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# AUTHORITY - Article 309 of the Constitution

**“subject to the provisions of this Constitution, Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the Union or of any State”**

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# EVOLUTION – CONDUCT RULES

**FORMULATED  
IN 1955**

**SANTHANAM  
COMMITTEE  
RECOMMEND  
ATIONS,  
1964**

**CONDUCT RULES,  
1966**

**UPDATED IN  
1964**



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# R. S (CONDUCT) RULES, 1966

- Analysis of the Rules
- Made up of 26 Rules
- statutory within the meaning of Article 309 of the Constitution
- Clarified by Government Instructions wherever necessary or in case of doubts



# R.S (CONDUCT) RULES, 1966

## General (RULE 1 & 2)

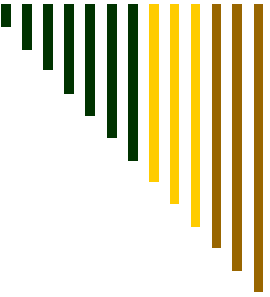
- Short Title.
  
- Definitions. “Govt means” in relation to
  - Gaz officers of Rly.Brd- President
  - Other Gaz officers- Rly Brd.
  - Non-gazetted officers of Rly.Brd- Secy/RB, and Zones -General Managers concerned Zones
  - “Rly.servant” means a railway servant as defined in rule 103(43\*) i.e. a person who is a member of a service



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## RULE 3

- Most operative Rule in the Code of Conduct
- The fundamental requirement of this rule are integrity, honesty, efficiency and good behaviour of a public servant
- It also takes the form of residuary Rule when no specific Rule of the Conduct is applicable in a given case

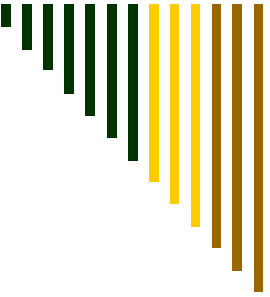


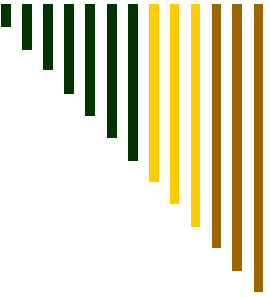
## Sub-Rule (1) of RULE 3

### *Every Railway servant at all times*

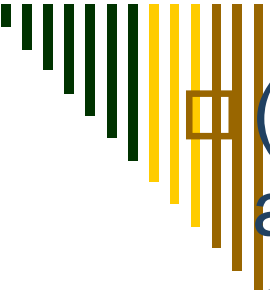
- (i) maintain absolute integrity;
- (ii) maintain devotion to duty; and
- (iii) do nothing which is unbecoming of a Railway servant.


→ MOST OF THE DISCIPLINARY  
PROCEEDINGS ARISE OUT FROM THE  
BREACH OF THIS RULE

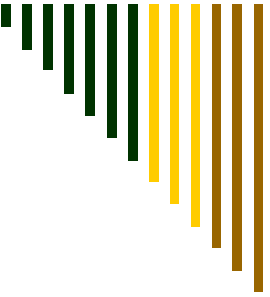
- 
- “(iv) commit himself to and uphold the supremacy of the Constitution and democratic values;
  - (v) defend and uphold the sovereignty and integrity of India, the security of the State, public order, decency and morality;
  - (vi) maintain high ethical standards and honesty;
  - (vii) maintain political neutrality;

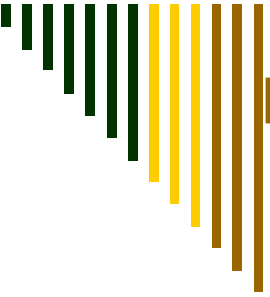
- 
- (viii) promote the principles of merit, fairness and impartiality in the discharge of duties;
  - (ix) maintain accountability and transparency;
  - (x) maintain responsiveness to the public, particularly to the weaker section;
  - (xi) maintain courtesy and good behaviour with the public;



