

1364

546/c

MOST URGENT
SUPREME COURT MATTER
Writ Petition 2482/2014



Office of the Director of Skill
Development & Entrepreneurship
Inward No. 6459
Date: 15/10/2024

**OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE NORTH GOA
DISTRICT**

15/10/2024
OS

Establishment Branch, Collectorate Bldg., Panaji-Goa- 403001.

Phone No: - 0832-2426148, 2223612, 2225383 (EPBX)

Fax No:- 0832-2426148, 2426492

Email:- coln.goa@nic.in

No.11/335/02-EST/Col/Vol-I/1218

Date:- 10/10/2024

To,

Directorate of Skill Development
and Entrepreneurship Shramshakti
Bhavan 3rd floor Patta Plaza, Panaji

DESPATCH CLERK
OFFICE OF THE COLLECTOR
NORTH PANAJI - GOA

Sub: Regarding direction passed in W.p.2482/2014

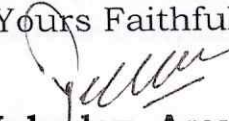
Ref: 1-572/2017-18/DWCD/writ. Pet. (Civil) 1224/2017/ Vol-
IV/4676 dated 01/10/2023

Sir/Madam,

This office is in receipt of letter no 1-572/2017-18/DWCD/writ. Pet. (Civil) 1224/2017/ Vol- IV/4676 dated 01/10/2023 on the above cited subject. In this regard, all the Head of the Departments are requested to ensure that all the sub offices which fall in the North Goa district are requested to submit the information desired to this office with regards to point no. (i), (ii), and (iii) of the enclosed letter on or before 11/10/2024 for onward submission to the Directorate of Women & Child Development.

This may be treated as **Most Urgent**.

Yours Faithfully,


(Mahadev Araundekar)
Additional Collector -I
North Goa

Encl: as above

MOST URGENT
SUPREME COURT MATTER
Writ Petition 2482/2014



Government of Goa,
Directorate of Women & Child Development

Old Education Bldg. 2nd Floor, 18th June Road,
Panaji, Goa - 403001

Website: www.dwcd.goa.gov.in

Phone:-(0832) 2235308 / 2426112 Fax:- (0832) 2424238 E-mail:- dir-wcd.goa@nic.in

F. No. 1-572/2017-18/DWCD/Writ. Pet. (Civil) 1224/2017/Vol-IV / 4676 Dated: 01/09/2023
10

Office of the Collector (M)
Received 4377
Date 03/10/20 Signature
545/10
Est

To,

1. The District Magistrate
Office of the Collector & District Magistrate, North Goa District, Panaji - Goa.
2. The District Magistrate
Office of the Collector & District Magistrate, South Goa District, Margao - Goa.

Sub:- Regarding direction passed in W.P. 2482/2014
Ref: 1. Email dated 25.09.2024 from the Office of Adv. Ruchira Gupta
Standing Counsel for the State of Goa
2. Draft of Affidavit on Behalf of State of Goa

Madam/Sir,

With reference to the above, I am to forward herewith the draft of Affidavit forwarded by Adv. Ruchira Gupta, Standing Counsel for the State of Goa in the matter of Auroliano Fernandes v/s State of Goa with a request to provide necessary inputs/comments and documents sought to place before the Hon'ble Supreme Court on 24.10.2024 in the above captioned matter.

In view of above, kindly requested to furnish the below mentioned information with respect to point nos.:

- i) Updated list of ICC received from various Organisations/Institution/departments etc
 - ii) Comments about whether relevant rules, regulations and internal polices are made readily available on the website of authority functionary/organisation/institution/body concerned.
 - iii) Comments and documents regarding such exercise undertaken by such Statutory bodies of professional.
- V) Details of orientation programmes, workshop, seminars and awareness programme conducted by the District Magistrates.

It is, therefore, kindly requested to furnish the information on or before 11.10.2024 as the Affidavit is required to be submitted to the Office of the Standing Counsel by 18.10.2024 after obtaining due approval to place before the Hon'ble Supreme Court on 24.10.2024.

Kindly treat this as most urgent.

Yours faithfully,

(Manuel Barreto)

Director & Ex-Officio Joint Secretary
Women & Child Department

Encl: as above.



Skill India
कौशल भारत - कुशल भारत

GOVERNMENT OF GOA

DIRECTORATE OF SKILL DEVELOPMENT AND ENTREPRENEURSHIP

Shram Shakti Bhavan, 3rd Floor, Patto Plaza, Panaji, Goa-403001.

Ph : (0832) 2437059

Fax: 2437060

Website: www.sdct.goa.gov.in

Email: establishment-sdct.goa@nic.in

No. 19/124/2020-SD&E/EST/ 2057

Dated:- 16 October, 2024.

ORDER

Ref: Order No. 19/124/2020-SD&E/EST/2124 dated 05/10/2023

In supersession of Order referred above, the following complaint committee is reconstituted for Directorate of Skill Development and Entrepreneurship (DSDE) with immediate effect and in accordance with the guidelines of the Hon'ble Supreme Court of India Judgement dated 13/08/1997.

- | | |
|--|---------------|
| 1. Smt. Siya N. Parsekar, Office Superintendent | : Chairperson |
| 2. Smt. Mary Temudo, Group Instructor | : Member |
| 3. Shri. Rosario Baptista, Vocational Instructor | : Member |
| 4. Smt. Gizelle D'Souza, UDC | : Member |
| 5. Smt. Shilpa Kamat, UDC | : Member |
| 6. Smt. Rosemira Pereira, Jr. Stenographer | : Member |
| 7. Smt. Auda Viegas, NGO, Bailancho Ekvott | : Member |
- H.No. 172, Father Miranda Road, Margao-Goa.

The Committee shall advise the Directorate on ways and means to prevent or deter commission of acts of sexual harassment in workplaces and also to provide procedures for resolution, settlement or prosecution of such acts. The committee will also act as a body to receive specific complaints of sexual harassment at workplaces from any person in the Directorate, to investigate and inquire into such complaints and submit its report to the Head of the Department, maintain strict confidentiality at all stages.

The composition shall be suitably revised by the Director of the Skill Development & Entrepreneurship from time to time in case of transfer, promotion and retirement etc. of the member and on case to case basis, if required.

The committee shall hold office for a period not exceeding 3 years from the date of the nomination.


(S.S. Gaonkar)

Director

Skill Development and Entrepreneurship
&
Ex-Officio Jt. Secretary to Government

Copy to:

1. The Chairperson & Members of the Complaint Committee.
2. All the Section Heads for information. They may bring this to the notice of all concerned working under them.
3. Smt. Auda Viegas, NGO, Bailancho Ekvott, H.No. 172, Father Miranda Road, Margao-Goa.
4. All the Principals of I.T.'s for information. They may bring this to the notice of all concerned working under them.
5. The Under Secretary (Personnel), Secretariat, Porvorim for information.
6. The Chairperson, Goa State Commission for Women, Junta House, 3rd Lift, 4th Floor, Panaji-Goa.
7. The Dy. Director (Admn.) Directorate of Women and Child Development. Old Education Dept. Buldg., 2nd Floor, 18th June Road, Panaji-Goa.
8. Office copy.
9. Guard File.

