

GOVERNMENT OF KARNATAKA

DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS

No.DPAR 12 SRC 2019, Bengaluru, Dated: 07.01.2021

NOTIFICATION

Whereas the draft of the Karnataka State Civil Services (Conduct) Rules, 1966 was published as required by clause (a), sub-section(2) of section 3 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) in Notification No. DPAR 12 SRC 2019 dated: 27.10.2020 in Part IV-A (No.499) of the Karnataka Gazette Extra-ordinary dated: 27.10.2020, inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of its publication in the official Gazette;

Where, the said Gazette was made available to the public on 27.10.2020;

And whereas, objections and suggestions received have been considered by the State Government;

now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) the Government of Karnataka hereby makes the following rules, namely;-

RULES

1. TITLE, COMMENCEMENT AND APPLICATION.-

(1)These rules may be called the Karnataka State Civil Services (Conduct) Rules, 2021.

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

(3) Save as otherwise provided in these rules, they shall apply to all Government Servants.

Provided that nothing in these rules shall apply to any Government Servant who is,-

(a) a member of an All India Service;

(b) a holder of any post in respect of which Government may, by general or special order declare that these rules shall not apply;

Provided further that nothing in these rules shall apply to a person who is,-

(a) an employee in a Government Industrial Concern to whom the provisions of the Industrial employment (Standing Orders) Act, 1946 (Central Act XX of 1946) for the time being in force are applicable;

(b) employed on,-

- (i) part time or casual basis;
- (ii) or on contract basis;
- (iii) or as a local candidate;
- (iv) or on daily wages;
- (v) or in work-charged establishments.

2. DEFINITIONS.-

(1)In these rules, unless the context otherwise requires,-

1. "Government" means the Government of Karnataka;

2. "Government servant" means a person who is a member of the civil services of the State of Karnataka or who holds a civil post in connection with the affairs of the state of Karnataka and includes any such person whose services are temporarily placed at the disposal of the Government of India, Government of another State, a company, corporation, board, organization, local authority, whether incorporated or not, notwithstanding that his salary is drawn from sources other than the Consolidated Fund of the State;

Explanation:- Government Servant referred in these rules means officers and officials belonging to any class or service to whom these rules are applicable.

3. "Members of family" in relation to a Government Servant include,-

(i) the wife or husband as the case may be of the Government Servant, whether residing with the Government Servant or not but does not include a wife or husband, as the case may be, separated from the Government Servant by a decree or order of a competent court;

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

(iii) any other person related, whether by blood or marriage, to the Government Servant or to the Government Servant's wife or husband and wholly dependent on the Government Servant.

4. "Prescribed Authority" means,-

(i) The High Court of Karnataka in case of persons belonging to the Karnataka Judicial Service;

(ii) Government in the case of a Government Servant holding any post in Group-A and that of Tahsildar Grade-II in Group-B;

(iii) Head of the Department in the case of a Government Servant holding any post in Group-B, Group-C and Group-D excluding that of Tahsildar Grade-II in Group-B;

Provided that Heads of Departments may by order specify any other authorities under their administrative control as Prescribed Authorities for the purpose of this clause.

Explanation.- In respect of a Government Servant on foreign service or on deputation to any other department or any other Government, the authorities specified in sub-clause (ii) or sub-clause (iii), as the case may be, shall be the Prescribed Authority.

(iv) Such authority as may be specified by the Government by order made in this behalf.

Different authorities may be specified for the purpose of different provisions of these rules.

(2) All other words and expressions used in these rules but not defined shall have the same meaning assigned to them in the Karnataka Civil Service Rules or any other rules made or deemed to have been made under the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990).

3. GENERAL PRINCIPLES.-

(1) Every Government Servant shall at all times,-

- (i) maintain absolute integrity;
- (ii) maintain devotion to duty; and
- (iii) do nothing which is unbecoming of a Government Servant; and
- (iv) not involve in any criminal activity.

(2) Every Government servant shall maintain,-

- (i) high ethical standards;
- (ii) political neutrality;
- (iii) principles of merit, fairness and impartiality in the discharge of his duties;
- (iv) accountability and transparency;
- (v) responsiveness to the public; and
- (vi) courtesy and good behavior with the public.

