

**Frequently Asked Question on
Orissa Govt. Servants Conduct Rules. 1959**

1. **Is the husband of a woman Govt. servant treated as a member of her family?**
The husband of the woman Govt. servant residing with her and dependant on her shall be a member of her family.
2. **What is personal immorality?**
Personal immorality means vicious habits relating to drinks, sex and gambling which reduces the utility of a public servant so as to damage Govt. or the official generally in public esteem.
3. **Can a Govt. servant allow a member of his family to take part in a subversive movement or subscribe or assist such activity?**
No. He shall endeavor to prevent such act of a member of his family; and in case of failure make a report to Govt.
4. **What you will you do if your son a member of ISIS?**
Endeavour to prevent him from taking part in ISIS activity. In case of failure, report the matter to Govt.
5. **Can a Govt. servant publish an article in a news paper on the present political scenario?**
Yes, only if previous sanction of Govt, is obtained.
6. **Can a Govt. servant criticize the roll of the Central Govt. in imposing President's Rule in Arunachal Pradesh in an Officers' club?**
No. Rule 7 prohibits such criticism.
7. **Can an OAS officer become an office bearer of OMSA?**
No, without approval of the Govt.
8. **What are the gifts a Govt. servant can accept?**
 - I. Any gift from a close relation of the family,
 - II. A gift of reasonable value from a personal friend on ceremonial occasions,
 - III. A gift of a trifling value from personal friends on other occasions.(value- not ordinarily exceeding Rs.20/-.
9. **Can a Govt. servant canvas for the insurance agency of his wife?**
No. This will be a breach of sub-rule (1) of Rule 17.
10. **Can a Tahasildar lend money to a person having property in the Tahasil area and who is not a personal friend or relative?**
No, except with previous sanction of the Govt.
11. **Is a Govt. servant bound to intimate his appointing authority regarding his arrest in a criminal case or otherwise?**
Yes. (Rule 20 A).
12. **When is a Govt. servant required to declare his assets?**
 - i. On first appointment –assets as on the date of appointment within 3 months.
 - ii. On marriage –fresh declaration of assets within 3 months.

- iii. Regular annual declaration of assets as on 31st March of the year –within 31st July of the year.

13. Who can drive a Govt. owned vehicle?

The driver appointed for the purpose. If any other Govt. servant drives the vehicle, compensation awarded by Claims Tribunals shall be recovered from the Govt. servant in addition to other action.

(Transport Deptt. Memo No.1004 dt.21.02.59)

14. Can a Govt. servant take part in a public auction?

It is undesirable for a Govt. Servant to bid at auctions arranged by his own department. (P & S Deptt. Memo No.4021 dt.22.03.1958)

15. Is sanction of prescribed authority necessary for letting out houses?

As this amounts to disposal of immovable property by lease for a specified period, prior sanction is necessary.

16. A Govt. servant has been allowed u/R 17(1) to take honorary work as President/Secretary of a public welfare institution. Can he collect donations from the public? Shall he be accountable for the transactions?

Yes .Maintain account of the funds, receipt/ expenditure properly done, cash book maintained, money kept in Bank, statement of receipts and expenditure submitted and annual audit made. (P & S Deptt. O.M.No.3166 dt.21.03.1960)

17. Can Govt. servants purchase Tribal land in the name of their family members even with permission under Regulation 2 of 1956?

Even if the transaction is legally correct, in view of declared policy of the Govt., morally unjustified. Violation is liable for disciplinary action. (C.S. Circular No.449 dt.17.01.1983)

18. Is smoking by a Govt. servant allowed?

Smoking in State Govt. offices/institutions/ public transport system/meetings conducted by Govt. and other public authority is banned. (C.S.D.O. Letter No.12457 dt.25.04.1989)

19. What action can be taken against a Govt. servant found to have encroached Govt. land?

Disciplinary action besides eviction from the Govt. land as per OPLE ACT/Rules. (Gen. Admn. Deptt. L.No.25990 dt,15.09.1990)

20. How can grievance petitions submitted by relatives of Govt. servants pertaining to service matters of the Govt. servant be treated?

Such representations through relatives amount to misconduct within the meaning of Rule 23. If the Govt. servant expresses his consent for the petition, he shall be liable for disciplinary action; if he pleads ignorance no action on the petition is necessary.

21. What are the guidelines issued by the Supreme Court in case of Vishaka & others vs. State of Rajasthan to prevent sexual harassment of working women?

Guidelines include, duty of the Employer/other responsible persons to deter commission of such acts and provide for settlement/prosecution for acts of sexual harassment; complaint mechanism to determine whether such conduct is an offence under the law or violation of conduct rules and initiate action accordingly. (Rule 4A inserted vide Gen.Admn. Deptt. Notification No.33648 dt.08.09.2000)

22. **Question: What do you mean by “devotion to duty” as per Rule-3 of the Odisha Government Servant Conduct Rules, 1959?**

Answer: Devotion to duty implies due care on the part of the employee in the performance of the work assigned to him. It is something opposed to indifference to duty or easy going or light hearted approach to duty.