PERNEM GOVERNMENT INDUSTRIAL TRAINING INSTITUTE

Tuem, Pernem, Goa 403512

Phone: (0832) 2954341 / Website: www.itpernem.goa.gov.in / Email: pernem-iti.goa@nic.in

Ref No: PERGITI/31/EST/SH/2022-23/638 Date:- 17/10/24

ORDER

The following complaint committee is constituted for Govt ITI Pernem with immediate effect in accordance with the guidelines of the Honourable Supreme Court of India Judgement dated 13.08.1997.


The Internal Complaint Committee, Comprising of following members, is hereby constituted for prevention/ handling of cases of Sexual Harassment of staff / trainees at this Institute:

Sr No	Name of the Official	Designation
1	Smt Rameshwari Salgaokar, VI Sewing Technology	Chairman
2	Shri Narendra Onskar, Group Instructor	Member
3	Shri Mahesh Godkar, VI, Electrician	Member
4	Smt Vidhya Mayekar, UDC	Member
5	Shri Akash Naik, Programming Assistant	Member
6	Smt Kusum Patil, Peon MTS	Member
7	Smt Ketaki Parob Gadekar, Psychologist, Founder and President of WOW foundation (NGO), Email address: ketakiparobgadekar@gmail.com	Member

The Committee shall advise the Office on ways and means to prevent or deter commission of acts of Sexual harassment in workplace and also to provide procedures for resolution, settlement or prosecution of such acts. The committee will also act as a body to receive specific complains of Sexual harassment at workplaces from any person in the Institute, to investigate and inquire into such complains and submit its report to the Head of the Institute, maintain strict confidentiality at all stages.

The composition shall be suitably revised by the head of Institute from time to time in case of transfer, promotion, and retirement etc of the member and on case to case basis, if required.

The Committee shall hold office for a period not exceeding 3 years from the date of the nomination.


Sandeep P Gaude
Principal

To,
All above concerned officials.

Copy to:

1. The Director, Directorate of Skill Development & Entrepreneurship
2. Shri Narendra Onskar, GI, for information
3. O/c for circulation.

CONFIDENTIAL

Office of the Director of Skill
Development & Entrepreneurship
Inward No. 9047
Date: 23/12/24

24/12/24
OS



MANIRDHAR BHARAT
SWAYAMPURNA GOA



**DIRECTORATE OF SKILL DEVELOPMENT & ENTREPRENEURSHIP
PANAJI GOVERNMENT INDUSTRIAL TRAINING INSTITUTE**

Altinho, Panaji - Goa. 403 001

Ph:(0832) 2226333

Website: www.itipanaji.goa.gov.in

Email: panaji-iti.goa@nic.in

Ref:1/42/ ITI/P/EST/2024/94/

Date: 20/12/2024

OFFICE ORDER

Sub: Complaint of Harassment under RPWD Act 2016 and under Prevention of Sexual harassment received from Ms. Mrinal M. De Almeida, LDC.

Ref: Letter No. Comm.PwDs/Grievance/2024-25/1218 dated 11/12/2024

With reference to above cited subject and letter dated 11/12/2024 received from Secretary, O/o State Commissioner for Persons with Disabilities regarding Complaint of Harassment under RPWD Act 2016 filed by Ms. Mrinal M. De Almeida, LDC.

In view of above a Committee is hereby constituted to investigate the said matter as per Section 4, Section 6 (1), Section 7 and Section 92 of the Rights of Persons with Disabilities Act 2016 to submit the inquiry report to Commissioner.

Sr. No.	Name of Officials	Role in the Committee
1	Shri Dattaprasad Palni, Principal	Chairman
2	Shri Americo Rodrigues, Vocational Instructor (T) MI/DI	Member
3	Shri. Bhupesh Madkaikar, Vocational Instructor (P) Electrician	Member
4	Shri Sandeep N. Bowlekar, Vocational Instructor (T) M.M.V.	Member
5	Smt. Rupali H. Sawant, Lower Division Clerk	Member
6	Ms. Anushka Ajgaonkar, Guest Lecturer (ES)	Member
7	Ms. Sweta Gogale, Counselor	Member

The committee members are required to submit the report to the this office within 3 days of working days from the date of receipt for the onward submission to Secretary, O/o State Commissioner for Persons with Disabilities.


(Dattaprasad Palni)
Principal

To,

1. The Chairman

&

Committee members

Copy for information/records to:-

1. The Director, DSD&E, Shramshakti Bhavan. Patto Plaza, Panaji-Goa.
2. The State Commissioner of Person with Disabilities, 2nd Floor, Building 'B', New Market Complex, Goa Housing Board, Porvorim Goa 403521.
3. Guard File.
4. Concerned file



Government of Goa
DIRECTORATE OF SKILL DEVELOPMENT & ENTREPRENEURSHIP
MAPUSA GOVERNMENT INDUSTRIAL TRAINING INSTITUTE
 1st Floor, BSNL Telephone Exchange Building, P&T Colony, Porvornm Goa - 403521
 (0832) 2959999, Website: www.itimapusa.goa.gov.in Email: mapusa-iti.goa@nic.in

Ref No. 1/ (11)/MGIT/EST/2024-25/ 867

Date: 20/08/2024

ORDER

Ref No. 1/6/2023-24/GSCW/514 Dated 08/09/2023
 Ref No. 19/124/2020-SDE&E/EST/2995 Dated 02/03/2022

In accordance with guidelines of the Supreme Court Judgment dated 13.08.1997 and enforcement of the Sexual Harassment of Women at Workplace Prevention, Prohibition and Rehabilitation Act, 2013 w.e.f. 9/12/2013 & w.r.t. letter received from Goa State Commission for Women, an Internal Complaint Committee (ICC) for Sexual Harassment consisting of the following members is hereby constituted to keep a strict vigil on the activities taking place (if any) within the Institute campus that can lead to commission of sexual harassment at workplace/Institute and spoil the reputation of the Institute and the Department.

- | | |
|--|---------------|
| 1. Smt Leena Porob, Group Instructor, (COPA) | : Chairperson |
| 2. Shri Johnny Pereira, Surveyor (H&C) | : Member |
| 3. Shri Arun Sutar, V.I. (T) | : Member |
| 4. Smt. Supriya Chodankar, Programming Assistant | : Member |
| 5. Smt. Shreya M. Naik, V.I. (T) (ICTSM) | : Member |
| 6. Ms. Sangeeta Gawas, U.D.C. | : Member |

The committee is further directed to advise the undersigned on ways and means to prevent/deter commission of such acts in the Institute/Workplace and provide procedures for resolution, settlement or prosecution of such acts.