(3) Every Government Servant holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government Servants for the time being under his control and authority.

(4) Every Government servant shall, in the discharge of his duties, act in a courteous manner.

(5) Every Government servant shall,-

- (i) commit himself to and uphold the supremacy of the Constitution and democratic values;
- (ii) defend and uphold the sovereignty and integrity of India, the security of State, public order, decency and morality;
- (iii) take decisions solely in public interest and use or cause to use public resources efficiently, effectively and economically;
- (iv) declare any private interest relating to his public duties and take steps to resolve any conflicts in a way that protects the public interest;
- (v) not place himself under any financial or other obligations to any individual or organization which may influence him in the performance of his official duties;
- (vi) not misuse his position as civil servant and not take decisions in order to derive financial or material benefits for himself, his family or his friends;
- (vii) make choices, take decisions and make recommendations on merit alone;
- (viii) act with fairness and impartiality and not discriminate against any person or party.;
- (ix) refrain from doing anything which is or may be contrary to any law, rules, regulations and established practices;

(x) maintain discipline in the discharge of his duties and be liable to implement the lawful orders duly communicated to him;

(xi) be liable to 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 State, strategic, scientific or economic interests of the State, friendly relations with foreign countries or lead to incitement of an offence or unlawful gains to any person;

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

Explanation: A Government servant who, among other acts, habitually fails to perform a 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 for the purpose of sub-rule (1) and sub-rule (3).

(xiii) draw the attention of superior officers to the fact that any proposed course of action is contrary to any rule or law or is at variance with the policies of the Government or there is a lapse of procedure in a given case, at any stage;

(xiv) make every effort to acquire professional knowledge and experience required for achieving excellence in his duties and endeavour to update the knowledge of his field and prepare himself for advanced methods of Office Administration; and

(xv) Avoid dilatory tactics in official dealings with the public or willfully cause delays in disposal of the work assigned to him/her with malafide intentions.

(6) (i) No Government Servant shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his own best judgment to be true and correct except when he is acting under the direction of his official superior;

(ii) The direction of the official superior shall ordinarily be in writing. Where the issue of oral direction becomes unavoidable, in view of urgency the official superior shall, either *suomotu* or on a request from the subordinate Government servant concerned, confirm it in writing immediately thereafter; and

(iii) A Government servant, who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible and in such a case, it shall be the duty of the official superior to confirm the direction in writing.

Explanation.- Nothing in clause (iii) of sub-rule (6) shall be construed as empowering the Government servant to evade his responsibilities by seeking instruction from or approval of a superior officer or authority when such instructions are not necessary under the scheme of distribution and delegation of powers and responsibilities.

(7) Punctuality in attendance.- Every Government Servant shall attend the office in time and devote maximum time towards performance of his official duties and in the exigencies of service and on the instruction of higher authorities shall work in excess of office hours.

(8) Every Government Servant shall at the time of his entry into Government service make an oath in the following form:-

“ನಿಷ್ಠಾಪ್ರಮಾಣಪತ್ರ

_____ ಆದ ನಾನು ಭಾರತದ ವಿಚಾರದಲ್ಲಿ ಮತ್ತು ಕಾನೂನು ಮೇರೆಗೆ ಏರ್ಪಟ್ಟ ಭಾರತದ ಸಂವಿಧಾನದ ವಿಚಾರದಲ್ಲಿ ಭಕ್ತಿಯಿಂದಲೂ, ನಿಷ್ಠೆಯಿಂದಲೂ ನಡೆದುಕೊಳ್ಳುತ್ತೇನೆಂದೂ ಮತ್ತು ನನ್ನ ಹುದ್ದೆಗೆ ಸಂಬಂಧಪಟ್ಟ ಕರ್ತವ್ಯಗಳನ್ನು ಶ್ರದ್ಧೆಯಿಂದ, ಪ್ರಮಾಣಿಕತೆಯಿಂದ ಮತ್ತು ನಿಷ್ಪಕ್ಷಪಾತದಿಂದ ನಿರ್ವಹಿಸುತ್ತೇನೆಂದೂ ಪ್ರತಿಜ್ಞೆ ಮಾಡುತ್ತೇನೆ :ಪ್ರಮಾಣ ಪೂರ್ವಕವಾಗಿ ನುಡಿಯುತ್ತೇನೆ.

