन्तुक तथा अनुच्छेद 318 के खण्ड (ख) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, हरियाणा विधान मण्डल के अध्यक्ष से परामर्श के बाद, जहां तक ऐसा परामर्श पूर्वोक्त उपबन्धों के अधीन आवश्यक है, इसके द्वारा पंजाब कर्मचारी (आचरण) नियम, 1966, को हरियाणा राज्यार्थ में आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. ये नियम पंजाब सरकार कर्मचारी (आचरण) हरियाणा संशोधन नियम, 1999, कहे जा सकते हैं।
2. पंजाब सरकार कर्मचारी (आचरण) नियम, 1966 में, नियम 3 के बाद, निम्नलिखित नियम रखा जाएगा, अर्थात् :-

“3क. कामकाजी महिलाओं के यौन-उत्पीड़न का निषेध - (1) कोई भी सरकारी कर्मचारी किसी भी महिला के कार्य-स्थल पर, उसके यौन उत्पीड़न के किसी भी कार्य में संलिप्त नहीं होगा।

(2) प्रत्येक सरकारी कर्मचारी, जो किसी कार्य स्थल का प्रभारी हो, उस कार्य-स्थल पर किसी भी महिला के यौन उत्पीड़न को रोकने के उपयुक्त कदम उठाएगा।

स्पष्टीकरण - इस नियम के प्रयोजन के लिए “यौन-उत्पीड़न” में प्रत्यक्ष या अन्यथा काम-वासना से प्रेरित कोई ऐसा अशोभनीय व्यवहार शामिल है, जैसे कि :-

- (क) शारीरिक स्पर्श तथा कामोदीप्त प्रणय सम्बन्धी चेष्टाएं ;
- (ख) यौन स्वीकृति की मांग अथवा प्रार्थना ;
- (ग) काम-वासना प्रेरित फलितियां कसना ;
- (घ) किसी कामोत्तेजक कार्य-व्यवहार, सामग्री का प्रदर्शन ; या
- (ङ) यौन सम्बन्धी कोई भी अन्य अशोभनीय शारीरिक, मौखिक या सांकेतिक आचरण”।

राम एस० वर्मा,
मुख्य सचिव, हरियाणा सरकार,

(Authorised English Translation)

HARYANA GOVERNMENT

GENERAL ADMINISTRATION DEPARTMENT

(GENERAL SERVICE)

Notification

The 11th June, 1999

No. G.S.R. 60/Const./Art. 187, 309 and 318/99.— In exercise of the powers conferred by the proviso to article 309 and clause (b) of article 318, read with clause (3) of article 187 of the Constitution of India, the Governor of Haryana after consultation with the Speaker of Haryana Legislative Assembly, in so far as such consultation is necessary under the aforesaid provisions, hereby makes the following rules further to amend the Punjab Government Employees (Conduct) Rules, 1966, in their application to the State of Haryana, namely :—

1. These rules may be called the Punjab Government Employees (Conduct) Haryana Amendment Rules, 1999.

2. In the Punjab Government Employees (Conduct) Rules, 1966, after rule 3 the following rules shall be inserted, namely :-

"3A. Prohibition of sexual harassment of working women-(1) No Government employee shall indulge in any act of sexual harassment of any woman at her work place.

(2) Every Government employee who is incharge 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, "sexual harassment" includes such unwelcome sexual determined behaviour, whether directly or otherwise, as :-

- (a) physical contact and advances ;
- (b) demand or request for sexual favours ;
- (c) making any sexually coloured remarks ;
- (d) showing any pornographic material ; and
- (e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature."

Sd/-

RAM S. VERMA,
Chief Secretary to Government Haryana.

No. 18/3/97-4GSHI

From

Chief Secretary to Government, Haryana.

To

1. All Heads of Departments, Commissioners Ambala, Hisar, Rohtak and Gurgaon Divisions
2. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana; and
3. The Registrar,
Punjab and Haryana High Court, Chandigarh.

Dated, Chandigarh the 5th October, 1999.

Subject : Complaint Committee constituted for Sexual Harassment of women at work place.

Sir,

I am directed to invite your attention to the Haryana Government's circular letter No. 18/3/92-2GS-I, dated 3rd June, 1998 *vide* which it was requested to constitute complaints committee in every department regarding prevention of Sexual Harassment of women at work places. The matter has further been examined by the Government and with a view to safeguard the dignity of the women and to ensure effective committee it has been further decided by the Government to incorporate the following provisions for the consideration of the existing complaints committees :-

1. Two more members may be included in the existing Departmental Committees as under :—
 - (i) One female member form non-Governmental Organization. Such a member could be from workers organization, women activities or lawyers or well versed with such cases of sexual harassment.
 - (ii) One male officer of gazetted category may also be included as member of the complaints committee.
2. It has also been decided that the findings of the complaints committee are to be followed by charge-sheet/disciplinary action and no other preliminary enquiry is to be held by the competent authority.
3. The complaints committee will adopt its own methodology for conducting an enquiry into a complaint as speedily and discreetly as possible it would ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints sexual harassment and that confidentiality is ensured.
4. I am accordingly to request you that suitable clauses kindly be interested in the departmental committee already constituted in case any department has not constituted the committee so far, the

same be constituted without any further delay.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana

A copy is forwarded to all the Financial Commissioners/Commissioner's & Secretaries to Government, Haryana, with the request to bring these instructions to the notice of all officials/working under their kind control for their information/necessary action and strict compliance.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana

To

All the Financial Commissioners & Secretary to Government,
Commissioners and Secretaries to Government, Haryana.

U.O. No. 18/3/97-4GS III

Dated Chandigarh, the 5th October, 1999.

Endst./No. 18/3/97-4GSIII

Dated Chandigarh, the 5th October, 1999.

A copy is forwarded to Member Secretary, Haryana Bureau of Public Enterprises, Chandigarh with the request to bring these instructions to the notice of all the Boards/Corporations and Public Undertakings for information/necessary action and strict compliance.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT

Notification

The 27th September, 1999

No. 5/1/98-4 GS.III - In partial modification of Haryana Government Notification No. 5/1/98-4 GS-III, dated 22nd December 1998, the Government of Haryana is further pleased to order as under :-

- I. The following are included as members of the said Committee :-
- (i) Ms. Manmohan Kaur, Secretary (Retd.) of Haryana Red Cross Society, Chandigarh.
 - (ii) Sh. Vijai Vardhan, IAS, Joint Secretary, Political Services.
- II. The findings of the Committee will be forwarded to the Competent Authority for initiating disciplinary proceedings. After the findings of the Complaints Committee is received, no other preliminary enquiry will be held by the competent Authority. On the basis of findings of the Compliants Committee the Competent Authority will issue charge-sheet or take any other action as the case may warrant against the delinquent.
2. The Complaints Committee will adopt its own methodology for conducting an enquiry into a compliant as speedily and discreetly as possible. In particular it would ensure that victims or witnesses are not victimised or discriminated against while dealing with complains with sexual harassment and that confidentiality is ensured.

RAM S. VARMA,
Chief Secretary to Government, Haryana

[Extract from Haryana Government Gazette, dated the 21st December, 1999]

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT

Notification

The 2nd December, 1999

No. 5/1/98-4 GS-III.— In partial modification of Haryana Government notification No. 5/1/98-4GS-III, dated 22nd December, 1998, the Governor of Haryana is further pleased to appoint Joint Secretary to Government, Haryana, General Administration Department as Member-Secretary by designation of the State Level Complaints Committee.

RAM S. VARMA,
Chief Secretary to Government, Haryana

Most Immediate

No. 5/2/2002-4 GS III

From

The Chief Secretary to Government Haryana.

To

1. All Heads of Departments Commissioners , Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. The Registrar, Punjab and Haryana High Court, Chandigarh.
3. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.

Dated Chandigarh, the 24 July, 2002.

Subject :- Protection of women from menace of sexual harassment at the work place-Status report regarding.

Sir,

I am directed to refer the State Government letter No. 18/3/97-2GSI, dated 3.6.1998 on the subject noted above in which it was conveyed that in order to implement the orders of the Hon'ble Supreme Court of India 1997 in the matter of Vishaka V. State of Rajasthan regarding protection of women from the menace of sexual harassment at Work place, the complaints committees be constituted in every department headed by a female member and not less than half of its members should be women. Necessary amendment in the Employees Conduct Rules in this regard. was also made. Now the National Commission for Women of the Government of India, has issued some guidelines and norms, concerning preventive steps by the Supreme Court of India. The Commission has also devised a Performa, a copy of which is enclosed for ready reference to ascertain the extent of the implementation of the guidelines by various departments/organizations. It is therefore, requested to send the information in the prescribed Performa within 7 days to the State Government so that the same also be forwarded to the Government of India within stipulated period.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners and Principal Secretaries and all the Administrative Secretaries to Government, Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

Sexual Harassment

To

All the Financial Commissioners and Principal Secretaries
and all Administrative Secretaries to Govt., Haryana.

U.O. No. 5/2/2002-4GSIII,

Dated Chandigarh, the 24 July, 2002.

A copy is forwarded to all the Branch Officer/Superintendents/ Deputy Superintendents of
Chief Secretaries/F.C. office for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Branch Officers/Superintendents/Deputy
Superintendents of Chief Secretary/F.C. Office.

U.O. No. 5/2/2002-4GSIII,

Dated Chandigarh, the 24 July, 2002.

HARYANA GOVERNMENT

GENERAL ADMINISTRATION DEPARTMENT

Notification

The 5th May, 2005

No. 5/2/2004-4GSIII.—In partial modification of Haryana Government Notification No. 5/1/98-4GSIII, dated 23rd December, 1998, the Governor of Haryana is pleased to appoint the following as Chairperson and Member of the State Complaint Committee :-

1. Smt. Promilla Issar, IAS, Financial Commissioner and Principal Secretary to Government Haryana, Labour and Employment Department as Chairperson in place of Smt. Veena Eagleton, IAS, (Retd. on 31st March, 2005).
2. Joint Legal Remembrancer and Joint Secretary to Government Haryana, Law and Legislative Department as Member in place of Smt. Navita Singh P.O., Tribunal-cum-Labour Court, Faridabad.

SUNILAHUJA,

Chief Secretary to Government, Haryana.

HARYANA GOVERNMENT

GENERAL ADMINISTRATION DEPARTMENT

Notification

The 12th July, 2005

No. 5/2/2004-4GSIII.—In partial modification of Haryana Government Notification No. 5/1/98-4GSIII, dated 23rd December, 1998, the Governor of Haryana is pleased to appoint Smt. Sudesh Sharma, Joint Legal Remembrancer, Law and Legislative Department (Retired), Resident of H.No. E/1, 54, P.U. Campus, Sector 14, Chandigarh, as Member of the State Level Sexual Harassment Complaints Committee in place of Ms. Manmohan Kaur, Member of this committee.

G MADHAVAN,

Chief Secretary to Government Haryana

No. 5/1/198-4GSIII

From

Chief Secretary to Government Haryana.

To

1. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. The Registrar, Punjab and Haryana High Court, Chandigarh.
3. All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana

Dated, Chandigarh the 6.10.2005

Subject :- Complaints Committee constituted for sexual Harassment of women at work place.

