

The Tripura Civil Services (Conduct) Rules, 1988

TRIPURA

India

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Rule THE-TRIPURA-CIVIL-SERVICES-CONDUCT-RULES-1988 of 1988

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The Tripura Civil Services (Conduct) Rules, 1988 Published vide Notification Tripura Gazette, Extraordinary, dated 20-8-1988 Last Updated 18th February, 2020 Notification No. F.2(l)-ARD/88, dated 19th July, 1988. - In exercise of the powers conferred by the proviso to Art. 309 of the Constitution of India, the Governor is pleased hereby to make the following rules relating to Tripura Civil Services (Conduct) Rules, 1988 or persons appointed to public services or posts in connection with the affairs of the State:

1. Short title, application and commencement.

- (i) These Rules may be called the Tripura Civil Services (Conduct) Rules, 1988. (ii) They shall apply to all employees of the Government of Tripura except persons appointed to any All India Services. (iii) The rules shall come into force at once.

2. Definitions.

- In these Rules, there is anything contrary to the context, - (a) "Appointing Authority" in relation to a Government employee means the authority empowered to make appointment to the services or post held by him for the time being; (b) "Government employee" means any person appointed to a service or post in connection with the affairs of the State; (c) "Government" means the Government of Tripura; (d) "members of family" in relation to a Government employee means the wife or husband, as the case may be, and the dependent sons/daughters and parents (child/children or the step-child or step-children) of the Government employee; (e) "State" means the State of Tripura.

3. General.

(1) Every Government servant shall at all times - (i) maintain absolute integrity; (ii) maintain devotion to duty; and (iii) do nothing which is unbecoming of a Government employee. (2) (i) Every

Government employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government employees for the time being under his control and authority.(ii)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 judgement except when he is acting under the direction of his official superior.(iii)The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;(iv)A Government employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing and in absence thereof, confirmation shall be presumed.Explanation. Nothing in Clause (ii) of sub-rule (2) shall be construed as empowering a Government employee to evade his responsibilities by seeking instructions from, or approval of a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

4. Employment of near relatives of Government employees in private undertakings.

(1)No Government employee shall use his position or influence directly or indirectly to secure employment for any member of his family in any private undertaking.(2)(i)No Class I Officer shall, except with the previous sanction of the Government, permit his son, daughter or other dependent to accept employment in any private undertaking with which he has official dealings or in any other undertaking having official dealings with the Government:Provided that where the acceptance of the employment cannot await prior permission of the Government or is otherwise considered urgent, the matter shall be reported to the Government; and the employment may be accepted provisionally subject to the permission of the Government.(ii)A Government employee shall, as soon as he becomes aware of the acceptance by a member of his family of any employment in any private undertaking intimate such acceptance to the prescribed authority and shall also intimate whether he has or has had any official dealings with that private undertaking:Provided that no such intimation shall be necessary in the case of a Class I Officer if he has already obtained the sanction of, or sent a report to the Government under Clause (i).(3)No Government employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any private undertaking or any other person or if he or any member of his family is employed in that private undertaking or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the Government employee shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

5. Taking part in politics and elections.

(1)No Government servant shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or such 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 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 employee is unable to prevent a member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity, he shall make a report to that effect to the Government.(3)If any question arises whether a party is a political party or whether any organisation takes part in politics or whether any movement or activity falls within the scope of sub-rule (2), the decision of the Government thereon shall be final.(4)No Government servant shall canvass or otherwise interfere with, or use influence in connection with or take part in, an election to any legislature or local authority;Provided that-(i)a Government employee qualified to vote at such election may exercise his right to 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 sub-rule by reason only that he assists 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.Explanation. The display by a Government employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

6. Joining of association by Government 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 or morality.

7. Demonstration and strikes.

- No Government employee shall-(i)engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with the foreign States, public order, decency or morality or which involves contempt of Court, defamation or incitement to an offence, or(ii)resort to or in any way abet any form of strike, or coercion or physical duress in connection with any matter pertaining to his service or the service of any other Government employee.

8. Connection with Press or Radio.

(1)No Government employee shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication.(2)No Government employee shall, except with the previous sanction of the Government or the prescribed authority, or except in the bona fide discharge of his duties,-(a)publish a book himself or through a publisher, or contribute an article to a book or a compilation of articles; or(b)participate in a radio broadcast or contribute any article or write any letter to any newspaper or periodical either in his own name or anonymously, pseudonymously or in the name of any other person:Provided that no such sanction shall be required-(i)if such publication is through a publisher and is of a purely literary, artistic or scientific character, or (it) if such contribution, broadcast or writing is of a purely literary, artistic or scientific character.