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4. EMPLOYMENT OF A MEMBER OF FAMILY OF A GOVERNMENT SERVANT IN A COMPANY OR FIRM ENJOING GOVERNMENT PATERNAGE.-

(1) No Government Servant shall use his position or influence directly or indirectly to secure employment for any member of his family in any Company or Firm or organization.

(2) (i) No Group-A Officer shall, except with the previous sanction of the Government, permit his son, daughter or any other dependent to accept employment in any company or firm or organization with which he has official dealing or in any other undertaking 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 matter shall be reported to the Government and the employment may be accepted provisionally subject to the permission of the Government.

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

Provided that, no such intimation shall be necessary in the case of an Officer if he has already obtained the permission of or sent a report to the Government under clause (i) of this sub-rule.

(3) (i) No Government Servant shall in the discharge of his official duties deal with any matter relating to or give or sanction any contract in favour of any company or firm or organization or any other person if any member of his family is employed in that company or firm or organization or if he or any member of his family is interested in such matter of contract in any other manner.

(ii) In a case referred in clause (i) of this sub-rule, the Government servant shall refer every such matter of contract to his official superior and the case shall thereafter be disposed off according to the instructions of the official superior.

5. TAKING PART IN POLITICS AND ELECTIONS.-

(1) No Government Servant shall be a 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 Government 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 Government 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 Prescribed Authority.

(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 Government Servant shall canvas or otherwise interfere with or use his influence in connection with or take part in, an election to Parliament or any house of the State Legislature or any local Authority.

Provided that,-

(i) A Government Servant qualified to vote at any such election may exercise his right to vote, but where he does so, he shall give no indication of the manner he proposes to vote or has voted or to whom he proposed to vote or voted.

(ii) A Government 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 due performance of a duty imposed on him by or under any law for the time being in force.

Explanation: The display by a Government Servant on his body, vehicle or residence or in social media of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

6. CONTESTING ELECTION TO SPORTS BODIES ETC.-

While contesting an elective office in any sports association and activities relating to such sports activities Government Servant shall abide by instructions issued in this behalf by the Government.

7. JOINING OF ASSOCIATION BY A GOVERNMENT SERVANT.-

No Government Servant shall join, or continue to be a member of an association, the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India or public order or morality.

8. LEAVING JURISDICTION AND PRIVATE FOREIGN TOURS.-

(1) No Government servant while on leave or otherwise, except in cases of urgency save as a part of his official duties leave the jurisdiction of the place of his duty or headquarters without intimation or permission of the Head of the Office competent to sanction leave.

(2) No Government servant shall undertake private foreign tour without getting prior permission from the Prescribed Authority. Such request shall be considered as per the rules and instructions governing the sanction of such private foreign tours.

9. DEMONSTRATION AND STRIKES.-

No Government servant shall,-

(i) engage himself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State,

friendly relations with a foreign State, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence; or

(ii) resort to, or in any way instigate, incite or abet, any form of strike by any number of Government servants.

Explanation: For the purpose of this rule, "Strike" means a cessation or slowing down of work (including any unauthorised absence from duty) by a body of Government servants acting in combination or a concerted refusal or a refusal under a common understanding, of any number of Government Servants to work.

10. CONNECTION WITH PRESS, RADIO OR TELEVISION, PARTICIPATING IN PERFORMING ARTS OR MASS MEDIAS OF ANY KIND OR PUBLICATION OF BOOKS, ARTICLES ETC.,-

(1) No Government 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 News Papers or other Periodical Publication.

