



DIESEL LOCOMOTIVE WORKS

The Railway Services (Conduct) Rules, 1966



**Compiled by Personnel Department,
DLW, Varanasi.
(Corrected upto July-2018)**



भारतीय रेल
डीजल रेल इंजन कारखाना
वाराणसी - 221004, भारत



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PREFACE

A handbook on the "Railway Services(Conduct) Rules,1966" is brought out incorporating the various circulars/Orders/correction slips issued upto July-2018 under able initiative and co-ordination of Shri M.A. Ansari, APO/Staff with assistance from Shri M. L. Mourya, Ch. OS/Genl. admin.

This is intended to serve as a quick guideline particularly for the officers and staff discharging various roles while discharging official duties. While the original circulars are to be invariable referred to in case of any doubt or quoting in the court cases etc., the reading of this compendium is hoped to have proper appreciation of their role as a whole. It is intended for internal circulation and use only.

Any suggestion for change or improvement is welcome.

Pradeep Kumar Singh

(Pradeep Kumar Singh)

Principal Chief Personnel Officer
DLW/Varanasi



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FOREWORD

I am happy to record my appreciation that a booklet on 'Service Conduct Rule-1966' has been compiled and is being published by PCPO Office. A lot of hard work and understanding has gone into the compilation of this booklet. It will make available in one place all the Conduct rules which otherwise can only be found after a lot of search in different places. It is essential that officers and staff are well versed with the latest Conduct rules and accordingly this booklet has been updated incorporating the latest circulars/orders upto July 2018. This Booklet will serve as a ready reckoner on Conduct rules and will be found useful by all Officers and staff not only in discharge of their official duties but also as a guideline regarding their conduct in general, being a Railway Servant.

The effort in bringing out a comprehensive work on Conduct rules is very much commendable and I am sure it will be a indispensable guide for all Railwaymen.

I wish the Personnel Branch all success in their work and congratulate them for the enormous labour put by them in compiling this valuable booklet.


(Rashmi Goel)

(Rashmi Goel)
General Manager
DLW/Varanasi

THE RAILWAY SERVICES (CONDUCT) RULES, 1966

1. Short title:

- (1) These rules may be called the Railway Services (Conduct) Rules 1966.
- (2) They shall come into force at once.

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

(a) 'Government' means, in relation to :-

- (i) Gazetted officers holding posts in the Railway Board, the President;
- (ii) Other gazetted officers, the Railway Board;
- (iii) Non-gazetted officers, in the Railway Board, the Secretary, Railway Board;
- (iv) Other non-gazetted officers in offices directly under administrative control of the Railway Board, the Heads of the Offices concerned; and
- (v) Other non-gazetted officers, the General Managers of the Railway Administrations concerned:

Provided that for purposes of sub-rules (2) and (3) of rule 5, sub-rule (i) of rule 8, sub-rule (i) of rule 10, rule 12, rule 14, sub-rules (1) of rule 15, sub-rule (3) of rule 16, sub-rule (1) of rule 19 and rule 21. 'Government' means the Railway Board in the case of all non-gazetted Railway servants.

(Authority: Railway Board's letter No. E(D&A)2006/GS1-9 dtd. 1.12.06

(b) 'Railway servant' means a railway servant as defined in rule 103(43*) of the Indian Railway Establishment Code.

Railway Servant means a person who is a member of a service or who holds a post under the administrative control of the Railway Board and includes a post in the railway Board. Persons lent from a service or post which is not under the administrative control of the Railway Board to a service or post which is under such administrative control do not come within the scope of this definition.

Explanation- A Railway servant whose services are placed at the disposal of the company, Corporation, organization or a local authority shall, for the purposes of these rules, be deemed to be a railway servant notwithstanding that his salary is drawn from sources other than the Consolidated Fund of India.

(c) " Means of family " in relation to a railway servant includes-

- (1) the wife or husband, as the case may be, of the railway servant, whether residing with the railway servant or not but does not include a wife or husband, as the case may be, separated from the railway servant by a decree

or order of a competent court ;

(ii) Son or daughter or step-son or step -daughter of the railway servant and wholly dependent on him, but does not included a child or a step- child who is no longer in any way dependent on the railway servant or of whose custody the railway servant has been deprived by or under any law;

(iii) Any other person related whether by blood or marriage to the railway servant or to the railway servant's wife or husband, and wholly dependent on the railway servant.

Railway Ministry's decision- The son / daughter will come within the purview of this rule only if he or she is dependent upon the Railway Servant.

(E (D&A)77 GS1-13 dated 14.7.1977.)

3. General- (1) Every railway servant shall at all times

(i) Maintain absolute integrity;

(ii) Maintain devotion to duty;

(iii) Do nothing which is unbecoming of a railway servant.

According to ACS-125 the following clauses inserted, namely:-

(iv) Commit himself to and uphold the supremacy of the constitution and democratic values;

(v) Defend and uphold the sovereignty and integrity of India, the security of the state, public order ,decency and morality;

(vi) maintain high ethical standards and honesty;

(vii) maintain political neutrality;

(viii) promote the principals of merit, fairness and impartiality in the discharge of duties;

(ix) maintain accountability and transparency;

(x) maintain responsiveness to the public, particularly to the weaker section;

(xi) maintain courtesy and good behaviour with the public;

(xii) take decisions solely in public interest and use or cause to use public resources efficiently, effectively and economically;

(xiii) declare any private interests relating to his public duties and take steps to resolve any conflicts in a way that protects the public interest;

(xiv) not placed himself under any financial or other obligations to any

individual or organisation which may influence him in the performance of his official duties;

(xv) not misuse his position as railway servant and not take decisions in order to derive financial or material benefits for himself, his family or his friends;

(xvi) make choices, take decisions and make recommendations on merit alone;

(xvii) act with fairness and impartiality and not discriminate against anyone, particularly the poor and the under-privileged sections of society;

(xviii) refrain from doing anything which is or may be contrary to any law, rules, regulations and established practices;

(xix) Maintain discipline in the discharged of his duties and be liable to implement the lawful orders duly communicated to him;

(xx) Maintain confidentiality in the performance of his official duties as required by any laws for the time being in force, particularly with regard to information, disclosure of which may prejudicially affect the sovereignty and integrity of India, the security of the State, strategic, scientific or economic interests of the State, friendly relation with foreign countries or lead to incitement of an offence or illegal or unlawful gain to any person;

(xxi) Perform and discharge his duties with the highest degree of professionalism and dedication to the best of his abilities.

(Authority- Railway Board's letter no. E(D&A)2014 GS1-3, dated 12.01.2015)

(2) (i) Every railway servant holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all railway servant for the time being under his control and authority.

(ii) No railway servant shall, in the performance of his official duties , or in the exercise of powers conferred on him, act otherwise than his best judgment except when he is acting under the direction of his official superior;

(iii) The direction of the official superior shall ordinarily be in writing, and where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter, and

(iv) A railway servant who has received oral direction from his official superior, shall seek confirmation of the same in writing as early as possible, whereupon it shall be duty of the official superior to confirm the direction in writing.

Explanation I. A railway servant who habitually fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devotion to duty within the meaning of clause ii) of sub-rule (1).

Explanation II. Nothing in clause (ii) of sub-rule (2) shall be construed as empowering a railway servant to evade his responsibilities by seeking instructions from or approval of a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

Railway Ministry's decision-

In the light of the provisions of Rule 3(2) (ii) it is impressed upon all Railway servant that-

(i) Oral instructions should not, as far as possible, be issued by senior officers to their subordinates;

(ii) if the oral instructions are issued by any senior officer they should be confirmed by him in writing immediately thereafter;

(iii) If a junior officer seeks confirmation to the oral instructions given by the senior, the latter should confirm it in writing, whenever such confirmation is sought;

(iv) A junior officer who has received oral orders from his superior officer should seek confirmation in writing as early as practicable;

(v) Whenever a member of the personal staff of Minister communicates an oral order on behalf of the Minister, it should be confirmed by him in writing immediately thereafter;

(vi) If junior officer received oral instructions from the Minister or from his personal staff and the orders are not in accordance with the norms, rules, regulations or procedures, they should be brought to the notice of the Secretary, or the concerned Members of the Railway Board or the Head of the Department, as the case may be, for information.