9. Criticism of Government.

- No Government employee shall, in any radio broadcast or in any document, publish in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or any public utterance, make any statement of fact or opinion-(i)which has the effect of adverse criticism of any current or recent policy or action of the Central Government or a State Government; Provided that in the case of any Government employee included in any category of Government employees specified in the second proviso to sub-rule (3) of Rule 1, nothing contained in this clause shall apply to bona fide expression of views by him as an office-bearer of a trade union of such Government employees for the purpose of safeguarding the conditions of service of such Government employee or for securing an improvement thereof; or(ii)which is capable of embarrassing the relations between the Central Government and the Government of any State; and(iii)which is capable of embarrassing the relations between the Central Government and the Government of any foreign State: Provided that nothing in this rule shall apply to any statements made or views expressed by a Government employee in his official capacity or in the due performance of the duties assigned to him.

10. Evidence before committee or any other authority.

(1)Save as provided in sub-rule (3), No Government employee shall, except with the previous sanction of the Government, give evidence in connection with any enquiry conducted by any person, committee or authority.(2)Where any sanction has been accorded under sub-rule (1), no Government employee giving such evidence shall criticise the policy or any action of the Central Government or a State Government.(3)Nothing in this rule shall apply to-(a)evidence given at an enquiry before an authority appointed to the Government, Parliament or a State Legislature; or(b)evidence given in any judicial enquiry; or(c)evidence given at any departmental enquiry ordered by authorities subordinate to the Government.

11. Unauthorised communication of information.

- No Government employee shall, except in accordance with any general or special order of the Government or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or information to any Government employee or any other person to whom he is not authorised to communicate such document or information.Explanation. Quotation by a Government employee (in his representation to the Head of Office, or Head of Department or President) of or from any letter, circular or office memorandum or from the notes on any file, to which he is not authorised to have access, or which he is not authorised to keep in his personal custody or for personal purpose, shall amount to unauthorised communication of information within the meaning of this rule.

12. Subscription.

- No Government employee shall, except with the previous sanction of the Government or of the

prescribed authority, ask for or accept contributions to, or otherwise associate himself with the raising of, any funds or other collections in cash or in kind in pursuance of any object whatsoever.

13. Gifts.

(1) Save as otherwise provided in these Rules, no Government employee shall accept, or permit any member of his family or any other person acting on his behalf to accept, any gift. Explanation. The expression "gift" shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with the Government employee. Note-1. A casual meal, lift or other social hospitality shall not be deemed to be a gift. Note-2. A Government employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with him or from industrial or commercial firms, organisation, etc. (2) On occasions, such as weddings, anniversaries, funerals or religious functions when the making of a gift is in conformity with the prevailing religious or social practice, a Government employee may accept gifts from his near relative but he shall make a report to the Government if the value of any such gift exceeds-(i) Rs. 500, in the case of a Government employee holding any Class 1 or Class II post; (ii) Rs. 250, in the case of a Government employee holding any Class III posts; and (iii) Rs. 100, in the case of a Government employee holding any Class IV post. (3) On such occasions as are specified in sub-rule (2), a Government employee may accept gifts from his personal friends having no official dealings with him, but he shall make a report to the Government if the value of any such gift exceeds-(i) Rs. 200, in the case of a Government employee holding any Class I or Class II posts; (ii) Rs. 100, in the case of a Government employee holding any Class III posts; and (iii) Rs. 50, in the case of a Government employee holding any Class IV post. (4) In any other case, a Government employee shall not accept or permit any member of his family or any other person acting on his behalf to accept any gift without the sanction of the Government if the value thereof exceeds-(i) Rs. 75, in the case of a Government employee holding any Class I or Class II posts; and (ii) Rs. 25, in the case of a Government employee holding any Class III or Class IV post.

13A. Dowry.

- No Government employee shall-(i) give or take or abet the giving or taking of dowry; or (ii) demand directly or indirectly, from the parent or guardian of a bride or bride-groom, as the case may be, any dowry. Explanation. For the purposes of this rule, "dowry" has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

14. Public demonstrations in honour of Government employees.

- No Government employee shall, except with the previous sanction of the Government, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour, or in the honour of any other Government employee: Provided that nothing in this rule shall apply to-(i) a farewell entertainment of a substantially private and informal character held in honour of a Government employee or any other Government employee on the occasion of his retirement or transfer or any person who has recently quit the service of any

Government; or(ii)the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.Note. - Exercise of pressure or influence of any sort on any Government employee to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character and the collection of subscription from Class III or Class IV employees under any circumstances for the entertainment of any Government employee not belonging to Class III or Class IV, is forbidden.