The committee members are also entrusted with the duty to receive complaints regarding sexual harassment or eye-teasing or any other complaint hurting modesty of an individual and to put a report to the undersigned along with recommendation for taking actions in the matter.

The committee members may put up posters/pictures making the female staff & trainees alert of the facilities available to complain.

(Subhash Redkar)
 Principal

- To,
- | | |
|---|---------------|
| 1. Smt Leena Porob, Group Instructor, (COPA) | : Chairperson |
| 2. Shri Johnny Pereira, Surveyor (H&C) | : Member |
| 3. Shri Arun Sutar, V.I. (T) | : Member |
| 4. Smt Supriya Chodankar, Programming Assistant | : Member |
| 5. Smt Shreya M. Naik, V.I. (T) (ICTSM) | : Member |
| 6. Ms. Sangeeta Gawas, U.D.C. | : Member |

Copy to:

1. Women's complaint committee file with Principal.
2. Office copy for circulation among staff for information of Instructors and to bring contents of the letter to the notice of their trainees.
3. Notice board.
4. O/C. 5 G/F.



Skill India
शिक्षण भारत - कृषि भारत

GOA



Industrial Training Institute

Government of Goa

DIRECTORATE OF SKILL DEVELOPMENT & ENTREPRENEURSHIP

SATTARI GOVERNMENT INDUSTRIAL TRAINING INSTITUTE

HONDA SATTARI - GOA 403530 Phone no. 0832 - 2370242

Website: www.itisattari.goa.gov.in

Email: sattari-iti.goa@nic.in

No. 1-1/SGITI/EST/2024-25/ 816

Date: 16/10/2024

ORDER

Ref: No: 1-1/SGITI/EST/2021-22/231 dated 05/03/2024

In supersession of the Order referred above, the Internal Complaints Committee (ICC) has been re-constituted as per the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**, following the guidelines of **Section 4(1)**. Below are the appointed members of the committee:

- | | |
|---|------------------------------|
| 1. Smt. Meghana Surlakar, Instructor ES - | Chairman / Presiding Officer |
| 2. Smt. Siddhi Sandesh Prabhu Porob - | Member |
| Chairperson, Sanquelim Municipal Council, Sanquelim Goa | |
| 3. Shri Audumbar Salgaonkar, GI - | Member |
| 4. Shri Uday Mandrekar, GI - | Member |
| 5. Smt. Saanvi S. Gawas, VI - | Member |
| 6. Smt. Surekha U. Gaonkar, UDC - | Member |

As per **Section 21(1)** of the Act, the ICC is required to submit an **Annual Report** to the District Officer. The report should include the following details:

1. Number of complaints of sexual harassment received in the year.
2. Number of complaints disposed of during the year.
3. Number of cases pending for more than 90 days.
4. Number of workshops or awareness programs carried out by the ICC.
5. Nature of action taken by the employer or District Officer.

The committee shall ensure that the institution remains compliant with the legal provisions, ensuring the workplace is free from sexual harassment and other forms of discrimination against women. The committee will act as body to receive specific complaints of sexual harassment at workplace from any person in the Institute, to investigate and enquire into such complaints and submit report within 30 days to the head of office and maintain strict confidentiality at all stages. The enclosed sections of the Act serve as a reference for the functioning of the ICC and the procedures to be followed in handling complaints.

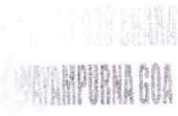
The Presiding Officer and every Member of the Internal Committee shall hold office not exceeding three years, from the date of their nomination.

(Nilesh P. Gawas)
Principal

To,
The Chairperson and Members of ICC

Copy to:

1. The Director, Directorate of Skill Development and Entrepreneurship, Panaji Goa
2. The Dy. Director (Admn.), Directorate of women and Child Development, Old Education Dept. Building, 2nd Floor, 18th June Road, Panaji Goa
3. The Chairperson, Goa State Commission for Women, Junta House, 4th Floor, Panaji Goa
4. For circulation among all the staff members of the Institute
5. O/c



Government of Goa
DIRECTORATE OF SKILL DEVELOPMENT & ENTREPRENEURSHIP
CACORA GOVERNMENT INDUSTRIAL TRAINING INSTITUTE

Cacora, Curchorem - Goa. 403 706

Ph:(0832)2993200

Website: www.iticacora.goa.gov.in

Email: cacora-iti.goa@nic.in

Ref No. :ITI/CAC/EST/F-(ICC)/2024-25/ 1043

Date :16/10/2024

OFFICE ORDER

The Internal Complaint Committee (ICC) consisting of following Members is constituted at Cacora Government to look into the Sexual Harassment complaints at work place as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013:-

- | | |
|---------------------------------|---------------------------------------|
| 1) Smt. Jameba Furtado V.I. | - Presiding Officer |
| 2) Smt. Archana S. Naik, LDC | - Member |
| 3) Shri Vithoba Velip, V.I. | - Member |
| 4) Dr. Janhavi S. Prabhugaonkar | -Member(NGO-Arogyabharati, Goa Prant) |

The Committee shall work towards creating an atmosphere promoting equality, non-discrimination and gender sensitivity and promote and facilitate measures to create a work environment that is free of sexual harassment.

The Committee shall receive and take cognizance of complaints made about sexual harassment at the Cacora Govt ITI and give every complaint serious consideration including Crisis Management, Mediation and Counseling.

The Committee shall conduct inquiries into the complaints and submit findings and recommendations along-with penalties against the harasser as per extant Rules and Procedures.

16/10/2024

(Rama K. Naik)
Principal

To,
All the members above.

Copy to:-

- 1) The Director, Directorate of Skill Development & Entrepreneurship, Panaji Goa for information.
- 2) Office copy.

