

Subject: Employment of honorary workers in Civil posts.

Various questions have arisen from time to time in connection with the employment of honorary workers in civil posts. After careful consideration it has been decided that the following instructions should be laid down for the guidance of all concerned.

2. The basic principles to be adopted in this matter are:-

i) Employment of honorary workers in civil posts should be in exceptional procedure to be resorted to only in abnormal circumstances or when suitable paid employees are not available.

ii) Honorary employment should be offered only to such persons as have rendered meritorious services or are eminent in public life and have a striking reputation for integrity.

iii) Services of an honorary worker should be utilised only in an advisory capacity. The work to be entrusted to him should not be such as would involve exercise of executive, administrative or judicial powers as the holder of a civil post or exercise of authority in the name, or on behalf, of Government.

iv) An honorary worker should be paid a nominal salary of Rs.1/- per month in respect of the civil post the duties of which he is required to perform. This is necessary in order to bring him within the ambit of the Government servants conduct Rules and other service rules. An honorary worker need not, however, actually draw such nominal salary and may by writing to the Accounts Officer concerned voluntarily surrender it. For the purposes of official records, however, such nominal salary must be fixed and specified in the order of appointment.

v) All honorary workers should automatically and proprio vigore be subject to the provisions of the Indian Official Secrets Act, 1923. They need not be required to sign any declaration in this connection, but the position should expressly be made clear to each honorary worker at the time of his appointment.

3. It is realised that strict enforcement of the above principles may present practical difficulties in individual cases. Foreexample, it may not be necessary to enforce the requirements of clause (iii) in paragraph 2 above in the case of persons who have previously held a high office under Government. Again, honorary workers who are prominent in the public or political life of the country cannot reasonably be expected to sever their lifelong association with the political parties to which they belong; as a working arrangement, therefore rules 18, 20 and 23 of the Government servants Conduct Rules ought not to be enforced against such persons in so far as participation in politics is concerned. In all other respects, however, such persons should be governed by the provisions of the Government Servants Conduct Rules.

4. In the case of the employment of Members of Parliament in an honorary capacity it is necessary to ensure that such employment does not amount to holding an office of profit under Article 192(1) (a) of the Constitution. In such cases the requirements of clause (iii) in paragraph 2 above should be strictly adhered to while the requirements of clause (iv) should not be enforced at all. The instructions issued in the Ministry of Law's Office Memorandum No. F.55(1)/50-C, dated the 6th February, 1951, regarding the payment of allowances and fees to Members of Parliament should also be carefully borne in mind.

5. All proposals for the employment of honorary workers in civil posts as well as all proposals for exceptional treatment in cases in which the Ministry concerned consider that the requirements of any of the basic principles laid down in paragraph 2 above should be relaxed should be referred to the Ministry of Home Affairs for prior concurrence.

6. It should be made clear to honorary workers at the time of their appointment that there is no obligation on the part of Government to provide them with residential accommodation or any other concessions usually allowed to salaried employees of Government. Each such case would be treated on its merits. Accommodation, furniture etc., may be made available if justified and to the extent it can be done without detriment to Govt.'s commitments to salaried employees.

7. A copy of this Office Memorandum should be communicated to every honorary worker along with the orders of his appointment.

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8. The Ministry of Finance etc., are requested to note these instructions and communicate them to their Attached and Subordinate Offices for guidance. They are also requested to examine the case of any honorary workers at present employed under them or in their Attached or Subordinate offices with a view to ensure compliance with these instructions.

9. These instructions supersede the orders contained in the late Home Department Office Memorandum No. 50/15/39-Public, dated the 24th October, 1953.

Sd/-S.B.Bapat
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