(2) No Government Servant shall, except with the previous sanction of the prescribed authority or except in the bona-fide discharge of his duties,-

(a) publish a book himself or through a publisher, or contribute an article to a book or a compilation of articles, or

(b) participate in a Radio Broadcast, film or television serials or contribute to an article or write a letter to a newspaper or periodical either in his own name or anonymously or pseudonymously or in the name of any other person;

Provided that no such sanction shall be required-

(i) if such publication is through a publisher and is of a purely literary, artistic or scientific Character; or

(ii) if such Broadcast, telecast, film or Writing is of a purely literary, Artistic or Scientific Character.

Provided further that, a Government servant, without sanction of the prescribed authority may engage himself occasionally in artistic, literary, scientific and other such cultural or academic activities having no commercial gain provided that his duties are not affected by such activities.

(3) **Authorship of a Text-Book for use in Recognized Schools:** No Government servant who is a member of the text book committee shall write or edit any of the text books for use in a recognized school during his membership of the committee.

11. CRITICISM OF THE POLICY OR ACTION OF GOVERNMENT OR ANY OTHER STATE GOVERNMENT OR CENTRAL GOVERNMENT. -

(1) No Government servant shall, in any radio broadcast or television programme or communication over any public media or in any document published in his own name or anonymously, pseudonymously or in the name of any other person in any communication to the 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 Government, Central Government or of any other State Government;

Provided that nothing contained in this clause shall apply to bona-fide expression of views by any Government servant as an office bearer of a recognized association of such Government servant for the purposes of safeguarding the conditions of service of such Government servants or for securing an improvement thereof;

(ii) which is capable of embarrassing the relations between the State Government and the Central Government or the Government of any other State or foreign state:

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

12. EVIDENCE BEFORE COMMITTEE OR ANY OTHER AUTHORITY.-

(1) Save as provided in sub-rule (3), no Government Servant shall, except with the previous sanction of the Prescribed Authority, 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 Government Servant giving such evidence shall criticize the policy or any action of the Government, the Central Government or of any other State Government.

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

(a) evidence given to an enquiry before an authority appointed by the State Government, the Central Government, Parliament or a State Legislature; or

(b) evidence given in any judicial enquiry; or

(c) evidence given at any departmental enquiry ordered by authority subordinate to the Government or the Central Government or any other State Government.

(4) No Government servant who has given evidence referred in sub-rule (3), shall give publicity to such evidence.

13. COMMUNICATION OF OFFICIAL INFORMATION.-

Every Government servant shall, in performance of his duties in good faith, communicate information to a person in accordance with the provisions of the Right to Information Act, 2005 (Central Act 22 of 2005) and the rules made there under:

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

14. SUBSCRIPTION.-

No Government Servant shall except with the previous sanction of Government or of the Prescribed Authority, ask for or accept contributions to, or otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance of any object whatsoever.

Provided that registered service associations may collect subscription, which shall be voluntary.

15. GIFTS.-

(1) Save as otherwise provided in these rules, no Government 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 when provided by any person other than a near relative or personal friend having no official dealing with the Government Servant.

Note I: A casual meal, lift or other local hospitality shall not be deemed to be gift.

Note II: A Government servant shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with him or from industrial or commercial firms or organizations.

(2) On the occasions, such as weddings, anniversaries, funerals or religious functions, when the making of a gift is in conformity with the prevailing religious or social practice, a Government servant may accept a gift from any of his near relatives but he shall make a report to the prescribed authority if the value of such a gift exceeds the monthly basic salary of the Government servant.

(3) On such occasions as are specified in sub-rule (2), a Government servant may accept gifts from his personal friends having no official dealings with him but he shall make a report to the prescribed authority if the value of any such gift exceeds one half of the monthly basic salary of the Government servant.

(4) In any other case, a Government servant shall not accept or permit any member of his family or any other person acting on his behalf to accept any gift without the sanction of the Prescribed Authority if the value thereof exceeds one-fourth of the monthly basic salary of the Government servant.

(5) If any question arises as to whether any gift is one which can be accepted without the permission of Prescribed Authority or if a Government servant is in any doubt as to whether a gift offered to him is one which can be accepted without the permission of the Prescribed Authority, a reference shall be made to Government and the decision of Government thereon shall be final.

