

GOVERNMENT SERVICES  
CONDUCT RULES 1985  
APPLICABLE TO MEMBERS  
OF THE SERVICES UNION  
UNDER THE CONTROL OF THE  
SECRETARY OF STATE FOR  
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THE GOVERNMENT SERVANTS' CONDUCT RULES,  
1935.

*(Applicable to members of the services under the control of the  
Secretary of State for India in Council.)*

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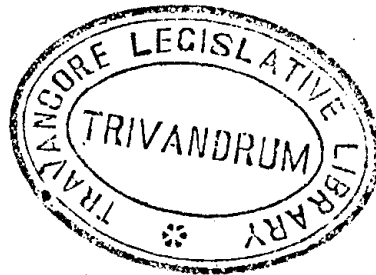
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## THE GOVERNMENT SERVANTS' CONDUCT RULES, 1935.

[Made by the Secretary of State for India in Council under Section 96 B(2) of the Government of India Act and rules 47 and 43(a) of the Civil Services (Classification, Control and Appeal) Rules on the 13th August 1935, vide H. D. Notification No. F. 50/20-34 Pub., dated the 24th December 1935.]

1. **Title.**—These rules may be called the Government Servants' Conduct Rules, 1935.

2. **Definitions.**—In these rules:—

(1) "government servant" means—

(a) a member of an All-India Service, of the Indian Political Department, or of the Indian Ecclesiastical Establishment, or

(b) an officer holding the King's Commission on the active list of the Regular Army, the Royal Air Force or the Royal Indian Navy and serving in a Central, Provincial or Specialist Service,

whether for the time being on foreign service or not,

but does not include such member or officer as aforesaid when holding the office of Governor of a Province, of Member of the Executive Council of the Governor-General or of a Governor, or of Judge of a High Court;

(2) "Indian" means a person of unmixed Asiatic descent permanently resident in India; and

(3) "Local Government" means—

(a) the Local Government of a Governor's Province in respect of government servants under the administrative control of such Local Government and in respect of matters relating to associations the membership of which is confined to such government servants, and

(b) the Governor-General in Council in respect of government servants, and matters relating to associations, other than those referred to in clause (a):

Provided that a Local Government may, by general or special order, and subject to such conditions as it may think fit, declare any authority subordinate to it to be the Local Government for all or any of the purposes of these rules:

Provided further that the Auditor-General shall exercise the powers of a Local Government under these rules in respect of officers of the Indian Audit and Accounts Service who are members of the Indian Civil Service.

3. **Gifts, gratuities and rewards.**—(1) Save as otherwise provided in this rule, no government servant shall, except with the previous sanction of the Local Government—

(a) accept directly or indirectly on his own behalf or on behalf of any other person, or

(b) permit any member of his family so to accept, any gift, gratuity, or reward or any offer of a gift, gratuity, or reward from an Indian who is not related to him.

(2) A Political Officer may accept a ceremonial gift from the Prince or Chief of a State in India if the gift is such that a return gift will be made at the expense of Government. A gift so accepted shall be delivered to the Local Government.

(3) Subject to the provisions of any general or special order of the Local Government, a government servant may accept from any Indian a complimentary gift of flowers or fruit or similar articles of trifling value, but all government servants shall use their best endeavours to discourage the tender of such gifts.

(4) Subject to the provisions of any general or special order of the Local Government, a government servant may accept, or permit any member of his family to accept, from an Indian who is his personal friend, a wedding gift of a value which is reasonable in all the circumstances of the case, and which, in the case of a wedding gift offered to a European government servant or to a member of his family, does not exceed Rs. 200. All government servants shall use their best endeavours to discourage the tender of such gifts and such acceptance or permission shall be reported to the Local Government, and, if the Local Government so requires, the gift shall be returned to the donor.

(5) If a government servant cannot, without giving undue offence, refuse a gift of substantial value from an Indian, he may accept the same, but shall, unless the Local Government by special order otherwise directs, deliver the gift to the Local Government.

(6) Subject to the provisions of any rules made by the Secretary of State in Council and of any special or general orders of the Local Government not repugnant to such rules, a medical officer may accept any gift, gratuity or reward offered in good faith by any person or body of persons in recognition of his professional services.

