

## **HYDERABAD MUNICIPAL CORPORATION (EMPLOYEES CONDUCT) RULES, 1968**

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## **HYDERABAD MUNICIPAL CORPORATION (EMPLOYEES CONDUCT) RULES, 1968**

In exercise of the powers conferred by Sub-section (1) of Section 585 of the Hyderabad Municipal Corporation Act, 1955, (Act II of 1956), the Governor of Andhra Pradesh hereby makes the following rules regulating the conduct of the Corporation employees of the Municipal Corporation of Hyderabad, the same having been previously published as required by Sub-section (3) of Section 585 of the said Act.

**1. Short title, application and commencement :-**

(1) These rules may be called the Hyderabad Municipal Corporation (Employees Conduct) Rules, 1968.

(2) They shall apply to every person who is borne on the establishment of the Corporation or holds any post under the Corporation : Provided that nothing in these rules shall apply to:-

(i) the members of the All India Services holding any post under the Corporation;

(ii) the members of the State Service holding any post under the Corporation;

(iii) persons who are not full time employees but are engaged to do any work without prejudice to the regular practice by such persons for their profession in other respects subject to the exception that Rules, 15,16,11,19 and 40 shall apply to the standing counsels appointed by the Corporation and pleaders doing Corporation works; or

(iv) persons paid from contingencies.

(3) The rules shall come into force from the date of publication in the Official Gazette.

**2. Definitions :-**

(a) In these rules, unless the context otherwise requires ;

(i) 'Act' means the Hyderabad Municipal Corporation Act, 1955 (Act II of 1956).

(ii) 'Appointing Authority' in relation to a Corporation employee means the Authority empowered by or under the Act to make an appointment to the post which such employee for the time being holds.

(iii) 'Corporation' means the Municipal Corporation of Hyderabad.

(iv) 'Corporation employees' means any person who is borne on the Corporation establishment or holds any post under the Corporation, whether he is on duty or under suspension or on leave or on foreign service, either within or outside the State.

(v) 'Government' means the State Government.

(vi) 'Member of the family' in relating to a Corporation employee, includes the spouse, son, daughter, stepson or stepdaughter 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 employee but does not include a spouse legally separated from such employee or a son, daughter, stepson, or stepdaughter who is no longer in any way dependent upon such employee, or of whose custody such employee is deprived by law.

(vii) 'Section' means Section of the Act.

(viii) 'Standing Committee' means the Standing Committee as constituted under Section 93 of the Act.

(ix) 'State' means the State of Andhra Pradesh.

(b) Words used but not defined in these rules shall have the meaning assigned to them in the Act and in the Andhra Pradesh Civil Services (Conduct) Rules, 1964 as amended from time to time.

### **3. General :-**

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

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

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

### **4. Strikes :-**

No Corporation 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 the Corporation to take or omit to take any official action ;

(iii) any demonstrative fast, like hunger strike' with the objective mentioned in item (ii) ; or

(iv) concerted or organised refusal on the part of the Corporation employees to receive their pay.

**5. Demonstration :-**

No Corporation employee shall participate in any demonstration which is against the interests of public order.

**6. Gift, service, entertainments, address and other forms of felicitations :-**

(1) No Corporation 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 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 Commissioner, for decision as to its disposal ; or

(ii) receive any address or accept any felicitations or entertainment held in his honour :

Provided that nothing in this sub-rule shall apply to

(a) gifts or 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 fifty rupees from personal friends presented to a Corporation 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 group photo with the officers and the members of staff of his office.

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

(3) No Corporation employee shall receive any town, 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.

**7. Subscriptions :-**

No Corporation employee shall except with the previous sanction of the Commissioner 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 Corporation employee shall-

(i) engage, either by himself or through others, in the business of money lending; or

(ii) lend or borrow money, either by himself or through others in a manner which will place him under any kind of official obligation to any person or cause official embarrassment to him.

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

(i) any transaction of a Corporation 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 Corporation employee who lends money while acting as an executor, administrator or a trustee without profit or advantage to himself ;

(iii) a Corporation employee, who belongs to a Joint Hindu Family carrying on the business of money lending as an ancestral profession :

Provided he takes no active share in that business and is not employed in the area in which the said business of the family is carried on.

(3) A Corporation employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Corporation employee, who is involved in a legal proceeding for insolvency, shall forthwith report the full facts to the Commissioner.

**9. Acquiring or disposing of immovable removable property**

:-

(1) No Corporation employee shall, except after previous intimation to the Commissioner, 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.

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

(2) A Corporation employee, who enters into any transaction concerning any movable property exceeding rupees one thousand in value whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the Commissioner;

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

(3) Nothing in Sub-rule (2) shall apply to any purchase made by a Corporation employee for the performance of weekings, religious or social functions.

(4) No Corporation 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-rule (1) and (2) shall not apply to:-

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

(ii) any Corporation or Government land which is sold or granted on lease to any Corporation employee in accordance with the provisions of the Act or rules or bye-laws made thereunder or any other rules in force.