Sir,

I am directed to refer to Haryana Government's circular letter No. 18/3/97-4G.S.III, dated 5.10.99, on the subject noted above wherein it has been laid down that the findings of the complaints committee are to be followed by charge-sheet/disciplinary action and no other preliminary enquiry is to be held by the competent authority and the complaints committee will adopt its own methodology for conducting an enquiry into a complaint as speedily and discreetly as possible and also that in particular it would ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment and that confidentiality is ensured.

Now Hon'ble Supreme Court of India in Writ Petition (Criminal) No. 173-177 of 1999-Medha Kotwal Lele and other versus Union of India and others has passed following orders :-

"Complaints Committee as envisaged by the Supreme Court in its judgement in Vishaka's case, 1997 (6) SCC 241 at 253, will be deemed to be an inquiry authority for the purpose of Central Civil Services (Conduct) Rules, 1964, (hereinafter called CCS Rules) and the report for the complaints Committee shall be deemed to be an inquiry report under the CCS rules. Thereafter the disciplinary authority will act on the report in accordance with the rules. Similar amendments shall also be carried out in the Industrial Employment (Standing Order) Rules".

In the wake of the judgement of the Hon'ble Supreme Court, while reiterating the Government instructions under reference, I am also request you that suitable clauses may kindly be inserted in the orders/notification etc. constituting the departmental complaints Committee accordingly without any further delay.

Yours faithfully,

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions on Conduct & Duties — Vol. VI

A copy is forwarded to all the Financial Commissioners & Principal Secretaries/Commissioners & Secretaries to Government Haryana for information and necessary action.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana

To

All the Financial Commissioners & Principal
Secretaries/Commissioners & Secretaries to Government Haryana.

U.O.No. 5/1/98-4GSIII

Dated, Chandigarh, the 6.10.2005

A copy each is forwarded to the Principal Secretary/Additional Principal Secretary-I/
Additional Principal Secretary-II/OSD-I/OSD-II/Sr. Special Private Secretaries/Sr. Private Secretaries/
Private Secretaries to Chief Minister/Deputy Chief Minister/Ministers for the information of Chief
Minister/Ministers.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Additional Principal Secretary-I/
Additional Principal Secretary-II/OSD-I/OSD-II/Sr. Special Private
Secretaries/Sr. Private Secretaries/Private Secretaries to Chief
Minister/Deputy Chief Minister/Ministers.

U.O.No. 5/1/98-4GSIII

Dated, Chandigarh, the 6.10.2005

Endst. No. 5/1/98-4GSIII

Dated, Chandigarh, the 6.10.2005

A copy is forwarded to the Secretary, Haryana Public Service Commission, Chandigarh for
information and necessary action.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

Endst. No. 5/1/98-4GSIII

Dated, Chandigarh, the 6.10.2005

A copy is forwarded to the Secretary, Haryana Staff Selection Commission, Chandigarh for
information and necessary action.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

Endst. No. 5/1/98-4GSIII

Dated, Chandigarh, the 6.10.2005

A copy is forwarded to the Member Secretary, Haryana Bureau of Public Enterprises,
Chandigarh with the request to bring these instructions to the notice of all the Boards/Corporations
and Public Undertakings for information/necessary action and strict compliance.

Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
Notification

The 14th March, 2006

No. 5/1/2001-4GSIII.— Pursuant to the judgement of the Hon'ble Supreme Court of India in Writ Petition (Criminal) Nos. 666-670 of 1992 with Civil Misc. Petition Nos. 7021-31 of 1992. Vishaka and others V/s State of Rajasthan and others and the proceedings dated 17th January, 2006 of the Apex Court in Writ Petition (Criminal) No. 173-177 of 1999-Medha Lele and others V/s Union of India and others, the Governor of Haryana is pleased to appointed Director, Women and Child Development Departments as Nodal Officer for dealing with issues concerning protection to women from Sexual Harassment in places of work. The Nodal Officer will collect the details and give suitable directions whenever necessary. He/She will also coordinate the steps taken in this regard.

MEENAXI ANAND CHAUDHRY,
Chief Secretary to Government, Haryana.

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
Notification

The 2nd June, 2006

No. 5/2/2004-4GS-III.— In partial modification of Haryana Government, Notification No. 5/1/98-4GS-III, dated 23rd December, 1998, the Governor of Haryana is pleased to appoint Shri V.P. Gupta, Joint Legal Remembrance, Law and Legislative Department, as member of the State Level Sexual Harassment Complaints Committee, in place of Shri G.S. Kotla, Joint Legal Remembrance, Law and Legislative Department (since retired).

PREM PRASHANT,
Chief Secretary to Government, Haryana.

HARYANA GOVERNMENT

GENERAL ADMINISTRATION DEPARTMENT

Notification

The 19th March, 2007

No. 5/2/2004-4GS-III.— In partial modification of Haryana Government, Notification No. 5/1/98-4GS-III, dated 23rd December, 1998, the Governor of Haryana is pleased to appoint Mrs. Dheera Khandelwal, Special Secretary to Government Haryana, Political and Services Department as member of the State Level Sexual Harassment Complaint Committee, in place of Smt. Manju Gupta, IAS, who has since retired from service.

PREM PRASHANT,
Chief Secretary to Government, Haryana.

HARYANA GOVERNMENT

GENERAL ADMINISTRATION DEPARTMENT

Notification

The 17th June, 2007

No. 5/2/2004-4GS-III.— In partial modification of Haryana Notification No. 5/2/2004-4GS-III. dated 2nd June, 2006, the Governor of Haryana is pleased to substitute the following as member of the State Level Sexual Harassment Complaints Committee in place of Shri V.P. Gupta, Addl. Legal Remembrancer and Special Secretary to Government Haryana, Law and Legislative Department :—

Representative of Legal Remembrance,

Law and Legislative Department.

(not below rank of Deputy L.R.)

PREM PRASHANT,
Chief Secretary to Government of Haryana

HARYANA GOVERNMENT

GENERAL ADMINISTRATION DEPARTMENT

Notification

Dated Chandigarh, the 20th March, 2008

No. 5/2/2004-4GS-III. In partial modification of Haryana Notification No. 5/2/2004-4GS-III. dated 5th May, 2005, the Governor of Haryana is pleased to appoint Smt. Firoza Mehrotra, IAS, Financial Commissioner & Principal Secretary to Government Haryana, Home Department as Chairperson

of the State Level Sexual Harassment Complaints Committee in place of Smt. Promilla Issar, IAS who has since retired from service.

DHARM VIR

Chief Secretary to Government, Haryana.

No. 5/2/2004-4GSIII

Dated, Chandigarh, 20th March, 2008

A copy is forwarded to the Controller, Printing and Stationery Department, Haryana, Chandigarh for publishing this notification in the next issue of Haryana Government Gazette. He is also requested to supply 50 spare printed copies thereof to this department immediately.

Sd/-

Superintendent General Services-III,
for Chief Secretary to Government, Haryana.

No. 5/2/2004-4GSIII

Dated, Chandigarh, the 20th March, 2008

A copy is forwarded to Smt. Firoza Mahrotra, IAS, Financial Commissioner & Principal Secretary to Government Haryana, Home Department for information.

Sd/-

Superintendent General Services-III,
for Chief Secretary to Government, Haryana.

No. 5/2/2004-4GSIII

Dated, Chandigarh, the 20th March, 2008

A copy each is forwarded to all the Members of the State Level Sexual Harassment Complaints Committee for information and necessary action.

Sd/-

Superintendent General Services-III,
for Chief Secretary to Government, Haryana.

HARYANA GOVERNMENT

GENERAL ADMINISTRATION DEPARTMENT

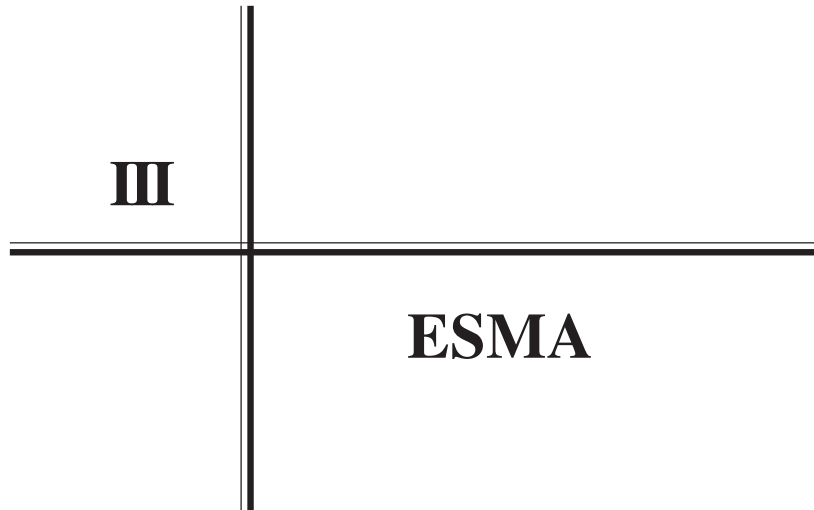
Notification

The 9th April 2009

No. 5/2/2004-4GS-III- In partial modification of Haryana Notification No. 2/5/2004-4GS-III, dated 20th March, 2008, the Governor of Haryana is pleased to appoint Smt. Anuradha Gupta, IAS, Financial Commissioner & Principal Secretary to Government Haryana, Health Department as Chairperson of the State Level Sexual Harassment Complaints Committee in place of Smt. Firoza Mehrotra, IAS.

DHARAM VIR,

Chief Secretary to Government, Haryana.



PART - I

LEGISLATIVE DEPARTMENT

Notification

The 16th April, 1981

No. Leg. 1581.- The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 16th April, 1981 and is hereby published for general information—

Haryana Act No. 12 of 1981

THE HARYANA ESSENTIAL SERVICES MAINTENANCE (AMENDMENT) ACT, 1981

AN

ACT

to amend the Haryana Essential Services Maintenance Act, 1974

Be it enacted by Parliament in the thirty-second Year of the Republic of India as follows :—

1. *Short title :* This Act may be called the Haryana Essential Services Maintenance (Amendment) Act, 1981.

2. *Amendment of section 2 of Haryana Act 40 of 1974:* In section 2 of the Haryana Essential Services Maintenance Act, 1974 (hereinafter referred to as the principal Act), after clause (c), the following clause shall be inserted, namely :-

(d) “strike” means the cessation of work by a body of persons employed in any employment or class of employment to which this Act applies acting in combination, or a concerted refusal, or a refusal under a common understanding, of any number of persons, who are or have been so employed to continue to work or to accept employment, and includes—

- (i) mass casual leave in pursuance of a common understanding among the persons who avail themselves of such leave, or under the direction of any other person or persons ;
- (ii) refusal to work overtime where such work is necessary for the maintenance or work in any employment to which this Act applies; or
- (iii) any other conduct which is likely to result in, or results in, cessation or substantial retardation of work in any employment to which this Act applies’.

