

Andhra Pradesh Civil Services (Conduct) Rules, 1964

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Andhra Pradesh Civil Services (Conduct) Rules, 1964

In exercise of the powers conferred by the proviso to article 309 of the constitution of India, the Governor of Andhra Pradesh hereby makes the following rules to regulate the conduct of Government Employees.

1. Short Title And Application :-

(1) These rules may be called the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(2) They shall apply to every person who is member of a civil service of the State or holds any civil post under the state or in connection with the affairs of the state :

Provided that nothing in the rules shall apply to:-

(a) the judges of the High Court of Andhra Pradesh:

(b) the members of the All India Services;

(c) persons who are not full-time employees but are engaged by Government to do certain work without prejudice to the regular practice by such persons of their professions in other respects, subject to the exception that rules 14,15,17, 18 and 19 shall apply to the Advocate General, Government Pleaders, Public Prosecutors and Pleaders doing Government work;

(d) the members of the Village establishment ;

(e) persons paid from contingencies

2. Definitions :-

In these rules, unless the context otherwise requires.

(i) District means a revenue district ;

(ii) Government means the Government of Andhra Pradesh and includes any subordinate authority which may be declared by them, subject to such conditions as they think fit, to be Government for all or any of the purposes of these rules;

Provided that the powers and functions of Government under these rules shall, in relation to the members of the staff of the Governors Secretariat, be exercised by the Governor of Andhra Pradesh.

(iii) Government Employee means any person who is a member of a civil service of the state of Andhra Pradesh or holds any civil post under the State or in connection with the affairs of the State, whether he is on duty or under suspension or on leave or on foreign service either within or outside the State;

(iv) Head of Department means the authority declared as such in

Appendix-I to the Andhra Pradesh Financial code, Volume-II.

(v) Member of the family in relation to a Government Employee, includes the spouse, son, daughter, step-son or step-daughter of such employee, whether residing with such employee or not, and any other person related to, and residing with, such employee and wholly dependent on such legally separated from such employee, or a son, daughter, step-son or step-daughter who is no longer in any way dependent upon such employee, or whose custody such employee is deprived by law;

(vi) "State" State means the State of Andhra Pradesh.

3. General :-

(1) Every Government employee shall be devoted to his duty and shall maintain absolute integrity, discipline, impartiality and a sense of propriety.

(2) No Government employee shall behave in a manner which is unbecoming of such employee or derogatory to the prestige of Government.

(3) No Government employee shall act in a manner which will place his official position under any kind of embarrassment.

(4) No Government Employee shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior, and shall where he is acting under such direction, obtain the direction in writing, wherever practicable, and where it is not practicable to obtain the direction in writing shall obtain written confirmation of the direction as soon thereafter as possible. It shall be incumbent on such official superior to confirm in writing the oral directions given by him, and in any event, he shall not refuse such written confirmation where a request is made by the Government employee to whom such direction was given.

Explanation : Nothing, in sub-rule (4) shall be construed as empowering a Government employee to evade his responsibilities by seeking instructions from or approval of, as official superior where, such instructions are not necessary under the scheme of distribution of powers and responsibilities.

3A. Joining Of Associations By Govt. Employees :-

No Government employee shall join, or continue to be a member of, an association the object or activities of which are prejudicial to

the interests of the sovereignty and integrity of India or public order.

3B. G.O.Ms.No. 72, G.A. (Ser.C) Dept., Dt. 3-3-98 :-

"Promptness and courtesy No Government Servant shall -

(a) in the performance of his official duties, act in a discourteous manner;

(b) in his official dealings with the public or otherwise adopt dilatory tactics or wilfully cause delay in disposal of the work assigned to him."

3C. Prohibition Of Sexual Harassment Of Working Women :-

No Government employee shall in the performance of his official duties act in a discourteous and discriminate manner with any working women or indulge in sexual harassment either directly or by implication.

Explanation :- For the purpose of this rule Sexual Harassment includes such unwelcome activities either directly or by implication have,-

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.

Such conduct which amounts to a specific offence under the Indian Penal Code, 1860 or under any other Law for the time being in force.

3D. Section 3D :-

Complaints Committee will be deemed to be an inquiry committee and the report submitted by it shall be deemed to be an inquiry report under Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991.

3 (5) Every Government servant holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government servants for the time being under his control and authority.

Explanation :- A Government servant who habitually fails to

perform the task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devotion to duty.

