

Delhi Assembly Election – 2015/Immediate Attention



DELHI JAL BOARD  
GOVERNMENT OF NCT OF DELHI  
OFFICE OF THE ASSISTANT COMMISSIONER (W)  
VARUNALAYA PHASE-II, KAROL BAGH,  
NEW DELHI-110005.  
Phone No: - 011-23614378  
Email: - [ac.water22@yahoo.co.in](mailto:ac.water22@yahoo.co.in)

F.No.146(14)/AC(W)/Elect. -15/2014/

9561

Dated: 20.01.2015

21

CIRCULAR

**Subject : Code of Conduct of Government Servants and restrictions regarding their participation in the politics and elections.**

Please find enclosed herewith a copy of circular dated 15.01.2015 bearing letter No. F.No.DEO/NDD/Election/2015/Nil along with an abstract of relevant portion of Rule 5 of CCS Conduct Rules, 1965 issued by D.M./Distt. Election Officer (New Delhi District), 12/1, Jam Nagar House, Shahjahan Road, New Delhi – 110 011 on the above noted subject.

You are requested to bring the above said provisions to the notice of all the employees working under your administrative control, so that they may desist themselves from any such activity which may be a contravention of the Rule – 5 of CCS Conduct Rules, 1965.

Issued for information and strict compliance by all the concerned.

Encl: 03 Pages.

(AMIT KUMAR JAIN)  
ASSTT. COMMISSIONER(W)/NODAL OFFCER

All DDOs/Controlling Officers

Copy for kind information to :

1. Chief Executive Officer.
2. All Members/CVO
3. All Directors/All Chief Engineers/Addl. CEO/Secretary, DJB
4. **EE(EDP)** - with the request to upload the above on the website of DJB under intimation to this office.

ASSTT. COMMISSIONER(W)/NODAL OFFCER

Sh. Sanjay Pragnan

EE/EDP



**OFFICE OF THE DISTRICT ELECTION OFFICER (NEW DELHI DISTRICT)**

**12/1, Jam Nagar House, Shahjahan Road, New Delhi – 110011 Ph. 23073031 emails: dcnd@nic.in**

**F.No. DEO/NDD/ELECTION/2015/**

**Dated: 15.01.2015**


**CIRCULAR**

**Subject: Code of Conduct of Government Servants and restrictions regarding their participation in the politics and elections.**

As the area under New Delhi Parliamentary Constituency which consists of 10 Assembly Constituencies is mostly dominated by the Government Colonies inhabited by the Central Government Servants, it has become necessary to bring the above provisions of the CCS (Conduct) Rules to the notice of all the Government employees, keeping in view the ensuring General Election to the Delhi Legislative Assembly Elections, 2015. Further, there are so many Residential Welfare Associations (RWAs) in these areas and some of the Government Servants by virtue of being a member of the Executive Committees of such RWAs may inadvertently involve themselves in such activities, which may eventually be construed as contravention of the above Conduct Rules. An abstract of relevant portion of Rule 5 of CCS Conduct Rules, 1965 is enclosed herewith as **Annexure-I**.

2. As you are aware any contravention of the cited rule by any Government Servant amounts to **Grave Misconduct and Misbehavior** which is liable for action under **CCS (CCA) Rules, 1965**. Therefore, any activity within the purview of the above provisions are detrimental to the cause of the Government Servant themselves.

3. In view of the foregoing, you are requested to bring the above provisions to the notice of all the Government employees working under your administrative control, so that they may desist themselves from any such activity which may be a contravention of the Rule-5 of CCS (Conduct Rules, 1965).