(vii) If a junior officer received oral instructions from the Minister or from his personal staff and the orders are not accordance with the normal rules, regulations or procedures, they should seek, further clear orders from the secretary, the concerned Member of the Railway Boards or the Head of the Department, as the case may be, about the line of action to be taken, stating clearly that the oral instructions are not in accordance with the rules, regulations, norms, or procedures.

(No, E(D&A)78 GS-1-9 dted.14/12.78).

3.A. Promptness and Courtesy-

No Railway servant shall-

(a) In the performance of his official duties, act in a discourteous manner;

(b) In his official dealings with the public or otherwise adopt dilatory tactics or willfully cause delays in disposal of the work assigned to him.

3.B. Observance of Government's policies-

Every railway servant shall, at all times-

(i) Act in accordance with the Government's policies regarding age of marriage, preservation of environment, protection of wildlife and cultural heritage.

(ii) Observe the Government's policies regarding prevention of crime against women.

(Authority: Railway Board's letter No. (D&A)95 GS-1-5dtd.14.09.95)

3C. Prohibition of sexual harassment of working women.

(OLD)

1. No railway servants shall indulge in any act of sexual harassment of any Women at her work place.

2. Every railway servant who is incharge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

Explanation. For the purpose of this rule, 'sexual harassment' includes such unwelcome sexually determined behavior, whether directly or otherwise as:

a. Physical contact and advances.

b. Demand or request for sexual favours;

c. Sexually coloured remarks;

d. Showing any pornography; or

e. Any other unwelcome physical, verbal or non –verbal conduct of a sexual nature.

(Authority : Railway Board's letter No.E(D&A) 97GS1-4 dtd. 13/05/98 (RBE 96/98)}

(NEW)

Advance Correction Slip No. 124

In the Railway Services (conduct) Rules, 1966, for Rule 3 C, the following rule shall be substituted namely:-

3C. Prohibition of sexual harassment of working women-

(1) No Railway servant shall indulge in any act of sexual harassment of any woman at any work place.

(2) Every Railway Servant who is in-charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at the work place.

Explanation – (1) For the purpose of this rule:-

(a) "sexual harassment" includes any one or more of the following acts or behaviors (whether directly or by implication)namely:-

(I) Physical contact and advances; or

(ii) a demand or request for sexual favours; or

(iii) making sexually coloured remarks; or

(iv) showing pornography; or

(v) any other unwelcome physical, verbal, non –verbal conduct of a sexual nature.

(b) The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviors of sexual harassment may amount to sexual harassment:-

(I) Implies or explicit promise of preferential treatment in employment; or

(ii) Implies or explicit threat of detrimental treatment in employment;

or

(iii) Implies or explicit threat about her present or future employment status; or

(iv) Interference with her work or creating an intimidating or offensive or hostile work environment for her; or

(v) Humiliating treatment likely to affect her health or safety.

(c) "Workplace" includes:-

(i) Any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the Central Government;

(ii) Hospitals or nursing homes;

(iii) Any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;

(iv) Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;

(v) A dwelling place or a house."

(Authority :Railway Bd's letter No. E(D&A)2014 GS1-4 dated. 12/01/2015)

4. Employment of near relatives of railway servants in Company or firm enjoying Government Patronage :

(1) No railway servant shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm;

(2) (i) No Group A Officer shall, except with the prior sanction of the Government permit his son, daughter or other dependent to accept employment in any company or firm with which he has official dealings or in any other company or firm having official dealings with the Government:-

Provided that where the acceptance of the employment cannot await prior permission of the Government or is otherwise considered urgent, the employment may be accepted provisionally subject to the permission of the Government and the fact of such acceptance shall at once be reported to the Government.

(ii) A Railway servant shall, as soon as he becomes aware of the acceptance by a member of his family of an employment in any company or firm, intimate such acceptance to the Government and shall also intimate whether he has or has had any official dealings with that company or firm;

Provided that no such intimation shall be necessary in the case of a Group 'A' Officer if he has already obtained the sanction of, or sent a report to the Government under clause (1).

(3) No railway servant shall in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or any other person, if any member of his family is employed in that company or firm or

under that person or if he or any member of his family is interested in such matter or contract in any other manner and the railway servant shall refer every such matter or contract to his superior officer or authority and the matter or contract shall thereafter be disposed of according to the instructions of such officer or authority.

5. Taking part in politics and elections.

(1) No railway servant shall be member of, or be otherwise associated with any political party or any organization 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 railway servant to endeavour to prevent any member of his 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 a railway servant 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 Government.

(3) If any question arises whether a party is a political party or whether any organization takes part in politics or whether any movement or activity falls within the scope of sub-rule (2) the decision of the Government thereon shall be final.

(4) No railway servant shall canvas, otherwise interfere with, or use his influence in connection with or take part in, an election to any legislature or local authority.

Provided that –

(i) a railway servant 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) a railway servant shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the conduct of an election in the performance of a duty imposed on him by or under any law for the time being in force.

Explanation- The display by a railway servant 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.

Railway Ministry's decision.(1) Railway Servant wishing to join the Bharat Sevak Samaj should obtain prior permission from the Head of the Department. This permission will not, however, absolve them from the observance, at all times, of the rules and instructions relating to the conduct and behavior of the Railway Servant.

(E(D&A)64 GS-1 dtd.27/05/1964)

Railway Ministry's decision.(2) The Railway Servant should not only be impartial but they should appear to be impartial in relation to the elections. They should not take part in any election campaign nor should they canvas. They should always take scrupulous care not to lend their names, official position of authority to assist one group as against another. Any disregard of these instructions will be considered as serious act of indiscipline. Their attention is drawn to the provisions in section 134-A of the representation of the People Act, 1951 which reads as under:-

" if any person in the service of the Government ,acts as an election agent or a polling agent or a counting agent of a candidate at an election he shall be punishable with imprisonment for a term which may extend upto 3 months or with fine or with both "

E(D&A)66 GS-1-15 dtd.27/12/66)

Railway Ministry's decision. (3) Political neutrality of Railway servants –it is essential that Railway servants should not only maintain political neutrality but should also appear to do so and they should not participate in the activities of, or associate themselves with any organization in respect of which there is the slightest reason to think that the organization has a political aspect or with organizations banned by the Government .

E(D&A)69 GS-1-25 dted.31/01/1970)

(NS Policy /19 dt. 11/03/1976).

6. Joining of Associations or Unions by Railway Servants.-No railway servants shall join , or continue to be a member of an association or union the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

Note- It is not permissible for a gazetted railway servant to join any association of nongazetted railway servant like a railway Employees Union. When a non-gazetted railway servant who is a member of a Railway Employees Union is promoted to gazetted rank, either in an officiating or permanent capacity, he shall resign his membership of such union . If, however, the officer concerned satisfies the General Manager of the railway concerned that by such resignation he will lose financially or otherwise under any beneficent scheme organized by such Union such as death or accident insurance, he may be permitted to continue as an ordinary member , but not as office bearer or representative, of that Union. The responsibility for satisfying the General Manager in this will rest with the officer concerned.

7. Demonstration- No railway servant shall engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, Public order, decency or morality, or which involved contempt of court,

defamation or incitement to an offence.

Railway Ministry's decision- (1) Where peaceful and orderly meetings or demonstrations are held during the lunch interval without obstructing in any manner the free passage to and from the office, there would be no objection to the holding of such meetings or demonstrations nor would the participating staff render themselves liable to disciplinary action thereby. The same position will apply in respect of peaceful and orderly meeting and demonstration during half an hour interval prior to the start of working hours and the half an hour interval succeeding the close of working hours.

Railway Ministry's decision - (2) The position regarding the scope of this Rule is clarified as under:-

(I) Demonstration, meetings and processions, which are orderly and peaceful and are held outside office premises and outside working hours, should not be interfered with.

(ii) The wearing of badges while at work should not be interfered with unless the badges have inscriptions or slogans which may offend against the interests of the sovereignty and integrity of India, the security of the State , friendly relations with foreign states, public order, decency or morality or which may amount to contempt of Court, defamation or incitement to an offence, The colour of the badges or arm band should not be considered in any case.