(6) Prohibition regarding employment of children below 14 years of age:- No member of the service shall employ to work any child below the age of 14 years.

4. Strikes :-

No Government employee shall participate in any strike or similar activities or incitement thereto.

Explanation:- The expression "Similar activities" shall be deemed to include-

- (i) absence from duty or work without permission.
- (ii) neglect of duty with the object of compelling any superior officer or Government to take or omit to take any official action;
- (iii) any demonstrative fast, like Hunger Strike with the object mentioned in item (ii); or
- (iv) concerted or organized refusal on the part of Government employees to receive their pay.

5. Demonstrations :-

No Government employee shall participate in any demonstration which is against the interests of the sovereignty and integrity of India or Public order.

6. Gifts, Service Entertainment Addresses And Addresses And Other Forms Of Felicitation :-

(1) No Government employee shall :-

- (i) accept, or permit any member of his family to accept from any person any gift, the receipt of which, or any service the performance of which will place such employee under any kind of official obligation or embarrassment in relation to any person if, however, the offer of a gift cannot be refused without giving undue offence to the donor, it may be accepted and the matter reported to the Government for decision as not its disposal; or
- (ii) receive any address or accept any felicitation or entertainment held in his honour ;

Provided that nothing in this sub-rule shall apply to :-

- (a) gifts of flowers or fruits of trifling value.

(b) gifts of a value, reasonable in all circumstances of the case, from relations, and gifts of a value of less than two hundred rupees from personal friends presented to a Government employee or to any member of his family on ceremonial occasions such as weddings;
(c) the performance of an occasional service of a trifling character;
(d) the sitting for a group photo with officers and the members of the staff of his office.

(iii) stay in any Guest House owned by a private person and enjoy his hospitality.

(2) If any question arises whether the receipt of a gift or the performance of a service places the Government employee under any kind of official obligation or embarrassment, the decision of Government thereon shall be final.

(3) No Government employee shall receive any towel, key, scissors or other similar articles offered to him in connection with any ceremonial function such as the laying of foundation stone or the opening of a building.

6A. G.O.Ms.No.354, G.A.(Ser.C) Dept., Dt.8-8-1996 :-

Every Government Employee shall intimate to the Competent Authority within fifteen days from the date of receipt of any foreign currency or foreign goods of value of more than Rs.10,000/- from any person by him or by any person of his family or by any person on their behalf, in the form given in the Annexure III to these rules.

7. Subscriptions :-

No Government employee shall, except with the previous sanction of Government, ask for, or accept or in any way participate in the raising of, any subscriptions or other pecuniary assistance in pursuance of any object whatsoever.

8. Lending Borrowing And Insolvency :-

(1) No Government employee shall, save in ordinary course of business with a bank or a public limited company, himself or through any member of his family or any person acting on his behalf.

(a) lend or borrow or deposit money as a principal or agent, to, or from, or with any person or firm or private limited company within the local limits of his authority or with whom he is likely to have

official dealings or otherwise place himself, under pecuniary obligation to such person or firm; or

(b) lend money to any person at interest or in manner whereby return in money or kind is charged or paid ;

Provided that a Government employee may give to, or accept from a relative or a personal friend a purely temporary loan of small amount free of interest or operate a credit account with a bonafide tradesman or make an advance of pay to his private employee;

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

(1-A) When a Government employee is appointed or transferred to a post of such nature as would embarrass or influence him in the discharge of his official duties or involve him in the breach of any of the provisions of sub-rule (1). He shall forthwith report the circumstances to the Government and shall thereafter act in accordance with such order as may be made by the Government.

(2) The prohibition in sub-rule (1) shall not apply to :-

(i) any transaction of a Government employee with a co-operative society registered or deemed to have been registered under the law relating to co-operative societies for the time being in force in the State;

(ii) a Government Employee who lends money while acting as an executor, administrator or a trustee without profit or advantage to himself;

(iii) a Government employee who belongs to a Joint Hindu Family carrying on the business of money lending as a ancestral profession, provided he takes no active share in that business and is not employed in the district in which the said business of the family is carried on.

(3) A Government Employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Government employee who is involved in legal proceedings for insolvency shall forthwith report the full facts to Government.

9. Acquiring Or Disposing Of Immovable Property :-

(1) No Government employee shall, except after previous intimation to Government, acquire or dispose of or permit any member of his family to acquire or dispose of, any immovable property by exchange, purchase, sale, gift or otherwise either by himself or through others.

