

TSCS Conduct Rules, 1964

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OBJECTIVE

BUILDING A SOUND
CONCEPTUAL BASE OF THE
VARIOUS PROVISIONS OF THE
CONDUCT RULES AND THEIR
APPROPRIATE APPLICABILITY IN
GENERAL AND SPECIFIC CASES

OBJECTIVES OF CONDUCT RULES

Rules

- REGULATE GENERAL BEHAVIOR OF GOVT SERVANTS
- SECURE FULL COMMITMENT OF GOVT SERVANTS IN IMPLEMENTING GOVT'S POLICIES
- SET CERTAIN MORAL STANDARDS
- ELIMINATE ALL FORMS OF IMMORAL AND IMMODERATE BEHAVIOR WHICH ARE LIKELY TO IMPACT ON GOVT SERVANT'S CAPABILITIES TO DISCHARGE HIS DUTIES
- MAKE GOVT SERVANT TO LEARN TO LIVE WITHIN HIS MEANS SINCE HE BELONGS TO FIXED INCOME GROUP
- PREVENT GOVT SERVANT FROM ALIGNING AGAINST GOVT OR EXERCISING UNDUE INFLUENCE OR DURESS

NEED FOR CONDUCT RULES

- THE ESSENCE OF GOVERNMENT SERVICE
- SENSE OF DISCIPLINE TO WHICH ALL GOVERNMENT EMPLOYEES ARE SUBJECT TO
- THE PRIVILEGES TO WHICH THEY, IN GENERAL ARE ENTITLED

TSCS (CONDUCT) RULES, 1964

- ANALYSIS OF THE RULES
- MADE UP OF 29 RULES
- STATUTORY WITHIN THE MEANING OF ARTICLE 309 OF THE CONSTITUTION
- CLARIFIED BY GOVERNMENT INSTRUCTIONS WHEREVER NECESSARY OR IN CASE OF DOUBTS

Rules

- 1. SHORT TITLE AND APPLICATION
- 2. DEFINITIONS
- 3. GENERAL RULES (UNBECOMING OF GOVT. SERVANT)
- 4. STRIKES
- 5. DEMONSTRATIONS
- 6. GIFTS, SERVICE ENTERTAINMENT ADDRESSES AND OTHER FORMS OF FELICITATION (FOREIGN CURRENCY)
- 7. SUBSCRIPTION
- 8. LENDING, BORROWING AND INSOLVENCY
- 9. ACQUIRING OR DISPOSING OF IMMOVABLE/MOVEABLE PROPERTY (ANNEXURE- I,II)
- 10. PRIVATE TRADE, BUSINESS AND INVESTMENT

Rules

- 11. PROMOTION, REGISTRATION OR MANAGEMENT OF ANY BANK OR OTHER REGISTERED COMPANY.
- 12. PRIVATE EMPLOYMENT
- 13. PUBLICATIONS OF BOOKS
- 14. COMMUNICATION OF OFFICIAL DOCUMENTS OR INFORMATION
- 15. CONNECTION WITH PRESS
- 16. PARTICIPATION IN RADIO BROADCAST AND CONTRIBUTION TO NEWSPAPERS AND PERIODICALS
- 17. CRITICISM OF THE POLICY OR ACTION OF GOVERNMENT OR ANY OTHER STATE GOVERNMENT OR CENTRAL GOVERNMENT.
- 18. EVIDENCE BEFORE ANY COMMITTEE, COMMISSION OR OTHER AUTHORITY
- 19. PARTICIPATE IN POLITICAL MOVEMENT

Rules

- 20. VINDICATION OF ACTS AND CHARACTER OF A GOVERNMENT EMPLOYEE
- 21. WORKING WITH OR UNDER NEAR RELATIVES IN GOVERNMENT SERVICE
- 22. EMPLOYMENT OF A MEMBER OF FAMILY IN A PVT. FIRM
- 23. NOT TO DEAL IN OFFICIAL CAPACITY WITH MATTER CONCERNING HIMSELF, HIS RELATIVES OR DEPENDENTS.
- 24. INFLUENCING THE AUTHORITIES FOR FURTHERANCE OF INTERESTS
- 25. BIGAMOUS MARRIAGE, DOWRY
- 26. INTOXICATING LIQUOR
- 27. INTERPRETATION
- 28. REPEAL
- 29. SAVING OF OTHER LAWS (ANNEXURE-III)