- 
- (xii) take decisions solely in public interest and use or cause to use public resources efficiently, effectively and economically;
  - (xiii) declare any private interests relating to his public duties and take steps to resolve any conflicts in a way that protects the public interest;
  - (xiv) not place himself under any financial or other obligations to any individual or organisation which may influence him in the performance of his official duties;

- 
- (xv) not misuse his position as railway servant and not take decisions in order to derive financial or material benefits for himself, his family or his friends;
  - (xvi) make choices, take decisions and make recommendations on merit alone;
  - (xvii) act with fairness and impartiality and not discriminate against anyone, particularly the poor and the under-privileged sections of society;

- 
- (xviii) refrain from doing anything which is or may be contrary to any law, rules, regulations and established practices;
  - (xix) maintain discipline in the discharge of his duties and be liable to implement the lawful orders duly communicated to him;
  - (xx) perform and discharge his duties with the highest degree of professionalism and dedication to the best of his abilities.

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- (xxi) maintain confidentiality in the performance of his official duties as required by any laws for the time being in force, particularly with regard to information, disclosure of which may prejudicially affect the sovereignty and integrity of India, the security of the State, strategic, scientific or economic interests of the State, friendly relation with foreign countries or lead to incitement of an offence or illegal or unlawful gain to any person;



## Sub-Rule (2) of RULE 3

- supervisory post to take all possible steps to ensure the integrity and devotion to duty of his subordinates;
- Employee to act in his best judgement in the performance of his official responsibilities, except when he is acting under the direction of his official superior;
- Direction of the official superior should be in writing. Where oral direction is unavoidable, this should be followed up by the official superior in writing soon after;
- employee who has received oral direction from his official superior should seek confirmation of the same in writing as early as possible whereupon it shall be the duty of the superior to confirm the direction in writing.



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## RULE 3

- *Rule 3 (A)* - deals with promptness and courtesy
- *Rule 3(B)*- is on observance of Government's policies and lays down
- *Rule 3(C)* - concerns the prohibition of sexual harassment of working women



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# Sexual Harassment includes

- physical contact and advances;
- demanding sexual favours;
- passing sexually coloured remarks;
- showing pornography; or
- any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.



# GOI Decisions on Rule 3

- ❑ Dishonest employee not to be placed in a position where there is considerable scope for discretion.
- ❑ Employee to observe due courtesies and regard in their dealings with MPs/MLAs.
- ❑ Take care of his wife and family
- ❑ Avoid practice of untouchability
- ❑ Do not act in a discourteous manner
- ❑ To observe proper decorum during the lunch-break
- ❑ To obtain permission from competent authority before leaving station/headquarters





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## RULE 4

- **Employment of near relatives of Railway servants in companies or firms**
- No railway servant shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm.
- No railway servant shall in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm if any member of his family is employed in that company or firm.

# RULE 5

## □ *Taking Part In Politics And Elections*

- No railway servant shall be a member of or be otherwise associated with any political party or any organisation which takes part in politics.
- Not to take part in politics, not do canvassing
- Not to allow even family members to participate any movement or activity which is, or tends directly or indirectly to be subversive of the Government as by laws established

## □ *GOI Decisions*

- Employees to maintain political neutrality
- Not to attend political meetings



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# RULE 6

## *Joining Of Associations*

- No railway servant shall join, or continue to be a member of an association or Union the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India or public order or morality.



# RULE 7

## *Demonstrations and strikes*

- No Rly servant shall participate in any demonstration or strike which is prejudicial to the interest of sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence.

**GOI Decisions:** Demonstrations, meetings, which are orderly and peaceful and are held outside office premises and outside working hours. Not to 'Gherao' any public servant

- Violation may attract disciplinary action
- The principle of 'No work No Pay' should not be circumvented for the period of absence caused due to participation in a strike.



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# RULE 8

## **Connection with Press or other media**

- Railway servant shall not conduct or participate in the editing or management of, any newspaper or other periodical publications or electronic media

## **GOI decision**

- No permission necessary for participation in Public media or publishing a book but at all times, make it clear that the views expressed by him are his own and not that of Government.