  
**(SANJAY KUMAR)**  
**D.M./DISTT. ELECTION OFFICER**  
**NEW DELHI DISTRICT**

To

The Secretary  
All Central Government Ministry/Department  
Government of India/State Government



Abstract of Rule 5 of CCS (Conduct) Rules, 1964, relating to participation of the Government Servants in the Politics & Elections, which is reiterated below:

**"No Government servant shall be a member of, or be otherwise associated with, any political party or any organization which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.**

**It shall be the duty of every Government servant to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be subversive of the Government as by law established and where a Government servant 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 Government."**

2. Further attention is also drawn towards the Government of India Decisions on the subject matter, which are also reiterated below:

**"(1) Participation of Government servants in political activities**

Doubts have been raised recently as to the scope of Rule 23 (i) of the Government Servants Conduct Rules (now Rule 5) which lays down that no Government servant shall take part in, subscribe in aid of, or assist in any way, any political movement in India or relating to Indian affairs. According to the Explanation (not in the new rule) to that clause, the expression "political movement" includes any movement or activities tending directly or indirectly to excite disaffection against, or to embarrass, the Government as by law established or to promote feelings of hatred of enmity between classes of His Majesty's subjects or disturb the public peace. This explanation is only illustrative and is not intended in any sense, to be an exhaustive definition of "political movement". Whether or not the aims and activities of any organization are political is a question of fact which has to be decided on the merits of each case. It is, in the opinion of Government, necessary, however, that the Government servants under the Ministry of Finance etc. should be warned that –

- (a) It is the duty of the Government servant who wishes to join, or take part in the activities of any association or organization positively to satisfy himself that its aim and activities are not of such a nature as are likely to be objectionable under Rule 23 of the Government Servants' Conduct Rules (now rule 5); and
- (b) The responsibility for the consequences of his decision and action must rest squarely on his shoulders and that a plea of ignorance or misconception as to Government's attitude towards the association or organization would not be tenable.

It should also be impressed on them that, in cases where the slightest doubt exists as to whether participation in the activities of an association or organization involves as infringement of Rule 23 (now Rule 5), the Government servant would be well advised to consult his official superiors.

(MHA OM No. 25/44/49-Ests (A), dated 17.09.1949)

Contd....2/-



12/6

**(2) Attendance by Government servants at political meetings**

- a) Attention is invited to the Ministry of Home Affairs Office Memorandum No. 25/44/49-Ests.(A), dated the 17<sup>th</sup> September (Decision No. 1 above), dealing with the scope of Rule 23 (i) of the Government Servant's Conduct Rules (now Rule 5) which laid down that no Government servant shall take part in, subscribe in aid of, or assist in any way, any political movement in India.
- b) Enquiries have been received as to whether attendance by a Government servant at public meetings organized by political parties would amount to participation in a political movement within the meaning of the rule referred to. Even in regard to the narrower question the position must necessarily remain as stated in the Office Memorandum referred to in paragraph 1, viz:-
  - (i) that whether or not the conduct of any particular nature amounts to participation in a political movement is a question of fact to be decided on the merits and in the circumstances of each particular case; and
  - (ii) that the responsibility for the Government Servant's conduct must rest squarely on his shoulders and that a plea of ignorance or misconception as to the Government's attitude would not be tenable.
- (3) The following observations may, however, be of assistance to Government servants in deciding their own course of action :-
  - (i) Attendance at meetings organized by a political party would always be contrary to Rule 23 (i) of the Government Servants' Conduct Rules (now Rule 5) unless all the following conditions are satisfied:-
    - (a) that the meeting is a public meeting and not in any sense a private or restricted meeting;
    - (b) that the meeting is not held contrary to any prohibitory order or without permission where permission is needed; and
    - (c) that the Government servant in question does not himself speak at, or take an active or prominent part in organizing or conducting, the meeting.
  - (ii) Even where the said conditions are satisfied, while occasional attendance at such meetings may not be construed as participation in a political movement, frequent or regular attendance by a Government Servant at meetings of any particular political party is bound to create the impression that he is a sympathizer of the aims and objects of that party and that in his official capacity he may favour or support the members of that particular party. Conduct which gives cause for such an impression may well be construed as assisting a political movement.
  - (iii) Government servants have ample facilities through the medium of the press to keep themselves informed regarding the aims, objects and activities of the different political parties and to equip themselves to exercise intelligently their civic rights e.g. the right to vote at elections to Legislature or Local Self Government institutions.

(MHA OM No.25/44/49-Ests.(A), dated 10.10.1949)