**4. Public demonstrations in honour of government servants.—**(1) Save as otherwise provided in this rule, no government servant shall, except with the previous sanction of the Local Government—

- (a) receive any complimentary or valedictory address, accept any testimonial or attend any public meeting or entertainment held in his honour; or
- (b) take part in the presentation of a complimentary or valedictory address or of a testimonial to any other government servant or to any person who has recently quitted the service of Government, or attend a public meeting or entertainment held in honour of such other government servant or person.

(2) Notwithstanding anything contained in sub-rule (1)—

- (a) a Chief Commissioner may receive an address;
- (b) a government servant may at the request of any public body sit for a portrait, bust or statue not intended for presentation to him;
- (c) subject to the provisions of any general or special order of the Local Government, a government servant may take part in the raising of a fund to be expended, in recognition of the services of any other government servant or of a person who has recently quitted the service of Government, on the foundation of a scholarship or on any other public or charitable object or on the execution of any portrait, bust or statue not intended for presentation to such other government servant or person:

Provided that no government servant shall solicit any subscription in aid of such fund;



(d) subject to the provisions of any general or special order of the Local Government, a government servant may attend a farewell entertainment of a substantially private and informal character held as a mark of regard to himself or to any other government servant, or to a person who has recently quitted the service of Government, on the occasion of the retirement from the service or departure from a district or station of himself or such other government servant or person.

**5. Presentation of trowels, etc., at ceremonial functions.**—(1) No government servant shall, except with the previous sanction of the Local Government, receive any trowel, key or other similar article offered to him at a ceremonial function, such as the laying of a foundation stone or the opening of a public building.

(2) Nothing in sub-rule (1) shall apply to a Chief Commissioner, to a Resident of the First Class, to the Commissioner in Sind, to a member of a Board of Revenue, to a Financial Commissioner, to a Resident of the Second Class or to a Commissioner of a Division.

**6. Subscriptions.**—No government servant shall, except with the previous sanction of the Local Government, ask for or accept from a Prince or Chief of any State in India, or the Agent of any such Prince or Chief, any subscription or other pecuniary assistance in pursuance of any object whatsoever.

**7. Lending and borrowing.**—(1) No government servant shall lend money to any person possessing land within the local limits of his authority, or, except in the ordinary course of business with a bank or firm of standing, borrow money from, or otherwise place himself under a pecuniary obligation to, any person subject to his official authority, or residing, possessing immovable property or carrying on business within the local limits of such authority :

Provided that this sub-rule shall, in its application to the dealings of a government servant with a Co-operative Society registered under the Co-operative Societies Act, 1912 (II of 1912), or under any Provincial Co-operative Societies Act, be subject to such relaxation as the Local Government may by special or general order direct.

(2) When a government servant is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has otherwise placed himself under a pecuniary obligation will be subject to his official authority, or will reside, possess immovable property or carry on business within the local limits of such authority, he shall forthwith report the circumstances to the Local Government, and shall thereafter act in accordance with such orders as may be passed by the Local Government.

**8. Buying and selling houses and other valuable property.**—Save in the case of a transaction conducted in good faith with a regular dealer or permitted under Rule 9, a government servant who intends to transact any purchase, sale or disposal by other means of movable or immovable property exceeding in value Rs. 200 with an Indian residing, possessing immovable property or carrying on business within the local limits of the official authority of such government servant, shall declare his intention to the Local Government. The declaration shall state fully the circumstances, the price offered or demanded and, in the case of disposal otherwise than by sale, the method of disposal, and the government servant shall thereafter act in accordance with such orders as may be passed by the Local Government :

Provided that a government servant who is about to quit the local limits of his official authority may, without reference to the Local Government, dispose of any of his movable property by circulating lists of it among the public generally or by causing it to be sold by public auction.

**9. Holding or acquiring immovable property.**—(1) No government servant domiciled outside Asia shall, save in good faith for the purpose of residence, directly or indirectly hold or acquire immovable property—

- (a) within the province in which he is employed or within any province with the administration of which he is concerned or within a State in India in which he is employed ; or
- (b) within any other province, except with the previous sanction of the Local Government ; or
- (c) within any other State in India, except with the previous sanction of the Governor-General in Council.