Government of Goa
DIRECTORATE OF SKILL DEVELOPMENT & ENTREPRENEURSHIP
MARGAOGOVERNMENT INDUSTRIAL TRAINING INSTITUTE

Borda, Margao - Goa. 403 602

Ph: (0832)2714887 / 271199 Fax: 2714887

Website: www.itimargao.goa.gov.in

Email: margao-iti.goa@nic.in

Ref. No.: ITIMRG/EST/F-54/2023/965

Dated: 25/09/2023

OFFICE ORDER

Ref. Office Order No.: ITIMRG/EST/F-54/2023/791, dated 21/07/2023

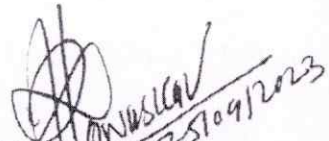
The Internal Complaint Committee has been re-constituted for prevention of Sexual Harrassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 as mentioned below on transfer of Shri Sanjay Harmalkar, Group Instructor:

Sr. No.	Name & Designation of the Employees/Officials	Designation in the committee
01.	Smt. Rima Pangam, G.I. (COPA)	Chairperson
02.	Smt. Cynthia Vales e Ferrao, V.I. (P) Basic Cosmetology	Member
03.	Smt. Rupali S. Prabhu, V.I. (P) -Sewing Technology	Member
04.	Smt. Pratiksha S. Gauns Desai, V.I. (T) - Fitter	Member
05.	Smt. Siddhi Karapurkar, Programming Assistant	Member
06.	Shri Sudesh Gadkari, Group Instructor	Member
07.	Smt. Auda Viegas, NGO, Bailancho Ekvott H. No.172, Father Miranda Road, Margao - Goa.	Member

The internal Complaint Committee is hereby directed to conduct bimonthly meeting and submit the bimonthly report to the undersigned & shall submit the Annual reports to the representatives District Officer as per the provisions of Section 21(1) of the Act as mentioned in the Notice No.1-572/2017-18/DWCD/Writ Pet. (Civil)1224/2017/Vol.III/767 dated 08/05/2019.

The officials nominated as above shall be suitably revised by the Principal, Margao Govt. ITI from time to time in case of transfer, promotion and retirement etc.

The committee shall be in force for a period not exceeding 3 years from the date of the nomination and subsequently shall be re-constituted.


(Ravikiran D. Pawaskar)
Principal

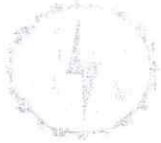
To,

01. Smt. Rima Pangam, G.I. (COPA)
02. Smt. Cynthia Vales e Ferrao, V.I. (P) Basic Cosmetology
03. Smt. Rupali S. Prabhu, V.I. (P) -Sewing Technology
04. Smt. Pratiksha S. Gauns Desai, V.I. (T) - Fitter
05. Smt. Siddhi Karapurkar, Programming Assistant
06. Shri Sudesh Gadkari, Group Instructor
07. Smt. Auda Viegas, NGO, Bailancho Ekvott
H. No.172, Father Miranda Road, Margao - Goa.

Margao Govt.
ITI, Borda.

Copy for information & needful, to:

- 1) The Director, DSD&E, Shramashaktibhavan, 3rd floor, Patto Plaza, Panaji, Goa.
- 2) Shri Sudesh Gadkar, Group Instructor, Margao Govt. ITI, Borda, Margao.
- 3) Shri Ramdas Gaonkar, Group Instructor, Margao Govt. ITI, Borda, Margao
- 4) Circulation among all the staff members, Margao Govt. ITI, Borda, Margao.



Government of Goa
DIRECTORATE OF SKILL DEVELOPMENT & ENTREPRENEURSHIP
FARMAGUDI GOVERNMENT INDUSTRIAL TRAINING INSTITUTE

Farmagudi-Ponda-Goa, 403401
Ph: (0832) 2956511

Website: www.tifarmagudi.goa.gov.in
No:01/FGITI/SHW/2023/2694

Email: farmagudi-iti.goa@nic.in
Date: 11/10/2023

OFFICE ORDER

Sub: Constitution of Internal complaints committee req...

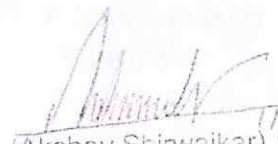
Ref: No. 6/2023-24/GSCW/411, Dated: 25/08/2023

The following committee is constitute for providing protection to women against sexual harassment at work place.

The committee shall consist of the following and they shall function in according with the laid down rules and regulation updated from time to time.

Sr. No	Name of the Official /Officer with Designation	Designated as
1	Smt. Sneha.S. Harmakar, Group Instructor	Presiding Officer/ Chairperson
2	Smt. Jennifer S. Vas e Severes,G.I. (COPA)	Member
3	Smt. Shilpa Ramnatkar, Prog.Asst.	Member
4	Smt. Sunita Naik, LDC	Member
5	Smt. Anisha Khambi, LDC	Member
6	Smt. Anisha Anand Gaude, 1. President Shardha S.H.G. Nallem Keri 2. Member of Village Organization Keri 3. Mahila Morcha President Priol Constituency	Member

The Above Committee shall conduct inquiry and extend support as requested and will do the needful to resolve the matter.


(Akshay Shirwaikar) 11/10/23
Principal (Sr.Scale)

Copyto:

1. The Chairperson, Goa state commission for Women, Junta House, 3rd Lift, 4th Floor, 18th June road ,Panaji Goa
2. The Director DSDE 3rd Floor, Shanti Shakti Bhavan, Patto Plaza, Panaji Goa.
3. The concerned Official
4. C/F
5. O/C

CBSB

Government of Goa
 DIRECTORATE OF SKILL DEVELOPMENT & ENTREPRENEURSHIP
CANACONA GOVERNMENT INDUSTRIAL TRAINING INSTITUTE

Mastimol, Canacona-Goa
 Ph:(0832) 2633354

Website: www.iticanacona.goa.gov.in

Email: canacona-iti.goa@nic.in

Ref No. : CANGOVITI/EST/F-38 /2022 -23/ 463

Date:22/07/2022

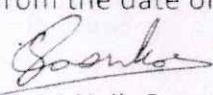
OFFICE ORDER

As per the provisions of Section 04 of the related "Sexual Harassment of women at workplace (Prevention, Prohibition and Redressal) Act 2013", an Internal Complaint Committee, comprising of following members is hereby constituted for prevention/handling of cases of Sexual Harassment of Women at this Institute's workplace.

Sl. No.	Name & Designation of the Employees/ Officials	Role/Mandate in the Committee
1.	Smt. Sayali S. Prabhu Desai, GI,COPA	Presiding Officer
2.	Adv. Smt. Deepali Narendra Prabhu Agrasani	Member(Non. Governmental Organisation)
3.	Shri. Sanjay Gaonkar, MI/DI	Member
4.	Smt. Tessy Joseph, VI, HouseKeeper	Member

The key mandate of the Internal Complaint Committee is to deal with any complaint received/forwarded under the provision of the said Act as per the guidelines cited in the above Notice/Act.

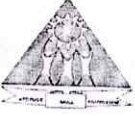
The tenure of this Committee shall be for a period of 3 years from the date of issue of this order.


 (Samrat Naik Gaonkar)
 Principal

To,

- 1) Smt. Sayali S. Prabhu Desai, GI,COPA
- 2) Adv. Smt. Deepali Narendra Prabhu Agrasani, NGO
- 3) Shri. Sanjay Gaonkar, MI/DI
- 4) Smt. Tessy Joseph, VI, HouseKeeper

- Copy to: 1) The Director, O/o DSDE, Panaji-Goa
 2) Shri. Ramesh Velip, Group Instructor
 3) Notice Board for display
 4) O/C.