(6) Except with the sanction of the Commissioner, no Corporation 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 the Corporation.

(7) Every Corporation employee other than a member belonging to the last grade service or other inferior service or who is born on

work charged establishment of the Corporation and an attender or a record keeper belonging to the subordinate service of the Corporation shall, on first appointment in the Corporation service and thereafter before the 15th January of each year, submit to the Commissioner, through the proper channel, a declaration in the form given in the Annexure to these rules, of all immovable property 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 other person. The declaration shall contain such further information as the Commissioner may, by a general or special order, require. If, in any year, a Corporation employee has not acquired or disposed of any immovable property or any interest therein he shall submit a declaration to the effect.

(8) The Commissioner, may, at anytime by general or special order, require a Corporation 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 the Commissioner, include particulars of the means by which or the sources from which such property was acquired.

(9) If a Corporation employee is under orders of transfer to place in which he possesses or has an interest in any immovable property, he shall forthwith report the fact to his immediate superior officer.

#### **10. Private trade business and investments :-**

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

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

(3) No Corporation 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 the Commissioner shall be final in respect of any question arising under this rule.

#### **11. Promotion and management of Companies in private capacity :-**

No Corporation employee shall, in his private capacity, except with the previous sanction of the Corporation 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 Corporation employee may, in accordance with the provisions of any general or special order of the Corporation, 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.

**12. Private employment :-**

No Corporation employee shall, except with the previous sanction of the Commissioner undertake any employment or work other than that connected with his official duties:

Provided that a Corporation employee may, without such sanction, undertake honorary work of social or charitable nature, or occasional work of a literary, artistic or scientific character, subject to the condition that such work does not interfere with his official duties but he shall not undertake or shall discontinue such work, if so directed by the Commissioner.

**13. Pecuniary transaction with contractors :-**

No Corporation employee shall have any pecuniary transactions with municipal contractors or any other person in any way connected with any department under the Corporation.

**14. Publication of books :-**

No Corporation employee shall with or without the previous permission of the Commissioner, 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 the Commissioner, a manuscript copy thereof.

Provided that an employee, who publishes a book with or without the previous permission of the Commissioner shall not canvass for its sale in any manner and shall furnish every year to the Commissioner, through the proper channel, information regarding the number of books sold, the royalty received and the like. It shall also be open to the Commissioner to insist on the sale of the copyright in any such book.

**15. Communication of official documents or information :-**

No Corporation employee shall except in accordance with the provisions of the Act or the rules or bye-laws made thereunder or any general or special order of the Commissioner communicate directly or indirectly and official document or any of its contents, or



any official information to any other employee of the Corporation not authorised to receive the same or to any non-official persons or the press:

Provided that a Corporation employee may contribute an article of a scientific or technical character to a non-government publication with the previous permission of the Commissioner while applying for such permission he shall submit to the Commissioner a manuscript copy of the article.

**16. Connection with press :-**

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

**17. Participation in radio broadcast :-**

(1) No Corporation employee shall, except with the previous sanction of the Commissioner or in the course of discharge of his official duties, participate in a radio broadcast :

Provided that no such sanction is necessary, if such broadcast is of a purely literary, artistic or scientific character, if such broadcast relates to talk arranged under the general or special order of the Commissioner and the Corporation employee may accept the remuneration prescribed for such broadcast.

(2) For the purpose of sub-rule (1) the Commissioner may refer any case to the respective appointing authorities for orders, if he considers such a course is desirable.

**18. Criticism of the policy or action of the Corporation, the Government or any other State Government or Central Government :-**

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

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

(2) No Corporation employee shall, in any wiring published by him or in any communication made by him to the press, or in any public utterance 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 Sections thereof:

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

(3) A Corporation employee, who intends to publish any document or make any communication to the press or 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 the Commissioner, the draft of such document, communication or utterance and shall thereafter, act in accordance with such orders, as may be passed by the Commissioner.

**19. Evidence before any Committee, Commission or other authority :-**

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

(i) in India, except with the previous permission of the Commissioner, or

(ii) outside India, except with the previous sanction of the Central Government.

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

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

(i) evidence given before statutory committee, commission or other authority which has power to compel attendance and the giving of answers ;

(ii) evidence given in judicial inquiries;

(iii) evidence given at any departmental inquiry ordered by the

Commissioner or Government.

**20. Taking part in politics and elections :-**

(1) No Corporation employee shall be a member of or be otherwise associated with any political party or any organisation which takes part in politics, nor shall he participate or subscribe in aid of or assist in any other manner, any political movement or activity.

(2) It shall be the duty of every Corporation 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 Corporation employee is unable to prevent a member of his family from taking part in or subscribing in aid of or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Commissioner.

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

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

(5) No Corporation 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 Corporation employee qualified to vote such election may cast 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 Corporation 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 Corporation 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 Corporation 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.