4. *Insertion of Section 4-A in Haryana Act 40 of 1974:* After section-4 of principal Act, the following section shall be inserted, namely-

“4A. *Power to prohibit strike :-* (1) If the Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special order, prohibit strikes in any employment or class of employment to which this Act applies.

(2) An order made under sub-section (1) shall be published in such manner as the Government considers sufficient to bring it to the notice of the person affected by the order and shall remain in force for a period of six months.

Compendium of Instructions on Conduct Rules—Vol. VI

Provided that the Government may, by alike order, extend it for any period not exceeding six months, it is satisfied that in the public interest it is necessary or expedient so to do.

- (3) Upon the issue of the order under sub-section (1),-
- (a) no person employed in any employment or class of employment to which this Act applies and to whom the order relates shall go, or remain on strike; and
 - (b) any strike declared or commenced, whether before or after the issue of the order, by persons employed in any such employment, shall be illegal”.

Amendment of section 5 of Haryana Act 40 of 1974-In sub-section (1) or section 5 of the principal Act,-

- (i) in clause (b), the word “or” occurring at the end shall be omitted; and
- (ii) after clause (c), the following clauses shall be inserted, namely :-
 - “(d) himself takes part in, instigate or incites other persons to take part in, or otherwise acts in furtherance of any illegal strike; or
 - (e) knowingly expends or supplies any money in furtherance or support of any illegal strike”.

5. *Amendment of section 7 of Haryana Act 40 of 1974*:—For sub-section (4) of section 7 of the principal Act, the following sub-section shall be substituted, namely :-

“(4) The offences under this Act shall be cognizable and non-bailable.”

6. *Repeal*:—The Haryana Essential Services Maintenance (Amendment) Ordinance, 1981 (Haryana Ordinance No.3 of 1981), is hereby repealed.

A. N. AGGARWAL,

Assistant Legal Remembrance and Under
Secretary to Government, Haryana,
Legislative Department.

PART IV

REPUBLICATION OF ACTS, BILLS, ORDINANCES ETC. AND RULES THEREUNDER

[Assented to on 23rd September, 1981]

[Act No. 40 of 1981]

THE ESSENTIAL SERVICES MAINTENANCE ACT, 1981

AN

ACT

to provide for the maintenance of certain essential services and the normal life of the community

Be it enacted by Parliament in the Thirty-Second Year of the Republic of India as follows :—

1. *Short title, extent, commencement and duration:*—(1) This Act may be called the Essential Services Maintenance Act, 1981.

(2) It extends to the whole of India:

Provided that it shall not apply to the State of Jammu and Kashmir in so far as it relates to any essential service connected with matters with respect to which Parliament has no power to make laws for that State.

(3) Sections 8 and 9 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 26th day of July, 1981.

(4) It shall cease to have effect on the expiry of four years from the date on which this Act receives the assent of the President except as respects things done or omitted to be done before such cesser of operation of this Act, and Section 6 of the General Clauses Act, 1897 [10 of 1897) shall apply upon such cesser of operation of this Act as if it had then been repealed by a Central Act.

2. *Definitions :*— (1) In this Act, unless the context otherwise requires,—

(a) “essential service” means—

(1) any postal, telegraph or telephone service, including any service connected therewith;

(i) any railway service or any transport service for the carriage of passengers or goods by air or any other transport service for the carriage of passengers or goods by land or water with respect to which Parliament has power to make laws;

(ii) any service connected with the operation or maintenance of aerodromes, or with the operation, repair or maintenance of aircraft, or any service in the International Airports Authority of India constituted under Section 3 of the International Airports Authority Act, 1971; (43 of 1971)

(iii) any service in, or in connection with the working of, any major port, including any service connected with the loading, unloading, movement or storage of goods in any such port ;

(iv) any service connected with the clearance of goods or passengers through the customs or with the prevention of smuggling;

- (v) any service in any establishment, of, or connected with, the armed forces of the Union or in any other establishments or installations connected with defence ;
- (vi) any service in any establishments or undertaking dealing with the production of goods required for any purpose connected with defence;
- (vii) any service in any section of any industrial undertaking pertaining to a scheduled industry on the working of which the safety of such undertaking or the employees employed therein depends.

Explanation:— For the purposes of the sub-clause, the expressions “industrial undertaking” and “scheduled industry” shall have the meanings respectively assigned to them in clauses (d) and (i) of Section 3 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

- (viii) any service in, or in connection with, the working of any undertaking owned or controlled by the Central Government being an undertaking engaged in the purchase, procurement, storage, supply or distribution of food grains ;
 - (ix) any service in, or in connection with the working of, any system of public conservancy, sanitation or water-supply, hospitals or dispensaries, in any Union Territory, cantonment area or undertaking owned or controlled by the Central Government;
 - (x) any service in connection with or in relation to banking;
 - (xi) any service in any establishment or undertaking dealing with the productions, supply or distribution of coal, power, steel or fertilizers ;
 - (xii) any service in any oilfield or refinery or in any establishment or undertaking dealing with the production, supply or distribution of petroleum and petroleum products ;
 - (xiii) any service in any mint or security press;
 - (xiv) any service in connection with elections to Parliament or to the Legislatures of the States ;
 - (xv) any service in connection with the affairs of the Union, not being a service specified in any of the foregoing sub-clauses ;
 - (xvi) any other service connected with matters with respect to which Parliament has power to make laws and which the Central Government being of opinion that strikes therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community may, by notification in the Official Gazette, declare to be an essential service for the purposes of this Act;
- (b) “strike” means the cessation of work by a body of persons while employed in any essential service acting in combination or a concerted refusal or a refusal under a common understanding of any number of persons who are or have been so employed to continue to work or to accept work assigned, and includes -

- (i) refusal to work overtime where such work is necessary for the maintenance of any essential service;
 - (ii) any other conduct which is likely to result in, or results in, cessation or substantial retardation of work in any essential service;
- (c) words and expressions used in sections 8 and 9 and not defined, but defined in the Industrial Disputes Act, 1947 [14 of 1947] shall have the meanings respectively assigned to them in that Act.
- (2) Every notification issued under sub-clause (xvii) of clause (a) of sub-section (1) shall be laid before each House of Parliament immediately after it is made if it is in session and on the first day of the commencement of the next session of the House if it is not in session, and shall cease to operate at the expiration of forty days from the dates of its being so laid or from the re-assembly of Parliament, as the case may be, unless before the expiration of that period a resolution approving the issue of the notification is passed by both Houses of Parliament.

Explanation.- Where the Houses of Parliament are summoned to re-assemble on different dates, the period of forty days shall be reckoned from the later of those dates.

- (3) Any reference in this Act to any law which is not in force in any area and to any authority under such law shall, in relation to that area, be construed as a reference to the corresponding law in force in that area and to the corresponding authority under such corresponding law.

3. *Power to prohibit strikes in certain employments:*— (1) If the Central Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special Order, prohibit strikes in any essential service specified in the Order.

(2) An Order made under sub-section (1) shall be published in such manner as the Central Government considers best calculated to bring it to the notice of the persons affected by the Order.

(3) An Order made under sub-section (1) shall be in force for six months only, but the Central Government may, by a like Order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary or expedient so to do.

(4) Upon the issue of an Order under sub-section (1),—

- (a) no person employed in any essential service to which the Order relates shall go or remain on strike;
- (b) any strike declared or commenced whether before or after the issue of the Order, by persons employed in any such service shall be illegal.

4. *Dismissal of employees participating in illegal strikes:*— Any persons,-

- (a) who commences a strike which is illegal under this Act or goes or remains on, or otherwise takes part in, any such strike ; or
- (b) who instigates or incites other persons to commence, or go or remain on, or otherwise take part in, any such strike, shall be liable to disciplinary action (including dismissal) in

accordance with the same provisions as are applicable for the purpose of taking such disciplinary action (including dismissal) on any other ground under the terms and conditions of service applicable to him in relation to his employment.

5. *Penalty for illegal strikes :-* Any person who commences a strike which is illegal under this Act or goes or remains on, or otherwise takes part in, any such strike shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

6. *Penalty for instigation” etc. :-* Any person who instigates or incites other persons to take part in, or other- wise acts in furtherance of, a strike which is illegal under this Act shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

7. *Penalty for giving financial aid to illegal strikes :-* Any person who knowingly expends or supplies any money in furtherance or supports of a strike which is illegal under this Act shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

8. *Power to prohibit lock-out in certain establishments:-* (1) If the Central Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special Order, prohibit lock-outs in any establish-ment pertaining to any essential service specified in the Order.

(2) An Order made under sub-section (1) shall be published in such manner as the Central Government considers best calculated to bring it to the notice of the persons affected by the Order.

(3) An Order made under sub-section (1) shall be in force for six months only, but the Central Government may, by a like Order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary so to do.

(4) Upon the issue of an Order under sub-section (1),—

- (a) no employer in relation to an establishment to which the Order applies shall commence any lock-out;
- (b) any lock-out declared or commenced whether before or after the issue of the Order by any employer in relation to an establishment to which the Order applies shall be illegal.

(5) Any employer in relation to an establishment who commences, continues or otherwise acts in furtherance of a lock-out which is illegal under this section, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

9. *Power to prohibit lay-off in certain establishments :—* (1) If the Central Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special Order prohibit lay-off, on any ground other than shortage of power or to natural calamity, of any workman (other than a badli workman or casual workman) whose name is borne on the muster rolls of any establishment pertaining to any essential service specified in the Order.

(2) An Order made under sub-section (1) shall be published in such manner as the Central Government considers best calculated to bring it to the notice of the persons affected by the Order.

(3) An Order made under sub-section (1) shall be in force for six months only, but the Central Government may, by a like Order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary or expedient so to do.

(4) Upon the issue of an Order under sub-section (1),—

- (a) no employer in relation to an establishment to which the Order applies shall lay-off or continue the lay-off of any workman (other than a badli workman or a casual workman) whose name is borne on the muster rolls of such establishment unless such lay-off is due to shortage of power or to natural calamity and any laying-off or continuation of laying-off shall, unless such laying-off or continuation of laying-off is due to shortage of power or to natural calamity, be illegal;
- (b) a workman whose laying-off is illegal under clause (a) shall be entitled to all the benefits under any law for the time being in force as if he had not been laid off.

(5) Any employer in relation to an establishment who lays-off or continues the laying-off of any workman shall, if such laying-off or continuation of laying-off is illegal under this section, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

10. *Power to arrest without warrant :-* Notwithstanding anything contained in the Code of Criminal Procedure 1973, [2 of 1974] any police officer may arrest without warrant any person who is reasonably suspected of having committed any offence under this Act.

11. *Offences to be tried summarily.* - Notwithstanding anything contained in the Code of Criminal Procedure, 1973, [2 of 1974] all offences under this Act shall be tried in a summary way by any Metropolitan Magistrate, or any Judicial Magistrate of the First Class specially empowered in this behalf by the State Government and the provisions of sections 262 to 265 (both inclusive) of the said Code shall, as far as may be, apply to such trial:

Provided that in a case of conviction for any offence in a summary trial under this section, it shall be lawful for the Magistrate to pass a sentence of imprisonment for any term for which such offence is punishable under this Act.