16. DOWRY.-

No Government servant shall,-

- (1) give or take or abet the giving or taking of dowry; or
- (2) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

Explanation.- For the purposes of this rule dowry has the same meaning as in the Dowry Prohibition Act, 1961 (Central Act 28 of 1961).

17. PUBLIC DEMONSTRATION IN HONOUR OF GOVERNMENT SERVANTS.-

No Government servant shall except with the previous sanction of the Government, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or 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 a substantially private and informal character held in honour of a Government servant or any other Government Servant on the occasion of his retirement or transfer or any person who has quit the service of any Government; or

(ii) the acceptance of simple and inexpensive entertainment arranged by the public bodies or institutions.

Note: Exercise of pressure or influence of any sort on any Government servant to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character is prohibited.

18. PRIVATE TRADE OR EMPLOYMENT:

(1) No Government Servant shall except with the previous sanction of the Prescribed Authority engage directly or indirectly in any trade or business or negotiate for, or undertake, any other employment:

Provided that, a Government servant may without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic, or scientific character subject to the following conditions, namely:-

- (i) he shall within a period of one month of his undertaking any such work, report to the Government giving full details;
- (ii) his official duties do not thereby suffer, and
- (iii) he shall discontinue any such work, if so directed by the Government:

Provided further that, if the undertaking of any such work involves holding of an elective office, he shall not seek election to any such office without the previous sanction of the Prescribed Authority.

Explanation I: Canvassing by a Government Servant for a candidate or candidates for an elective office referred to in the second proviso shall be deemed to be a breach of this sub-rule.

Explanation II: Canvassing by a Government Servant in support of the business or insurance agency or commission agency, owned or managed by his or her spouse or any other member of his family shall be deemed to be a breach of this sub-rule.

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

(3) No Government Servant shall without the previous sanction of the Prescribed Authority except in the discharge of his official duties take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (Central Act 1 of 1956) or any other law for the time being in force or any co-operative society for commercial purposes:

Provided that, a Government Servant may take part in the registration, promotion or management of a co-operative society substantially for the benefit of Government Servants, registered or deemed to be registered under the Karnataka Co-operative Societies Act, 1959 (Karnataka Act 11 of 1959) or of a literary, scientific, or charitable society registered or deemed to be registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960).

(4) No Government Servant shall accept any fee for any work done by him for any public body or any private person without the general or special sanction of the Prescribed Authority.

19. RESTRICTION ON PRIVATE WORK/ASSIGNMENT OUTSIDE THE OFFICE DUTIES.-

1. Participation in Private Establishments etc by Government servants holding various teaching and non-teaching posts of Doctors: A Government servant holding any of the teaching and non-teaching posts of doctors / medical officers shall not maintain or have financial interest in any private nursing home, hospital, diagnostic laboratory, pharmacy or related establishments. Nor shall he habitually accommodate paying patients in his own residence for more than 24 hours. He may, however, treat patients in a private nursing home / hospital outside duty hours provided that the nursing home / hospital is not reserved for the admission of his own cases and allows the admission of patients of any other registered medical practitioner.

2. No teaching staff of any designation or in any capacity shall establish or have a financial interest in a private tutorial by whatever name by himself or in the name of another person or body for imparting tuitions for any educational

/professional classes on commercial basis or impart tuition in such tutorials for commercial gains.

3. No Government servant working in any post requiring professional or technical skills shall utilize his professional or technical skills for any private purpose for financial gain or commercial motive unless permitted by the prescribed authority.

20. OBSERVING CANONS OF FINANCIAL PROPRIETY IN EXPENDITURE OF PUBLIC MONEY AND PROPER USE OF AMENITIES ETC.,-

(1) (i) Every Government servant shall exercise the same vigilance in respect of expenditure incurred from Government money and resources as a person of ordinary prudence would exercise in respect of the expenditure of his own money;

(ii) No Government servant shall exercise his powers of sanctioning expenditure to pass an order which will be directly or indirectly to his own advantage;

(iii) Government revenues shall not be utilised for the benefit of a particular person or section of the community unless,-

(a) a claim for the amount could be enforced in a court of law, or

(b) the expenditure is in pursuance of a recognised policy or custom;

(iv) No Government servant shall sanction any expenditure which is likely to involve at a later date expenditure beyond his own powers of sanction;

(v) The amount of allowances, such as travelling allowances, granted to meet expenditure of a particular type, shall be so regulated that the allowances are not on the whole sources of profit to the recipients;

(vi) It is the duty of every Government servant not merely to observe complete integrity in financial matters, but also to be constantly watchful to see that the best possible value is obtained for all public funds spent by him or under his control and to guard scrupulously against every kind of wasteful expenditure from public funds.

