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No.25/4/72-Ests(A)  
GOVERNMENT OF INDIA/BHARAT SARKAR  
CABINET SECRETARIAT/MANTRIMANDAL SACHIVALAYA  
DEPARTMENT OF PERSONNEL/KARMIK VIBHAG.

...  
New Delhi, dated the 7 February 1972.

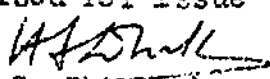
OFFICE MEMORANDUM

SUBJECT:-Service associations passing resolutions contravening rule 9 of the Central Civil Services (Conduct) Rules, 1964.

The undersigned is directed to invite the attention of the Ministry of Finance etc. to the Ministry of Home Affairs (now Department of Personnel) Office Memorandum No. 25/5/68-Ests(A) dated the 17th February 1968 (copy enclosed) in which it was clarified that Government servants who are signatories or parties to the resolutions or other activities mentioned in rule 9 of the CCS (Conduct) Rules, 1964 would be liable to disciplinary action if they in their individual capacity or in their capacity as office bearers of associations (including federations/unions) of Government employees or editors/publishers/office bearers of journals issued by such associations (including federations/unions) have violated the provisions of the aforesaid rule.

2. In spite of the aforesaid instructions, certain Resolutions passed by Service associations/unions/federations criticising the action of a State Government in regard to the dismissal of some of their employees have come to the notice of the Government. ~~Without prejudice to the discretion of the Government to take disciplinary action against the employees concerned, should it want to do so, it is requested that the provisions of the MHA OM No.25/5/68-Ests(A) dated the 17th February 1968 may be brought to the notice of all the employees in or under the Ministry of Finance etc. for their guidance and it may be reiterated that signatories or parties to resolutions etc. passed by Service associations/unions/federations which violate against the provisions of rule 9 of the Central Civil Services (Conduct) Rules would render themselves liable to disciplinary action.~~

Authorized for issue

  
(H.S. Dillon)  
S.O

To

S. KRISHNAN  
DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA

All Ministries/Departments of the Government of India etc. etc. with usual number of spare copies.

No. F.25/4/71-Es.s(I) New Delhi dated the Feb., 1972

Copy forwarded for information and necessary action to:-

1. The C&AG, New Delhi with 200 spare copies
2. The Union Public Service Commission, New Delhi with 40 spare copies.
3. The CVC, New Delhi, with 25 spare copies.
4. The Commissioner for Linguistic Minorities, Allahabad.
5. All Union Territories.
6. All Vigilance Officers.
7. All Attached and Subordinate Offices of the Department of Personnel/Ministry of Home Affairs.
8. Id.I, Id.II, OSI, CS II, Esst(B), and AVD Sections of the Department of Personnel.

Sd/-

(S.KRISHNAN)

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA.

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No. 25,5/68-Ests(A)  
Government of India/Bharat Sarkar  
Cabinet Secretariat/Mantrinmandal Sachivalaya  
Department of Personnel/Karmik Vibhag.

New Delhi, the

OFFICE MEMORANDUM

17-2-1968

Subject: Service associations passing resolutions  
contravening rule 9 of the Central Civil  
Services(Conduct) Rules, 1964.

Instances have come to the notice of Government  
of Service associations (Including federations/Unions  
of Government employees passing resolutions, making  
statements and/or expressing opinion on issues  
which involve violation by the individual employee  
of rule 9 of the Central Civil Services(Conduct)  
Rules, 1964. For facility of reference the said  
rule 9 is reproduced below:-

"9. Criticism of Government: No Government  
servant shall, in any radio broadcast or in any document  
published in his own name or anonymously, pseudonymously  
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.-

- (1) which has the effect of an adverse  
criticism of any current or recent  
policy or action of the Central Government  
or State Government.

Provided that in the case of any Government  
servant included in any category of Government  
servants specified in the second proviso to  
sub-rule (3) of rule 1, nothing contained in  
this clause shall apply to bona fide expression  
of views by him as an office-bearer of a trade  
Union of such Government servants for the purpose  
of safeguarding the conditions of service of  
such Government servants or for securing an  
improvement thereof, or

(ii) which is capable of embarrassing the  
relations between the Central Government and  
the Government of any State; or

(iii) which is capable of embarrassing the  
relations between the Central Government and  
.....2/-

and the Government of any foreign State:

Provided that nothing in this rule shall apply to any Statements made or views expressed by a Government servant in his official capacity or in the due performance of the duties assigned to him."

2. The Ministry of Finance etc., are requested to take note of the breaches of this rule and to initiate disciplinary action by calling for explanation from those individuals who are signatories or parties to the resolutions or other activities mentioned in paragraph 1 above if they are serving Government employees and if they in their individual capacity or in their capacity as office-bearers of associations (including federations/unions) of Government employees or editors/publishers/office-bearers of journals issued by such associations (including federations/unions) have violated the provisions of the above-mentioned Conduct Rule.

SC/- (P.S.VENKATESWARAN)  
UNDER SECRETARY TO THE GOVERNMENT OF INDIA.

To

All Ministries/Departments of the Government of India, etc., etc., with usual number of spare copies.