(iii) Demonstration or the raising of slogans or other such disorderly conduct should not be permitted within office premises and disciplinary proceeding should be started against those found indulging in such action within office premises.

No. E(D&A)63 GS-1-3 dated.27/04/1964)

Railway Ministry's decision- (3) It will be in order to take disciplinary action in respect of demonstration anywhere , even far away from office premises and at any even on a holiday, resorted to by time even on a holiday, resorted to by a railway servant, Even in the capacity of a Trade Union Worker, if that activity could be proved to be one falling within the prohibitive activities listed in this rule.

No. E(L)66 UT-1-79 dt.12/01/1966)

Railway Ministry's decision- (4) Peaceful and orderly meetings and demonstrations held during lunch intervals or during half any hour interval prior to the start of working hour and the half an hour interval succeeding the close of the working hours, without obstructing in any manner the free passage to and from the office do not infringe the provisions under this rule.

No. E(L)77 UT-1-79 dt.26/28/07/1967)

Railway Ministry's decision - (5) The principle of ' No work No Pay should not be circumvented in any way including by grant of leave to a railway servant for the period of absence caused due to participation in a strike.

No. E(LR)II77 ST1-126 dt.15/07/1978)

Railway Ministry's decision - (6) if an application for casual leave is presented by a railway servant specifically for the purpose of participation in a demonstration, It is open to the competent authority to refuse casual leave for the purpose. If in spite of refusal, and employee absents himself from duty, he can be treated to have been unauthorized absent , with all the attendant consequences of unauthorized absence.

No. E(G) 79 LE1-10 dt.19/06/1980)

8. Connection with press or other media-

(1) No Railway servant shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication or electronic media.

(2) Nothing in sub-rule(1) shall apply in case a Railway servant in the bonafide discharge of his official duties publishes a book or participated in a public media.

(3) A Railway servant publishing a book or participating in a public media shall, at all times, make it clear that the views expressed by him are his own and not that of Government.

(Authority Railway Board's letter No.E(D&A)95 GS1-6 dtd. 14/9/95 (RBE 102/1995)

9. Criticism of Government.- No Railway servant shall, in any radio broadcast, telecast through any electronic media 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 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 Central Government or State Government.

(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 the Government of any foreign State;

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

Railway Ministry's decision- Serving Railway employees, if they, in their individual capacity or in their capacity of office bearer of association (including

federation/unions of railway employees) or editor/publishers office bearers of journals issued by such association (including federation/union) pass resolutions making statement and/or expressing opinion on issues which involve violation by the individual employees of this Rule become liable for disciplinary action.

No. E(D&A) 68 GS1-6 dt.24/06.1968)

10. Evidence before Committee or any other Authority.

(1) Save as provided in sub-rule (3), no railway servant shall, except with the previous sanction of the Government, give evidence in connection with, any enquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under sub-rule (1) No railway servant shall in the course of giving such evidence Criticize the policy or any action of the Central Government or of a State Government.

(3) Nothing in this rule shall apply to :-

(a) evidence given at any enquiry before an authority appointed by the government, parliament or a State Legislature; or

(b) evidence given at any judicial inquiry; or

(c) evidence given at any departmental inquiry ordered by authorities subordinate to the Government.

11. Communication of Official information- Every railway servant shall, in performance of his duties in good faith, communicate information to a person in accordance with the Right to information Act.2005{22 of 2005} and the rules made there under:

Provided that no Railway Servant shall, except in accordance with any general or special order of the Government or in performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or classified information to any Railway Servant or any other person to whom he is not authorized to communicate such document or classified information.

(Authority : Bd's letter No.E[D&A]2005/ GS1- dtd. 21/02/06 [ACS No.97]

12. Subscription- No railway servant, shall, except with the previous sanction of the Government or of the competent authority, ask for or accept contributions to or otherwise associate himself with the raising of any funds or other collection in cash or in kind in pursuance of any object whatsoever.

Railway Ministry's decision-

(1) The association of Railway Servant with the selling of tickets for charity show or for any purpose whatsoever attract the provisions of this rule and prior permission of the Government would be necessary for this purpose. Sale of Tickets by Railway employees to the members of the general public is likely

to invite public criticism and should not be permitted.

No. E(D&A) 68 GS1-7 dt.19/22/08/1968)

Railway Ministry's decision-

(2) The powers under this Rule may be exercised by the General Managers in respect of all staff working under them for collection of subscription for celebrating religious festivals only. Permission should be given on the specific conditions that only voluntary subscription are collected and no pressure of any kind is brought on them on the collection of these funds.

No. E(D&A) 68 GS1-7 dt.30/01/1969)

Railway Ministry's decision-

(3) Instance of Railway Servants receiving contributions from persons/agencies who may or may not officially deal with a railways, through cheques, drafts or otherwise, towards events and functions as described in (i) to (ii) below have come to notice of the Ministry.

(i) Celebration of foundation days of railways zones , jubilee Celebration of railways, railways units ,etc.

(ii) Seminars, conferences and exhibitions organized by various service associations.

(iii) Sports and other socio-cultural/welfare activities.

The methods generally adopted for collecting contributions are through advertisements in seminar premises, in souvenirs brought out on such occasions and/or participation or entrance fee. No prior permission is sought for such contributions.

In this connection, attention is invited to rule 12 of the Railway Services (Conduct)Rules, 1966 that no railway servant shall, except with the previous sanction of the government, ask for or accept contributions to or otherwise associate himself with the raising of any fund, other collection in cash or in kind in pursuance of any object whatsoever.

The matter has been under consideration of the Ministry of Railways for laying down guidelines and broad parameters in connection with such requests. Accordingly, with respect to the provision in the Conduct Rules, for meeting requirements for activities (i) to (iii) of Para 1 above , it is hereby directed that :-

(i) A request for prior sanction under rule 12 shall be applied for and obtained.

(ii) Contributions in this regard shall be received only through crossed cheque/ demand draft, in the name of the proposer organization and shall be acknowledged through written receipts and records thereof will also be maintained meticulously.

(iii) contribution shall be accepted only from such persons/organizations who voluntarily associate with the occasion/event, to promote their business/interest by way of say, Placing advertisements at the venue of the

functions/seminar premises or in the souvenir brought out on such occasions or participate in response to notice from the organization in this regards.

(iv) Fund raised shall be in the distinct bank account of the proposer organization. Expenditure ,except that involving petty amounts, shall be made through cheque or draft.

The power of sanction of the Government if exercised by GM/PHOD/AGM/CHODs on the Zonal Headquarter /PUs/RSC/RE/Metro/RDSO and NF(C) in respect of staff and Officers working under them and likewise by DRM on the Divisions and CWMs (in SAG) in Workshops. In respect of Railway Board's Office and offices directly under control of Railway Board, the power will be exercised by concerned Member of the Board or Secretary ,Railway Board.

No. E(D&A) 2009 GS1-6 dt.21/04/2010)

13. Gifts- (1) Save as provided in these Rules , no Railway servant shall accept, or permit any member of his family or (any other person acting on his behalf) to accept any gift.

Explanation- The expression 'gift' shall include free transport, boarding, lodging or other service or any other pecuniary advantage provided by any person other than a near relative or personal friend having no official dealings with the Govt. servant.

Note. (1) a casual meal, lift or other social hospitality shall not be deemed to be gift.

Note. (2) A Railway servant shall avoid accepting lavish hospitality or frequent hospitality from any individual, industrial or commercial firms, organization, etc having official dealings with him.

(2) On occasions such as weddings, anniversaries, funerals or religious functions, when the making of gifts is in conformity with the prevailing religious and social practice, a Railway Servant may accept gifts from his near relatives or from his personal friends having no official dealings with him, But shall make a report to the Government, if the value of such gifts exceeds.

(OLD)

(i) Rupees seven thousand in the case of a Railway servant holding any Group .A. Post.

(ii) Rupees four thousand in the case of a Railway servant holding any group B post.

(iii) Rupees two thousand in the case of a Railway servant holding any Group C post ; and

(iv) Rupees one thousand in the case of a Railway servant holding any Group .D. post.