(2) No Government Servant shall misuse, misappropriate or carelessly use or make use for private purposes the amenities provided to him by the Government to facilitate the discharge of his duties.

(3) No Government servant shall sub-let, lease or otherwise allow occupation by any person, of Government accommodation which has been allotted to him.

(4) No Government servant shall claim the amount for facilities which he has not actually utilized.

21. USE OF SERVICES WITHOUT PAYMENT.-

No Government Servant shall, without making due and adequate payment, avail himself of any service or entertainment for which a hire or price or admission fee is charged.

22. INVESTMENT, LENDING AND BORROWING.-

(1) No Government Servant shall speculate in any stock, share or other investment.

Explanation.- 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.

(2) No Government 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.

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

(4) (i) No Government Servant shall except with the previous sanction of the Prescribed Authority and save in the ordinary course of business with a bank or a firm of standing duly authorised to conduct banking business either himself or through any member of his family or any other person acting on his behalf,-

(ii) lend or borrow or deposit money as principal or agent, to, or from, or with any person or firm or private limited company within the local limits of his authority or with whom he is likely to have official dealings, or otherwise place himself under any pecuniary obligation to such person, or firm or private limited company; and

(iii) lend money to any person for interest or in a manner whereby return in money or in kind is charged or paid:

Provided that, a Government Servant may give to, or accept from a relative or personal friend, a purely temporary loan of an amount not exceeding his six

months emoluments free of interest or operate a credit account with a bona-fide tradesman or make an advance of pay to his private employee:

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

(iv) When a Government Servant is appointed or transferred to 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 Government and shall thereafter act in accordance with such order as may be made by Government.

23. INSOLVENCY AND HABITUAL INDEBTEDNESS.-

A Government Servant shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Government 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 proceedings to the Prescribed Authority.

Note.- The burden of proving that the insolvency or indebtedness was the result of circumstances which with the exercise of ordinary diligence, the Government 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 Government Servant.

Explanation.- If a Government servant is adjudged or declared insolvent or has incurred debts aggregating a sum which in ordinary circumstances he could not repay within a period of two years or if a part of his salary is frequently attached for debt or has been continuously so attached for a period of two years, or is attached for a sum which in ordinary circumstances he could not repay within a period of two years, he shall be presumed to have contravened this rule.

24. MOVABLE, IMMOVABLE AND VALUABLE PROPERTY.-

(1) Every Government servant on his first appointment to any service or post, shall submit a return of his movable and immovable assets in the prescribed proforma giving full details regarding the immovable property inherited, owned, acquired 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 along with supporting documents within three months.

(2) Thereafter every Government Servant shall at the interval of every twelve months ending on 31st December submit an annual return of his assets and liabilities and of all members of his family in such form as may be specified by the Government giving full particulars regarding,-

(a) the immovable property inherited by him or any member of his family or owned or acquired by him or any member of his family 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 persons;

(b) shares, debentures, postal Cumulative Time Deposits and cash including bank deposits inherited by him or any member or his family or similarly owned, acquired or held by him or any member of his family;

(c) other movable property inherited by him or any member of his family or similarly owned, acquired or held by him or any member of his family; or if the value of movable property exceeds the present basic pay of post held by the Government Servant.

(d) debts or other liabilities incurred by him or any member of his family directly or indirectly.

Note: In all returns the value of items of movable worth less than rupees ten thousand may be added and shown as a lump sum. The value of articles of daily use as clothes, utensils, crockery or books need not be included in such return.