12. *Act to override other laws :-* The provisions of this Act and of any Order issued there under shall have effect notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act, 1947 [14 of 1947] or in any other law, for the time being in force.

13. *Amendment of Act 41 of 1980 :-* During the continuance in force of this Act, the Essential Services Maintenance (Assam) Act, 1980, shall have effect as if,—

- (a) in section 2,—
 - (1) in sub-section (1),—

- (i) clause (a) had been omitted;
- (ii) for clause (b), the following clauses had been substituted, namely:-

‘(b) “essential service” means-

- (i) any transport service for the carriage of passengers or goods, by land or water, with respect to which the Legislative Assembly of the State of Assam has power to make laws;
- (ii) any service connected with the production, storage, supply or distribution, as the case may be, of gas or water ;
- (iii) any service connected with the maintenance of public health and sanitation, including hospitals and dispensaries ;
- (iv) any public services and posts in connection with the affairs of the State, and also persons appointed to the secretarial staff of the Legislative Assembly of the State of Assam;
- (v) any other service or employment or class thereof, connected with the matters with respect to which the Legislative Assembly of the State of Assam has power to make laws and which the State Government, being of opinion that strikes therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of the supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community, may, by notification in the Official Gazette, declare to be an essential service for the purposes of this Act;

(bb) “State Government” means the State Government of Assam ;

(2) in sub-section (2), for the words, brackets and figures “under sub-clause (xiv)” the words, brackets and figure “under sub-clause (v)” had been substituted ;

(b) in sections 3 and 9, for the words “appropriate Government”, wherever they occur, the words, “State Government” had been substituted’.

14. *Repeal and saving* :- (1) The Essential Services Maintenance Ordinance, 1981 [14 of 1981] is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

IV

PUNCTUALITY

Copy of Punjab Government Circular letter No. 9676-8GS-62/23655, dated 19th July, 1962 from the Chief Secretary to Government Punjab to all Heads of Departments, etc., etc.

Subject :- Observance of punctuality in office-attendance.

I am directed to say that it has come to the notice of Government that officers serving in non-judicial or executive courts do not observe the office timings laid down by the Government in as much as they usually come late in the morning, observe a break for lunch sometimes for 2 or 3 hours and sit late after office hours, thereby causing unnecessary harassment and inconvenience to the litigants and the bar. This casts a poor reflection on the officers and also brings a bad name to the administration. I am, therefore, to request you to point this out to all officers concerned and to look into the matter personally to ensure punctual attendance of the officers in future.

2. The receipt of this communications may kindly be acknowledged.

Copy of circular letter No. 1946-8GS-63/6399, dated the 16th February, 1963 from Shri Saroop Krishan, I.C.S. Financial Commissioner Planning and Additional Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject :- Observance of punctuality in keeping appointments.

I am directed to say that it has been brought to the notice of the Government that some district officers particularly of the Revenue, Irrigation and Police Departments arrange appointments with members of the public at outstations but later cancel their programme and do not keep the appointments or reach the place of appointments with delay. This result in great inconveniences and disappointment to the public and is open to objection. It is, therefore, requested that all officers under yours control should be instructed to take particular care and to keep such appointments, and in case it becomes absolutely necessary for administrative reason to cancel the appointments/programmes, information should be sent to the persons concerned at least 12 hours in advance. I am to add that contravention of these instructions will be viewed very seriously by the Government.

2. The receipt of this communication may please be acknowledged.

Copy of Punjab Government Circular letter No. 8484-6GS-63/23957, dated 3rd July, 1963 from the Chief Secretary to Government Punjab to all Heads of Departments, etc., etc.

Subject :- Observance of punctuality in keeping appointments.

I am directed to invite your attention to Punjab Government letter No. 1946-8GS-6299, dated the 16th February, 1963, on the subject cited above and to say that the State Government have received complaints that the instructions contained therein are not being fully observed. I am accordingly to request that steps should be taken to ensure that they are implemented strictly in future. It may be noted that these instructions apply to district officers as well as to others and all such officers should make it a point to adhere to the appointments fixed by them for meetings.

Interviews, hearing of cases etc. whether at the headquarters or in camp. I am also to emphasis, that Government will take serious notice of cases of non-compliance with these instructions in future.

Compendium of Instructions on Conduct Rules—Vol. VI

No. 27/8/88-4GSII

From

The Chief Secretary to Government, Haryana

To

- (1) All Heads of Departments, Commissioners Ambala & Hissar Divisions, all Deputy Commissioners and Sub Divisional Officers (C) in Haryana.
- (2) The Registrar, Punjab and Haryana High Court and all District & Sessions Judges, in Haryana.

Dated Chandigarh the 6th September, 1988.

Subject :- Punctuality in Government Offices.

Sir,

I am directed to address you on the subject noted above and to say that the availability of two weekly holidays of Saturday Sunday tends the Government employees to apply for station leave during the holidays to enable them to attend to house hold affairs. While there is no limitation on the number of such outstation visits, tendency to leave early and arrive late on the working days preceding/succeeding the days of station leave causes lot of inconvenience to the public and consequential embarrassment to Government. To observe discipline in offices I am desired to request you to please ensure strict punctuality on the part of Government employees in attending offices and to see that no employee come late to office or leaves early on working days unless there are sufficient reasons and proper permission/short leave has been obtained, in advance. Further senior and supervisory officers may also be advised to set an example for their subordinates as they have to exercise effective check in this behalf.

2. These instructions may please be brought to the notice of all the Government employees under your control for strict compliance.

3. The receipt of this letter may please be acknowledged.

Yours faithfully,

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Administrative Secretaries to Government, Haryana for information and compliance.

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners and
Administrative Secretaries to Govt., Haryana.

U.O.No. 27/8/88-4GSII

Dated Chandigarh, the 6.9.1988

क्रमांक 27/6/90-2 जी. एस. II

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में,

सभी विभागाध्यक्ष, आयुक्त अम्बाला, रोहतक,
गुड़गांव व हिसार मण्डल तथा सभी उपायुक्त एवं
उप मण्डल अधिकारी (सिविल) हरियाणा राज्य में।

दिनांक चण्डीगढ़, 28 मई, 1991

विषय :- Working hours of Haryana Government Offices.

महोदय,

मुझे निर्देश हुआ है कि मैं आपका ध्यान हरियाणा सरकार के पत्र क्रमांक 27/6/90-2 जी०एस०-II, दिनांक 30.4.90 की ओर दिलाते हुए यह स्पष्ट करूं कि हरियाणा राज्य के सभी फील्ड कार्यालयों का कार्यालय समय मई से जुलाई के दौरान प्रातः 7.00 बजे से 1.30 बजे तक बिना लन्च ब्रेक के रहेगा तथा मास के सभी शनिवार कार्य दिवस होंगे। वर्ष 1991 की छुट्टियों की अधिसूचना क्रमांक 27/11/90-2 जी०एस०-II, दिनांक 19.11.90 में जहां पर लिखा गया कि फील्ड कार्यालय में मई से जुलाई तक के समय में दूसरे शनिवार को छुट्टी रहेगी, उपरोक्त अनुसार संशोधित समझा जाये। अर्थात् यह पुनः स्पष्ट किया जाता है कि फील्ड कार्यालयों का समय मई से जुलाई के दौरान प्रातः 7.00 बजे से 1.30 बजे तक बिना लन्चब्रेक रहेगा व मास के सभी शनिवार कार्य दिवस (working days) होंगे, पहले सरकार के पत्र क्रमांक 27/6/90-2 जी०एस०-II, दिनांक 30.4.90 में सूचित किया गया था।

इस आदेशों की दृढ़ता से पालन की जाए।

भवदीय

हस्ता / -

अधीक्षक, सामान्य सेवाएं - II,
कृते : मुख्य सचिव, हरियाणा सरकार।

पृष्ठांकन क्रमांक 27/6/90-2 जी०एस०-II

दिनांक चण्डीगढ़ 28 मई, 1991

इसकी एक प्रति रजिस्ट्रार पंजाब तथा हरियाणा हाईकोर्ट चण्डीगढ़ सूचनार्थ भेजी जाती है।

हस्ता / -

अधीक्षक, सामान्य सेवाएं - II,
कृते : मुख्य सचिव, हरियाणा सरकार।

इसकी एक प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है :-

1. सभी वित्तायुक्त एवं सभी प्रशासकीय सचिव, हरियाणा सरकार ।
2. राज्यपाल महोदय के सभी सलाहकार व सचिव, राज्यपाल, हरियाणा।
3. आयुक्त एवं विशेष प्रतिनिधि हरियाणा सरकार, हरियाणा भवन, कोपर निकस मार्ग, नई दिल्ली ।

हस्ता / -

अधीक्षक सामान्य सेवाएं - II,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी वित्तायुक्त एवं सभी प्रशासकीय सचिव, हरियाणा सरकार।
2. राज्यपाल के सभी सलाहकार व सचिव, राज्यपाल, हरियाणा।
3. आयुक्त एवं विशेष प्रतिनिधि हरियाणा सरकार, हरियाणा भवन, निकस मार्ग, नई दिल्ली।

अशा० क्रमांक 27/9/90-2 जी०एस०-II

दिनांक चण्डीगढ़ 28 मई, 1991

हरियाणा सरकार

सामान्य प्रशासन विभाग

अधिसूचना

25 जून, 1992

सं० सा० का० नि० 36/संवि०/अनु० 309 तथा 318/92 :— भारत के संविधान के अनुच्छेद 309 तथा 318 के खण्ड (ख) के परन्तुक द्वारा प्रदान की गई सभी शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल इसके द्वारा लिपिकों से सहायकों के पद पर पदोन्नति विनियमित करने वाले निम्नलिखित नियम बनाते हैं, अर्थात् :-

संक्षिप्त नाम ।

1. ये नियम राज्य सहायक ग्रेड परीक्षा नियम, 1992 कहे जा सकते हैं।

परिभाषाएं ।

2. इन नियमों में जब तक संदर्भ से अन्यथा अपेक्षित न हो :—
 - (क) “नियुक्ति प्राधिकारी” से अभिप्राय हैं, ऐसा प्राधिकारी जिसके पास सहायक के पद पर नियुक्त करने की शक्तियां हों ;
 - (ख) “सहायक” से अभिप्राय है, हरियाणा राज्य के अन्तर्गत सिविल पद या सिविल सेवा में पद जिसको सहायक के पद की संज्ञा दी गई है और इसमें सभी ऐसे पद शामिल होंगे जोकि लिपिक के पद से उच्चतर हैं, या समकक्ष हैं चाहे वे किसी भी पदनाम से पुकारे जाते हों तथा जिनका वेतनमान और जिम्मेदारियां समान हैं।
 - (ग) “सरकार” से अभिप्राय है, सामान्य प्रशासन विभाग में हरियाणा सरकार।

सहायक के पद पर पदोन्नति के लिए पात्रता।

3. कोई भी व्यक्ति सहायक के पद पर पदोन्नति द्वारा नियुक्त नहीं होगा जब तक कि वह विहित शैक्षणिक योग्यताएं एवं अनुभव के अतिरिक्त इन नियमों के परिशिष्ट में दिये गये पाठ्यक्रम के अनुसार सहायक परीक्षा पास नहीं कर लेता :