GOVERNMENT OF GOA
DIRECTORATE OF SKILL DEVELOPMENT AND ENTREPRENEURSHIP



VASCO GOVERNMENT INDUSTRIAL TRAINING INSTITUTE

Bogda, Vasco da Gama, Goa 403802

Skill India
शिक्षण - नवता - गुणवत्ता

Ref. No.: VGITI/EST/F-11/2024-25/ 1125

Dated: 21/10/2024

ORDER

(Read: Notice Ref.No:1-572/2017-18/DWCD/Writ.Pet.(Civil)/1224/2017/Vol-III/767.

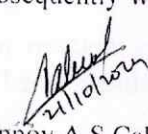
Dated 08/05/2019)

In line with the directives/guidelines contained in the above cited notice and as per the provisions of section 4 of the related "Sexual harassment of women at work place (prevention, Prohibition and Redressal) Act-2013", an Internal Complaint Committee, has been revised comprising of following member, for prevention/handling of cases of Sexual Harassment of women at this Institute's workplace:

Sr.No.	Name	Designation of the Employees/Officials
01	Shri., Sanjay Hrmalkar	Group Instructor
02	Smt. Kunali Parsekar, Councilor-MMC- Ward No.03,Part No.7 Near kalavati Mandir Headland Sada, Mormugao	Member (Non-Governmental Organization)
03	Shri. Sachin Shanbag V.I	Member
04	Smt. Janice I. D'Souza V.I	Member
05	Kum. Madhumita Konatkar V.I	Member
06	Kum. Mrunali Sawal L.D.C	Member

The key mandate of the Internal Complaint Committee is to deal with any complaint received/forwarded under the provision of the said Act as per the guidelines cited in the above Notice/Act and to also submit the Annual report to the respective District Officer as per the provision of Section 21 (1) of the same Act.

The committee shall be in force for a period of 3 years and subsequently will be re-constituted.


(Prannoy A.S Cabral)
Principal

- To: 1) Shri., Sanjay Hrmalkar, Group Instructor, Vasco Govt. ITI, Bogda.
2) Smt. Kunali Parsekar, Councilor, Ward No.03,Part No.7 Near kalavati Mandir Headland Sada, Mormugao.
3) Smt. Janice I. D'Souza V.I, Vasco Govt. ITI, Bogda.
4) Kum. Madhumita Konatkar V.I Vasco Govt. ITI, Bogda.
5) Kum. Mrunali Sawal L.D.C., Vasco Govt. ITI, Bogda.

Copy for information/supporting actions, to:

- 1) The Dy. Director (Admin) .O/o DSDE Patto- Pamaji-Goa
- 2) Notice Board for display and also for Circulation amongst all the staff members, Vasco Govt. ITI, Bogda, Vasco.
- 3) O/C

☎: (0832) 2524030 / Website: www.itivasco.gov.in / Email : vasco-iti.goa@nic.in

Steps for Conduct of Inquiry in Complaints of Sexual Harassment

Complaints Committees

1. Complaints Committees have been set up in all Ministries/Department and organisations under them in pursuance to the judgement of the Hon'ble Supreme Court in the *Vishakha* case. As per Section 4(1) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013("the Act"), the Internal Complaints Committee (referred to as "Complaints Committee" hereafter) is to be set up at every workplace. As per Section 4(2), this will be headed by a woman and at least half of its members should be women. In case a woman officer of sufficiently senior level is not available in a particular office, an officer from another office may be so appointed. To prevent the possibility of any undue pressure or influence from senior levels, such Complaints Committees should involve a third party, either an NGO or some other body which is familiar with the issue of sexual harassment.

What is Sexual Harassment?

2. "sexual harassment" includes any one or more of the following acts or behaviour, (whether directly or by implication), namely:—

- (i) physical contact and advances; or
- (ii) demand or request for sexual favours; or
- (iii) sexually coloured remarks; or
- (iv) showing any pornography; or
- (v) any other unwelcome physical, verbal, non-verbal conduct of a sexual nature.

3. The following circumstances, among other circumstances, in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment: -

- (i) implied or explicit promise of preferential treatment in employment; or
- (ii) implied or explicit threat of detrimental treatment in employment ; or
- (iii) implied 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.

Workplace defined:

4. As per Section 2(o) of the Act, the following places are included within the ambit of the expression "workplace":

- (i) any department, organisation, undertaking, establishment, enterprise, institution, office, etc. --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, etc., 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;

Initial relief

5. The Committee will also have the powers to recommend:-
- (a) to transfer the aggrieved woman or the charged officer to any other workplace; or
 - (b) to grant leave to the aggrieved woman up to a period of three months.
(The leave will not be deducted from her leave account.)

Complaints Committee to be Inquiring Authority

6. As per Proviso to Rule 14(2) of CCS (CCA) Rules, 1965, in case of complaints of sexual harassment, the Complaints Committee set up in each Ministry or Department etc. for inquiring into such complaints shall be deemed to be the Inquiring Authority appointed by the Disciplinary Authority for the purpose of these rules. Complaints Committee, unless a separate procedure has been prescribed, shall hold the inquiry as far as practicable in accordance with the procedure laid down in the Rule 14.

Need for investigation

7. The Complaints Committees may act on complaints of sexual harassment when they receive them directly or through administrative authorities etc, or when they take cognizance of the same suo-moto. As per Section 9(1) of the Act, the aggrieved woman or complainant is required to make a complaint within three months of the incident and in case there has been a series of incidents, three months of the last incident. The Complaints Committee may however extend the time limit for reasons to be recorded in writing, if it is satisfied that the circumstances were such which prevented the complainant from filing a complaint within the stipulated period.

8. As mentioned above, the complaints of sexual harassment are required to be handled by Complaints Committee. On receipt of a complaint, facts of the allegation are required to be verified. This is called preliminary enquiry/fact finding enquiry or investigation. The Complaints Committee conducts the investigation. They may then try to ascertain the truth of the allegations by collecting the documentary evidence as well as recording statements of any possible witnesses including the complainant. If it becomes necessary to issue a Charge Sheet, disciplinary authority relies on the investigation for drafting the imputations, as well as for evidence by which the charges are to be proved. Therefore this is a very important part of the investigation.

Dual Role

9. In the light of the Proviso to the Rule 14 (2) mentioned above, the Complaints Committee would normally be involved at two stages. The first stage is investigation already discussed in the preceding para. The second stage is when they act as Inquiring Authority. It is necessary that the two roles are clearly understood and the inquiry is conducted as far as practicable as per Rule 14 of CCS (CCA) Rules, 1965. Failure to observe the procedure may result in the inquiry getting vitiated

10. As the Complaints Committees also act as Inquiring Authority in terms of Rule 14(2) mentioned above, care has to be taken that at the investigation stage that impartiality is maintained. Any failure on this account may invite allegations of bias when conducting the inquiry and may result in the inquiry getting vitiated. As per the instructions, when allegations of bias are received against an Inquiring Authority, such Inquiring Authority is required to stay the inquiry till the Disciplinary Authority takes a decision on the allegations of bias. Further, if allegations of bias are established against one member of the Committee on this basis, that Committee may not be allowed to conduct the inquiry.