Note : When the Government servant or a member of his family accepts "Advance of Rent" from a prospective tenant for the construction or completion of a building to be rented, it constitutes a transaction in immovable property and falls within the scope of the above sub-rule.

Provided that any such transaction conducted otherwise than through a regular or reputed dealer shall be with the previous sanction of Government.

"Provided that any such a transaction conducted otherwise than through a regular or reputed dealer viz.,

- (i) Banking institutions, including Co-operative Banks;
- (ii) Financial Corporations set up by the State Governments which provide loans for house constructions ;
- (iii) Apex Co-operative Housing Finance Institutions such as Delhi Co-operative Housing Finance Society; and
- (iv) Public Companies formed and registered in India with the main object of carrying on the business of providing long term finance for construction or purchase of houses in India for residential purposes like the Housing Development Finance Corporation Limited, LIC., CANFIN and Nationalised Banks,

Shall be with the previous sanction of the Government.

Provided further that no Government employee shall acquire or permit any member of his family to acquire any immovable property in any area in which land developmental schemes are under execution by or contemplation of, the Department in which the employee is employed.

Provided further that the Government employee shall submit the particulars giving prior intimation or seeking prior sanction, in the following format :-

- 1) Name and Designation
- 2) Scale of Pay and Present Pay
- 3) Purpose of application - sanction for transaction / prior intimation or transaction
- 4) Whether property is being acquired or disposed of.
- 5) Probable date of acquisition / disposal of property
- 6) Mode of acquisition/ disposal
- 7) (a) Full details about location Viz., Municipal No., Street/ Village, Mandal, District and State in which situated.
(b) Description of the property in the case of cultivable land, dry or irrigated land.
(c) Whether free hold or leasehold
(d) Whether the applicants interest in the property is in full or part

(in case of partial interest, the extent of such interest must indicated)

(e) in case the transaction is not exclusively in the name of the Government servant particulars of ownership and share of each member.

8) Sale/ purchase price of the property (Market value in the case of gifts)

(8)(A) The Government or any authority empowered by them in this behalf may, require a Government servant to render a full and true account of the cash found in his possession at any time and such account shall include particulars of the means by which and the sources from which such cash was acquired.

Earlier position :-

8(A) The Government or any authority empowered by them in this behalf may, require a Government servant to make it obligatory to Government Servant to account for possession of huge cash.

8(B) The Government or any authority empowered by them in this behalf may, by general or special order require a Government servant on duty not to keep cash in his possession beyond a specified sum and to declare the cash in his possession in the manner prescribed.

9) In cases of acquisition, source or sources from which financed / proposed to be financed :-

(a) Personal savings

(b) Other sources giving details

10) in the case of disposal of property, was requisite sanction / intimation obtained given for its acquisition. A copy of the sanction/ acknowledgement should be attached.

11) (a) Name and address of the party with whom transaction is proposed to be made.

(b) Is the party related to the applicant- If so, state the relationship.

(c) Did the applicant have any dealings with the party in his official capacity at any time, or is the applicant likely to have any dealings with him in the near future-

(d) How was the transaction arranged- (whether through any statutory body or a private agency through advertisement or through friends and relatives. Full particulars to be given)

12) Any other relevant fact which the applicant may like to mention.

Declaration

I, hereby declare that the particulars given above are

true. I request that I may be given permission to acquire/ dispose of property as described above from/ to the party whose name is mentioned in item 11 above.

OR

I, hereby intimate the proposed acquisition/ disposal of property by me as detailed above. I declare that the particulars given above are true

Station : Signature :

Date : Designation:

Note :

1) In the above form, different portions may be used according to requirement.

2) Where previous sanction is asked for, the application should be submitted at least 30 days before the proposed date of the transaction.

Provided also that the Government employee shall submit the request to Government seeking prior permission duly obtained acknowledgement of having made such a request and if no permission is received within one month, he / she may go ahead with the transaction.

(2) A Government employee who enters into any transaction concerning any movable property exceeding rupees fifty thousand in value, whether by way of purchase, sale or otherwise, shall forth with report such transaction to Government

Provided that any such transaction conducted otherwise than through a regular or reputed dealer shall be with the previous sanction of Government.

(3) Nothing in sub-rule (2) shall apply to any purchases made by a Government employee for the performance of weddings, religious or special functions.