(NEW)

According to ACS 126, above sub clauses substituted, namely:-

(i) Rupees twenty five thousand in the case of a Railway servant holding any Group 'A' post;

(ii) Rupees fifteen thousand in the case of a Railway servant holding any

Group 'B' Post ;

(iii) Rupees seven thousand five hundred in the case of a Railway servant holding any Group 'C' Post;

(Authority- Railway Board's letter no. E(D&A) 2014 GS-1-3, dated 12/01/2015)

(3) In any other case, a Railway servant shall not accept any gift without the sanction of the Government if the value exceeds.

(i) Rupees One thousand five hundred in the case of a Railway servant holding any Group 'A' or Group –B post ; and

(ii) Rupees five hundred in the case of a Railway servant holding any Group .C. or Group-D . post .

[Authority : Bd's letter No.E[D&A]2004 GS1-2 dtd. 15/03/2004]

(4) Not withstand anything contained in sub-rules (2) and (3) , a Railway servant, being a member of the Indian delegation or otherwise , receive and retain gifts from foreign dignitaries if the market value of gifts received on one occasion does not exceed rupees one thousand. In all other cases, the acceptance and retention of such gifts shall be regulated by the instructions issued by the Government in this regard from time to time.

(5) A Railway servant shall not accept any gift from foreign firm which is either contracting with the Government of India or is one with which the Railway servant had, has or is likely to have official dealings. Acceptance of gifts by a Railway servant from any other firm shall be subject to the provisions of sub-rule(3).

(Authority : Bd's letter No.E[D&A]96 GS1-8 dtd. 17/01/1997(RBE 12/1997)

Railway Ministry's decision- (1) The acceptance of tips is misconduct and may be treated as a good and sufficient reason for taking disciplinary action.

No. E(D&A) 61 GS1-15 dt.19/09/61)

Railway Ministry's decision- (2) Gifts received or given by a railway servant in the form of cash attract the provisions of the Rule even though it is a transaction between father and son.

No. E(D&A) 64 GS1-5 dt.25/02/65)

Railway Ministry's decision- (3) Receipt of presents by Railway servants at the time of their marriage in form of cash , ornaments, cloths or other articles, otherwise than as consideration for marriage from relative and personal friends and others will be regulated by the above Rule. Purchase of items of movable property for giving presents at the time of marriage or on other occasions will be regulated by Rule 18(3), like any other transaction of

movable property.

No. E(D&A) 65 GS1-12 dt.23/04/66),(E(D&A)65 GS1-20 dt.07/07/70)

Railway Ministry's decision- (4) Making or acceptance of gifts amongst "Near Relatives" which include father, mother, son, daughter etc. requires the approval of the competent authority in terms of sub rule(5) above.

No. E(D&A) 69 GS-1-20 dt.05/01/70)

Railway Ministry's decision- (5) The following are the instructions in regard to receipt, retention and disposal of gifts of high valuation received by Railway servants from foreign dignitaries and foreign firms.

1. The presents of symbolic nature like a ceremonial sword, ceremonial robe etc. may be retained by the recipient.

2. The gifts of value not exceeding Rs. 1000 may also be retained.

3. Railway servant shall report the receipt of gifts, the value of which exceeds Rs. 1000/- to the department indicating the value. The Department will refer the matter to Toshakhana for valuation of the gifts. if it is found that the value is Rs. 1000 or less, the gift will be returned to the recipient.

If however, the value exceeds Rs. 1000, it will be retained by Toshakhana and the recipient will, have the option to purchase it from Toshakhana by paying the difference between the value as estimated and Rs. 1000.

4. Acceptance of gifts from foreign firms with whom the railway servant has had or has or is likely to have official dealing either, directly or indirectly by virtue of his official position, as well as acceptance of gifts from firms which are contracting firms with the government are prohibited.

(E(D&A)76GS1-31 dt 22/12/76)

Railway Ministry's decision- (6) In terms of note 2 below rule 13(1) of the Railway Service (conduct) Rule 1966, a Railway servant shall avoid accepting lavish or frequent hospitality from any individual, industrial or commercial firms, organizations, etc. having official dealing with him. Further, a Railway servant is expected to avoid the familiarity arising out of private hospitality.

A case has recently come to the notice of Board where a group of Railway officers arranged a function in a reputed private hotel to bid farewell to a senior Officer retiring on superannuation. Though the function was purportedly arranged on contribution from the Railway Officers, a substantial amount was paid by a private party towards the expenditure for holding the function.

Board desire that all Railway servants should follow the extant rules on the subject scrupulously and violation, if any will be viewed seriously inviting strict punitive action.

E(D&A) 2010 GS-1-7 dt.19/05/2011)

13-A. Dowry-No Railway servant shall-

- (i) Give or take or abet the giving or taking of dowry; or
- (ii) Demand directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be any dowry.

Explanations:- For the purpose of this rule, dowry has the same meaning as in the Dowry Prohibition Act, 1961.

In this Act. "dowry" means any property or valuable security given or agreed to be given either directly or indirectly.:-

- (a) by one party to a marriage to the other party to marriage ; or
- (b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person; at or before or after the marriage as consideration for the marriage of the said parties, but does not include dower or Mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies.

Explanation:-

- (i) For the removal of doubts, it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles shall not be deemed to be dowry within the meaning of this section unless they are made as consideration for the marriage of the said parties.

Explanations:-

- (ii)- The expression ' Valuable Security' has the same meaning as in Section 30 of the Indian Penal Code.

14. Public demonstrations in honour of Railway servants- No railway servants shall except with the previous sanction of the Government receive any complimentary or valedictory address or accept and testimonial or attend any meetings of entertainment held in his honour, or in the honour of any other Government servant.

Provided that nothing in this rule shall apply to:-

- (i) a farewell entertainment of substantially private and informal character held in honour of a railway servant or any other Government servant on the occasion of his retirement or transfer or any person who has recently quit the service of any Government; or
- (ii) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

Note- Exercise of pressure or influence of any sort on any railway servant to induce him to subscribed towards any farewell entertainment even if it is of a substantially private or informal character and the collection of subscriptions from Group- 'C' and Group -'D' employees under any circumstances for the entertainment of any railway or other Government servant not belonging to Group-'C' and Group-'D' is forbidden.

Railway Ministry's decision (1) Officers in Group 'A' service upto the J.A. Grade should furnish promptly particulars of all invitations received by them

from foreign missions in India and accept them only after obtaining the necessary clearance from the Railway Board. Officers in group –'B' service and below are debarred from accepting such invitations except in very rare cases . All officers, so permitted, should submit a list of any important and interesting talks or other discussions held with the representative of the foreign mission on matters of interest to the Railway Board.

E(D&A) 57 GS-1-3 dt.08/01/57)

Railway Ministry's decision- (2) Railway Servants should refrain from associating themselves with functions inappropriate and inconsistent with the rule of detached impartiality such as to declare buildings etc. open or to lay the foundation stones of new buildings or to allow roads, bridges, parks or public institutions such as hospitals, schools or colleges to be named after them. When occasions which have a cultural and sociological significance arise , especially in remote areas, prior permission of their superior officer should be obtained.

E(D&A) 60 GS-1-8 dt.27/03/61)

Railway Ministry's decision- (3) While no subscription should be collected from class III and class IV staff when any entertainment is held in honour of a Class II or Class I Officer, it is not the intention of the rule that when an entertainment is held in honour of Class III/Class IV staff, a class I or Class II officer should not attend the function as a guest by invitation or on a contributory basis.

E(D&A) 67 GS1-6 dt.04/11/1967)

15. Private trade of employment- (1) Subject to the provisions of sub-rule (2) no Railway servant shall, except with the previous sanction of the Government :

- (a) engage directly or indirectly in any trade or business, or
- (b) negotiate for, or undertake , any other employment ,or
- (c) hold an elective office, or canvass for a candidate or candidates for an elective office, in any body, whether incorporated or not ,or
- (d) canvas in support of any business of insurance agency, commission agency, etc. owned or managed by any member of his family or
- (e) take part except in the discharge of his official duties, in the registration, promotion or management of any bank or other company registered or required to be registered under the Companies Act. 1956 (1 of 1956) or any other law for the time being in force ,or of any co-operative society for commercial purpose.
- (f) participate in or associate himself in any manner in the making of:-
 - (i) a sponsored media (radio or television) programme or
 - (ii) a media programme commissioned by Government media but produced by a private agency; or

(iii) a privately produced media programme including video magazine; provided that no previous permission shall be necessary in case where the Railway servant participates in a programme produced or commissioned by Government media in his official capacity.