15. Private trade or employment.

(1)No Government employee shall except with the previous sanction of the Government, engage directly or indirectly in any trade or business or negotiate for or undertakes any other employment:Provided that a Government employee may, without such sanction,-(i)undertake honorary work of a social or charitable nature; or(ii)undertake occasional work of a literary, artistic or scientific character, or(iii)participate in sports activities as an amateur;subject to the conditions that in all the cases his official duties do not thereby suffer. He shall not undertake, or shall discontinue such work or activity, if so directed by the Government.Explanation. Canvassing by a Government employee in support of the business of insurance agency, commission agency, etc., owned or managed by his wife or any other member of his family shall be deemed to be a breach of this sub-rule.(2)Every Government employee shall report to the Government if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.(3)No Government employee shall, without the previous sanction of the Government, except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other company which is required to be duly registered under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force or any Co-operative Society for commercial purposes:Provided that a Government employee may take part in the registration, promotion or management of-(i)a literary, scientific, or charitable society or of a company, club or similar organisation the aims and objects of which relates to promotion of sports, culture or recreational activities, registered under the Societies, Registration Act, 1860 (21 of 1860) or the Companies Act, 1956 or any other law for the time being in force; or (it) a Co-operative Society substantially for the benefit of Government employees, registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law for the time being in force.(4)Unless otherwise provided by general or special orders of Government, no Government employee may accept any fee for any work done by him for any private public body or any private person without the sanction of the prescribed authority.Explanation. The term 'fee' used here shall have the meaning assigned to it in Fundamental Rule 9 (6-A).

16. Investment, lending and borrowing.

(1)No Government employee shall speculate in any stock, share or other investment.Explanation. Frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.(2)No Government servant shall make, or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties.(3)If any question arises whether any transaction is of the nature referred to in sub-rule (1) or sub-rule (2), the decision of the

Government thereon shall be final.(4)(i)No Government servant shall, save in the ordinary course of business with a bank or a public limited company, either himself or through any member of his family or any other person acting on his behalf-(a)lend or borrow or deposit money, as principal or an 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 any pecuniary obligation to such person or firm private limited company, or(b)lend money to any person at interest or in a manner whereby return in money or in 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 shall amount free of interest or with interest, or operate a credit account with a bona fide 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.(ii)When a Government employee is appointed or transferred to a post of such a nature as would involve him in the breach of any of the provisions of sub-rule (2) or sub-rule (4), he shall forthwith report the circumstances to the prescribed authority and shall thereafter act in accordance within such order as may be made by such authority.

17. Insolvency and habitual indebtedness.

- A Government employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Government employee against whom any legal proceedings is instituted for the recovery of any debt due from him or for adjudging him as an insolvent, shall forthwith report the full facts of the legal proceedings to the Government.Note The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise of ordinary diligence, the Government employee could not have foreseen, or over which he had no control, and had not proceeded from extravagant or dissipated habits, shall be upon the Government employee.

18. Movable, immovable and valuable property.

- (i) Every Government employee shall on his first appointment to any service or post submit a return of his assets and liabilities, in such form as may be prescribed by Government, giving the full particulars regarding-(a)the immovable property inherited by him, or owned or acquired 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 or in the name of any other person;(b)shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him;(c)other movable property inherited by him or similarly owned, acquired or held by him; and(d)debts and other liabilities incurred by him directly or indirectly.Note-1. Sub-rule (1) shall not ordinarily apply to the Class IV employee but the Government may direct that it shall apply to any such Government employee or class of such Government employees.Note-2. In all returns, the values of items of movable property worth less than Rs. 2,000 may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books etc., need not be included in such return.Note-3. Where a Government employee already belonging to a service or holding a post is appointed to any other civil service or post, he shall not be required to submit a fresh return under this clause.(ii)Every Government employee belonging to any service or holding any post included in Group A or Group B