TSCS (CONDUCT)RULES

- APPLICABILITY
- MOSTLY DONTS AND A FEW DOs
- A SET OF CHECKS AND CONTROLS
- RESTRICTIVE PROVISIONS
- RESTRICTION ON FUNDAMENTAL RIGHTS / PRIVATE LIFE
- MISCELLANEOUS

Conduct Means

- BEHAVIOR
- MANAGEMENT
- CARRY OUT
- GUIDE
- MANNER

MEMBER OF FAMILY OF THE GOVERNMENT SERVANT

- SPOUSE
- SON/DAUGHTER – including step children
- ANY OTHER PERSON RELATED TO AND RESIDING WITH AND WHOLLY DEPENDENT

CONDUCT RULES - DOs

- DEVOTION TO DUTY
- ABSOLUTE INTEGRITY
- DISCIPLINE
- IMPARTIALITY
- SENSE OF PROPRIETY
- BEST JUDGEMENT

CONDUCT RULES - DO's

- MAINTAIN PROPER DECORUM WORKING, LUNCH HOURS
- REPORT ARREST OR CONVICTION
- ACT WITH GOVT POLICIES
- OBSERVE COURTESY TO MP/MLA
- MAINTAIN STANDARD CONDUCT IN PRIVATE LIFE
- AVOID HABITUAL INDEBTEDNESS OR INSOLVENCY

CONDUCT RULES – Do's

- PROMPT & COURTEOUS
- ENSURE INTEGRITY & DEVOTION OF SUBORDINATES
- SUBMISSION OF STATEMENT OF ALL IMMOVABLE PROPERTY &
- MOVABLE PROPERTY EXCEEDING Rs.1,00,000
- OBTAINING PRIOR PERMISSION IN ACQUIRING OR DISPOSAL OF PROPERTY
- DECLARATION OF FOREIGN CURRENCY/GOODS EXCEEDING Rs.50,000

TSCS(CONDUCT)RULES – Dont's

- NOT TO BEHAVE IN A MANNER
- i UNBECOMING OF GOVT.SERVANTS
- ii.DEROGATORY TO:
 - THE INTERESTS OF THE GOVT
 - THE PRESTIGE OF GOVT.
- iii.EMBARASSMENT TO OFFICIAL POST
- UNMANNERLY ATTITUDE
 - unsuitable ,indecorous, improper
- INSUBORDINATION
- LACK OF DECORUM
- LAZINESS
- CORRUPT PRACTICES
- SHIRKING RESPONSIBILITY

RESTRICTIONS ON FUNDAMENTAL RIGHTS

- BE A MEMBER OF ANY POLITICAL PARTY, TAKE PART IN POLITICS & ELECTIONS
- JOINING AND FORMING ASSOCIATIONS
- DEMONSTRATIONS AND STRIKES (R4&5)
- CONNECTION WITH PRESS AND RADIO
- CRITICISM OF GOVT
- ACQUISITION AND DISPOSAL OF PROPERTY

RESTRICTIVE PROVISIONS ON PRIVATE/PERSONAL LIFE

- TRADE & EMPLOYMENT
- INVESTING ,LENDING AND BORROWING
- COLLECTION OF SUBSCRIPTION
- ACCEPTANCE OF GIFTS
- FELICITATIONS, TROWL ETC
- PUBLIC DEMONSTRATIONS
- VINDICATION OF OFFICIAL ACTS
- RECEIPT OF FOREIGN CURRENCY/GOODS
- CANVASSING OF OUTSIDE INFLUENCE
- BIGAMOUS MARRIAGES
- CONSUMPTION OF INTOXICATING DRINKS

MISCELLANEOUS

- PROMOTION & MANAGEMENT OF COMPANIES
- APPOINTMENT OF NEAR RELATIVES
- FAMILY MEMBER IN PRIVATE FIRM
- PUBLICATION OF BOOKS
- EVIDENCE BEFORE COMMITTEES
- DEALING WITH OWN CASES
- SEXUAL HARASSMENT
- PROLONGED ABSENCE
- SMOKING