(4) No Government employee shall engage in any transaction which is of a speculative character relating to the purchase, sale or exchange of any immovable or movable property.

(5) The provisions of sub-rules (1) and (2) shall not apply to--

(i) the acquisition or possession of any property as trustee, executor or administrator;

(ii) any Government land which is sold or granted on lease to any Government employee, in accordance with the rules in force.

(6) Except with the sanction of Government, no Government employee shall purchase, directly or indirectly in a sale by auction or otherwise conducted by or under the orders of the Department in which he is employed, any immovable or movable property

owned or confiscated by Government.

(7) Every Government Employee, other than member of the Andhra Pradesh Last Grade Service and a Record Assistant in the Andhra Pradesh General Sub-ordinate Service, shall on first appointment to the Government Service submit to Government a statement of all immovable property/ properties irrespective of its value and movable property/ properties whose value exceeds Rs.50,000/- owned, acquired or inherited 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, in the forms prescribed in Annexure-I and II separately. He shall also submit to Government before 15 January of each year, through the proper channel, a declaration in the forms given in the Annexure-I and II of all immovable/movable property/properties owned, acquired or inherited 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. The declaration shall contain such further information as Government may, by a general or special order require. If in any year, a Government employee has not acquired or disposed of any immovable or movable property or any interest therein, he shall submit declaration to that effect.

Provided that every Head Constable, Police Constable and every person of the corresponding rank in the Armed Reserve and Special Police Battalions and every non-gazetted Officers of equal rank in their branches of the Police Department, shall submit the Statements in forms prescribed in Annexure-I and II and the declaration aforesaid to the superintendent of Police or the Commandant Concerned, as the case may be.

(2) for the Annexure, the following Annexures shall be substituted, namely:-

1 ANNEXURE I

Statement of immovable property possessed, acquired and disposed of by Sri ----- or any other person on his behalf or any member of his family during year ending -----

(Sub-rule (7) of rule 9 of APCS (Conduct) Rules 1964)-

Nature of property Situation of property (Survey Municipal No. with extent. Held in whose name Date and mode of acquisition/disposal.

Price paid/ obtained source of Payment Whether information given or sanction obtained (with ref. no. & date Annual income from property

(5) (6) (7) (8)

Note:- Details of acquisition of properties standing in the name of Hindu undivided family or partnership in which the officer holds a claim or share should be separately shown in the statement.

ANNEXURE -II

Statement of movable property possessed, acquired and disposed of by Srior any another person on his behalf or by any member of his family during year ending.....

(Sub-rule (7) of rule 9 of APCS (Conduct) Rules 1964)

Nature of property Held in whose name date & mode of acquisition/ disposal Name and address of person from whom acquired/ to whom disposed of

(1) (2) (3) (4)

Movables (whose value exceeds Rs. 50,000/-)

Vehicles:

Motor Car

Motor Cycle/ Scooter any other vehicle.

Electrical Goods:

Air Conditioner

V.C.R./Television. Refrigerator,

Any other goods.

Jewellery:

Ornaments

Vessels etc.

Investment & Cash:

Bank deposits/Debentures/ Shares/Bank Balances etc

Furniture:

Live stock

Any other goods

Whether transaction done within the limits of Jurisdiction Price paid/obtained Source of payment.

(5) (6) (7)

Note: Details of acquisition of properties standing in the name of Hind undivided family or partnership in which the officer holds a claim or share should be separately shown in the statement.

(8) The Government, or any authority empowered by them in this behalf may, at any time, by general or special order, require a Government employee to submit, within a specified period, a full and complete statement of all immovable property and movable property, of the specified value, held or acquired by him or by any member of his family. Such statement shall, if so required by

Government or by the authority so empowered, include particulars of the means by which or the sources from which, such property was acquired.

(9) If a Government employee receives an order of transfer to a district in which he possesses, or has an interest in any immovable property, he shall forthwith report the fact to his immediate superior officer.

(10) for the purposes of this rule, ---

(A) In respect of the Government employee serving under their control, the under mentioned authorities are declared to be Government for each of the categories of employees as specified below:

1. POSTS OUT-SIDE THE PURVIEW OF THE ANDHRA PRADESH PUBLIC EMPLOYMENT (ORGANIZATION OF LOCAL CADRE AND REGULATION OF DIRECT RECRUITMENT) ORDER, 1975 (herein after referred to as presidential order).