(Authority : Bd's letter No.E[D&A]96 GS1-8 dtd. 17/01/1997 (RBE 12/1997)

(2) A railway servant may, without the previous sanction of the Government:-

(a) undertake honorary work of a social or charitable nature, or

(b) undertake occasional work of a literary, artistic or scientific character, or

(c) participate in sports activities as an amateur, or

(d) take part in the registration, promotion or management (not involving the holding of an elective office) or a literary, Scientific or charitable society or of a club or similar organization the aims or objects of which relate to promotion of sports, cultural or recreational activities registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being in force,

OR

(e) take part in the registration, promotion or management (not involving the holding of an elective office) or a co-operative society substantially for the benefit of railway servants, registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force.

Provided that:-

(i) he shall discontinue taking part in such activities, if so directed by the Government; and

(ii) in a case falling under clause (d) or clause (e) of this sub-rule, his official duties shall not suffer thereby and he shall within a period of one month of his taking part in such activity, report to the Government giving details of the nature of his participation.

(3) Every railway servant shall report to the Government if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

(4) Unless otherwise provided by general or special orders of the Government, no Railway servant may accept any fee for any work done by him for any private or public body or any private person without the sanction of the prescribed authority.

Explanations:- The term 'fee' used here shall have the meaning assigned to it in Rule 103 (18). R1

Railway Ministry's decision- (1) It is not permissible for a railway servant to take an insurance agency in his own name and canvas for the same.

E(D&A) 58 GS1-40 dt.07/03.58)

Railway Ministry's decision- (2) Railway servants should not ordinarily be allowed to accept part time employment whether under Government or elsewhere, even though such employment is after office hours.

(E(D&A) 58 GS1-29 dt.16/01/59)

Railway Ministry's decision- (3) Railway servants, holding recognized qualification for any system of medicine may be granted permission by the Heads of Departments to undertake medical practice during spare time, on a purely charitable basis without detriment to his official duties. This will not apply to those who possess the qualification and are employed as physicians, surgeons etc. on the Railways.

(E(D&A) 64 GS1-5 dt.30/05/64 and 10/11/65)

Railway Ministry's decision- (4) No Railway servants should negotiate for commercial employment during service without obtaining the prior permission of the Head of the Department and such permission should not be given unless there are any special reasons for doing so.

(E(G) 66 EM1-2 dt.26/03/66)

15-A. Sub-letting and vacation of Government accommodation.

(1) Save as otherwise provided in any other law for the time being in force, no railway servant shall sub-let, lease or otherwise allow occupation by any other person of Government accommodation which has been allotted to him.

(2) A Railway servant shall, after the cancellation of his allotment of Government accommodation vacate the same within the time limit prescribed by the allotting authority.

(Authority : Bd's letter No.E[D&A]96 GS1-8 dtd. 17/01/1997)

16. Investment, lending and borrowing (1) No Railway servant shall speculate in any stock, share or other investment ;

Provided that nothing in this sub-rule shall apply to occasional investments made through stock brokers or other persons duly authorized and licensed or who have obtained a certificate of registration under the relevant law.

Explanations- Frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.

Railway Ministry's decision- It has been brought to the notice of the Government that a number of employees are investing in shares, securities and debentures etc, frequently. With a view to enable the administrative authorities to keep a watch over such transactions, it has been decided that an intimation may be sent in the enclosed proforma to the prescribed authority in the following cases:-

(i) **Group 'A' and 'B' Officers-** If the total transactions in shares securities,

debentures or mutual funds scheme etc. exceeds Rs. 50,000/- during the calendar year.

(ii) **Group 'C' and 'D' Officers-** If the total transactions in shares, securities, debentures or mutual funds scheme etc. exceeds Rs. 25,000/- during the calendar year.

No. E(D&A) 93 GS-1-2 dt.07/05/1992)

(2) (i) No Railway servant shall make, or permit any member of his family or any person acting on his behalf to make , any investment, which is likely to embarrass or influence him in the discharge of his official duties . For this purpose, any purchase of shares out of the quotas reserved for Directors of Companies or their friends and associates shall be deemed to be an investment, which is likely to embarrass the Railway servant.

(Authority : Bd's letter No.E[D&A]96 GS1-8 dtd. 17/01/1997)

(2) (ii) No Railway servant who is involved in the decision making process of fixation of price of an initial Public Offering or Follow-up Public Offering of shares of a Central Public Sector Enterprise shall apply, either himself or through any member of his family or through any other person acting on his behalf, for allotment of shares in the initial Public Offerings or Follow-up Public Offerings of such Central Public Sector Enterprise.

(Authority : Bd's letter No.E[D&A]2009 GS1-4 dtd. 14/07/2009)

(3) If any question arises whether any transaction is of the nature referred to in sub-rule (1) of sub-rule (2), the decision of the government thereon shall be final.

(4) (i) No Railway servant shall ,save in the ordinary course of business with a bank or a public limited company either himself or through any member of his family or any other person acting on his behalf :-

(a) Lend or borrow or deposit money, as a principal or an agent, to or from or with, any person or firm or private limited company with whom he is likely to have official dealing or otherwise place himself under pecuniary obligation to such person or firm of private limited company, or

(b) Lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid.

Provided that a Railway servant may give to, or accept from, a relative or a personal friend, a purely temporary loan of a small amount free of interest, or operate a credit account with a bonafide tradesman trades man or make an advance or pay to his private employee.

Provided further that nothing in this sub rule shall apply in respect of any transaction entered into by a railway servant with the previous sanction of the Government.

(ii) When a railway servant is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of sub-rule (2) or sub-rule(4), he shall forthwith report the circumstances to the competent authority and shall thereafter act in accordance with such order as may be made by such authority.

Railway Ministry's decision – Loan taken from LIC by the Railway servant against their insurance policies will be covered by the exception provided in the above rule and permission of the Government will not be necessary.

E(D&A) 68 GS1/21 dt.21.11.68)

17. Insolvency and Habitual indebtedness (1) A railway servant shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A railway servant against whom any legal proceedings is instituted for the recovery of any Debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceeding to the Government.

Note. The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise of ordinary diligence, the railway servant could not have foreseen, or over which he had no control and had not proceeded from extravagant or dissipated habits, shall be upon the railway servant.

(2) The following procedure shall be followed in the case of non gazetted railway servant :-

(i) The report required under sub-rule (1) above shall be submitted by the Railway servant to his immediate superior who should forward it through the normal channel to the authority competent to remove or dismiss the employee from service. Except where such authority required guidance or clarification from a higher authority, it shall consider and pass appropriate orders thereon. A Railway servant desiring to seek the benefit of the Insolvency Act shall apply to the Head of his Department, or to such authority as the government may specify in this behalf, for permission to file a Schedule in a Court of Law. Same time, he shall explain in such form as the government may prescribe in this behalf all the circumstance which led to his financial embarrassment. The said authority will then consider his case in the light of those circumstances.

If the railway servant can prove that indebtedness was the result of circumstances, which with the exercise of ordinary diligence, he could not have foreseen or over which he had no control, and did not proceed from extravagant or dissipated habits and if as the result of investigation, the said authority considers that sufficient justification exists or the retention of the employee in service, he may permit him to have recourse to the court. Otherwise, he should take steps either to dismiss or remove the employee from service as the circumstances of the case may warrant. If a railway servant asks for permission to seek the benefit of the Insolvency Act for a

second time, such permission may not be granted by an authority lower than the General Manager or Head of Office who, if he decides to retain the employee in service, shall report the circumstances to the Railway Board for information. As the Railway Co-operative Credit is often the creditor in such a case and other railway servants are sureties for the debtor, the said authority will, in deciding whether or not the debtor should be retained in railway service, consider the effect of this dismissal or removal on the railway and on his fellow employees.