(3) No Government Servant or any member of his family shall, except with the previous knowledge of the Prescribed Authority, 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 where a Government Servant, for valid reasons acquires or disposes any immovable property without previous knowledge the Prescribed Authority, shall report such transaction to the Prescribed Authority within two months after such transaction with details and supporting documents along with reasons. The Prescribed Authority, if it is satisfied with the reasons given by the Government servant are acceptable, may after examination of the documents and details submitted by the Government servant, may make a note accepting such transaction post-fact.

Provided further, that the previous sanction of the Prescribed Authority shall be obtained by the Government Servant if any such transaction is with a person having official dealing with the Government Servant:

Provided further that, nothing in this sub-rule shall apply to the transactions entered into by a member of the family of the Government Servant out of his or her own funds (including Gifts, inheritance, etc.,) as distinct from the funds of the Government Servant himself, in his own name and in his own right.

(4) Every Government Servant shall report to the Prescribed Authority every transaction concerning movable property owned or held by him or any member of his family either in his own name or in the name of a member of his family, if the value of such property exceeds the monthly basic salary of the Government Servant:

Provided that, the previous sanction of the Prescribed Authority shall be obtained if any such transaction is with a person having official dealings with the Government Servant:

Provided further that, nothing in this sub-rule shall apply to the transactions entered into by a member of the family of the Government servant out of his own funds (including gifts, inheritance etc.,) as distinct from the funds of the Government servant himself, in his own name and in his own right.

(5) Every Government Servant shall report to the Prescribed Authority transaction concerning cash received by him or by any member of his family from sources other than the Government servant's salary and allowances, insurance or provident fund, if such cash exceeds the monthly basic salary of the Government servant.

(6) Notwithstanding anything contained in sub-rule (1), the Government or the Prescribed Authority may, at any time, by general or special order, require a Government 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 any member of his family 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 Government or by the Prescribed Authority, include the details of the means by which, or the source from which such property was acquired.

Explanation: For the purpose of this rule,-

- (1) "Lease" means, except where it is obtained from or granted to, a person having official dealings with the Government Servant, a lease of immovable property from year to year or for any term exceeding one year or reserving yearly rent.
- (2) The expression "movable property" includes,-
 - (a) Jewellery, insurance policies, provident fund, share, securities, postal Cumulative Term Deposits and debentures;
 - (b) Loans advanced by such Government Servants whether secured or not;
 - (c) "Motor vehicles" or "vehicles" as defined in the Motor Vehicles Act, 1988 (Central Act 59 of 1988) or any other means of conveyance, and;
 - (d) Refrigerators, television sets, and electronic devices such as mobile phones, laptops, computers, audio-visual devices etc.,

25. RESTRICTIONS IN RELATION TO ACQUISITION AND DISPOSAL OF IMMOVABLE PROPERTY OUTSIDE INDIA AND TRANSACTIONS WITH FOREIGNERS, ETC.,-

Notwithstanding anything contained in sub-rule (2) of rule 24, no Government Servant shall, except with the previous sanction of the Prescribed Authority,-

- (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 off 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; and
- (c) enter into any transaction with any foreigner, foreign Government, foreign organization or concern, -
 - (i) for the acquisition by purchase, mortgage, gift or otherwise either in his own name or in the name of any member of his family, of any immovable property; and
 - (ii) for the disposal 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.

26. VINDICATION OF ACTS AND CHARACTER OF GOVERNMENT SERVANTS.-

(1) No Government Servant shall, except with the previous sanction of the Prescribed Authority have recourse to any court or to the press for the vindication of any official act, which has been the subject matter of adverse criticism or an attack of a defamatory character.

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

Explanation: This rule shall not apply to a case where a Government servant files a writ petition before a competent court or an application before the Karnataka State Administrative Tribunal seeking enforcement of his rights under the rules regulating conditions of service.

27. GUARDIANSHIP OF MINORS.-

A Government Servant may not without the previous sanction of the Prescribed Authority, act as a legal guardian of the person or property of a minor other than his dependent.

Explanation: A dependent for the purpose of this rule means a Government Servant's wife, children and step Children and GrandChildren and shall also include his Sisters, brothers, nephews and nieces if residing with him and wholly dependent upon him.

