

# The Tea Board Employees (Conduct) Rules, 1962

UNION OF INDIA

India

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### Rule THE-TEA-BOARD-EMPLOYEES-CONDUCT-RULES-1962 of 1962

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**1731.**

G.S.R.590, dated the 19th April, 1962. - In exercise of the powers conferred by Section 49 of the Tea Act, 1953 (29 of 1953), the Central Government hereby makes the following rules the same having been previously published, as required by sub-section (1) of the said section namely:

#### **1. Short title and application. - (1) These rules may be called the Tea Board Employees (Conduct) Rules, 1962.**

(2) They shall apply to all persons appointed to the Board by the Central Government under Section 9 of the Act other than a person belonging to a Central Service or to an All India Service appointed on deputation to the Board.

#### **2. Definitions. - In these rules, unless the context otherwise requires,-**

(a) "Act" means the Tea Act, 1953 (29 of 1953); (b) "Board" means the "Tea Board" established under Section 4 of the Act; (c) "employee" means any person other than a person belonging to the Central Secretariat Service or to an All India Service appointed on deputation to the Board by the Central Government under Section 9 of the Act; (d) "members of the family" in relation to an employee, includes: (i) the wife, child or step child of such employee, whether residing with him or not, and in relation to an employee who is a woman, the husband residing with her and dependant on her; and (ii) any other person related, whether by blood or by marriage, to the employee or to such employee's wife or husband and wholly dependant on the employee, but does not include a wife or

husband legally separated from the employee, or a child or step child who is longer in any way dependant upon him or her, or of whose custody the employee has been deprived by law.

**3. General. - Every employee of the Board shall at all times maintain absolute integrity and devotion to duty.**

**4. Taking part in politics and elections. - (1) No 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 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 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 an 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 employee shall canvass or otherwise interfere or use his influence in connection with or, take part in, an election to any legislative or local authority: Provided that: (i) an 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) an 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. Explanation.- The display by an 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 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. Joining of Associations by employees. - No employee shall join or continue to be a member of any Service Association of the Board employees:**

(a) which has not, within a period of six months from its formation, obtained the recognition of the Board, or (b) recognition in respect of which has been refused or withdrawn by the Board.

**7. Connection with press or radio. - (1) No employee shall, except with the previous sanction of the Board, own wholly or in part, or conduct or participate in the editing or managing of any newspaper or other periodical**

**publication.**

(2) No employee shall, except with the previous sanction of the Board or any other authority empowered by it in this behalf, or in the bona fide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter either anonymously or in his own name or in the name of any other person to any newspaper or periodical. Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary, artistic or scientific character and is not connected with the activities of the Board.

**8. Criticism of Board or Government. - No 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 in any communication to the press or in any public utterance, make any statement of fact or opinion:**

(i) which has the effect of an adverse criticism of any current or recent policy or action of the Board, the Central Government or a State Government; or (ii) Which is capable of embarrassing the relations between the Board and the Central Government or the Government of any State; or (iii) which is capable of embarrassing the relations between the Board and the Central Government or the Government of any foreign State; or (iv) which is capable of embarrassing the relations between the Central Government and any foreign State.

**9. Evidence before Committee or any other authority. - (1) Save as provided in sub-rule (3), no employee shall, except with the previous sanction of the Board give evidence in connection with any inquiry conducted by any person, committee or authority.**

(2) Where any sanction has been accorded under sub-rule (1), no employee giving such evidence shall criticise 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 inquiry before an authority appointed by the Board or by the Central Government or by a State Government or by Parliament or by a State Legislature; or (b) evidence given in a judicial inquiry; or (c) evidence given at any departmental inquiry ordered by authorities subordinate to the Board, the Centre I government or a State Government.

**10. Unauthorised communication of information. - No employee shall, except in accordance with any general or special order of the Board or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or information to any other person to whom he is not authorised to communicate such document or information.**

**11. Subscriptions. - No employee shall, except with the previous sanction of the Board or of such authority as may be empowered by it in this behalf, ask for or accept contributions to, or otherwise associate himself with the raising of, any fund in pursuance of any object whatsoever.**

