

Rubber Board Employee's Conduct Rules, 1958

UNION OF INDIA

India

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Rule RUBBER-BOARD-EMPLOYEE-S-CONDUCT-RULES-1958 of 1958

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S.O. 2083, dated 3.10.1958.- In exercise of the powers conferred by Section 25 of the Rubber Act, 1947 (24 of 1947), the Central Government hereby makes the following rules, namely:-

1. Short title and application.-

These rules may be called the Rubber Board Employees' Conduct Rules.(2)They shall apply to all the employees of the Rubber Board including those lent by the Central Government or State Governments.

2. Definitions.-

In the rules, unless the context otherwise requires:-(a)"the Board" means the "Rubber Board";(b)"Board's employee " means any person employed under the Board and includes a servant of the Central Government or State Government so employed;(c)"Chairman " means Chairman of the Board;(d)"members of the family", in relation to a Board's employee includes:(i)the wife, child or step-child of such Board's employee whether residing with him or not, and in relation to a Board's employee who is a woman, the husband residing with her and dependent on her; and(ii)any other person related, whether by blood or by marriage to the Board's employee or to such Board's employee's wife or husband, and wholly dependent on such Board's employee, but does not include a wife or husband legally separated from the Board's employee, or child or step-child who is no longer in any way dependent upon him or her, or of whose custody the Board's employee has been deprived by law;(e)"Person" includes any body corporate or association or body of individuals.

3. General.-

Every Board's employee shall at all time maintain absolute integrity and devotion to duty.

4. Taking part into politics and elections.-

(1)No Board's employee shall be a member of, or be a member of, or be otherwise associated with, any political party or any organization which takes part in politics, nor shall be take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.(2)It shall be the duty of every Board's employee to endeavour to prevent any member of the 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 Board's 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 Board.(3)If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Board thereon shall be final.(4)No Board's employee shall canvass or otherwise interfere or use his influence in connection with, or take part in, an election to any legislature or local authority.Provided that:-(i)A Board's 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 Board's employee shall not be deemed to have contravened the provisions of this 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;(iii)the Chairman may permit a Board's employee to offer himself as a candidate for election to a local authority and the Board's employee so permitted shall not be deemed to have contravened the provisions of this rule.Explanation.- The display by a Board's 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.

5. Demonstration and strikes.-

No Board's employee shall participate in any demonstration or resort to any form of strike in connection with any matter pertaining to his conditions of service.

6. Membership of Service Associations.-

No Board's employee shall join or continue to be a member of any Service Association of Board's employees (a) which has not within a period of six months from its formation obtained the recognition of the Board under the rules prescribed in that behalf, or (b) recognition in respect of which has been refused or withdrawn by the Board under the said rules.

7. Connection with press or radio.-

(1) No Board's employee shall, except with the previous sanction of the Chairman own wholly or in part or conduct or participate in the editing or managing of any newspaper or other periodical publication. (2) No Board's employee shall, except with the previous sanction of the Chairman, participate in a radio broadcast or contribute any article either anonymously or in his own name or in the name of any other person to any newspaper or other periodical publication. Provided that no such sanction shall be required, if such broadcast or such contribution is of a purely literary, artistic or scientific character not connected with any matter relating to the rubber industry. Provided further that no remuneration shall be accepted for any such radio broadcast or contribution of article, whether with or without the permission of the Chairman, except with the previous sanction of the Chairman.

8. Speeches and writing of articles or letters except to press.-

(1) No Board's employee shall, except with the previous sanction of the Chairman, make any public speech or read any paper on matters connected with the rubber industry at any meeting or conference. Provided that no such sanction shall be required, if such meeting or conference is convened for the purpose of enabling him to speak on any matter connected with the rubber industry in the discharge of his duties. (2) No Board's employee shall, except with the previous sanction of the Chairman, write any letter or article relating to the rubber industry either anonymously or in his own name or in the name of any other person to any person manufacturing or doing business in any chemicals or fertilizers or machinery or planting materials or any other thing connected with the rubber industry, which may likely be used by such person as an advertisement for the articles such person is manufacturing or dealing in or for doing counter propaganda against similar articles manufactured or sold by any other person.