परन्तु ऐसा व्यक्ति, जो 50 वर्ष या इससे अधिक आयु का हो, या जिसने उसी विभाग में लिपिक या किसी अन्य पद पर चाहे पदनाम कुछ भी हो, जिससे सहायक के पद पर पदोन्नति किया जा सके, 15 वर्ष की नियमित सेवा पूरी की ली हो, के लिए सहायक ग्रेड परीक्षा पास करनी अनिवार्य नहीं होगी :

परन्तु यदि सेवा में, सहायक के पद पर पदोन्नति हेतु परीक्षा पास किया हुआ व्यक्ति उपलब्ध नहीं होता है तो नियुक्ति प्राधिकारी उस व्यक्ति को जब तक कि वह विहित परीक्षा पास नहीं कर लेता या कोई अन्य व्यक्ति जिसने यह परीक्षा पास कर ली है, उपलब्ध नहीं हो जाता, जो भी पहले हो, को अस्थायी तौर पर पदोन्नत कर सकता है।

परीक्षा पदोन्नति का मूल आधार नहीं होगा।

4. सहायक ग्रेड परीक्षा केवल एक क्वालिफाईंग टैस्ट है, पदोन्नति का एक मात्र आधार नहीं होगा। सरकार द्वारा समय-समय पर निर्धारित तरीके के दृष्टिगत, नियुक्ति प्राधिकारी द्वारा सहायक के पद पर पदोन्नति टैस्ट पास करने पर, जबकि उसे छूट न दे दी गई हो, ज्येष्ठता एवं सेवा रिकार्ड पर विचार करते हुए की जायेगी।

क्रमांक 12/44/93-6 जी. एस. - I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी विभागाध्यक्ष एवं आयुक्त अम्बाला, हिसार, रोहतक तथा गुड़गांव मण्डल तथा सभी जिला के उपायुक्त तथा सभी उप मण्डल अधिकारी (नागरिक)।
2. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय, चण्डीगढ़।
दिनांक चण्डीगढ़ 25 मई 1993

विषय :- कार्यालयों में समय पर उपस्थित होने बारे।

महोदय,

मुझे यह कहने का निर्देश हुआ है कि प्रायः यह देखने में आया है कि सिविल सचिवालय व निदेशालयों में अनेक अधिकारी व कर्मचारी कार्यालयों में अक्सर देरी से पहुंचते हैं जिससे कार्यालयों में अनुशासनहीनता को बढ़ावा मिलता है और सरकारी कार्य का भी काफी हर्जा होता है। मामले पर गंभीरता से विचार किया गया है तथा यह निर्णय लिया गया है कि सभी कर्मचारी/अधिकारी समय पाबन्द रहें तथा सभी विभागाध्यक्ष स्वयं भी समयबद्धता की मिसाल अपने अधीनस्थ कर्मचारियों को दें और समय-समय पर अपने कार्यालयों की चौकिस करें। आपसे यह भी अनुरोध है कि अगले सप्ताह सभी स्तरों पर समय की चौकिस आरम्भ कर दी जाये तथा देरी से आने वाले अधिकारियों/कर्मचारियों के विरुद्ध कड़ी अनुशासनिक कार्यवाही की जाये।

2. इन हिदायतों की कड़ाई से पालना की जाये।

भवदीय,

हस्ता / -

संयुक्त सचिव, राजनैतिक एवं सेवाएं,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति सभी वित्तायुक्त एवं प्रशाकीय सचिवों को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित की जाती है। उनसे अनुरोध है कि कृपया वे स्वयं भी समयबद्धता का अनुपालन करें तथा अपने अधीनस्थ कर्मचारियों से भी इसका पालन कराये उनसे यह भी अनुरोध है कि समय-समय पर अपने अधीनस्थ कर्मचारियों व विभागों की चौकिस करके देरी से आने वाले कर्मचारियों/अधिकारियों के विरुद्ध अनुशासनिक कार्यवाही करें।

हस्ता / -

संयुक्त सचिव, राजनैतिक एवं सेवाएं,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

सभी वित्तायुक्त एवं सचिव, हरियाणा सरकार।

अशा० क्रमांक 12/44/93-6 जी.एस. I

दिनांक 25 मई, 1993

No. 27/35/78-2GS-II

From

The Chief Secretary to Govt., Haryana

To

- (1) All the Heads of Departments in Haryana
- (2) Commissioners of Ambala, Gurgaon, Hisar & Rohtak Divisions.
- (3) All the Deputy Commissioners and S.D.Os (Civil) in Haryana State.
- (4) Chairman/Managing Directors of Boards/Corporations in Haryana

Dated, Chandigarh, the 20th May, 1994.

Subject :- Change in working hours of Haryana Govt., offices located in the field.

Sir,

I am directed to invite your attention to Haryana Government letter No. 27/6/90-2GS-II, dated 28th May, 1991 on the subject noted above and to say at present the office timings in the offices of Haryana Government, located in the field, i.e. all offices except those which are located at Chandigarh and Panchkula, during the months of May-July are 7.00 A.M. to 1.30 P.M., without any lunch break with all Saturdays as working days.

2. After consideration of the matter and in supersession of the above instructions it has now been decided by the Government that the office hours in all the Haryana Govt., offices both at the Headquarter and in the field through out the year shall be from 9.00 A.M. to 5.00 P.M. with all the Saturdays as holidays and half an hour from 1.30 P.M. to 2.00 P.M. as lunch break.

This decision of the Government shall be applicable with effect from 1st June, 1994.

Yours faithfully

Sd/-

Under Secretary, General Administration-II,
for Chief Secretary to Government, Haryana.

No. 27/35/78-2GS-II

Dated Chandigarh, the 20th May, 1994

A copy is forwarded to the Registrar, Punjab and Haryana High Court, Chandigarh, with the request that similar orders may please be issued in respect of Judicial Courts located in the field.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions on Conduct Rules—Vol. VI

A copy is forwarded for information and necessary action to :—

1. All the Financial Commissioners & Administrative Secretaries to Govt., Haryana.
2. Secretary to Governor of Haryana, Chandigarh.
3. Special Representative Haryana Government, Haryana Bhawan, Copernicus Road, New Delhi.
4. All the District & Sessions Judges in the State.

Sd/-

Under Secretary, General Administration-II
for Chief Secretary to Government, Haryana

To

1. All the Financial Commissioners & Administrative Secretaries to Government, Haryana.
2. Secretary to Governor of Haryana, Chandigarh.
3. Special Representative Haryana Government, Haryana Bhawan, Copernicus Road, New Delhi.
4. All the District & Sessions Judges in the State.

U.O. No. 27/35/78-2-GS-II

Dated, Chandigarh, the 20th May, 1994.

A copy is forwarded to the Senior Secretaries/Secretaries/Private Secretaries to Chief Minister/Ministers/Ministers of State/Chief Parliamentary Secretary/Parliamentary Secretary for information of Chief Minister/Ministers/Ministers of State/Chief Parliamentary Secretary/Parliamentary Secretary.

Sd/-

Under Secretary, General Administration-II
for Chief Secretary to Government, Haryana

To

The Senior Secretaries/Secretaries/Private Secretaries to Chief Minister/Ministers/Ministers of State/Chief Parliamentary Secretary/Parliamentary Secretary.

U.O. No. 27/35/78-2-GS-II

Dated, Chandigarh, the 20th May, 1994.

V

GENERAL DUTIES

Extracts taken from the proceedings of the Conference of Deputy Commissioners and Superintendents of Police held at Chandigarh on 24th December, 1964.

ITEM NO. 12- PROPER AND FULL IMPLEMENTATION OF GOVERNMENT POLICIES IN DISTRICTS PARTICULARLY AT THE LOWER LEVEL-ASSESSMENT THEREOF.

The district Officers, it is felt, are fully aware of their responsibility for implementing the development schemes particularly Government policies generally. At the lower., however, there is apathy or lack of sense of responsibility for which the service conditions and various other factors are responsible. Nevertheless, it is thought that the District Officers can, with necessary zeal and drive, make their subordinates also function.

Copy of Punjab Government Circular letter No. 5103-DSGS(I) 65/25495, dated 15th July, 1965 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject :- Proper and full implementation of Government policies in district-Particularly at the lower level Assessment.

I am directed to invite attention to item 12 of the Proceedings of the Conference of Deputy Commissioners and Superintendents of Police held at Chandigarh on 24th December, 1964 (copy enclosed) and to say that the recommendations of the Conference made there in have been approved by Government. I am to request that all District Officers working under you may be instructed to take necessary action on the lines of the recommendations of the Conference for the proper and full implementation of Government policies in districts.

2. The receipt of this communication may kindly be acknowledged.
-

Subject : Proper up keep and maintenances of files

Will the Financial Commissioners/Commissioners and Administrative Secretaries to Govt., Haryana kindly refer to the subject noted above?

2. It has been observed that the files which are submitted to Ministers/Chief Minister for orders are some times put up in an improper manner and without referencing. Immediate and urgent slips sometimes attached on the files whereas after going through the files it is noticed that there was no urgency at all in the matter. On the other hand, in certain cases no urgent/immediate slips are attached whereas the matters are of extremely urgent nature. Therefore, it be ensured that the slips are attached correctly as per requirement of each case.

3. Further, according to Secretariat Instructions, it is necessary that sufficient space is left on its page on which the note finishes for the signatures/orders of the Officers/Ministers/Chief Minister but this is not being done and very often, signatures are all accommodated towards the end of the page. This should be avoided and sufficient space should be left for recording remarks/orders of the senior Officers/Ministers/Chief Minister.

4. It has also been noticed that slips indicating the files number and subject of the file are not being affixed on the flap of the file and it becomes very difficult to know the subject matter of the file. Sometimes superfluous papers/files are added with the main files which are not at all required for decision in the case. Please ensure that all flaps should bear file No. the subject and only relevant reference may be attached to the files.

It is, therefore, requested that the files which are put up to the Ministers/Chief Minister are put up in proper and systematically and the observations made above are followed strictly.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners
Commissioners and Administrative Secretaries to Government, Haryana.

D.O. No. 62/22/21-6GSI

Dated 13-12-91

No. 62/46/2003-6GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Financial Commissioners & Principal Secretaries/ Commissioners & Secretaries to Government, Haryana.
2. All the Heads of Departments in the State.

Dated Chandigarh, the 15.12.2003

Subject : Speedy disposal of Court Cases/Date Bound Files.

Sir,

I am directed to draw your attention on the subject noted above to say that the Government has observed that many a time important court cases/date bound files are sent to Hon'ble Chief Minister, Haryana for approval in routine at the last minute.

2. The State Government has taken a serious note of it. It is requested that court cases and date bound files must be handled on top priority and the cases wherein approval of Hon'ble Chief Minister is required be got cleared in time. Strict disciplinary action would be taken against erring/defaulting officers/officials responsible for delay in submission of such matters. Further, getting such cases cleared from the office of Hon'ble Chief Minister well in time will be the responsibility of the Administrative Secretary of the concerned department.