11. In view of the above, the Complaints Committee when investigating the allegations should make recommendations on whether there is a prima facie substance in the allegations which calls for conducting a formal inquiry. They should avoid making any judgmental recommendations or expressing views which may be construed to have prejudiced their views while conducting such inquiry.

Decision to issue Charge sheet, and conducting Inquiry

12. On receipt of the Investigation Report, the Disciplinary Authority should examine the report with a view to see as to whether a formal Charge Sheet needs to be issued to the Charged Officer. As per Rule 14(3), Charge Sheet is to be drawn by or on behalf of the Disciplinary Authority. In case the Disciplinary Authority decides on that course, the Charged Officer should be given an opportunity of replying to the Charge sheet. As per Rule 14(5), a decision on conducting the inquiry has to be taken after consideration of the reply of the charged officer.

13. If the Charged Officer admits the charges clearly and unconditionally, there will be no need for a formal inquiry against him and further action may be taken as per Rule 15 of the CCS (CCA) Rules.

The Inquiry-stages

14. In case the Charged Officer denies the charges and his reply is not convincing, the Charge sheet along with his reply may be sent to the Complaints Committee for formal inquiry, and documents mentioned in Rule 14 (6) will be forwarded to the Complaints Committee. As per Section 11(3) of the Act, for the purpose of making an inquiry, the Complaints Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:--

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents; and
- (c) any other matter which may be prescribed.

The Section 11(4) of the Act requires that the inquiry shall be completed within a period of ninety days.

15. The Disciplinary Authority shall also in terms of Rule 14(5) (c) appoint a Government servant as a Presenting Officer to present evidence on behalf of prosecution before the Complaints Committee/ Inquiring Authority. The listed documents are to be sent to the Presenting Officer. The Complaints Committee would, thereafter, summon the Presenting Officer and the Charged Officer. As a first step, the charged officer would be formally asked as to whether he admits the charges. As mentioned above, in case of any clear and unconditional admission of any Article of Charge, no inquiry would be held in respect of that Article and the admission of the Charged Officer would be taken on record. The inquiry would be held, thereafter, in respect of those charges which have not been admitted by the Charged Officer. The Charged Officer is also entitled to engage a Defence Assistant. The provisions relating to Defence Assistant are given in Rule 14(8).

16. The Inquiring Authority is, thereafter, required to ask the Presenting Officer to have the prosecution documents, listed in the Charge Sheet inspected by the Charged Officer. Copies of such documents, if not only given to the Charged Officer, would be handed over to him. The Charged Officer would, therefore, be required to submit a list of documents and witnesses which he wants to produce in support of his defense. The Inquiring Authority would consider allowing such documents or witnesses on the basis of their relevance. Normally, any document or witness which reasonably appears to be relevant and helpful in defense may be allowed. Once the documents have been allowed, the Inquiring Authority would send a requisition for these documents to the custodian of such documents.

17. When the regular hearing commences, the Inquiring Authority would ask the Presenting Officer to produce the documentary evidence. Such documents as are disputed by the Charged Officer have to be proved by the witnesses before they are taken on record. The undisputed documents would be taken on record and marked as exhibits.

Examination of Witnesses

18. Summons would, thereafter, be sent to the witnesses listed in the Charge sheet. The Presenting Officer may choose to produce them in any order he finds appropriate. These witnesses would be examined in the inquiry in the following manner. The examination in chief would be done by the Presenting Officer where the Presenting Officer may ask questions of the witness to ascertain the facts. The witness would, thereafter, be cross-examined by the Defense. After the cross-examination, the Presenting Officer would be given an opportunity to re-examine the witness. In the examination in chief, leading questions are not allowed. These are however allowed in the cross examination.

19. The procedure of Inquiry requires opportunity to the Charged Officer to cross-examine all the witnesses that appear on behalf of the Prosecution. Failure to do so may be construed as a denial of reasonable opportunity to the charged officer, resulting in vitiation of the Inquiry. If the complainant appears as a witness, she would also be examined and cross-examined. The Inquiry Officer may however disallow any questions which are offensive, indecent or annoying to the witnesses, including the complainant.

20. If Inquiring Authority wishes to ascertain some facts for clarity, he may pose questions to the witnesses. This should however, be done in such a manner as to not show any bias for or against the Charged Officer. This has to be done in the presence of the Presenting Officer and the Charged Officer/Defence Assistant. No inquiry should be conducted behind the back of the charged officer. The witnesses will be examined one by one, and the other witness who are either yet to be examined, or have been examined are not allowed to be present during the examination of a witness.

Daily Order Sheet

21. The Inquiring Authority would also maintain a document called Daily Order Sheet in which all the main events of the inquiry and including requests/representations by the Charged Officer or the Presenting Officer, and decisions thereon would be recorded. For example (i) if the Charged Officer refuses to cross-examine the witnesses, this should be recorded in the Daily Order Sheet (ii) the Daily Order Sheet should record that the Charged Officer had been advised that he has the right to engage a Defense Assistant (iii) it should also be clearly mentioned that the Charged Officer was also informed as to who are eligible to assist him as Defense Assistant. (iv) the Daily Order Sheet should also record in case request of the Charged Officer for engaging a particular person as Defense Assistant is disallowed in the light of the existing instructions. Daily Order Sheet should be signed by the Inquiring Authority, Presenting Officer and the Charged Officer/Defence Assistant.

Defence Evidence

22. After the prosecution evidence is over, the Charged Officer is required to submit his statement of defense. In this statement, the Charged Officer is required to briefly indicate his line of defense. After this, the Defense evidence will be taken. The evidence will be produced in the same order as the prosecution evidence. First, the documents allowed by the Inquiry Authority would be taken on record and then the witnesses called and their examination, cross-examination and re-examination done. The only difference here would be that the Examination in Chief would be done by defense while the cross-examination would be done by the prosecution. The defense would then have the opportunity of re-examining the witness.

General Examination of the Charged Officer

23. After the Defense evidence is over, the Inquiring Authority shall ask Charged Officer as to whether he wishes to appear as his own witness. In case he does so, he will be examined like any other defense witness. In case however, he declines to do so, the Inquiring Authority is required to generally question him. At this stage due care is required to be exercised that as per Rule 14(18) the purpose of this stage is to apprise Charged Officer of the circumstances which appear to be against him. This is to enable the Charged Officer to explain them to the Inquiring Authority. Presenting Officer and the Defence Assistant do not take any part in the General Examination. Charged Officer may not be compelled to answer questions during examination by the Inquiring Authority.