1. No E(D&A)58GS1-6 dt. 15.03.58 and 27.06.66
2. No E(D&A)60GS1-5 dt. 07.06.60
3. No E(D&A)60GS1-5 dt. 30.01.61
4. No E(D&A)64GS1-6 dt. 25..2.65
5. No E(D&A)69GS1-14 dt. 14.08.69
6. No E(D&A)75GS1-3 dt. 09.05.75
7. No E(D&A)76GS1-2 dt. 30.04.76

(ii) A railway servant who seek the assistance of the Insolvency Court without the previous permission of the competent authority shall render himself liable to removal from service.

(iii) A railway servant who is arrested for debt is liable for dismissal.

(iv) Steps will be taken from time to time by the head of an office to ascertain from pay sheets, etc. whether any railway servant under him are in habitual stage of indebtedness. If a moiety of the pay of a railway servant is being frequently attached for debit has been continuously so attached for a period exceeding two years or is attached for a sum, which under ordinary circumstances he could not repay within two years, such railway servant shall be considered liable for dismissal.

(v) Every case falling under (iii) or (iv) shall be considered in the light of the instructions contained in clause (i) above before it is finally decided whether or not the railway servant concerned should be dismissed or removed but in exceptional circumstances such railway servant should not be retained in service.

(3) A railway servant shall also report to the Government or to such authorities as may be specified in this behalf the facts when a portion of his salary is constantly being attached, has been continuously attached for a period exceeding two years or is attached for a sum which, in ordinary circumstances, cannot be paid within a period of two years.

(4) When a moiety of a railway servant's salary is attached, the report by his superior officer to the Government competent authority should show what is the proportion of the debts to the salary; how far they detract from the debtor's efficiency as a railway servant; whether the debtor's position is irretrievable, and whether in the circumstances of the case, it is desirable to retain him in the

post occupied by him when the matter was brought to notice or in any post under the Government.

18. Movable, immovable and valuable property.

(1) (i) Every railway servant shall on his first appointment to the railway service submit a return of his assets and liabilities , in such form as may be prescribed by the Government giving full particulars regarding :-

(a) the immovable property inherited by him, owned or acquired 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;

(b) the shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired or held by him;

(c) other movable property inherited by him or similarly owned, acquired or held by him;

(d) Debts and other liabilities incurred by him directly or indirectly.

Note.1- Sub-rule (1) shall not ordinarily apply to Group –'D' railway servants, but the Government may, in appropriate cases, direct that it shall apply to any of such railway servants or any class of such railway servants.

Note. 2- In every return, the values of items of movable property worth less than Rs. 10,000/- may be added and shown as a lump sum. The values of articles of daily use such as clothing, utensils, crockery, books and the like, need not be included in such return.

Note.3(1) (i) Where a railway servant already belonging to a service or holding a post is appointed to any other Government or Railway service or post, he shall not be required to submit a fresh return under this clause.

(ii) Every railway servant belonging to any service or holding any post included in Group-A or Group-B , shall submit an annual return in such form as may be prescribed by the Government in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired 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.

(2) No railway servant shall, except with the previous knowledge of the Government, 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 the previous sanction of the Government shall be obtained by the railway servant if any such transaction is with a person having official dealings with him.

(3) Where a railway servant enters into a transaction in respect of movable property either in his own name or in the name of a member of his family, he shall within one month from the date of such transaction, report the same to the Government, if the value of such property exceeds two months' basic pay of the Railway servant'

Provided that the previous sanction of the Government shall be obtained by the Railway servant if any such transaction is with a person having official dealings with him.

(Authority : Bd's letter No.E[D&A]2011 GS1-3 dtd. 11/07/2011)

Railway Ministry's decision– It is clarified that since shares, securities, debentures etc. are treated as movable property for the purpose of Rule 18(3), if an individual transaction exceed the amount prescribed in Rule 18(3), the intimation to the prescribed authority would still be necessary.

No. E(D&A) 92 GS-1-2 dt.07/05/1992)

Note.1- Purchase of items of movable property for giving presents at the time of marriage will be regulated by rule 18(3) above like any other transactions in movable property.

(Railway Board's letter No. .E[D&A]65 GS1-12 dated. 23/04/1966)

Note.2- The powers of the Government so far as sub-rule (3) is concerned, may be exercised by-

(i) General Manager and the Chairman, Railway Rates Tribunal, in respect of both Gazetted and non-gazetted officers under their respective administrative control; and

(ii) Senior Deputy General Manager on Zonal Railways in respect of gazetted officers below the Senior Administrative Grade and non-gazetted officers subject to the condition that the powers hereby delegated are not further delegated by them to lower authorities so far as cases of gazetted officers are concerned.

(4) The Government or any authority empowered by it in this behalf may, at any time by general or special order, require a Railway servant to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the Government or by the authority so empowered, include the details of the means by which, or the source from which, such property was acquired.

(5) The Government may exempt any category of Railway servants belonging to Group-C or group-D from any of the provisions of this rule except sub-rule(4). No such exemption shall, however, be made without the concurrence of the Railway Board, who will consult the Ministry of Home Affairs (Now Cabinet Secretariat, Department of Personnel).

Explanations I - for the purpose of this rule, the expression 'movable property' includes-

(a) Jewellery, insurance policies the annual premium of which exceeds two month's basic pay of the railway servant, shares ,securities and debentures.

(Authority : Bd's letter No. E(D&A)2011 GS 1-3 dated. 11/07/2011)

(b)All loans, whether secured or not, advanced or taken by the Government Servant.

(c) motor cars, motor cycles, horses, or any other means of conveyance; and

d) refrigerators, radios, radiograms and television sets.

Explanation II - For the purpose of this rule, "lease" means, except where it is obtained from, or granted to, a person having official dealings with the Railway servant, a case of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

Railway Ministry's decision 1- It is undesirable for Railway servant to bid at auctions arranged by their own department or under orders of which the auction is conducted and if he does so it would be regarded as indulging in conduct unbecoming of a railway servant under the rules.

(E(D&A) 58 GS1-6 dt.15/03.58 & 27/06/66)

Railway Ministry's decision 2- The intention of proviso to sub-rule (2) & (3) regarding bonafide deal is to assure that –

(i) the transaction proposed to be entered into is for bonafide purposes;

(ii) the acquisition/sale of property in question is at fair prevailing market prices and does not involve any element of profiteering or speculation;

(iii) there is no reasonable ground to hold that the transaction in question is the result of the exercise of any undue official influence by the officer e.g. in return of any official favour conferred or likely to be conferred upon the prospective seller/buyer of the property ;and

(iv) there is nothing otherwise objectionable in return to the proposed transaction

(E(D&A) 60 GS1-5 dt.07/06.60)

Railway Ministry's decision 3- The term "Regular and reputed dealer" means a person or firm who deals in a particular item and keeps regular accounts of lists, its transaction and who has regular business premises . A co-operative housing society register under the Co-operative Society's Act. 1912 or any corresponding law in force also falls under this definition.

(E(D&A) 60 GS1-5 dt.30/01.61)

Railway Ministry's decision 4- Whenever a Railway servant wished to build a house, the following procedure should be followed:-

(a) Before starting construction of the house, he should report or seek permission as the case may be and after completion of the house, he should report to the prescribed authority.

(b) The details in proforma prescribed should be furnished wherever it is possible to do so. Wherever it is not possible to furnish the details about purchase of movable property acquired for the construction of the house, the Railway servant concerned should mention the covered area on which the building is proposed to be erected and the estimated cost of the building.

(c) In case where the expenditure to be incurred on repairs or minor construction in respect of any immovable property belonging to a Railway servant, is estimated to exceed Rs. 1000/- sanction of the prescribed authority is required.