shall submit an annual return in such form as may be prescribed by the Government in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired 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 or in the name of any other person.(2)No Government employee shall, except with the previous knowledge of the prescribed authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family:Provided that the previous sanction of the prescribed authority shall be obtained by the Government employee, if any such transaction is-(i)with a person having official dealings with the Government employee; or(ii)otherwise than through a regular or reputed dealer.(3)Where a Government employee enters into a transaction in respect of movable property either in his own name or in the name of the member of his family, he shall, within one month from the date of such transaction, report the same to the prescribed authority, if the value of such property exceeds Rs. 2,000 in the case of a Government employee holding any Class I or Class II post or Rs. 1,000 in the case of Government employee holding any Class III or Class IV post:Provided that the previous sanction of the prescribed authority shall be obtained if any such transaction is-(i)with a person having no official dealings with Government employee, or(ii)otherwise than through a regular or reputed dealer.(4)The Government or the prescribed authority may, at any time, by general or special order, require a Government employee to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the Government or by the prescribed authority, include the details of the means by which, or the source from which, such property was acquired.(5)The Government may exempt any category of Government employee belonging to Class III or Class IV from any of the provisions of this rule except sub-rules (4). No such exemption shall, however, be made within the concurrence of the Cabinet.Explanation I. For the purpose of this rule-(l) the expression 'movable property' includes-(a)jewellery, insurance policies, the annual premia of which exceeds Rs. 2,000 or one-sixth of the annual emoluments received from Government, whichever is less, shares, securities and debentures;(b)loans advanced by such Government employees whether secured or not;(c)motor cars, motor cycles, horses or any other means of conveyance; and(d)refrigerators, radios and radiograms.(2)"Prescribed authority" means,-(a)(i)the Government, in the case of a Government employee holding any Class I post, except where any lower authority is specifically specified by the Government for any purpose;(ii)Head of Department, in the case of a Government employee holding any Class II post;(iii)Head of office, in the case of a Government employee holding any Class III or Class IV post;(b)in respect of a Government employee on foreign service or on deputation to any other Government, the parent department on the cadre of which such Government employee is borne.Explanation II. For the purposes of this rule 'lease' means, except where it is obtained from, or granted to, a person having official dealings with the Government servant, a lease of immovable property from year to year to for any term exceeding one year or reserving a yearly rent.

18A. Restrictions in relation to acquisition and disposal of immovable property outside India and transaction with foreigners etc.

- Notwithstanding anything contained in sub-rule (2) of Rule 18, no Government employee shall, except with the previous sanction of the prescribed authority-(a)acquire, by purchase, mortgage, lease, gift or otherwise either in his own name or in the name of any member of his family, any immovable property situated outside India;(b)dispose of by sale, mortgage, gift or otherwise or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member or his family:(c)enter into any transaction with any foreigner, foreign Government, foreign organisation or concern:(i)for the acquisition, by purchase, mortgage, lease, gift or otherwise either in his own name or in the name of any member of his family, of any immovable property;(ii)for the disposal of, by sale, mortgage, gift or otherwise or the grant of any lease in respect of any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.Explanation. In this rule "prescribed authority" has the same meaning as in Rule 18.

19. Vindication of acts and character of Government employee.

(1)No Government servant shall, except with the previous sanction of the Government, have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or on attract of a defamatory character.(2)Nothing in this rule shall be deemed to prohibit a Government servant from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the Government employee shall submit a report to the prescribed authority regarding such action.

20. Canvassing of non-official or other influences.

- No Government employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government.

21. Restriction regarding marriage.

(1)No Government employee shall enter into, or contract, marriage with a person having a spouse living; and(2)No Government employee having a spouse living, shall enter into, or contract, a marriage with any person :Provided that the Governor may permit a Government employee to enter into, or contract, any such marriage as is referred to in Cl (1) or Clause (2) if it is satisfied that-(a)such marriage is permissible under the personal law applicable to such Government employee and the other party to the marriage; and(b)there are other grounds for so doing.(3)A Government employee who has married or marriages a person other than of Indian nationality shall forthwith intimate the fact to the Government.

22. Consumption of intoxicating drinks and drugs.

- A Government employee shall-(a)strictly abide by any law relating to intoxicating drinks or drugs

in force in any area in which he may happen to be for the time being;(b)not be under the influence of any intoxicating drinks or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug;(c)refrain from consuming any intoxicating drink or drug in a public place;(d)not appear in a public place in a state of intoxication;(e)not use any intoxicating drink or drug in excess.Explanation. For the purpose of this rule 'public place' means any place or premises (including a conveyance) to which the public have or are permitted to have access, whether on payment or otherwise.

23. Interpretation.

- If any question arises relating to the interpretation of these Rules, it shall be referred to the Government whose decision thereon shall be final.

24. Delegation of power.

- The Government may, by general or special order, direct that any power exercisable by it or any Head of Departmental under these Rules (except the powers under Rule 23 and this rule) shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

25. Repeal and saving.

- Tripura Services (Duties, Rights and Obligations of the Government Employees) Rules, 1982 are hereby repealed:Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules;Provided further that such repeal shall not affect the previous operation of the rules so repealed and a contravention of any of the said rules shall be punishable as if it were a contravention of these rules.