

New Delhi, 3, the 17th September, 1949.

OFFICE MEMORANDUM

Subject:- Participation of Government servants
in political activities.

Doubts have been raised recently as to the scope of Rule 23(1) of the Govt. Servants Conduct Rules which lays down that no Govt. Servant shall take part in subscribe in aid of, or assist in any way, any political movement in India or relating to Indian affairs. According to the Explanation to that clause, the expression "political movement" includes any movement or activities tending directly or indirectly to excite disaffection against, or to embarrass, the Government as by law established or to promote feelings of hatred or enmity between different classes of His Majesty's subjects or to disturb the public peace. This explanation is only illustrative and is not intended, in any sense, to be an exhaustive definition of "political movement". Whether or not the aims and activities of any organization are political is a question of fact which has to be decided on the merits of each case. It is, in the opinion of Government, necessary, however, that the Government servants under the Ministry of Finance etc. should be warned that -

- (a) it is the duty of the Government servant who wishes to join, or take part in the activities of, any association or organization, positively to satisfy himself that its aims and activities are not of such a nature as are likely to be objectionable under Rule 23 of the Government Servants Conduct Rules, and
- (b) the responsibility for the consequences of his decision and action must rest squarely on his shoulders and that a plea of ignorance or misconception as to Government's attitude towards the association or organization would not be tenable

It should also be impressed on them that, in cases where the slightest doubt exists as to whether participation in the activities of an association or organization involves an infringement of Rule 23, the Government servant would be well advised to consult his official superiors.

Sd/- S.B. Bapat
Joint Secretary to the Govt. of India.

To

All Ministries of the Government of India [including the Ministry of Finance (Defence), (Revenue), (States and E.A.), (Communications), (Food), and (I & C) Divisions], the Director-General, Resettlement and Employment; the Prime Minister's Secretariat; the Cabinet Secretariat; the Partition Secretariat; the Department of Scientific Research; the Legislative Assembly Department; the Federal Public Service Commission; the Director, Intelligence Bureau; the Principal, Indian Administrative Service Training School; the Director, S.T.S.; the Commandant, Central Police Training College, Abu; the Inspector General, Special Police Establishment; the Auditor-General; and all Chief Commissioners; Deptt: of Parliamentary Affairs.

Spare copies will be sent separately

P.T.O.

No. 25/44/49-Ests. New Delhi, 3, the 17th September, 1949.

Copy forwarded for information to the Private Secretary to His Excellency the Governor General; the Military Secretary to His Excellency the Governor General; the Federal Court; and the Constitution Assembly Secretariat.

Copy also to all Officers and Sections in the Ministry of Home Affairs.

By order, etc.

Sd/- S. L. Mathuria
Assistant Secretary to the Govt. of India.

KOHLI
2/4/54