Railway Ministry's decision 5- The factum of giving or receiving money between father and son can be termed as a transaction of movable property within the meaning of Rule 18(3)

(E(D&A) 64 GS1-6 dt.25/02/65)

Railway Ministry's decision 6- In exercise of the powers conferred by rule 24 read with Rule 2(a)(ii) of these rules, the Railway Board hereby directs as follows:-

(i) Power exercised by the Railway Board under rule 18(2) of the above rules shall be also exercisable by the General Managers, all Indian Railways, Production Units and the Director General, RDSO in respect of Gazetted officers under their respective administrative control subject to the condition that all cases of such sanction accorded by them shall be reported to the Railway Board, and

(ii) Powers exercisable by the Railway Board under rule 18(3) of these rules shall be also exercisable by the Director General, RDSO in respect of gazetted officers under his administrative control.

(E(D&A) 69 GS1-11 dt.14/08/69)

Railway Ministry's decision 7- Railway servants should not buy or sell property to or from firm with whom he has official dealings. In exceptional cases, however, permission may be granted only after careful enquiry into the officer's dealing with the firm and after it is satisfactorily established that he was not conferred and is not likely to confer any official favour upon the party concerned.

(E(D&A) 75 GS1-3 dt.09/05/75)

Railway Ministry's decision 8- While no permission of the Government is necessary for taking life insurance policy or making fixed deposits in Bank under sub-rule(3) above, Permission is required to be obtained to join a Chit

Fund.

(E(D&A) 75 GS1-36 dt.13/12/76)

Railway Ministry's decision 9- The provision of Delhi Rent Control Act and similar other provisions in other States, wherever applicable, should be observed by Railway servants while taking rent advance for property held them.

(E(D&A) 76 GS1-2 dt.30/04/76)

Railway Ministry's decision 10- It is clarified that transactions entered into by the spouse or any other member of family of a railway servant out of his or her own funds (including stridhan, gifts, inheritance etc.) as distinct from the funds of the Railway servants himself in his or her own name and in his or her own right, would not attract the provision of sub-rule(2) and (3) of Rule 18.

Railway Ministry's decision- Recently a railway servant had intimated booking of a flat by his wife in her own name and in her own right. The entire cost of the flat was to be borne by the mother-in-law of the railway servant and had to be given to this wife as gift. In other words, it was a case of acceptance of gift by the wife of the railway servant from her own mother. A question has arisen whether the railway servant concerned was required to seek permission from the Government before his wife accepted gift from her own mother. A related question is whether the railway servant was also required to make a report to or seek permission of the Government , as the case may be, under rule 18(2) before his wife made the aforesaid transaction in immovable property.

The matter has been examined in consultation with the Department of Personnel and Training . Ministry of Railway's decision No.10 below rule 18 of Railway Service (conduct) Rules, 1966 stipulates that the transaction in immovable property entered into by the spouse or any other member of family of a railway servant out of his or her own funds (including stridhan , gifts, inheritance etc.) as distinct from the funds of the railway servant himself , in his or her own name and in his or her own right , would not attract provision of sub-rule(2) of rule 18. A railway servant thus, is not required to give previous knowledge or seek sanction under rule 18(2) if the transaction in immovable property is made by any member of his family in his or her own right and from his or her own funds including by way of gifts received, independent from the funds of the railway servant.

However, rule 13 Railway Service (Conduct)Rules, 1966 provided that a railway servant neither accept himself nor permit any member of his family or any other person acting on his behalf to accept any gift except in certain circumstances as specified in this rule. For the purpose of exceptions and monetary limits, the railway servant and his (or her) family has been treated as one unit. Therefore, while the provisions of rule 18(2) of Railway Services

(Conduct) Rules 1966 will not be attracted in respect of a transaction in Immovable property made by the member of family of a railway servant in his or her own name, in his or her own right and out of his or her own fund including by way of gifts received, the railway servant concerned will have to make a report to or seek previous sanction of the Government, as the case may be, under rule 13, if the value of the gift received by the member of family of the railway servant, which was used to finance the transaction, exceeds the monetary limits laid down in rule 13 Irrespective of the person making the gift.

(E(D&A) 2007 GS1-2 dt.18/06/2009)

Railway Ministry's decision 11- Supervisory staff of Group 'c' (Class-III) on railways working in Pay Band-2 (Rs. 9300-34800/-) with Grade Pay of Rs. 4600/- and above, should also submit an annual return regarding the immovable property inherited by him, or owned or acquired 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. The return should be submitted within three months of his first appointment in the grade and thereafter in the month of January every year.

(No.E(D&A)78 GS1-14 dated 24/10/1980)

(No.E(D&A)2007 GS1-14 dated 28/03/2008)

(No.E(D&A)2007 GS1-1 dated 24/10/12009)

Railway Ministry's decision 12- The following categories of Commercial Staff in all grades, viz. Reservation Clerks, Parcel Clerk, Booking Clerks, TTEs and TCs should, besides submitting a property return on their initial appointment as required in Rule 18(1)(i) of the Conduct Rules, should also submit a return of their property at the time of every promotion, as also at the time of submitting documents for pension (approximately two) years prior to superannuation)

(No.E(D&A)85 GS1-13 dated 10/02/1986)

Railway Ministry's decision 13- Sale and purchase of shares, securities, debentures, etc. are to be treated as transactions in movable property. An intimation is to be given under Rule 18(4) to prescribed authority in the proforma laid down in the following cases :-

(i) Group 'A' and 'B' Officers-If the cumulative transactions i.e. sale, purchase of both in shares, securities, debentures or mutual funds scheme etc. exceeds Rs. 50,000/- during the calendar year.

(ii) Group 'C' and 'D' Officers-If the cumulative transactions i.e. sale, purchase of both in shares, securities, debentures or mutual funds scheme etc. exceeds Rs. 25,000/- during the calendar year.

The above intimation will be in addition to the intimation(s) required to be given under Rule 18(3) in respect of individual transaction in shares, securities, debentures, etc. which exceeds the amount prescribed therefor.

(No.E(D&A)92GS1-2 dated 17/21/05/1992)

(Authority : Bd's letter No. E(D&A)2007 GS 1-1 dated. 26/10/2007)

Railway Ministry's decision- Lokpal and Lokayuktas Act,2013- Submission of declarations of assets and liabilities by Railway Servant for each year- Regarding:-

A copy of the public Servants (furnishing of information and annual return of assets and liabilities and the limits for Exemption of Assets in filing returns)rules, 2014, notified by department of personnel & Training vide gazette notification G.S.R no 501(E) dated 14.07.2014, which are applicable to all railway servants, is enclosed here with for information and necessary action .

G.S.R501(E) – In exercise of the power conferred by sub section (1) read with clause (K) and clause (1) of sub section (2) of section 59 of the lokpal and lokayuktas Act 2013 (1of 2014), read with section 44 and section 45 of said act , the central Government hereby makes the following rules to provide for furnishing of information and annual return containing declaration of assets and liabilities by public servants and to provide for minimum value of the assets which the competent authority may exempt from furnishing such information by a public servant under section 45 of the said act ,namely :-

1. Short title and commencement - (1) These rules may be called the public servant (furnishing of information and annual return of assets and liabilities and the limits for exemption of assets in filing returns) Rules 2014.

(2) They shall come into force on the date of their publication in the official Gazette.

2. Definition – In these rules , unless the context otherwise requires ,-

(a) "Act " means the lokpal and lokayuktas Act 2013 (1of 2014)

(b) "Appendix" means an appendix of these rules .

(c) "annual return" means the annual return to be filed by a public servant under sub section (4) of section 44:

(d) "declaration" means the declaration of assets and liabilities made by a public servant under sub section (1) of section 44.

(e) "form" means a form specified in Appendix –II

(f) "information" means the information required to be furnished by a public servant under sub –section (3) of section 44;

(g) "section " means the section of the Act.

3. Manner of submission of information and annual return – (1) Every public servant shall make a declaration of his assets and liabilities under sub –section (1) of section 44 in the format specified in Appendix –I , along with the information required under sub-section (2), or as the case may be, sub-section(3), and the annual return under sub-section (4) of section 44 in forms I

to IV specified in Appendix-II.

(3) Every public servant shall file declaration, information or return, as the case may be, regarding his assets and liabilities as on 31st day of March every year, to competent authority as referred to in clause (c) of sub-section (1) of section (2), on or before the 31st day of July of that year.