23. **Question: Can Government Servant take Dowry?**

Answer: No, Government Servant shall give or take or abet the giving or taking of dowry or demand directly or indirectly from the parents or guardians of a bride or a bridegroom any dowry. If a Government Servant is found to be involved in a case of dowry death he has to be placed under suspension pending conclusion of Criminal Trial.

24. **Question: What are “Do” and “Do not” for a Government servant?**

Answer:

Do	Do not
<ul style="list-style-type: none"> ➤ Maintain absolute integrity, decorum of conduct. ➤ Maintain devotion to duty. ➤ Carry out the orders of superior authorities so far as official duties are concerned. ➤ Endeavour to prevent any member of the family from taking part in any movement or activity subversive of the Government. ➤ Have the right to vote, if qualified to cast his vote. ➤ Manage his private affairs in such a way so as to avoid habitual indebtedness or insolvency. ➤ 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. ➤ Prior permission/Sanction of the prescribed authority is necessary- <ul style="list-style-type: none"> • To own wholly, or in part, or conduct, or participate in editing or managing of any newspaper or other periodical publication. • To participate in a radio broadcast or contribute any article or write a letter to a newspaper or periodical either in his own name or in the name of any other person. 	<ul style="list-style-type: none"> ➤ Commit any act which amounts to personal immorality. ➤ Be a member of any political or communal party or organization which takes part in politics. ➤ Take part or assist in any other manner in any political or communal movement or activity. ➤ Canvas or otherwise interfere or use his influence in connection with election. ➤ Give any indication of the manner in which he process to vote or has voted. ➤ Join or continue to be a member of an association, the objects or activities of which are in the opinion of the Government prejudicial to the interest of the sovereignty and integrity of India, or public order or morality. ➤ Give or take or abet the giving and taking of dowry. ➤ Demand directly or indirectly from the parents or guardian of a bride or bridegroom, any dowry. ➤ Enter into any pecuniary arrangement with another Government servants or any other person, so as to afford any kind of advantage to either or both of them in any unauthorized manner. ➤ Speculate in any investment.

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| <ul style="list-style-type: none"> • To be or continue to be office bearer of a Service Association of Government servants of particular category, if he does not belong to that category and he has no common interest in matters of that association. • To ask for or accept contributions. • To associate himself with the raising of any fund in pursuance of any object whatsoever. • To apply for any concession, help or loan granted by the Government, if he is likely to deal with such application in his official capacity. • To accept or permit any member of his family to accept any gift whatsoever from any person who is not close relation of the family. • To receive any complimentary or valedictory address or accept any testimonial, or attend any meeting or entertainment held in his honour or of any other Government servant. • To engage directly or indirectly in any trade or business or undertake any employment. • To take part in the registration, promotion or management of any bank or other company registered under the Indian Companies Act, 1966 or / and other law for the time being in force. • To hold a lottery for the disposal of his property or for any other purpose. | <ul style="list-style-type: none"> ➤ Make or permit any member of the family to make any investment likely to embarrass or influence him in the discharge of his official duties. ➤ Borrow money from, or otherwise place himself under pecuniary obligation to any person within the local limits of his authority. ➤ Bring or attempt to bring any influence, whether official or non-official, to bear upon any authority, to further his interest in respect of matters pertaining to his appointment under Government, promotion, pay and other service condition. ➤ Enter into or contract a marriage with a person having a spouse living. ➤ Having a spouse living enter into or contract a marriage with any other person. ➤ Be under influence of any intoxicating drink or drug during the course of duty. ➤ Misuse or carelessly use amenities provided for him by the Government to facilitate the discharge of his public service. ➤ Withhold prompt and full payment for the article purchased by him, whether the purchases are made on tour or otherwise. ➤ Avail himself of any service or entertainment for which a hire or price or admission fee is charged without making proper and adequate payment. ➤ Except in exceptional circumstances use a conveyance belonging to a private person, except when such conveyance is a public service vehicle and proper fare has been paid. ➤ Use a conveyance belonging a Government servant who is subordinate to him, unless he |
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<ul style="list-style-type: none"> • To lend money to any person possessing land or valuable property within the local limits of his authority or at interest to any person. • To acquire or disposal of any immovable property by lease, mortgage, purchase, sale, gift or otherwise. • To have recourse to any court or to the press for the vindication of any official act which has been the subject-matter or adverse criticism, or an attack of defamatory character. • To permit any member of his family to enter into any pecuniary obligation. 	<p>travels with such subordinate officer on duty.</p> <ul style="list-style-type: none"> ➤ Ask himself permit his wife, or any other member of his family living with him, to ask any Government servant who is subordinate to him make purchases, locally or from outstation, on behalf of him, his wife or other member of his family, whether on advance payment or otherwise, and ➤ Take to any strike including hunger-strike to ventilate his grievances whether such grievance is individual or general in character.
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