(2) No government servant domiciled in Asia shall, save in good faith for the purpose of residence, acquire any immovable property in India by purchase or gift, except with the previous sanction of the Local Government.

**10. Control over immovable property held or acquired by government servants.**—Subject to the provisions of any general or special order of the Local Government, every government servant or candidate for Government service shall make to the Government concerned, through the usual channel, a declaration of all immovable property in India from time to time held or acquired by him or by his wife or by any member of his family living with, or in any way dependent upon him. The declaration shall state the district or the State in India within which the property is situated and shall contain such further information as the Local Government may by general or special order require.

**11. Investments.**—(1) No government servant shall speculate in investments. For the purposes of this sub-rule, the habitual purchase and sale of securities of notoriously fluctuating value shall be deemed to be speculation in investments.

(2) No government servant shall make any investment likely to embarrass or influence him in the discharge of his official duties.

(3) If any question arises whether a security or an investment is of the nature referred to in sub-rule (1) or sub-rule (2) respectively, the decision of the Local Government thereon shall be final.

**12. Promotion and management of companies.**—No government servant shall, except with the previous sanction of the Secretary of State in Council, take part in the promotion, registration or management of any bank or company :

Provided that a government servant may, with the previous sanction of the Governor-General in Council, enter into the service of a railway company:

Provided also that a government servant may, in accordance with the provisions of any general or special order of the Local Government, take part in the promotion, registration or management of a Co-operative Society registered under the Co-operative Societies Act, 1912 (II of 1912), or under any Provincial Co-operative Societies Act.

**13. Private trade or employment.**—No government servant shall, except with the previous sanction of the Local Government, engage in any trade or undertake any employment or work, other than his official duties :

Provided that a government servant may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary or artistic character, subject to the condition that his official duties do not thereby suffer; but he shall not undertake, or shall discontinue, such work if so directed by the Local Government.

**14. Insolvency and habitual indebtedness.**—A government servant shall avoid habitual indebtedness. If a government servant is adjudged or declared insolvent, or if a moiety of his salary is frequently attached for debt, has been continuously so attached for a period exceeding two years, or is attached for a sum which, in ordinary circumstances, he could not repay within a period of two years, he may, unless he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits, be presumed to have contravened this rule. A government servant who applies to be or is adjudged or declared insolvent, shall forthwith report his insolvency to the head of the office or department in which he is employed.

**15. Communication of official documents or information.**—No government servant shall, except in accordance with any special or general order of the Local Government, communicate, directly or indirectly, any official document or information to a government servant unauthorised to receive the same, to a non-official person, or to the Press.

**16. Connection with Press.**—No government servant shall, except with, and during the continuance of, the previous sanction of the Local Government, own in whole or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication.

**17. Anonymous publication of documents and anonymous communications to the Press.**—No government servant shall, in any document which he publishes anonymously or in any anonymous communication to the Press, criticise the policy or action of Government intemperately or unreasonably. A government servant shall in respect of any such publication or communication be subject to the provisions of Rule 15.

**18. Publication of documents and communications to the Press in the name of government servants and public speeches.**—(1) No government servant shall, in any document published under his own name or in any communication made to the Press under his own name or in any public utterance delivered by him, make any statement of fact or opinion which is capable of embarrassing—

- (a) the relations between the Governor-General in Council or any Local Government and the people of India or any section thereof, or
- (b) the relations between His Majesty's Government or the Governor-General in Council and any foreign country or the Prince or Chief of any State in India.

(2) A government servant who intends to publish any document under his own name or to make any communication to the Press under his own name or to deliver any public utterance containing statements in respect of which any doubt as to the application of the restrictions imposed by sub-rule (1) may arise shall submit to the Local Government a copy or draft of the document which he intends to publish or of the utterance which he intends to deliver, and shall thereafter act in accordance with such orders as may be passed by the Local Government.

**19. Evidence before committees.**—(1) No government servant shall give evidence before a public committee—

- (a) in India, except with the previous sanction of the Local Government ;
- (b) outside India, except with the previous sanction of the Secretary of State in Council.

(2) No government servant giving such evidence shall criticise the policy or decisions of the Secretary of State, of the Governor-General in Council or of any Local Government.