3. The above instructions may please be brought to the notice of all concerned for strict compliance.

Yours faithfully

Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

No. 62/14/2004-6GSI

From

The Chief Secretary to Government Haryana.

To

1. All the Heads of Departments, in Haryana.
2. The Registrar, Punjab and Haryana High Court.
3. The Commissioners Rohtak, Gurgaon, Hisar and Ambala Divisions and all the Deputy Commissioners in Haryana.
4. All the Managing Directors Chief Executives/Member Secretaries of all Boards and Corporations in Haryana.
5. The Registrars, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kutukshetra, Chaudhry Charan Singh Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar and Ch. Devi Lal University, Sirsa

Dated, Chandigarh, the 22nd March, 2004

Subject: - C.W.P. No. 526 of 2004 -Rajiv alias Ruli Vs. State of Haryana instructions regarding attending the Legal Notice/Notice of Demand promptly.

Sir,

I am directed to invite your attention on the subject noted above and to say that Hon'ble High Court has recently observed in C.W.P. No. 526 of 2004-Rajiv alias Ruli Vs. State of Haryana and others as under :—

“While disposing of the writ petition in the manner indicated above and by taking cognizance of the fact that in most of the cases in which legal notice/notice of demand for justice is sent by the litigant either personally or through his Advocate, no reply is given by the concerned authority. We deem it proper to direct Chief Secretary, Haryana to issue written instructions to all the Heads of the Departments/Offices and Heads of the Government Corporations/ Companies/Undertaking Organisation to ensure that every legal notice/notice of demand for justice is promptly attended to and appropriate reply is given to the notice within a maximum period of one month.”

2. The matter has been examined by the State Government in light of the directions issued by the Hon'ble High court with a view to provide effective mechanism for reducing multiple litigation. After careful consideration, it has been decided that the directions of the Hon'ble High Court as mentioned above may be complied with forthwith in true letter and spirit so that undesirable litigation is avoided, thereby saving time and money of the Government. Accordingly, immediate steps may please be taken to ensure that all such legal notice/notice of demand for justice of employees under your control are prompt attended to and appropriate reply may be given to the notice within a maximum period of one month

3. The State Government has further decided that for monitoring the progress of such cases, it is considered extremely necessary that a nodal officer in each department/office be made responsible by Heads of Departments/Boards/Corporations. The nodal officer shall be personally responsible to ensure that every legal notice/notice of demand for justice is promptly attended to and appropriate reply is given to the notice within a maximum period of one month. You are, therefore, requested to appoint a nodal officer for this purpose under your department/office and intimation may be sent to Government within a month.

4. Your attention is also invited to the Government instructions issued from time to time wherein it was stressed that the court matters and pursuant directions must be handled on top priority and with great care. The order of the Court must be complied with in letter and spirit within the stipulated period so as to minimize the scope of filing of contempt petitions against the State. It is also made clear violation of these instructions will be viewed seriously and the departments should take strict disciplinary action against those defaulting/erring officers/officials found responsible for non-compliance of these instructions.

5. These instructions may please be brought to the notice of all concerned for strict compliance. Any violation thereof will be viewed seriously by Government.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners & Principal Secretaries/ Commissioners and Secretaries to Government, Haryana.

U.O. No. 62/14/2004-6GSI

Dated Chandigarh, the 22nd March, 2004

FOR IMMEDIATE ATTENTION

No. 62/20/2005-6GSI

From

The Chief Secretary to Government Haryana

To

1. All the Divisional Commissioners in the State.
2. All the Deputy Commissioners in the State.
3. All Superintendents of Police in the State.

Dated Chandigarh, the May 12, 2005

Subject : Regarding Protocol for the personal staff of District Administration.

Sir/Madam,

I am directed to refer to the subject noted above and to say that it has been brought in the notice of Government that personal staff of DCs are some time not following the proper protocol while connecting telephone call that they keep the person at the other end of the telephone waiting needlessly. Perhaps, they are unaware of the protocol and therefore it devolves upon the DCs and the SPs to instruct their staff accordingly.

2. It is understandable that DCs/SPs may not always be able to immediately take a telephone under which circumstances it would be proper to take the telephone number of the callers and assure them politely that a return call would be made. It is, requested, that these instructions may be strictly followed for compliance.

Yours faithfully,

Superintendent, General Services-I,
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Superintendent, General Services-I,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners & Principal Secretaries/
Commissioners & Secretaries to Government, Haryana.

U.O. No. 62/20/2005-6GSI

Dated, Chandigarh, the 12th May, 2005

COURT CASE IMMEDIATE

No. 62/14/2004-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All the Heads of Departments in Haryana.
2. The Registrar, Punjab and Haryana High Court.
3. The Commissioners Rohtak, Gurgaon, Hisar and Ambala, Divisions and all the Deputy Commissioners in Haryana.
4. The Managing Directors/Chief Executives/Member Secretaries of all Boards and Corporations in Haryana.
5. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kurukshetra, Ch. Charan Singh Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar and Ch. Devi Lal University, Sirsa.

Dated, Chandigarh, the 18.8.2005

Subject : Non Compliance of the orders/ directions of the Hon'ble Punjab and Haryana High Court.

Sir,

I am directed to refer to Government instructions issued vide letter No. 62/14/2004-6GSI, dated 22-03-2004 and letter of even number dated 13.07.2005 on the subject noted above whereby all Heads of Departments were directed to appoint Nodal Officers in their respective departments for ensuring strict compliance of the orders of Hon'ble Punjab and Haryana High Court in COCP No. 265 of 2005 titled as Gian Chand V/S M.L.Tayal. The matter came up before the Hon'ble High Court on 22.07.2005 and the Court was pleased to pass the following order.—

“After hearing learned counsel for the parties, I am of the view that no details have been given as to whether the instructions dated 22.3.2004 have been complied with in as much as Nodal Officers in every Department have been appointed by their Heads. It has also come to the surface that no coordination by the Administrative Department with the office of the Advocate General has been contemplated in the instructions issued on 22.3.2004 or later on 13.7.2005, the Coordination between the office of Advocate General and the Nodal Officers appointed in all Administrative Departments would be imperative because the office of the Advocate General is an important link for the purpose of implementation of the orders by the Administrative Departments.”

2. Now the matter has been reconsidered in the wake of the above orders of the Hon'ble High Court and it has been decided to clearly define the role of appointed Nodal Officers in all the departments. In this regard it is clarified that it will be the duty of the Nodal Officer of the departments to interact with both the field officers as well as senior officers of the department and act as an important link between the office of the Advocate General and the Department. It will be the duty of the Nodal Officer to be in constant touch with the office of the Advocate General and ensure that the

Compendium of Instructions on Conduct Rules—Vol. VI

orders of Courts are implemented in time and also keep the advocate General's office informed about the compliance of the orders. It will be the duty of the Nodal Officer to ensure perfect coordination between the office of the Advocate General and the Administrative Department both at the Head Office and the Field level offices.

The above instructions which are clarificatory in nature issued in continuation of the earlier instructions dated 22.03.2004 and 13.07.2005 may be brought to the notice of all concerned for strict compliance.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners & Principal Secretaries/
Commissioners & Secretaries to Government, Haryana.

U.O. No. 62/14/2004-6GSI

Dated, Chandigarh, the 18.8.2005

No. 62/14/2004-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All the Heads of Departments in Haryana.
2. The Registrar, Punjab and Haryana High Court.
3. The Commissioners Rohtak, Gurgaon, Hisar and Ambala Division and all the Deputy Commissioners in Haryana.
4. The Managing Directors/Chief Executives/Member Secretaries of all Boards and Corporations in Haryana.
5. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kurukshetra, Ch. Charan Singh Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar and Ch. Devi Lal University, Sirsa.

Dated, Chandigarh, the 16.2.2006.

Subject : Non Compliance of the orders/ directions of the Hon'ble Punjab and Haryana High Courts.

Sir,

I am directed to refer to the Government instructions issued vide letter No. 62/14/2004-6GSI, dated 13-7-2005 on the subject noted above wherein all the Heads of Departments were *interalia* directed to appoint Nodal Officer in their respective departments in the wake of orders dated 25-2-05 passed by the Hon'ble Punjab & Haryana High Court in COCP No. 265 of 2005-Gian Chand V/S M.L. Tayal and also to provide the facility of Computer and Fax to them.

Some departments have sought clarification whether the facility of Computer and Fax is to be provided to the Nodal Officers at their residence (s) also. In this regard it is clarified that the facility of Computer and Fax to the Nodal Officer is to be provided in their office only.

These instructions may please be brought to the notice of all concerned for strict compliance.

Yours faithfully

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners & Principal Secretaries/ Commissioners & Secretaries to Government, Haryana.

U.O. No. 62/14/2004-6GSI

Dated, Chandigarh, the 16.2.2006

IMMEDIATE

No. 62/30/2005-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, Commissioners, Amabla, Hisar Rohtak and Gurgaon Divisions.
2. The Registrar, Punjab and Haryana High Court, Chandigarh.
3. All Deputy Commissioners in Haryana.
4. All the Managing Directors of Boards/Corporations/Public Undertakings.
5. The Registrars, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kurukshetra, Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar and Ch. Devi Lal University, Sirsa.

Dated, Chandigarh, the 17th February, 2006.

Subject: - Regarding assigning current duty charge to engineers/officials in various departments/organizations.

Sir/Madam,

I am directed to refer to the Government instructions issued vide letter No 62/30/2005-6GSI, dated 9.6.2005 on the subject noted above wherein all the Heads of Departments were directed to stop forthwith the practice of assigning current duty charge to the Officials/Engineers etc.

2. Some departments have sought clarifications whether the existing instructions bearing No. 62/30/05-6GSI, dated 9-6-2005 are applicable to old cases also where the current duty charge was entrusted to the Officers/Officials prior to issuance of the instructions in question.

3. In this regard it is clarified that the instructions bearing No. 62/30/05-6GS1, dated 9-6-05 regarding current duty charge will cover the old cases as well.

These instructions may be brought to the notice of all concerned for strict compliance.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners & Principal Secretaries/ Commissioners & Secretaries to Government, Haryana.

U.O. No. 62/30/2005-6GSI

Dated, Chandigarh, the 17th February, 2006.

IMMEDIATE

No. 62/25/2006-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All the Heads of Departments in Haryana.
2. The Registrar, Punjab and Haryana High Court.
3. The Commissioners Rohtak, Gurgaon, Hisar and Ambala Divisions and all the Deputy Commissioners in Haryana.
4. The Managing Directors/Chief Executives/Member Secretaries of all Boards and Corporations in Haryana.
5. The Registrars, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kurukshetra, Ch. Charan Singh Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar and Ch. Devi Lal University, Sirsa.

Dated, Chandigarh, the June 1st, 2006.

Subject :- C.W.P. No. 12283 of 2003-Amrit Lal Sharma V/S State of Haryana and CWP No. 12285 of 2003-Purshotam Lal Bhardwaj V/S State of Haryana & Ors-instructions regarding filing of written statement/Affidavits in the Hon'ble High Court and verification thereof.