TSCS CONDUCT RULES, 1964

RULE 3 (1) EVERY GOVT SERVANT SHALL AT ALL
TIMES

(i) MAINTAIN ABSOLUTE INTEGRITY

(ii) MAINTAIN ABSOLUTE DEVOTION

(iii) DO NOTHING, WHICH IS UNBECOMING OF A
GOVT SERVANT

Activities requiring permission or sanction

- JOINING EDUCATIONAL INSTITUTION
- JOIN HOME GUARDS
- JOIN FOREIGN LANGUAGE CLASS
- PARTICIPATE IN THE EDITING OR MANAGEMENT
- ACQUIRE OR DISPOSE ANY IMMOVABLE PROPERTY
- ENTER INTO TRANSACTIONS IN MOVABLE PROPERTY EXCEEDS LIMITS
- TO GIVE EVIDENCE IN ANY ENQUIRY
- ASK FOR OR ACCEPT CONTRIBUTIONS
- ACCEPT GIFTS WHEN VALUE EXCEEDS LIMITS
- ENGAGE IN ANY TRADE OR BUSINESS

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 GOVERNMENT SERVANT AT ALL TIMES TO

- MAINTAIN ABSOLUTE INTEGRITY;
 - MAINTAIN DEVOTION TO DUTY; AND
 - DO NOTHING WHICH IS UNBECOMING OF A GOVERNMENT SERVANT.
- ➔ MOST OF THE DISCIPLINARY PROCEEDINGS ARISE OUT FROM THE BREACH OF THIS RULE

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.

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

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.

Govt 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.
- AVOID PARTICIPATION IN PROSELYTIZING ACTIVITIES
- 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

MISCONDUCT - meaning

ITS AMBIT HAS TO BE CONSTRUED WITH REFERENCE TO THE SUBJECT-MATTER AND THE CONTEXT WHEREIN THE TERM OCCURS, REGARD BEING HAD TO THE SCOPE OF THE STATUTE AND THE PUBLIC PURPOSE IT SEEKS TO SERVE

MISCONDUCT - meaning -contd.

NOT CAPABLE OF PRECISE DEFINITION, ITS REFLECTIONS RECEIVE ITS CONNOTATIONS FROM THE CONTEXT, THE DELINQUENCY IN ITS PERFORMANCE AND ITS EFFECT ON THE DISCIPLINE AND THE NATURE OF DUTY. IT MAY INVOLVE MORAL TURPITUDE; IT MUST BE IMPROPER OR WRONG BEHAVIOUR, UNLAWFUL BEHAVIOUR, WILFUL IN CHARACTER; FORBIDDEN ACT, A TRANSGRESSION OF ESTABLISHED AND DEFINITE RULE OF ACTION OR CODE OF CONDUCT BUT NOT MERE ERROR OF JUDGEMENT, CARELESSNESS OR NEGLIGENCE IN PERFORMANCE OF THE DUTY; THE ACT COMPLAINED OF BEARS FORBIDDEN QUALITY OR CHARACTER

MISCONDUCT - *illustrations*

THE ACT OR CONDUCT AMOUNTING TO MISCONDUCT

- PREJUDICIAL TO THE INTERESTS OF THE MASTER
- MASTER CANNOT RELY ON THE FAITHFULNESS OF HIS EMPLOYEE
- HABITUAL NEGLECT OR NEGLIGENCE OF WORK
- IF THE GOVERNMENT SERVANT IS ABUSIVE OR IF HE DISTURBS THE PEACE OF THE PLACE OF HIS EMPLOYMENT

MISCONDUCT - *illustrations*

ALSO INCLUDES

- WILFUL INSUBORDINATION OR DISOBEDIENCE, WHETHER ALONE OR IN COMBINATION WITH OTHERS, TO ANY LAWFUL AND REASONABLE ORDER OF A SUPERIOR
- INFIDELITY, UNFAITHFULNESS, DISHONESTY, UNTRUSTWORTHINESS, THEFT AND FRAUD
- STRIKE, PICKETING, 'GHERAO'
- RIOTOUS AND DISORDERLY BEHAVIOUR
- HABITUAL LATE ATTENDANCE
- INCONSISTENT OR INCOMPATIBLE WITH THE DUE OR PEACEFUL DISCHARGE OF HIS DUTY TO HIS MASTER, ETC.

WHAT QUESTIONS DO YOU HAVE ?