(3) This rule shall not apply to evidence given before statutory committees which have power to compel attendance and the giving of answers, nor to evidence given in judicial inquiries.

**20. Taking part in politics and elections.**—(1) (i) Subject to any general or special order of the Local Government, no government servant shall take part in, subscribe in aid of, or assist in any way any political movement in India, or relating to Indian affairs.

*Explanation.*—The expression “ political movement ” includes any movement or activities tending directly or indirectly to excite disaffection against, or to embarrass, the Government as by law established, or to promote feelings of hatred or enmity between different classes of His Majesty’s subjects, or to disturb the public peace.

(ii) No government servant shall permit any person dependent on him for maintenance or under his care or control to take part in, or in any way assist, any movement or activity which is, or tends directly or indirectly to be, subversive of Government as by law established in India.

*Explanation.*—A government servant shall be deemed to have permitted a person to take part in or assist a movement or activity within the meaning of clause (ii) if he has not taken every possible precaution and done everything in his power to prevent such person so acting, or if, when he knows or has reason to suspect that such person is so acting, he does not at once inform the Local Government or the officer to whom he is subordinate.

(2) No government servant shall canvass or otherwise interfere or use his influence in connection with, or take part in, any election to a legislative body, whether in India or elsewhere :

Provided that a government servant who is qualified to vote at such election may exercise his right to vote ; but, if he does so, shall give no indication of the manner in which he proposes to vote or has voted.

(3) A government servant who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purposes of sub-rule (2) to take part in an election to such body.

(4) The provisions of sub-rules (2) and (3) shall, so far as may be, apply to elections to local authorities or bodies, save in respect of government servants required or permitted by or under any law, or order of Government, for the time being in force to be a candidate at such elections.

**21. Vindication of acts and character of government servants as such.—**

(1) No government servant shall, except with the previous sanction of the Local Government, have recourse to any Court or the Press for the vindication of his official acts or character from defamatory attacks.

(2) Nothing in sub-rule (1) shall derogate from the right of a government servant to vindicate his private acts or character.

**22. Membership of service associations.—**No government servant shall be a member, representative or officer of any association representing, or purporting to represent, government servants or any class of government servants unless such association satisfies the following conditions, namely :—

- (a) Membership of the association shall be confined to a distinct class of government servants, and shall be open to all government servants of that class ;
- (b) The association shall not be in any way connected with, or affiliated to—
  - (i) any association which does not, or
  - (ii) any federation of associations which do not, satisfy condition (a) ;
- (c) the association shall not be in any way connected with any political party or organisation, or engage in any political activity ;
- (d) the association shall not—
  - (i) issue or maintain any periodical publication except in accordance with any general or special order of the Local Government ;
  - (ii) except with the previous sanction of the Local Government publish any representation on behalf of its members, whether in the Press or otherwise ;
  - (iii) in respect of any election to a legislative body, whether in India or elsewhere, or to a local authority or body—
    - (A) pay, or contribute towards, any expenses incurred in connection with his candidature by a candidate for such election ;
    - (B) by any means support the candidature of any person for such election ; or
    - (C) undertake or assist in the registration of electors, or the selection of a candidate for such election ;
  - (iv) maintain or contribute towards the maintenance of any member of a legislative body, whether in India or elsewhere, or of any member of a local authority or body ; or
  - (v) pay, or contribute towards, the expenses of any Trade Union which has constituted a fund under section 16 of the Indian Trade Unions Act, 1926 (XVI of 1926) :

Provided that conditions (a) and (b) shall not be held to debar any government servant from remaining or becoming a member of the European Government Servants' Association or the Indian Officers' Association and that the Local Government may, for reasons to be recorded in writing, by general or special order, dispense with those conditions in the case of any other association.

**23. Control of government servants outside India.**—The Secretary of State in Council shall, for the purposes of these rules, be deemed to be the Governor-General in Council or the Local Government, as the case may be, in respect of a government servant who is on leave, or on duty, outside India.

**24. Saving.**—Nothing in these rules shall be deemed to derogate from the provisions of any law, or of any order of any competent authority, for the time being in force, relating to the conduct of government servants.

**25. Repeal.**—The Government Servants' Conduct Rules are hereby superseded in respect of government servants to whom these rules apply.