4. Minimum value of assets which competent authority may exempt from furnishing of information:- The competent authority may, for reasons to be recorded in writing, exempt in accordance with the proviso to section 45, a public servant from filing the information in respect of any assets, if the value of such assets does not exceed four month basic pay of the Public servant or rupees two lakhs, whichever is higher.

Authority : Bd's letter No.E(D&A)2014 GS1-2 dated.01/9/2014

18-A. Restrictions in relation to acquisition and disposal of immovable property outside India and transaction with foreigners, etc. -

Notwithstanding anything contained in sub-rule (2) of rule 18, no railway servant shall except with the previous sanction of the Government-

(a) Acquire, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family any immovable property situated outside India.

(b) Dispose of, by sale, mortgage, gift or otherwise, or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family.

(c) Enter into any transaction with any foreigner, foreign Government, foreign organization or concern-

(i) for the acquisition, by purchase, mortgage, lease, gift or otherwise, either in his name or in the name of any member of his family, or any immovable property.

(ii) for the disposal of, by sale, mortgage, gift or otherwise, Or the grant of any lease in respect of, any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

19. Vindication of Acts and Character of Railway servants.

(1) No Railway servants shall, except with the previous sanction of the government have recourse to any Court or to the Press for the vindication of any official act which has been subject matter of adverse criticism or an attack of a defamatory character.

Provided that if no such sanction is received by the railway servant within a period of three months from the date of receipt of his request by the Government, he shall be free to assume that the permission as sought for has been granted to him.

(Authority : Bd's letter No. E(D&A)96 GS 1-5 dated. 24/12/96)

(2) Nothing in this rule shall be deemed to prohibit a railway servant from vindicating his private character and or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in his private capacity is taken, the railway servant shall submit a report to the Government regarding such action.

Railway Ministry's decision 1- Railway servant seeking redress of their grievances arising out of their employment of conditions of service should in their own interest and also consistently with official propriety and discipline first exhaust the normal official channels of redress before they take the issue to a court of law. Any attempt by Railway servants to seek redress from the court of law or such matters (even in cases where such a remedy is legally admissible) without first exhausting the normal official channels of redress can only be regarded as contrary to official propriety and subversive of good discipline and may well justify the initiation of disciplinary action against them.
(E(D&A) 62 RG-6 -21 dt.05/02/64 & E (D&A)69 RG6-37 dt. 14/2/67)

20. Canvassing of Non-official or other influence:-

No railway servant shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government.

Railway Ministry's decision- Railway servants are advised to strictly refrain from bringing pressure from the MPs and other influential outsiders to secure benefits out of turn or regarding any matter arising out of their service. If such occasions arise, the name of the officer or the member of the staff concerned will be brought to the notice of the Head of the Department for such disciplinary action as may be considered necessary.

(No.E(D&A)70RG6-9 dated 07/07/71)

Other instruction issued vide RBE NO. 162/2015 on above subject is as under:

Sub:- Representation from Railway Servants on service matters-reiteration of instructions-regarding

Attention is invited to Railway Board's letter No. E(D&A) 2010 GSI-1 dated 25.05.2010 whereby copies of Railway Board's earlier instructions and Department of Personnel and Training's office memoranda on the above subject were circulated on the Railways.

2. In this regard, Department of Personnel and Training has issued O.M. No. 11013/08/2013-Estt.(A-III) dated 31/08/2015, reiterating the earlier instructions issued in this regard, Rule 3(1)(iii) of the Central Civil Services (Conduct) Rules, 1964 referred to in para 3 of the O.M. dated 31.08.2015 corresponds to Rule 3(1)(iii) of Railway Services (Conduct) Rules, 1966.

The Department of Personnel and Training's O.M. dated 06.06.2013, referred to in para 1 of their above O.M. No. is available at their website 'persmin.nic.in/DOPT, asp' under 'ONs & Orders'- Vigilance – 'CCS (Conduct) Rules'.

2. It is reiterated that all concerned are required to strictly comply with the aforesaid instructions and violation(s) thereof may entail suitable action.

Please acknowledge receipt. Hindi version will follow.

DA: As above.

Sd

(S.Modi)

Dy. Director Establishment (D&A)

Railway Board.

No. E(D&A)2015 GS1-5, dated 29.12.2015

P.No. 11013/08/2013 Estt.(A-III)

Government of India

Ministry of Personnel, Public Grievances & Pensions

Department of Personnel & Training

Establishment A-III Desk

North Block, New Delhi

Dated August 31, 2015

OFFICE MEMORANDUM

Subject : Representation from Railway Servants on service matters-reiteration of instructions-regarding:-

The undersigned is directed to refer to O.M. of even number dated 6th June, 2013 wherein instructions have been issued on submission of representation by Government servants about their service matters. In spite of these instructions, it has been observed that Government Servants including officers/officials of para military forces and Army personnel continue to represent directly to the Prime Minister, Minister, Secretary (P) and other authorities, directly.

2. As per the existing instructions, wherever, in any matters connected with his service rights or conditions, an Government servant wishes to press a claim or to seek redressal of a grievance. The proper course for him is to address his immediate official superior, or Head of his office, or such other authority at the appropriate level who is competent to deal with the matter in the organization.

3. Such submission of representations directly to other authorities by- passing the prescribed channel of communication has to be viewed seriously and appropriate disciplinary action should be taken against those who violate these instructions. This can rightly be treated as an unbecoming conduct attracting the provisions of Rule 3(1) (iii) of the Central Civil Services (Conduct) Rule 1964. It is clarified that this would include all forms of communication including through e-mails or public grievances portal etc.

4. Attention is this connection is also invited to the provision of Rule 20 of CCS (Conduct) Rule 1964 prohibiting Government servants from bringing outside influence in respect of matter pertaining to his service matter. Representation by relatives of Government servant is also treated as outside influence as clarified vide MHA OM No. F.25/21/63-Estt(A) dated 19.09.1963

5. It is reiterated that these instructions may be brought to the notice of all Govt. servants including officers/officials of para military forces and member of armed forces and action taken against these who violate these instructions.

(Mukesh Chaturvedi)
Director(E)
Telefax: 23093176

21. Restrictions Regarding Marriage-

(1) No railway servant shall enter into, or contract, a marriage with a person having spouse living; and

(2) No railway servant, having a spouse living shall enter into, or contract a marriage with any person.

(3) A railway servant who has married or married a person other than of Indian Nationality shall forthwith intimate the fact to the Government. Provided that the Government may permit a railway servant to enter into, or contract, any such marriage as is referred to a clause (1) or clause (2), if it is satisfied that

(a) such marriage is permissible under the personal law applicable to such railway servant and other party to the marriage; and

(b) there are other grounds for so doing.

22. Consumption of intoxicating Drinks and Drugs-

(1) A railway servant shall :-

(a) strictly abide by the law relating to intoxicating drink or drugs during the course of his duties and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drugs.

(b) Refrain from consuming any intoxicated drink or drug in a public place;

(2) A railway servant shall not:-

(a) appear in a public place in a state of intoxication;

(b) use any intoxicating drink or drug to excess;

(c) if he belongs to the category of running staff (both local and traffic) or is connected directly with train passing, have taken or used any intoxication drinks or drugs within eight hours of the commencement of duty or take such drinks or drugs during the course of duty.

Explanation- For the purpose of this rule, 'Public place' means any place or premises (including conveyance) to which the public have, or are permitted to

have, access whether on payment or otherwise.

22-A Prohibition regarding employment of Children below 14 years of age:-

No railway servant shall employ to work any child below the age of 14 years.

[Authority : Bd's letter No. E(D&A)99 GS1-3 dated. 07/01/2000]

23. Interpretation:- The power of interpreting these rules is reserved to the President.

24. Delegation of Powers- The government may, by general or special order, direct that any power exercisable by it under these rules shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

25. Repeal and Savings- The Railway Services (Conduct) Rules , 1966, contained in Appendix VI of the Indian Railways Establishment Code, Volume I, shall cease to be in force except as respect things done or omitted to be done.

26. Obligation to abide by all administrative Instructions-

Notwithstanding anything contained in these rules, a railway servants shall be governed by all the administrative instruction that may be issued from time to time in regard to the conduct of railway servants.



**Published by Personnel Department,
DLW, Varanasi.**