

No.F.25/16/59-Ests.(A)
Government of India
Ministry of Home Affairs

New Delhi-11, the 1st Sept., 1959

OFFICE MEMORANDUM

Sub:- Conduct of a Government servant in relation to the proper maintenance of his family.

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The undersigned is directed to say that instances of failure of Government servants to look after the proper maintenance of their families have come to Government's notice. It has been suggested that a provision may be made in the Central Civil Services (Conduct) Rules, 1955, to enable Government to take action against those Government servants who do not look after their families properly.

2. The question has been examined and it has been decided that it will not be possible to make such a provision in the Conduct Rules as it would entail administrative difficulties in implementing and enforcing it. However, a Government servant is expected to maintain a reasonable and decent standard of conduct in his private life and not bring discredit to his service by his misdemeanour. In cases where a Government servant is reported to have acted in a manner unbecoming of a Government servant as, for instance, by neglect of his wife and family, departmental action can be taken against him on that score without invoking any of the Conduct Rules. In this connection, a reference is invited to Rule 13 of the CCS (CCA) Rules, which specifies the nature of penalties that may for good and sufficient reasons, be imposed on a Government servant. It has been held that neglect by a Government servant of his wife and family in a manner unbecoming of a Government servant may be regarded as a good and sufficient reason to justify action being taken against him under this rule.

3. It should, however, be noted that in such cases the party affected has a legal right to claim maintenance. If any legal proceedings in this behalf should be pending in a court of law, it would not be correct for Government to take action against the Government servant on this ground as such action may be construed by the court to amount to contempt.

4. In so far as persons serving in the Indian Audit & Accounts Department are concerned, these orders are issued after consultation with the Comptroller & Auditor General of India.

Sd/- (K. Thyagarajan)
Under Secretary to the Govt. of India