28. CANVASSING OF NON-OFFICIAL OR OTHER INFLUENCE.-

No Government 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.

29. PERSONAL REPRESENTATIONS OF THE GOVERNMENT SERVANT.-

(1) Any representation by a Government servant shall only be made through proper channel and whenever it is addressed to the Government, the advance copy shall only be submitted to the Secretary to Government of the department concerned butnot to the minister in charge of the department.

(2) A Government servant may submit his representation to the next higher authority where his representation submitted to his immediate higher authority has not considered his representation or endorsement is not given to him within two months.

(3) No repeated representation shall be submitted when his representation is under consideration or an endorsement is already given or a decision on his representation has already been taken.

30. RESTRICTIONS REGARDING MARRIAGE.-

Notwithstanding anything permissible under personal law for time being applicable to a Government Servant, -

(1) no Government servant shall enter into, or contract a marriage with a person having a living wife or husband

(2) no Government servant having a living wife or husband, shall enter into or contract a marriage with any person:

Provided that, the Prescribed Authority may permit a Government servant to enter into or contract, any such marriage as is referred in sub-rule (1) or sub-rule (2) if it is satisfied that- there are sufficient and valid grounds for so doing and which is legally permissible.

(3) A Government servant who has married or marries a person other than of Indian nationality shall forthwith intimate the fact to the Prescribed Authority.

31. CONSUMPTION OF INTOXICATING DRINKS AND DRUGS.-

A Government servant shall,-

(a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;

(b) not be under the influence of any intoxicating drink or drug during the course of his official duty 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 drug;

(c) refrain from consuming any intoxicating drink or drug in a public place.

(d) not appear in a public place in a state of intoxication; and

(e) not habitually use any intoxicating drink or drug to excess.

Explanation: For the purpose of this rule, 'public place' means any place or premises (including a conveyance) to which the public have or are permitted to have, access, whether on payment or otherwise; but does not include the premises licensed by the competent authority.

32. ENGAGING THE MINOR TO WORK.-

(1) No Government servant shall employ any child below the age of eighteen years to work for domestic help or for his official use.

(2) Breach of sub-rule (1), by any Government Servant shall amount to a grave misconduct.

33. PROHIBITION OF SEXUAL HARASSMENT.-

No Government servant shall indulge in any act of sexual harassment of any woman in work place or in any other place.

Explanation: For the purpose of this rule, "Sexual harassment" includes such unwelcome sexually determined (whether directly or by implication) behavior as;

- (a) Physical contact and advances;
- (b) A demand or request for sexual favours;
- (c) Sexually coloured remarks;
- (d) Showing pornography; or
- (e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

34. TAKING CARE OF HUSBAND AND WIFE, CHILDREN AND PARENTS.-

No Government servant shall neglect taking care of the basic necessities, such as food, clothing, shelter and education, of his or her husband and wife and children.

No Government servant shall neglect taking care of his parents.

35. PURSUANCE OF HIGHER STUDIES.-

Unless expressly provided otherwise, no Government Servant shall pursue Higher Studies without prior permission from the Prescribed Authority. Such request shall be considered in the light of rules, instructions and guidelines issued in this behalf.

36. INTERPRETATION.-

If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

37. DELEGATION OF POWERS.-

The Government may by general or special order direct that any power exercisable by it or any Head of department under these rules, except the power under rule 36 and this rule, 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.

38. REPEAL AND SAVINGS.-

(1) The Karnataka Civil Service (Conduct) Rules, 1966 are hereby repealed:

Provided that, such repeal shall not affect;-

- (a) the previous operation of the said rules or anything duly done or suffered there under or
- (b) affect any right, liability or obligation acquired, accrued or incurred under the said rules.

(2) Any reference in any rule or order to the said rules repealed by sub-rule (1) shall be construed as a reference to these rules.

By order and in the name of
Governor of Karnataka.

(CHANDRAHAS G. TALUKAR)
Deputy Secretary to Government
Department of Personnel and
Administrative Reforms
(Service Rules-2)