(1) Heads of Departments and Offices holding equivalent posts in the Department Government.

(2) All second level Gazetted posts and above except second level Gezatted posts, included in schedule -III of the Presidential Order.
Head of the Department

(3) First level Gazetted posts which do not fall within the purview of the Presidential Order. Head of the Department

(4) Posts in Secretariat:

(a) Assistant Secretary to Government and above. Chief Secretary to Government

(b) Section Officers and Private Secretaries to Secretaries. Principal Secretary/ Secretary /

Ex-Officio Secretary concerned.

(c) Asst. Section Officer and all other non-Gazetted categories. Additional/Joint/ Deputy Secretary to Government Concerned

(5) Posts in the Office of the Heads of Departments/State level Offices and other Offices not covered by the Presidential Orders (a) Head of the Department concerned

(b) Andhra Pradesh Public Service Commission.

(c) Secretary to Governor

(d) Sales Tax Appellate Tribunal

(e) Labour Court

(f) Industrial Tribunal

(g) Andhra Pradesh Administrative Tribunal.

(6) Non-Gazetted posts in the Offices, other than the Offices of the

Heads of Departments and State Level Offices etc. Appointing Authority

II. POSTS WHICH FALL WITHIN THE PURVIEW OF THE ANDHRA PRADESH PUBLIC EMPLOYMENT (TO LC & RDR) ORDER, 1975 (hereinafter referred to as Presidential order).

(1) Second Level Gazetted Posts which have been organized into Zonal/ Multi Zonal cadres in pursuance of the provisions of the Presidential Order. Heads of the Department

(2) First Level Gazetted Posts which have been organized into Zonal/Multi Zonal Cadres in pursuance of the provisions of the Presidential Order. Regional Officers having Jurisdiction over the respective Zones/ Multi Zones in respect of the relevant local cadres. where regional setup exists or the Officers next below the Head of the department in the Office of the Head of the Department where no regional set up exists.

(3) Non-Gazetted categories of posts which have been organized into Zonal/Multi Zonal cadres in pursuance of the presidential order Regional Officer or other officers who administer the relevant Zonal/Multi Zonal Cadres.

(4)) Non-Gazetted categories of which have been organized into District or less than District cadres in pursuance of the presidential order Collectors and other District officers concerned or Officers who administer such District or less than district cadres.

(B) in respect of Government employees serving on deputation either under Central Government or any State Government the appropriate Government under which the Government employee is serving shall be deemed to be Government.

10. Private Trade Business And As Investment :-

(1) No Government employee shall engage directly or indirectly in any trade or business save in the course of his official duties.

Explanation: Canvassing by a Government servant in support of the business of Insurance agency. Commission agency and the like owned or managed by his wife or any other member of his family shall be deemed to be breach of this sub-rule

(1-A) Every Government employee shall report to the Government if any member of his family is engaged in trade and business or owns or manages an insurance agency or Commission agency.

(2) No Government employee shall speculate in any investment.

(3) No Government employee shall make, or permit any member of his family to make, any investment likely to embarrass or influence

him in the discharge of his Official duties.

(4) The decision of Government shall be final in respect of any question arising under this rule.

11. Promotions And Management Of Companies In Private Capacity :-

No Government employee shall in his private capacity, except with the previous sanction of Government, take part in the promotion, registration or management of any bank or other company registered under the relevant law for the time being in force.

Provided that a Government employee may, in accordance with the provisions of any general or special order of Government, take part in the promotion, registration or management of a co-operative society registered under any law relating to co-operative societies for the time being in force in the State:

Provided further that no Government employee shall, without the previous sanction of the Government except in the discharge of his official duties, take part in promotion, registration or management of any co-operative society for Commercial purpose.

12. Private Employment :-

No Government employee shall , except with the previous sanction of Government negotiate for or undertake any employment or work other than that connected with the official duties.

Provided that a Government employee may, without such sanction, participate in sports activities as an amateur, undertake honorary work of a special or charitable nature, or occasional work of literary artistic or scientific character or any examinership or remuneration, offered therefore by the Union Public Service Commission, Institute of Secretariat training and management of Government of India, the Andhra Pradesh Public Service Commission, the State Board of Technical Education and training or the board of Secondary Education, Andhra Pradesh or by any of the Universities in the State of Andhra Pradesh, the Board of Intermediate Education, Andhra Pradesh, Subject to the condition that such work or examinership does not interfere with his official duties but he shall not undertake or shall discontinue such work; or examinership, if so directed by Government.