**12. Gifts. - (1) Save as otherwise provided in these rules, no employee shall, except with the previous sanction of the Board 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 the 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 gift shall be disposed of in such manner as the Board may direct. Explanation.- For the purpose of this sub-rule, any trowel, key or other similar articles offered to an employee at the laying of the foundation stone or the opening of a public building or any ceremonial function shall be deemed to be a gift. (2) If a question arises whether any gift is of trifling value or not, or where an employee is in any doubt whether a gift offered to him is of trifling value or not, a reference shall be made to the Board by such employee and the decision of the Board thereon shall be final. Explanation.- Whether or not a gift should be treated as of trifling value shall depend on who the donor is and the circumstances in which the gift is made. A gift exceeding in value  $\frac{1}{20}$ th of the monthly emoluments of an 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  $\frac{1}{8}$ th of the monthly emoluments of the 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 mentioned in the proviso to sub-rule (1) may be regarded as of trifling value. (3) Acceptance of dowry either in cash or in kind by or on behalf of an employee or his dependants from the parents or other relatives of the bride at the time of the marriage should be regarded as a customary gift which the recipient may accept without the prior sanction of the Board. If a dowry is given by or on behalf of an employee, the provision of rule 17 will apply and the fact should be reported by him to the Board where such a report is necessary.

**13. Public demonstrations in honour of Board's employee. - No employee shall, except with the previous sanction of the Board, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour, or in honour of any other 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 an employee on the occasion of his retirement or

transfer; or(ii)the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

**14. Private trade or employment. - (1) No employee shall, except with the previous sanction of the Central Government, undertake any work or employment, unconnected with his official duties or engage directly or indirectly in any trade or business. Provided that an 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 Board.**

Explanation.- Canvassing by an employee in support of the business of insurance agency, commission agency and the like, 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)Where any employee, with the previous sanction of the Central Government undertakes any work or employment of the nature referred to in sub-rule (1), or engages in any trade or business, one-third of any fee in excess of Rs.250 or a recurring fee of Rs.250 a year, received by such employee from such work, employment trade or business shall be credited to the Board unless the Central Government otherwise directs:Provided that nothing in this sub-rule shall apply to fees received by an employee from a University or other examining body in return for his services as examiner, paper setter, invigilator or checker.(3)No employee shall, except with the previous sanction of the Central Government take part in the registration, promotion or management of any bank or other company registered under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force:Provided that an employee may take part in the registration, promotion or management of a Co-operative Society registered under the Co-operative Societies Act, 1912 (II 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.(4)Whenever the sons/daughters or dependants of the employees of the Board wish to accept employment with private firms with which the employees concerned have official dealings, or with other important firms having official dealings with the Board, the fact should be reported to the Board by the employee concerned and permission of the Board should be obtained to such employment. Where, however, the acceptance of such employment could not await prior permission of the Board or the matter is otherwise considered urgent a report should be made to the Board and the employment accepted provisionally subject to the permission of the Board.

**15. Investments, lending and borrowing. - (1) No 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 employee shall make, or pen-nit 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 employee shall, except with the previous sanction of the Board, 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 an 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 person possesses land within the local limits of his authority.(5)No 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 person with whom he is likely to have official dealings nor shall he permit any member of his family except with the previous sanction of the Board, to enter into any such transaction:Provided that an 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 an employee is appointed or transferred to a post of such a nature as to involve him in the breach of any of the provision of sub-rule (4), he shall forthwith report the circumstances to the Board, and shall thereafter act in accordance with such orders as may be passed by the Board.

**16. Insolvency and habitual indebtedness. - An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee who becomes the subject of legal proceedings for insolvency shall forthwith report the full facts to the Board.**

**17. Movable, immovable and valuable property. - (1) No employee shall except with the previous knowledge of the Board 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 Board.(2)An 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 Board:Provided that no 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 Board.Explanation. - For the purpose of this sub-rule, the expression "movable property" includes inter alia the following property, namely:(a)jewellery, insurance policies, securities and debentures;(b)loans advanced by such Board's employees whether secured or not;(c)motor cars, motor cycles, horses, or any other means of conveyance; and(d)refrigerators, radios and radiograms.(3)Every employee shall, on first appointment and thereafter at intervals of every twelve months, submit to the Board a return in such form as the Board may specify in this behalf 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 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 an 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.

**18. Vindication of acts and character of Board's employee. - No employee shall, except with the previous sanction of the Board, 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 an employee from vindicating his private character or any act done by him in his private capacity.

**19. Canvassing of non-official or other outside influence. - No 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 Board.**

**20. Bigamous marriages. - (1) No 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 shall marry any person who has a wife living without first obtaining the permission of the Board.

**21. 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.**

**22. Delegation of Powers. - The Central Government may, by general or special order, direct that any power exercisable by it under these rules (except the powers under rule 21 and this rule), shall subject to such conditions, if any, as maybe specified in the order, be exercisable also by such officer or authority as may be specified in the order.**