Sir/Madam,

I am directed to invite your attention on the subject noted above and to say that the Hon'ble Punjab & Haryana High Court in its Judgment/ orders dated 25.04.2006 in C.W.P. No. 12283 of 2003-Amrit Lal Sharma V/S State of Haryana & ors. and CWP No. 12285 of 2003-Purshotam Lal Bhardwaj V/ S State of Haryana & ors. has directed *interalia* to circulate the following instructions:-

- (i) Casual approach should not be adopted by the officer signing the Written Statement/ Affidavits regarding the facts mentioned therein.
- (ii) The official record should generally be checked and confirmed before making any averment of fact in the Affidavits/Written Statement to be furnished in legal proceedings.
- (iii) No attempt should be made to distort the actual facts with the sole objective to defeat the rights of any person, who has approached the Court for enforcing his legal rights; an attempt, should be made to bring the actual facts before the Court to enable it to administer justice.
- (iv) Concerned dealing official should be generally consulted before making an averment to ensure that no misleading or wrong statement is made in the documents to be submitted in the court.

Compendium of Instructions on Conduct Rules—Vol. VI

- (v) While signing the verification, the officer is to ensure, as to which paras therein are based on his own knowledge as derived from record and which paras are believed by him to be true and the source of belief should generally be specified in the verification.,

2. I am to request you that the above instructions be noted for being complied with meticulously and also be brought to the notice of all concerned for similar action in future.

Yours faithfully

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners & Principal Secretaries/
Commissioners & Secretaries to Government, Haryana.

U.O. No. 62/25/2006-6GSI

Dated Chandigarh, the June 1, 2006

IMMEDIATE

No. 62/49/2006-6GSI

From

The Chief Secretary to Government Haryana.

To

1. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. The Registrar, Punjab and Haryana High Court, Chandigarh.
3. All Deputy Commissioners in Haryana.
4. All the Managing Directors of Boards/Corporations/Public Undertakings.
5. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kutukshetra, Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar, and Ch. Devi Lal University, Sirsa

Dated Chandigarh, the 7th November, 2006

Subject: - Filing of the Written Statement in the Courts.

Sir/Madam,

I am directed to refer to the subject noted above and to say that it is the general tendency on the part of the Govt. departments to incorporate/reproduce the legal opinion tendered by the Law Department in the written statements filed on behalf of State of Haryana in the Courts.

2. In this regard it is clarified that LR tends legal opinion to the different departments of the State in an advisory capacity, therefore, the legal opinion tendered by the Law Department should not be quoted / reproduced in any legal proceedings in future.

These instructions should be brought to the notice of all concerned for Strict Compliance.

Yours faithfully

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners & Principal Secretaries/
Commissioners & Secretaries to Government, Haryana.

U.O. No. 62/49/2006-6GSI

Dated Chandigarh, the 7th November, 2006

IMMEDIATE

No. 62/30/2005-6GSI

From

The Chief Secretary to Government Haryana.

To

1. All Head of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Division.
2. The Registrar, Punjab and Haryana High Court, Chandigarh.
3. All Deputy Commissioners in Haryana.

Dated, Chandigarh the 24th July, 2007

Subject: - Regarding assigning current duty charge to engineers/officials etc. in various departments/organizations .

Sir/Madam,

I am directed to refer to the Government instructions issued *vide* letter No. 62/30/2005-6GSI, Dated 9-6-2005 on the subject noted above wherein all the Head of Departments were directed to stop forthwith the practice of assigning current duty charge to the Officials/Engineers etc. Later *vide* Govt. Instructions of even number dated 17-2-2006, it was clarified that the instruction bearing No. 62/30/2005-6GSI, dated 9.6.2005 regarding current duty charge would cover the old cases as well.

2. On further consideration of the matter, it has now been decided that hence- forth assigning of such charge may be allowed in cases of extreme administrative exigency and only senior most persons in the cadre, who are fit for promotion to higher posts in all respects, would be assigned the current duty charge. The department will simultaneously also take immediate steps for filling up vacancies on regular basis as per provisions of the relevant service rules.

3. The instructions bearing No. No. 62/30/2005-6GSI, dated 9.6.2005 and of even number dated 17.2.2006 shall stand superseded.

These instructions may be brought to the notice of all concerned for their information and meticulous compliance.

Sd/-

Special Secretary General Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and necessary action.

Yours faithfully,

(SUMITA MISRA)
Special Secretary General Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners & Principal Secretaries/
Commissioners & Secretaries to Government Haryana.

U.O. No. 62/4/2008-6GSI

Dated Chandigarh, the 24th July, 2007.

Endst. No. 62/4/2008-6GSI

Dated Chandigarh, the 24th July, 2007.

A copy is forwarded to the following for information and necessary action:—

1. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kutukshetra, Haryana Agriculture University, Hisar, Guru Jambeshwar University, Hisar, Ch. Devi Lal University, Sirsa and Bhagat Phool Singh Mahila Vishav Vidyalya Khanpur, Sonipat.
2. All the Managing Directors of Boards/Corporations in Haryana.
3. Principal, Division Training Centre, SCO-11, Sector 16, Panchkula.

Sd/-

Special Secretary General Administration,
for Chief Secretary to Government Haryana.

URGENT

No. 62/4/2008-6GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Department, Commissioners Ambala, Hisar, Rohtak, Gurgaoan Divisions.
2. The Registrar, Punjab and Haryana High Court, Chandigarh.
3. All Deputy Commissioners and Sub Divisional Officers(C) in Haryana.

Dated Chandigarh, the 30th January, 2008.

Subject.- Filing of the Written Statements in the court cases.

Sir/ Madam,

I am directed to invite Your attention to the subject noted above and to say that Advocate General Haryana has brought to the notice of State Government that written statements in most of the Court cases are not being filed within the stipulated time. As such, Law Officers are facing difficulties in getting dates and sometimes heavy costs are also being imposed for non-filing of the written statements inspite of repeated adjournments. Besides, while preparing written statements, rules/ instructions and provisions of the statute are only referred to and not reproduced nor copy thereof is attached. Resultantly, the rules/instructions are not readily available with the Law Officers concerned at the time of arguments and as such cases are adjourned for getting the rules/instructions from the concerned respondent department.

2. The State Government has taken a serious note of the aforesaid discrepancies in handling the court cases. The State Government from time to time has issued instructions to deal with the court cases on top-priority and with great care. The Administrative Secretaries should review the number of Court cases at the various stages at which they are being handled, at least once a month. While filing the written statements in the Courts, the relevant instructions/rules and provisions of any statute, must invariably be reproduced and if possible, a copy thereof be attached with the Written Statement. This would help the Law Officer in defending the cases effectively and would also avoid unnecessary delay in getting information regarding rules/instructions from the, concerned department.

These instructions should be brought to the notice of all concerned for their information and strict compliance. Any default will be viewed seriously by the Government.

Yours faithfully

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana.

General Duties

A copy is forwarded to all the Financial Commissioners & Principal Secretaries/ Commissioners & Secretaries to Government Haryana for information and compliance.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners & Principal Secretaries/
Commissioners & Secretaries to Government Haryana.

U.O. No. 62/4/2008-6GSI

Dated Chandigarh, the 30th January, 2008.

No. 62/4/2008-6GSI

Dated Chandigarh, the 30th January, 2008.

A copy is forwarded to the following for information and necessary action:-

1. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kutukshetra, Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar, Ch. Devi Lal University, Sirsa and Bhagat Phool Singh Mahila Vishav Vidyalya Khanpur, Sonipat.
2. All the Managing Directors of Boards/Corporations.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana

No. 62/9/2008-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Department, and Commissioners Ambala, Hisar, Rohtak, Gurgaon Divisions and Rohtak Divisions.
2. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.

Dated Chandigarh, the 20th August, 2008

Subject : Fixed Day Approach: Holding Joint Meeting of the Village Level committees on Wednesdays.

Sir/Madam,

I am directed to invite your attention on the subject noted above and to say that there is an increasing emphasis on involving village community in implementation of programmes, particularly in social sector. As a result, many departments such as Women & Child Development, Education, Health, Water Supply & Sanitation, Forest, Fisheries and Food and Supplies have constituted village level committees to improve service delivery through participation of people at grass-root level. Many of these Village Level Committees have functions which involve convergence with other departments. In many cases, membership of Village Committees is also common comprising Sarpanch, lady Panches, lady School teacher, ANM, Anganwari workers, ASHA, Registered Medical Practitioners, members of SMS, Mahila Mandals, Self Help Groups etc. Further, the field functionaries of various departments have several villages falling under their functional and supervisory jurisdiction. They may, therefore, find it difficult to attend all meetings of village committees.

2. Effective convergence and synergy among various departments is the key to efficient delivery at the grass root level. In order to achieve meaningful convergence and optimum utilization of time and resources, it has been decided that a **“Fixed Day Approach”** be adopted for holding meetings of various Village Level Committees which have common membership and whose mandate involves mutual support and synergy. **“Fixed Day Approach”** would be helpful in making sure that field functionaries are able to participate in all such meetings by visiting the village on a pre-fixed day. Further, non- official members would also find it easier to participate on a fixed day. The **“Fixed Day Approach”** would also give a holistic perspective to common members of village level committees and equip PRIs to fulfil their new role more effectively. This is expected to improve attendance of Government field functionaries and increase their accountability to Panchayati Raj Institutions.

3. In view of the above, the following decisions have been taken in order to implement **Fixed Day Approach:-**

- (i) A Joint Monthly Meeting of such Village Level Committees which have (a) common membership and (b) functions that involve mutual coordination and converge would be held on a fixed day, preferably a Wednesday. Since functionaries of the line department, who are required to attend these meetings in all villages falling under their charge, would not be able to visit all villages on the same Wednesday, therefore, these meetings may be held on a staggered basis *i.e.* 1st, 2nd, 3rd or 4th Wednesday.

If it is not possible to schedule meetings in all villages on Wednesdays, the remaining meetings may be scheduled on Thursdays.

- (ii) The Deputy Commissioner will formulate and notify the schedule for each village in consultation with district heads of concerned departments.
- (iii) The Committees constituted by different departments will not be required to be de-notified and will continue to fulfil the mandate entrusted to them. They may also meet more than once a month depending on need/requirement.
- (iv) The Block Level Committees of the concerned departments would have a joint meeting under the chairmanship of SDM concerned on a fixed day every month. The Deputy Commissioner will notify the schedule of Block Level Meetings.
- (v) At the District level also, a joint meeting of the committees of concerned departments will be held on a fixed day under the Chairmanship of Deputy Commissioner. The day of the District level meeting would be notified by the Deputy Commissioner.

These instructions may please be brought to the notice of all concerned for immediate necessary action and strict compliance.

Yours faithfully
Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and immediate necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana

To

All the Financial Commissioners & Principal Secretaries/ Commissioners & Secretaries to Government, Haryana.

U.O. No. 62/9/2008-6GSI

Dated, Chandigarh, the 20th August, 2008

Endst. No. 62/9/2008-6GSI

Dated, Chandigarh, the 20th August, 2008

A copy is forwarded to State Informatics Officer, National Informatics Centre, 9th Floor, Haryana Civil Secretariat Chandigarh for placing the instructions on the web site of the State Government.