13. Publications Of Books :-

No Government employee shall, without the previous permission of Government, publish any book, which is not purely of a literary artistic or scientific character. While applying for permission to publish a book he shall submit to Government a manuscript copy thereof :

Provided that an employee who publishes book with or without the previous permission of Government shall not canvass for its sale in any manner and it shall also be open to Government to insist on the sale of the Copyright in any such book

14. Communication Of Official Documents Or Information :-

No Government Employee shall, except accordance with any general or special order of Government, communicate directly or indirectly any official document or any of its contents or any official information, to any Government employee not authorized to receive the same, or to any non-official person or the Press.

15. Connection With Press :-

No Government employee shall except with the previous sanction of Government, own wholly or in part, or conduct, or participate in the editing or the management of, any newspaper or non-government publication.

Participation in Radio Broadcast contribution to News papers and Periodicals.

16 (1) No Government employee shall, except with the previous sanction of Government or any authority empowered by them in this behalf or in the course of discharge of his official duties, participate in a Radio broadcast or Drama or Tele-serial or Feature Film or contribute any article or write any letter in his own name or anonymously, pseudonymously or in the name of any other person to a newspaper or periodical:

Provided that no such sanction is necessary if such broadcast or Drama or Tele-serial or Feature Film or article or letter is of a purely literary, artistic or scientific character, or if such broadcast relates to a talk arranged under the general or special order of Government; and the Government employee may accept the remuneration prescribed for such broadcasts, Dramas or Tele-serials or Feature Films or articles or letters.

EARLIER POSITION

16. Participation In Radio Broadcast Contribution To News Papers And Periodicals :-

(1) No Government employee shall, except with the previous sanction of Government or any authority empowered by them in this behalf or in the course of discharge of his official duties, participate in a radio broadcast or contribute any article or write any letter in his own name or anonymously, pseudonymously or in the name of any other person to a newspaper or periodical:

Provided that no such sanction is necessary if such broadcast article or letter is of pure literary, artistic or scientific character, or if such broadcast relates to a talk arranged under the general or special order of Government; and the Government employee may accept the remuneration prescribed for such broadcasts, articles or letters.

(2) For the purpose of sub-rule (1), a Secretary to Government or a Head of Department may exercise the power of Government in respect of Government employees under his control, and may refer any case to Government for orders if he considers such a course desirable.

17. Criticism Of The Policy Or Action Of Govt. Or Any Other State Govt. Or Central Govt :-

(1) No Government employee shall, by any public utterance, written or otherwise, criticise any policy or action of Government or any other State Government the Central Government; nor shall he participate in any such criticism;

Provided that nothing in this rule shall be deemed to prohibit any Government employee from participating in discussions, at any private meeting solely of Government employees or of any association of Government employees of matters which affect the interest of such employees individually or generally;

(2) No Government employee shall, in any writing published by him, or in any communication made by him to the press, or in any public utterance delivered by him, make any statement of fact or opinion which is likely to embarrass-

(i) The relations between the Central Government or the Government of any State and the people of India or any section thereof.

(ii) the relations between the Central Government and the Government of any foreign State.

(3) A Government employee who intends to publish any document

or to make any communication to the press 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 (2) may arise, shall submit to Government the draft of such document, communication or utterance and shall, thereafter, act in accordance with such orders as may be passed by Government.

18. Evidence Before Any Committee, Commission Or Other Authority :-

(1) No Government employee shall give evidence in connection with any inquiry conducted by any committee, Commission or other authority:-

- (a) in India, except with the previous permission of Government;
- (b) outside India, except with the previous sanction of the Central Government;

(2) Where any sanction is accorded under sub-rule (1), no Government employee giving such evidence shall criticise the policy of the Central Government or of a State Government.

(3) Nothing in sub-rule (1) shall apply to--

- (a) evidence given before a statutory committee, commission or other authority which has power to compel attendance and the giving of answers;
- (b) evidence given in judicial inquiries;
- (c) evidence given at any departmental inquiry ordered by Government or any authority subordinate to them.