9. Criticisms of the Board and Government.-

No Board's employee shall, in any radio broadcast or in any document published anonymously or in his own name or in the name of any other person or in any communication to the press or in 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 Board or the Central Government or a State Government; or (ii) which is capable of embarrassing the relations between (1) the Board and the Central Government, (2) the Board and any State Government, (3) the Board and any other commodity boards in India, (4) the Board and the Rubber Research Institute on the one hand and the Rubber Boards and Rubber Research Institutes of other countries on the other, and (5) the Central Government and the Government of any foreign State.

10. Evidence before committee or any other authority.-

(1) Save as provided in sub-rule (3), no Board's employee shall, except with the previous sanction of the Chairman, 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 Board's employee giving such evidence shall criticize the policy or any action of the Board or of the Central Government or of a State Government.(3)Nothing in this rule shall apply to:-(a)evidence given at an enquiry before an authority appointed by the Board or the Central Government or Parliament or State Legislature; or(b)evidence given at any judicial enquiry, or(c)evidence given at any departmental enquiry ordered by authorities subordinate to the Central Government.

11. Unauthorized communication of information.-

No Board's employee shall, except in accordance with any general or special order of the Chairman or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or information to any Board's employee or any other person to whom he is not authorized to communicate such document or information.

12. Subscription.-

No Board's employee shall, except with the previous sanction of the Chairman, ask for or accept contributions to, or otherwise associate himself with the raising of, any fund pursuance of any object whatsoever.

13. Gifts.-

(1)Save as otherwise provided in these rules, no Board's employee shall, except with the previous sanction of the Chairman, accept or permit his wife or any other member of his family to accept from any person any gift of more than trifling value.Provided that gifts of a value reasonable in all circumstances of the case, may be accepted from relations and personal friends or presented to such persons on occasions such as weddings, anniversaries, funerals and religious functions when the making or receiving of such gifts is in conformity with the prevailing religious or social customs; but acceptance of such gifts other than those of a trifling value shall be reported to the Board and the gifts shall be disposed of in such manner as the Board may direct.(2)If a question arises whether any gift is of a trifling value or not, or where a Board's employee is in any doubt, whether a gift offered to him is of a trifling value or not, a reference shall be made to the Board by such Board's employee and the decision of the Board thereon shall be final.Explanation.- Whether or not a gift should be treated as of a trifling value shall depend on who the donor is and the circumstances in which the gift is made. A gift exceeding in value 1/20th of the monthly emoluments of a Board's employee or Rs. 20/- (whichever is less) from a person who is not his relation or his personal friend shall ordinarily be regarded as a gift not of trifling value. Gifts from relatives and personal friends up to the value of 1/8th of the monthly emoluments of the Board's employee or Rs. 50/- whichever is less or even up to the value of one half of such emoluments or Rs. 200/- whichever is less, on special occasions such as those mentioned in the proviso to sub-rule (1) may be regarded as of trifling value.

14. Public demonstrations in honour of Board's employee.-

No Board's employee shall except with the previous sanction of the Chairman, receive any complementary of valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour or in the honour of any other Board's 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 Board's employee or any other Board's employee on the occasion of his retirement or transfer or any person who has recently quitted service of the Board; or (ii) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

15. Private trade or employment.-

(1) No Board's employee shall, except with the previous sanction of the Chairman, engage directly or indirectly, in any trade or business or undertake any employment; Provided that a Board's employee may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer; but he shall not undertake, or shall discontinue, such work, if so directed by the Chairman. Explanation.- Canvassing by a Board's 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) No Board's employee shall, except with the previous sanction of the Chairman, take part in the registration, promotion or management of any bank or other company registered under the Company's Act, 1956 (1 of 1956) or any other law for the time being in force. Provided that a Board's employee may take part in the registration, promotion or management of a co-operative society registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law for the time being in force, or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860), or any corresponding law in force.