**21. Address while under suspension :-**

When a Corporation employee is under suspension he is free to go any where he likes, but he shall leave his address with the hand of his office, or if he is himself the head of an office an office with the commissioner. He shall also leave his address with the officer if any, holding an enquiry into his conduct.

**22. Vindication of acts and character of a Corporation employee as such :-**

(1) No Corporation employee shall, except with the previous sanction of the Commissioner, 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 Corporation employer from vindicating his private character or an act done by him in his private capacity.

(3) No Corporation employee shall, except with the previous sanction of the appointing authority, 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.

**23. Working with or under relatives in Corporation Service :-**

(1) Every member borne on the establishment of the Corporation shall inform in writing his immediate official superior, if another member of the establishment of the Corporation who is his near relative, is to work under him.

(2) Every member borne on the establishment of the Corporation shall inform the Commissioner, in writing though his immediate

official superior, if he is to work under a member of an All India service or of a State Service,; who is his near relative.

**24. Employment of a member of the family in a private firm**

**:-**

Whenever a member of the family of a Corporation, 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 Corporation employee or the Corporation, the Corporation employee shall obtain the prior sanction of the Commissioner for such employment.

**25. Corporation employees not to deal in his official capacity with matters concerning himself, his relatives or dependents :-**

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

**26. Influence authorities for furtherance of interests :-**

No Corporation employee shall bring or attempt to bring any extraneous influence to bear upon any authority for furtherance of his interests. The penalty for contravention of this rule shall be the withholding of promotion for him either permanently or for such period, as the competent authority may determine of the reduction to a lower stage in the time scale of pay.

(2) A Corporation employee causing his own case to be made the subject of an interpretation or discussion in either the General Body of the Corporation for or the Standing Committee or any other Committee constituted under the provisions of the Act, or of discussion in the Andhra Pradesh Legislative Assembly or Council or Regional Committee shall be deemed to have contravened the provisions of sub-rule (1).

(3) It will be improper for Corporation employee, who makes any representation either to the superior authority of the Corporation or to the Government through the proper channel to bother either the Mayor or the Chairman of the Standing Committee or the Ministers with advance copies thereof ;

Provided that a Corporation employee may send a copy of any representation made to a superior authority of the Corporation or to the Government through the proper channel, direct to the Mayor or the Chairman of the Standing Committee or the Minister-in-charge,

if the representation is made after exhausting such of the statutory remedies as were open to him.

(4) No Corporation employee shall accept with the previous permission of the authority to which he is immediately subordinate, seek or have an interview with any officer other than his immediate superior, the Mayor, Chairman or any Committee or member of the Corporation in respect of any matter affecting him personally as such employee.

### **27. Bigamous Marriages :-**

No Corporation employee, who has a wife living shall contract another marriage notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.

(2) No female employee of the Corporation shall marry any person who has a wife living.

### **28. Drinking :-**

Subject to the provisions of any law relating to intoxicating drinks or drugs for the time being in force in any area, no Corporation employee shall

(a) while on duty be under him incapable of discharging his duty properly and efficiently; or

(b) appear in a public place in a state of intoxication, or

(c) habitually use such drinks or drugs to excess.

### **29. Application for private employment :-**

(1) No Corporation employee shall apply for private employment or signify his willingness to accept such employment having previously obtained the permission in writing of the Commissioner, in respect of the post for which he is applying.

(2)

(A) Permission to apply for or accept private employment shall normally, be granted to a person who is on leave preparatory to retirement, unless the employment is in a trading concern in India. Permission to apply for or accept private employment in trading concern in India be granted only in very exceptional cases and may be subject to the conditions of immediately retirement.

(b) Permission to apply for or accept private employment shall not be granted to any Corporation employee, unless the appointing authority is satisfied that his premature resignation may be accepted without retirement to the Corporation Service.

(3) If a person who is refused permission to apply for or accept private employment wishes to resign his appointment under the Corporation, such resignation shall ordinarily be accepted.

(4) Where a person, who is not on leave preparatory to retirement is permitted to apply for accepting private employment he shall resign his appointment under the Corporation immediately on accepting such employment ;

Provided that resignation tendered by a Corporation employee under sub-rules (3) and (4) shall not be accepted by the Commissioner, until it has been ascertained that there are no demands outstanding against him. A certificate to this effect signed by Gazetted Officer under whom the Corporation employee is working at the time of tendering resignation shall be attached to the connected file.

### **30. Repeal :-**

As from the commencement of these rules, all rules in force within the limits of the Municipal Corporation of Hyderabad relating to the conduct of the Corporation employees shall stand repealed :

Provided that such repeal shall not affect the previous operation of 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.

### **31. Saving of other laws :-**

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 the Corporation employees.

### **32. Interpretation :-**

If any question arises relating to the interpretation of these rules, the matter shall be referred by the Commissioner to the Government, whose decision thereon shall be final.