19. Amendment To G.O.Ms.No.77 :-

(1) No Government employee shall be a member of, or be otherwise associated with, any political party or any organisation in respect of which there is slightest reason to think that the organisation has a political aspect and takes part in politics; nor shall he participate 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 manner any movement or activity which is, or tends directly or indirectly to be, subversive of the Central Government or of a State Government, being prejudicial to national security; 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 Government.

(3) Nothing in sub-rule (2) shall apply in respect of any member of the family of a Government employee standing for an election to Parliament or any House of a State Legislature or local authority or body or canvassing for other candidates in any such election.

(4) If any question arises as to whether any movement or activity falls within the scope of this rule, the decision of Government thereon shall be final.

(5) No Government employee shall canvass or otherwise interfere or use his influence, in connection with, or take part in, an election to Parliament or any House of a State Legislature or any local authority or body:

Provided that:-

(i) A Government employee qualified to vote at such election may cost his vote but, where he 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 this rule by reason only that he has assisted in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

(6) The display by a Government employee on his person, vehicle, residence or any of his property, of any election symbol shall amount to using his influence in connection with an election within the meaning of sub-rule (5).

(7) The provisions of sub-rules (5) and (6) shall not apply to a Government employee required or permitted by or under any law or order of Government to be a candidate at an election to a local authority or body.

20. Vindication Of Acts And Character Of A Government Employee As Such :-

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

(2) Nothing in sub-rule (1) shall be deemed to prohibit a Government employee from vindicating his private character or an act done by him in his private capacity.

(3) No Government employee shall, except with the previous sanction of Government, accept from any person or body compensation of any kind for malicious prosecution or defamatory attack in respect of his official act unless such compensation has been awarded by a competent court of law.

21. Working With Or Under, Near Relatives In Govt. Service :-

(1) Every member of a State Service shall inform his immediate official superior if a member of a State or Subordinate Service, who is his near relative is to work under him.

(2) Every member of a State or Subordinate Service shall inform his immediate official superior if he is to work under a member of an All India Service or a State Service who is his near relative.

22. Employment Of A Member Of The Family In A Private Firm :-

Whenever a member of the family of a Government employee who is solely dependent on him wishes to accept employment under any person, or with any firm or company, having official connection with such Government employee or Government, the Government employee shall obtain the prior sanction of Government for such employment.

23. Govt. Employee Not To Deal In His Official Capacity With Matters Concerning Himself, His Relatives Or Dependents :-

No Government employee shall deal, in his official capacity, with any matter which directly or indirectly concerns himself or any of his relatives or dependents.

24. Influencing The Authorities For Furtherance Of Interests :-

(1) No Government employee shall bring or attempt to bring any extraneous influence to bear upon any authority for the furtherance his interests.

(2) A Government employee causing his own case to be made the subject of an interpellation in either House of Parliament or State Legislature or of discussion in the Andhra Pradesh Regional Committee shall be deemed to have contravened the provisions of

sub-rule (1).

(3) It will be improper for a Government employee who makes any representation to the competent authority through the proper channel, to bother the higher authorities with advance copies thereof:

Provided that a Government employee may send a copy of any representation made to the competent authority through the proper channel, direct to the higher authorities if the representation is made after exhausting such of the statutory remedies as were open to him and after receiving intimation that his representation has been withheld.

25. Bigamous Marriage :-

(1) No Government employee who has a wife living shall contract another marriage without first obtaining the permission of the Government, notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.

"Provided that where the personal law provides for second or subsequent marriage, the Government employee shall, while seeking permission to contract another marriage, produce documentary evidence in support of "Divorce or Talaq" in respect of previous marriage and the manner in which the same was secured or pronounced and intimated to the first or former wife".

(2) "No female Government servant, whether unmarried or widow or divorced, as the case may be, shall marry any person who has a wife living without first obtaining the permission of the Government, though the parties are governed by the personal law which otherwise permits contracting more than one marriage while the prior marriage is subsisting".

EARLIER POSITION

(2) No female Government employee shall marry any person who has a wife living without first obtaining the permission of the Government.

25A. Dowry :-

No Government servant shall--

(i) give or take or abet in giving or taking of dowry; or

(2) 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. (A Central Act 28 of

1961).

26-Drinking: Notwithstanding anything contained in the provisions of any Law relating to intoxicating drinks or drugs for the time being in force in any area, no Government employee shall -

(i) while on duty, be under the influence of such drinks or drugs to such an extent as to render him incapable of discharging his duty properly and efficiently; or

(ii) appear in a public place in a state of intoxication; or

(iii) consume such drinks or drugs in excess."