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana

Compendium of Instructions on Conduct Rules—Vol. VI

No. 42/63/99-5GSI

From

The Chief Secretary to Government Haryana.

To

1. The Commissioner, Hisar, Ambala, Gurgaon and Rohtak Divisions.
2. All Heads of Departments of the State.

Dated Chandigarh the 19th September, 2008

Subject : Submission of cases for seeking advice from F.D./LR/CS.

Sir,

I am directed to refer to Government circular letter No.42/63/99-5GSI dated 13.03.2007 in which inter-alia it was communicated that in the instructions issued *vide* circular letter No.50/3/82-5GSI dated 30.08.1982 the word Secretary/Administrative Secretary shall include the "Special Secretary" also. Hence in future the cases for seeking advice/opinion from Chief Secretary/Finance Department/ Legal Remembrancer can also be referred to them at the level of Special Secretary also.

2. Now the matter has been re-considered by the Government and it has been decided to withdraw the instructions issued *vide* circular letter of even number dated 12.03.2007 and in future cases can be referred for advice after the approval of matter at the level of Administrative Secretary concerned.

These instructions may be brought to the notice of all concerned for compliance.

Yours faithfully

Sd/-

Under Secretary, General Administration
for Chief Secretary to Government. Haryana

A copy is forwarded to the All Financial Commissioners and Principal Secretaries/ Commissioner & Secretaries to Government Haryana in continuation of this department U.O. of even number dated 12.03.2007 for intonation.

Sd/-

Under Secretary, General Administration
for Chief Secretary to Government Haryana

To

All the Financial Commissioners and Principal
Secretaries/Commissioners and Secretaries to Government Haryana,

U.O.No.42/63/99-5GSI

Dated, Chandigarh the 19th September, 2008

**Government of Haryana
General Administration Department**

No. 62/56/2008-6GSI

Dated Chandigarh, the 27th October, 2008

1. All Financial Commissioner & Administrative Secretaries.
2. All Heads of Departments.
3. Commissioner, Ambala, Hisar, Rohtak and Gurgaon Divisions.
4. The Registrar, Punjab and Haryana High Court, Chandigarh.

Subject : RSA No. 1787 of 2007 - State of Haryana and others Vs. Dal Chand and others - Instructions regarding filing of appeals by the Competent Officer/Authority.

Sir,

I am directed to invite your attention on the subject noted above and to say that the Hon'ble Punjab and Haryana High Court has observed in RSA No. 1787 of 2007 -State of Haryana and others Vs. Dal Chand and others as under: -

“It is relevant to observe here that the State appeals are being filed by Naib Tehsildars and not by any senior officer of the Government. Such an appeal is otherwise incompetent. State can only be represented by a competent officer who is duly authorized under rules of business of the Government or Order XXVII Rules 1 and 2 of the Code of Civil Procedure or any other rules or an officer who is a party to the litigation.”

2. Accordingly, you are requested to ensure that the appeals in courts are filed by the competent officers of your department, who are well conversant with the facts of the case and are duly authorized under rules of business of the Government's Order XXVII Rules 1 and 2 of the Code of Civil Procedure or by an officer who is party to the litigation.
3. You are also requested to bring these instructions to the notice of all concerned for strict compliance. Any violation thereof will be viewed seriously by the Government.

Yours faithfully

Sd/-

(Raj Pal Singh)

Under Secretary to Govt. of Haryana
General Administration Department

Endst. No. 62/56/2008-6GS1

Dated Chandigarh, the 27th October, 2008

A copy is forwarded to State Informatics Officer, Haryana NIC for uploading it on the State website and also sending it through email.

Sd/-

Under Secretary to Govt. of Haryana
General Administration Department

Compendium of Instructions on Conduct Rules—Vol. VI

Subject : Seeking the advice/opinion from General Administration Department.

Will all the Administrative Secretaries of the Haryana Government kindly refer to the subject noted above ?

2. It has been observed that there is a tendency in some departments to refer cases to the Chief Secretary for advice without first examining the issues involved fully covered under Government instructions/policies/rules. Sometime cases which are quite clear and straight which should be decided by the Administrative Departments/Heads of the Departments concerned at their own level, are also referred to the Chief Secretary (in General Administration Department) quite often, the issues on which advice is sought are not even made specific which necessitates the detailed examination of departmental cases on the Chief Secretary's side resulting in avoidable delay because, after examination of the CS's Organisation, back references have to be made to the Administrative Department concerned.

3. It has, therefore, been decided that where instructions/policies/rules have already been laid down/issued by the Government, there seems no need to send such cases for advice/clarification to Chief Secretary (in General Administration Department).

These instructions may be brought to the notice of all concerned for strict compliance.

Sd/-

Superintendent General Services-I
for Chief Secretary to Government of Haryana.

To

All the Administrative Secretaries of the Haryana Government

U.O.No. 43/27/06-1GSI

Dated 15th December, 2008

Subject :- Proper up keep and maintenances of files.

Will the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government of Haryana, kindly refer to the Government instruction issued *vide* No. 62/22/91-6GSI, dated 13.12.1991 on the subject noted above ?

Government has observed that the files which are put up to the Chief Minister/Ministers are put up in an improper manner and un-systematically. The above quoted instructions are reiterated and it is also requested that the files which are put up to the Chief Minister/Minister be put up in proper and systematically.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners & Principal Secretaries/ Commissioners & Secretaries to Government, Haryana.

U.O. No. 62/01/2009-6GSI

Dated, Chandigarh, the 22nd January, 2009

URGENT

Government of Haryana
General Administration Department
General Services-I Branch

No. 62/56/2008-6GSI

Chandigarh 22nd January, 2009

1. The Financial Commissioners & Administrative Secretaries.
2. All the Head of Department, Commissioners Ambala, Hisar, Rohtak and Gurgaon Divisions,
3. The Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the Deputy Commissioners and Sub Divisional Officers (c) in Haryana State.

**Subject : CWP No. 12847 of 2007-Bhim Singh Vs Financial Commissioner, Haryana and others-
Instruction regarding written statements/ replies by the Competent Officer/Authority.**

Sir/Madam,

I am directed to invite your attention on the subject noted above and to say that the Advocate General, Haryana *vide* his D.O. letter No. 1693, dated 21.11.2008 has intimated that the Hon'ble Punjab and Haryana High Court has observed on 14.11.2008 in CWP No. 12847 of 2007- Bhim Singh Vs Financial Commissioner, Haryana and others, that in many cases, written statements/replies are being filed by lower officials on behalf of the senior officers, who are also respondents in the case. For example, in the above mentioned writ petition, written statement had been filed by the Block Development ,and Panchayat Officer, Bahadurgarh, who is respondent No.4 in the said Writ Petition on behalf of respondents No. 2 and 3 i.e. Deputy Commissioner, Jhajjar and Collector, Jhajjar. While strongly deprecating this policy, the Hon'ble High Court has asked the Advocate General, Haryana to ensure that the officers concerned should themselves file reply in their official capacity whenever they are impleaded as a party in the case concerned and not through junior officers.

2. It has also been intimated by the Advocate General Haryana that while preparing the written statements/replies, the departmental officials concerned are not diligent and resultantly material facts pertaining to the merits of the case are not being brought to the notice of the Advocate General, Haryana. Therefore, sometimes the State interest suffers due to the casual attitude of the officials concerned.

3. Accordingly, you are requested to ensure that the officer concerned should themselves file reply in their official capacity when they have been impleaded as a party in the case concerned and not through their officers. Besides, you are requested to ensure that replies are properly prepared so that State's interest does not suffer.

General Duties

4. You are also requested to bring these instructions to the notice of all concerned for strict compliance. Any violation thereof will be viewed seriously by the Government.

Your faithfully

(S.K. Jain)

Under Secretary to Government of Haryana.

INTERNAL CIRCULATION

1. Advocate General, Haryana with reference to his D.O. No. 1693 dated 25.11.2008.
 2. PS to Chief Secretary, Haryana for the information of Chief Secretary.
 3. State Information Officer, NIC, Haryana Region for placing it on State website and also sending it by e-mail to all the above mentioned addressees.
-

Government of Haryana
General Administration Department
General Services-I Branch

No. 62/03/2009-6GSI

Chandigarh, dated the 17th February, 2009

1. All the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government of Haryana.
2. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the Deputy Commissioners in Haryana.
5. All the Chief Administrators/Managing Directors of Boards/Corporations/ Public Undertakings.

Subject : CWP No. 2361 of 2004 Instructions for filing proper written statements in Court cases.

Sir/Madam,

I am directed to invite your attention on the subject noted above and to say that the Hon'ble High Court has directed to issue instructions to all the departments as per observation made in CWP No. 2361 of 2004-Suraj Bhan Vs State of Haryana and others as under:-

“It has been seen on more than one occasion that written statements filed before this Court are not only incomplete but also contain misleading averments, concealing facts and sometime they are even contrary to the record. It would advance the interest of justice, if the Chief Secretary undertakes this exercise and issue appropriate instructions to all the departments to file correct written statement in the Court in all cases. It should be complete in all respects revealing all the material facts as per the requirement of the case. Let the proposal made by Mr. Dhesi be forwarded to the Chief Secretary and such like proposal be also requisitioned from other departments, so as to ensure that correct written statement are filed in the Courts. It would be appropriate that some provision be incorporated in the instructions to be issued by the State for initiating disciplinary proceedings if it is found that written statement has not been filed in accordance with the requirement of the proposed instructions. The needful shall be done within a period of two months and compliance report be placed on record by 5th March, 2009.”

2. In view of the above, you are requested to ensure that the written statements in court cases are filed by the authorities concerned revealing all the facts as per requirement of the case.
3. These instructions may be brought to the notice of all concerned for strict compliance. In case of any default, disciplinary action should be initiated against the defaulting official (s).

Yours faithfully

(S.K. Jain)

Under Secretary to Govt. of Haryana

General Duties

Endst. No. 62/03/2009-6GSI

Dated Chandigarh, the 17th February, 2009

A copy is forwarded to the Advocate General, Haryana, Chandigarh for placing the same before the Hon'ble Punjab and Haryana High Court in pursuance of the directions in CWP No. 2361 of 2004.

Sd/-

Under Secretary to Government of Haryana

Endst. No. 62/03/2009-6GSI

Dated Chandigarh, the 17th February, 2009

A copy is forwarded to Financial Commissioner and Principal Secretary to Government of Haryana, Urban Estates Department with reference to their memo No. A-1-2008/485 dated 16.1.2009.

Sd/-

Under Secretary to Govt. of Haryana

Endst. No. 62/03/2009-6GSI

Dated Chandigarh, the 17th February, 2009

A copy is forwarded to State Informatics Officer, NIC, Haryana Region for placing the same on the website of Haryana Government/CS Haryana and also for sending by e-mail to all concerned.

Sd/-

Under Secretary to Govt. of Haryana

Endst. No. 62/03/2009-6GSI

Dated Chandigarh, the 17th February, 2009

A copy is forwarded to the Private Secretary to Chief Secretary, Haryana for the information of Chief Secretary.

Sd/-

Under Secretary to Govt. of Haryana