16. Investments, lending and borrowing.-

(1) No Board's employee shall speculate in any investment. Explanation.- The habitual purchase or sale of securities of a notoriously fluctuating value shall be deemed to be speculation in investment within the meaning of this sub-rule. (2) No Board's employee shall make, or permit his wife or any member of his family to make, any investment likely to embarrass or influence him in the discharge of his official duties. (3) If any question arises whether a security or investment is of the nature referred to in sub-rule (1) or sub-rule (2), the decision of the Board thereon shall be final. (4) No Board's employee shall, except with the previous sanction of the Chairman, lend money to any person possessing land or valuable property within the local limits of his authority, or at interest to any person. Provided that a Board's employee may make an advance of pay to a private servant, or give a loan of small amount free of interest to a personal friend or relative, even if such persons possess land within the local limits of his authority. (5) No Board's employee shall, save in the ordinary course of business with a bank or a firm of standing, borrow money from or otherwise place himself under pecuniary obligation to any person within the local limits of his authority, or any other persons with whom he is likely to have official dealings, not shall he permit any member of his family, except with the previous sanction of the Chairman, to enter into any such

transaction. Provided that a Board's employee may accept a purely temporary loan of small amount, free of interest, from a personal friend or relative or operate a credit account with a bona fide tradesman. (6) When a Board's employee is appointed or transferred to a post of such a nature as to involve him in the breach of any of the provisions of sub-rule (4) or sub-rule (5) he shall forthwith report the circumstances to the Chairman, and shall thereafter act in accordance with such orders as may be passed by him.

17. Insolvency and habitual indebtedness.-

A Board's employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Board's employee who becomes the subject of a legal proceeding for insolvency shall forthwith report the full facts to the Board.

18. Movable, immovable and valuable property.-

(1) No Board's employee shall, except with the previous knowledge of the Chairman, 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 any such transaction conducted otherwise than through a regular or reputed dealer shall require the previous sanction of the Chairman. (2) A Board's employee who enters into any transaction concerning any movable property exceeding one thousand rupees in value, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the Chairman. Provided that no Board's employee shall enter into any such transaction except with or through a regular or reputed dealer or agent or with the previous sanction of the Chairman. Explanation.- For the purposes of this sub-rule, the expression "movable property" includes inter alia the following property, namely: (a) jewellery, insurance policies, shares, securities and debentures; (b) loans advances by such Board's employee, whether secured or not; (c) motor cars, motor cycles, horses or any other means of conveyance; and (d) refrigerators, radios and radiograms. (3) Every member of Class I and II services shall, on first appointment in the Board's service and thereafter at intervals of every twelve months, submit a return in such form as the Chairman may specify in this behalf of all immovable property owned, acquired or inherited by him or held by him or 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. (4) The Board or any authority empowered by it in this behalf may at any time, by general or special order, require a Board's employee to submit, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or by any member of his family as may be specified in the order. Such statement shall, if so required by the Board or by the authority so empowered, include details of the means by which, or the source from which, such property was acquired.

19. Vindication of acts and character of Board's employees.-

No Board's employee shall, except with the previous sanction of the Chairman, 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 an attack of defamatory character. Explanation.- Nothing in this rule shall be

deemed to prohibit a Board's employee from vindicating his private character or any act done by him in his private capacity.

20. Canvassing of non-official or other outside influence.-

No Board's employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Board.

21. Bigamous marriages.-

(1) No Board's employee who has a wife living shall contract another marriage without first obtaining the permission of the Board, notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him. (2) No female employee of the Board shall marry any person who has a wife living without first obtaining the permission of the Board.

22. Interpretation.-

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

23. Delegation of powers.-

The Chairman may, by general or special order, direct that any power exercisable by him under these rules shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by any other officer subordinate to him.