# RULE 9

## **CRITICISM OF GOVERNMENT**

- No Rly. Servant shall criticize any current or recent policy or action of the Central Govt or State Govt in any radio broadcast, ***telecast through any electronic media or in any document published in his*** own name or anonymously, pseudonymously or in the name of any other person or in any communication to press or in any public utterance



# RULE 10

## **Evidence before Committee or any other authority**

- No Railway servant shall be permitted to give evidence, except with the previous sanction of the Government, to give evidence in connection with any inquiry conducted by any person, committee or authority

## **GOI Decision**

- Not to apply – Parliamentary or Legislative committees, Judicial inquiry and Departmental inquiries committees.



# RULE 11

## *Communication of official information*

- Not to communicate directly or indirectly, any official document or any part thereof or information to any Government servant or any other person to whom he is not authorised to communicate except in accordance with the RTI Act 2005 and rules made there under.





# RULE 12

## **Subscriptions**

- No Railway servant 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

## **GOI decisions**

- not to sponsor the raising of funds from the public for any purpose
- can freely collect subscription for
  - Flag day collections
  - National Foundation for Communal Harmony



# RULE 13

-contd.

## Gifts

- ❑ No Railway servant shall accept, or permit any member of his family or any other person acting on his behalf to accept, any gift – cash or kind
- ❑ avoid accepting lavish hospitality or frequent hospitality from any individual, industrial or commercial firms, organisations
- ❑ “Gift” includes free transport, boarding, lodging or other service or any other pecuniary advantage



# RULE 13

*On occasions like marriages, anniversaries religious functions may accept gifts but shall make a report to the Government, if the value of such gift exceeds –*

- Rs. 25,000 - Government servant holding any Group 'A' post;
- Rs 15,000 - Government servant holding any Group 'B' post;
- Rs. 7,500 - Government servant holding any Group 'C' post.
- In other cases R.S shall'nt accept the gift without the sanction of Govt if the value exceeds-
- Rs.1500/-in case Gr.A & B. Rs.500/-in case of Gr.C



# RULE 13-A

## *Dowry*

- give or take or abet the giving or taking of dowry;
- demand directly or indirectly, from the parent or guardian of a bride or a bridegroom, as the case may be, any dowry

## *GOI decision*

- violation of the provision of Dowry Prohibition Act, 1961
- institution of disciplinary proceedings



# RULE 14

## **Public Demonstrations in honour of Government servants**

- No Railway servant shall, except with the previous sanction of the Government, receive any complimentary or valedictory address or accept any testimonial or attend in a meeting or entertainment held in his honour

## **GOI clarification**

- Not to accept awards or monetary benefits instituted by private trusts/foundations



# RULE 15.

## **Private trade or employment**

- Railway servants shall not engage directly or indirectly in any trade or business without prior permission
- hold an elective office or canvass in support of any business of insurance agency commission agency etc. owned or managed by any of his family.

## **Exceptions – no permission required for**

- honorary work of a social or charitable nature;
- Undertake occasional work of a literary, artistic or scientific character;
- participation in sports activities as an amateur
- Taking part in the registration, promotion or management of a literary, scientific or charitable society or of a club



# RULE 15

- report to the Government if any member of his family is engaged in a trade or business or owns or manages in insurance agency
- no Government servant may accept any fee for any work done by him for any private or public body

## **GOI Decisions**

- *Acceptance of part-time employment of Examiner-ship of examination papers set by recognised Universities is allowed*
- Acceptance of part-time employment of Government servants after office hours ordinarily not allowed



# RULE 15-A

## **Sub-letting and vacation of Government accommodation**

- No Railway servant can sub-let, lease or otherwise allow occupation by any other person of Government accommodation which has been allotted to him
- after the cancellation of his allotment of Government accommodation vacate the same within the time-limit prescribed by the allotting authority





# RULE 16

## *Investments, lending and borrowing*

- No railway servant shall speculate in any stock, share or other investments
- make, or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties either himself or through any member of his family
- Lend or borrow or deposit money as a principal or an agent, to, or from or with, any person or firm or private limited company
- Lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid



# RULE 16

## **GOI decisions**

- Not to enter into transactions regarding moveable/immoveable property without the previous sanction of the prescribed authority
- All officers should be advised not to approach their subordinates for standing surety for loans taken from private sources either by them or by their relatives or friends



# RULE 17

## ***Insolvency and habitual indebtedness***

- A Railway servant shall manage his private affairs by avoiding habitual indebtedness or insolvency
- If any legal proceeding is instituted for recovery of any debt due from him or for adjudging him as an insolvent, he shall forthwith report the full facts of the legal proceedings to the Government

# RULE 18

## ***Movable, immovable and valuable Property***

- Every Railway servant is required on his first appointment to any service or post submit a return of his assets and liabilities giving full particulars.
- No Government servant shall accept without the previous knowledge of the prescribed authority acquire or dispose off any immovable property by lease, mortgage, purchase, sale, gift .
- Where a railway servant enters into transaction in respect of movable or immovable property in his name or in the name of a member of his family, he shall within one month from the date of transaction report to the administration if the value of such property exceeds two months basic pay.



# RULE 18-A

- **Restrictions in relation to acquisition and disposal of immovable property outside India and transactions with foreigners, etc**
- acquire, by purchase, mortgage, lease, gift or otherwise
- any immovable property situated outside India
- dispose of, by sale, mortgage, gift or otherwise or grant any lease in respect of any immovable property situated outside India
- enter into any transaction with any foreigner, foreign Government, foreign organisation or concern



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# RULE 19

## **Vindication of acts and character of Government servant**

- No Railway servant shall, except with the previous sanction of the Government, have recourse to any Court or to the Press for the vindication of any official act
- Nothing in this rule shall be deemed to prohibit a Railway servant from vindicating his private character or any act done by him in his private capacity



# RULE 19 - GOI Directions

- Rly. 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
- Nothing in this rule shall be deemed to prohibit a railway servant from vindicating his private character and or any act done by him in his private capacity any action for vindicating his private character is taken, the railway servant shall submit a report to the Government regarding such action.



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## RULE 20

### **Canvassing of non-official or other outside influence**

- No Railway servant shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government





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# RULE 20

## **GOI decisions**

- *Representation of service matters by relatives should be discouraged*
- *Prohibition on bringing any political or outside influence in respect of matters pertaining to service under the Government*
- *further their service interests through non-Governmental influence*



# RULE 21

-contd.

## *Restriction regarding marriage*

- No railway servant shall enter into, or contract, a marriage with a person having a spouse living; and  
No railway servant, having a spouse living shall enter into, or contract, a marriage with any person.

### *Provided that*

- *such marriage is permissible under the personal law applicable to such Government servant*
- *there are other grounds for so doing*
- *A Rly servant who has married or marries a person other than of Indian nationality is also required to forthwith intimate the fact to the Govt.*



# RULE 21

## *GOI decisions*

- when an application for permission is received, it should be scrutinized, whether such marriage is permissible under the personal law applicable to the applicant
- Restrictions against bigamy will apply to female Government servants also
- Form of declaration to be obtained from new entrants regarding their having one or more than one wife



# RULE 22

## Consumption of intoxicating drinks and drugs

A railway servant shall--

- strictly abide by the law relating to intoxicating drinks or drugs during the course of his duties and his duties at anytime is not affected in any way by the influence of such drink or drug.
- refrain from consuming any intoxicating drinks on drugs in a public place and should not appear in public place in a state of intoxication.
- Staff connected directly with train passing, should refrain from taking intoxicating drinks or drugs within eight hours of the commencement of duty or take such drinks or drugs during the course of duty.

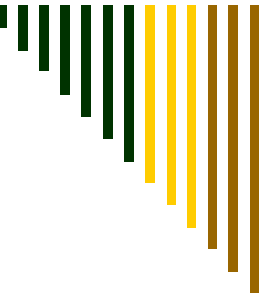


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# RULE 22-A

## **Prohibition regarding employment of children below 14 years of age**

- No Railway servant shall employ to work any child below the age of 14 years



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THANK YOU