26. Earlier Position :-

Save as provided in any law for the time being in force relating to intoxicating liquors or narcotic drugs and psychotropic substances, no Government employee shall sell, buy, transport, possess, consume or otherwise deal with any such intoxicating liquor or drink, narcotic drug or psychotropic substance.

27. Interpretation :-

If any question arises relating to the interpretation of these rules, the decision of Government thereon shall be final.

28. Repeal :-

The Government Servants Conduct Rules, 1958, are hereby repealed:

Provided that such repeal shall not affect the previous operation of any action taken or orders or instructions issued thereunder, and subject thereto, anything done or any action taken under the rules so repealed shall be deemed to have been done or taken under these rules.

29. Saving Of Other Laws :-

The provisions of these rules shall be in addition to, and not in derogation, of any other law or order of any competent authority, for the time being in force, regulating the conduct of Government employees in the State.

ANNEXURE III

(Rule-6 A: G.O.Ms.No.354, G.A. (Ser.C) Dept., dt.8.8.1996.)

Intimation of Foreign Currency/Goods received by the Government employee Sri under rule 6-A of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

1. Name of the Government Servant:
2. Designation & Official Address:
3. Department to which he belongs.
4. Date of receiving/accepting of Foreign Currency/Goods.
5. Nature of the Foreign Currency/Goods received/accepted.
6. Sources from which received/accepted.
7. Reason/purpose for which the foreign currency/goods were received/accepted.
8. The relationship of the sender to the recipient and name, occupation and full address of the sender:
9. Whether the foreign currency/goods received/ accepted were intimated to the concerned authorities and customs or to the appropriate authority:
10. Whether the foreign currency/goods received/accepted were declared to Income Tax Department. If so, details to be furnished.
11. Mode and method of receipt/acceptance of the foreign currency/goods by the Government employee or his dependents.
12. Whether the Government employee having any official dealings from whom the foreign currency/goods were received/accepted;
13. Details of any expenditure incurred by the Government Employee in receipt/acceptance of the foreign currency/goods.

Signature of the

Government Employee.

Station:

Date:

INSTRUCTIONS

GOVERNMENT OF ANDHRA PRADESH

GENERAL ADMINISTRATIVE (SER.C) DEPARTMENT

Circular Memo No.15486/Ser.C/2007 Dated :30-7-2007

Sub:- Public Services - A.P. Civil Services (Conduct) Rules, 1964 - Submission of Annual Property Returns by employees promptly - Reiteration of instructions - Reg.

Ref:-1. Govt. Memo.No.442/SC.E/1983-1, G.A. (SC.E)Department, Dated 27.12.1983.

2. Circular Memo No.76883/Ser.C/98, G.A. (Ser.C) Department, Dated 12.12.1998.

3. Circular Memo No.8832/Ser.C/2003-1, G.A. (Ser.C) Dept., dated 29.1.2003.

4. Memo No.94649/Ser.C/2003, G.A. (Ser.C) Dept., dt.31.7.2003.

5. Circular Memo No.695, G.A. (Ser.C) Dept., dated 12.10.2006.

In the reference 5th cited, while reiterating the instructions regarding submission of Annual Property Returns by the Government employees as per sub-rule (7) of Rule-9 of A.P.C.S. (Conduct) Rules, 1964 it was requested in para 8 of reference as follows:-

"All the Spl. Chief Secretaries/Prl. Secretaries/Secretaries to Government and Heads of Departments etc. are requested to list out the employees who have not furnished their Annual Property Returns as on 15.1.2005 and thereafter issue show cause notices to each as to why disciplinary action shall not be taken against them and if within a reasonable time thereafter the Annual Property Returns are not received, or if the explanation to the query raised is not given or if given, but found not satisfactory, then they are requested to award "Censure" to the employee concerned".

2. Government after careful examination have decided to amend the above para as follows:-

"All the Spl. Chief Secretaries/Prl. Secretaries/Secretaries to Government and Heads of Departments etc are requested to list out the employees who have not furnished their Annual Property Returns in time, within a month after the last date for receiving such returns and proceed against such officers as per APCS (CCA) Rules, 1991 for violation of APCS (Conduct) Rules, 1964."

3. All the Departments of Secretariat, All Heads of Departments and all District Collectors are requested to bring the above rule position to the notice of all the employees working under their control for their strict compliance.