Brief

24. After this, the Presenting Officer would be asked to submit his brief. A copy of this brief would be given to the Charged Officer. Both the Presenting Officer and the Charged Officer may be allowed reasonable time for submission of their brief.

25. The Inquiring Authority then writes the Inquiry Report in which the evidence in support of the charges and against them will be examined. The Report should be a speaking one clearly bringing out as to the evidence on the basis of which any particular conclusion has been reached. Based on this analysis, the Inquiring Authority will give its findings on the Articles as proved or not proved. In case any Article of charge is proved only partially, then the Inquiring Authority should record the extent to which that Article has been proved.

Powers of the Committee to make recommendations

26. Normally, the Inquiry Officer is not allowed to make any recommendations in his report. Here the function of the Complaints Committee acting as the Inquiring Authority differs. The Complaints Committee may however, make recommendations including what has been mentioned in para 2 above:

- (c) to grant such other relief to the aggrieved woman as may be prescribed; or
- (d) to deduct from the salary or wages of the charged officer such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs.
- Any amount outstanding at the time of cessation of the services of the charged officer due to retirement, death or otherwise may be recovered from the terminal benefits payable to the officer or his heirs.
- Such compensation will not amount to penalty under Rule 11 of CCS (CCA) Rules in terms of the Explanation (ix) to Rule 11 inserted vide Notification of even Number dated 19-11-2014.
- Committee may recommend action to be taken against complainant, if the allegation is malicious, or the complainant knows it to be false, or has produced any forged or misleading document.
- The Committee may also recommend action against any witness if such witness has given false evidence or produced any forged or misleading document.

27. The Complaints Committee should also remember that as per the Section 16 of the Act, notwithstanding the RTI Act, 2005, information as regards identity and addresses of the aggrieved woman, respondent and witnesses, Inquiry proceedings, Recommendations of the Committee, shall not be published or communicated or made known to public, press or media in any manner. Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment under Act without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved woman and witnesses.

28. With the above stage, the inquiry would be formally over. The Inquiring Authority should prepare separate folders containing the documents mentioned in Rule 14(23(ii)).

Suspension

29. A Government servant may also be placed under suspension before or after issue of a Charge Sheet where his continuance in office will prejudice the investigation, for example if there is an apprehension that he may tamper with witnesses or documents. Suspension may also be resorted to where continuance of the Government servant in office will be against wider public interest such as there is a public scandal and it is necessary to place the Government servant under suspension to demonstrate the policy of the Government to deal strictly with officers involved in such scandals. It may be desirable to resort to suspension in case of misdemeanor involving acts of moral turpitude.

Special provisions to deal with threats or intimidation

30. Disciplinary Authority may also dispense with inquiry under Rule 19(ii), and action may be taken without the inquiry when the Disciplinary Authority concludes that it is not reasonably practicable to hold such an inquiry. The circumstances leading to such a conclusion may exist either before the inquiry is commenced or may develop in the course of the inquiry. Such situation would be deemed to have arisen:

- (i) where the Government servant, through or together with his associates terrorizes, threatens or intimidates witnesses who are likely to give evidence against him with fear of reprisal in order to prevent them from doing so; or
- (ii) where the Government servant himself or with or through others threatens, intimidates and terrorizes the Disciplinary Authority, Members of the Committee, the Presenting Officer or members of their family.

Disciplinary Authority is not expected to dispense with the inquiry lightly, arbitrarily or with ulterior motive or merely because the case against the Government servant is weak.

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CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964

As amended upto 31.12.2014

¹CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964 (Updated)

S. No.	Rule	Title of the Rules
1.	1	Short title, commencement and application
2.	2	Definitions
3.	3	General
4.	3-A	Promptness and Courtesy
5.	3-B	Observance of Government's policies
6.	3-C	Prohibition of sexual harassment of working women
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8	5	Taking part in politics and elections
9	6	Joining of association by Government servants
10	7	Demonstration and Strikes
11	8	Connection with Press or other media
12	9	Criticism of Government
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19	15	Private trade or employment
20	15-A	Subletting and vacation of Government accommodation
21	16	Investments, lending and borrowing
22	17	Insolvency and habitual indebtedness
23	18	Movable, immovable and valuable property
24	18-A	Restrictions in relation to acquisition and disposal of immovable property outside India and transactions with foreigners, etc.
25	19	Vindication of acts and character of Government servants
26	20	Canvassing of non-official or other outside influence
27	21	Restriction regarding marriage
28	22	Consumption of intoxicating drinks and drugs
29	22-A	Prohibition regarding employment of children below 14 years of age
30	23	Interpretation
31	24	Delegation of Powers
32	25	Repeal and Saving

CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964

1. Short title, commencement and application

(1) These rules may be called the Central Civil Services (Conduct) Rules, 1964.

(2) They shall come into force at once.

(3) Save as otherwise provided in these rules and subject to the provisions of the Indian Foreign Service (Conduct and Discipline) Rules, 1961, these rules shall apply to every person appointed to a civil service or post (including a civilian in Defence Service) in connection with the affairs of the Union:

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

- (a) (i) a railway servant as defined in Section 3 of the Indian Railways Act, 1890 (9 of 1890);
- (ii) a person holding a post in the Railway Board and is subject to the Railway Services (Conduct) Rules;
- (iii) holding any post under the administrative control of the Railway Board or of the Financial Commissioner of Railways;
- (b) a member of an All India Service;
- (c) a holder of any post in respect of which the President has, by a general or special order, directed that these rules shall not apply:

Provided further that Rules 4,6,7,12,14, sub-rule (3) of Rule 15, Rule 16, sub-rules (1), (2) and (3) of Rule 18, Rules 19, 20 and 21 shall not apply to any Government servant who draws a pay which does not exceed Rs.500 per mensem and holds a non-gazetted post in any of the following establishments, owned or managed by the Government, namely:-

- (i) ports, docks, wharves or jetties;
- (ii) defence installations except training establishments;
- (iii) public works establishments, in so far as they relate to work-charged staff;
- (iv) irrigation and electric power establishments;
- (v) mines as defined in clause (j) of Section 2 of the Mines Act, 1952 (35 of 1952);
- (vi) factories as defined in clause (m) of Section 2 of the Factories Act, 1948 (63 of 1948); and
- (vii) field units of the Central Tractor Organisation employing workmen governed by labour laws:

Provided further that these rules shall apply to any person temporarily transferred to a service or post specified in clause (a) of the first proviso to whom but for such transfer these rules would have otherwise applied.

EXPLANATION- For the purposes of the second proviso, the expression 'establishment' shall not include any railway establishment or any office mainly concerned with administrative, managerial, supervisory, security or welfare functions.

CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964

2. Definitions

In these rules, unless the context otherwise requires,-

- (a) "The Government" means the Central Government;
- (b) "Government servant" means any person appointed by Government to any civil service or post in connection with the affairs of the Union and includes a civilian in a Defence Service;

EXPLANATION.-A Government servant whose services are placed at the disposal of a company, corporation, organisation or a local authority by the Government shall, for the purpose of these rules, be deemed to be a Government servant serving under the Government notwithstanding that his salary is drawn from sources other than the Consolidated Fund of India;

(c) "Members of family" in relation to a Government servant includes:-

- (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 the 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;
- (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.

3. General

(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.
- 44(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 principles 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;

CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964

- (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 place 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 civil 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 discharge 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.
- (2) (i) 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;
- ²³(ii) 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 best judgement except when he is acting under the direction of his official superior;
- (iii) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;
- (iv) A Government 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 the duty of the official superior to confirm the direction in writing.

²⁶Explanation I.- A Government 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 to him shall be deemed to be lacking in devotion to duty within the meaning the cause (ii) of sub-rule (1).

Explanation II.- Nothing in clause (ii) of sub-rule (2) shall be construed as empowering a Government 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.

CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964

343A. Promptness and Courtesy

No Government 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 wilfully cause delays in disposal of the work assigned to him.

343B. Observance of Government's policies

Every Government 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.

36/433C. Prohibition of sexual harassment of working women

- (1) No Government servant shall indulge in any act of sexual harassment of any woman at any work place.
- (2) Every Government servant who is incharge of a work place shall take appropriate steps to prevent sexual harassment to any woman at the work place.

Explanation. - (I) For the purpose of this rule, -

- (a) "sexual harassment" includes any one or more of the following acts or behaviour (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
 - (i) 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 behaviour of sexual harassment may amount to sexual harassment : -
 - (i) implied or explicit promise of preferential treatment in employment; or
 - (ii) implied or explicit threat of detrimental treatment in employment; or
 - (iii) implied 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, organisation, 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;

CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964

- (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.

4. ¹⁷Employment of near relatives of Government servant in Companies or firms-

- (1) No Government servant shall use his position or influence directly or indirectly to secure employment for any member of his family in any ¹⁶company or firm;
- (2) (i) No Class I Officer shall, except with the previous sanction of the Government, permit his son, daughter or other dependant, to accept employment in any ¹⁶company or firm with which he has official dealings or in any other ¹⁶company 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 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 acceptance by a member of his family of an employment in any ¹⁶company or firm, intimate such acceptance to the prescribed authority and shall also intimate whether he has or has had any official dealings with that ¹⁶company or firm:

Provided that no such intimation shall be necessary in the case of a Class I officer if he has already obtained the sanction of, or sent a report to the Government under clause (i).

- (3) No Government servant shall in the discharge of his official duties deal with any matter or give or sanction any contract to any ¹⁶company or firm or any other person if any member of his family is employed in that ¹⁶company 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 Government servant shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

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 organisation 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

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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 organisation 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 canvass or 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 Government 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 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 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.

6. Joining of associations by Government servants

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

7. Demonstration and strikes

No Government servant shall -

- (i) 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 involves contempt of court, defamation or incitement to an offence, or
- (ii) resort to or in any way abet any form of strike¹⁰ or coercion or physical duress in connection with any matter pertaining to his service or the service of any other Government servant.

348. Connection with press or other media

- (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 newspaper or other periodical publication or electronic media.
- (2) Nothing in sub-rule (1) shall apply in case a Government servant in the bonafide discharge of his official duties publishes a book or participates in a public media.

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- (3) A Government 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.

9. Criticism of Government

No Government servant shall, in ³⁴any 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 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 Central Government or a State Government:

³⁴Provided that in the case of any Government servant included in any category of Government servants specified in the second proviso to sub-rule (3) of rule 1, nothing contained in this clause shall apply to bonafide expression of views by him as an office-bearer of a trade union or association of Government servants for the purpose of safeguarding the conditions of service of such Government servants or for securing an improvement thereof; or

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

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

10. 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 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 Government servant giving such evidence shall criticise 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 an enquiry before an authority appointed by the Government, Parliament or a State Legislature; or
- (b) evidence given in any judicial enquiry; or
- (c) evidence given at any departmental enquiry ordered by authorities subordinate to the Government.

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3911. 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 Right to Information Act, 2005 (22 of 2005) and the rules made thereunder :

Provided that no Government 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 Government servant or any other person to whom he is not authorized to communicate such document or classified information.

12. Subscriptions

No Government servant shall, except with the previous sanction of the 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.

3213. Gifts

(1) Save as 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 dealings with the Government servant.

NOTE (1) - A casual meal, lift or other social hospitality shall not be deemed to be a gift -

NOTE (2) - A Government servant shall avoid accepting lavish hospitality or frequent hospitality from any individual, industrial or commercial firms, organisations, etc., having official dealings with him.

³⁵[(2) On occasions such as weddings, anniversaries, funerals or religious functions, when the making of gift is in conformity with the prevailing religious and social practice, a Government 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 gift exceeds;-

- (i) ⁴²rupees twenty five thousand in the case of a Government servant holding any Group 'A' post;
- (ii) rupees fifteen thousand in the case of a Government servant holding any Group 'B' post;
- (iii) rupees seven thousand five hundred in the case of a Government servant holding any Group 'C' post; and

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

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- (i) rupees one thousand five hundred in the case of a Government servant holding any Group 'A' or Group 'B' post; and
 - (ii) rupees five hundred in the case of a Government servant holding any Group 'C' or Group 'D' post.
- (4) Notwithstanding anything contained in sub-rules (2), and (3) a Government servant, being a member of the Indian delegation or otherwise, may 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 Government servant shall not accept any gifts from any foreign firm which is either contracting with the Government of India or is one with which the Government servant had, has or is likely to have official dealings. Acceptance of gifts by a Government servant from any other firm shall be subject to the provisions of sub-rule (3).]

1613-A. Dowry

No Government servant shall-

- (i) give or take or abet the giving or taking of dowry; or
- (ii) demand directly or indirectly, from the parent 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(28 of 1961).

14. Public demonstrations 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 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 Government servant to induce him to subscribe towards any farewell entertainment if it is of a substantially private or informal character and the collection of subscriptions from Class III or Class IV employees under any circumstances for the entertainment of any Government servant not belonging to Class III or Class IV, is forbidden.

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2915. Private trade or employment

(1) Subject to the provisions of sub-rule (2), no Government 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) canvass 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 purposes.

³⁵(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 Government servant participates in a programme produced or commissioned by Government media in his official capacity.

(2) A Government 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) of a literary, scientific or charitable society or of a club or similar organisation, 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 elective office) of a co-operative society substantially for the benefit of Government 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.

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- (3) Every Government 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 Government 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.

EXPLANATION- The term 'fee' used here shall have the meaning assigned to it in Fundamental Rule 9 (6-A).

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

- (1) Save as otherwise provided in any other law for the time being in force, no Government servant shall sub-let, lease or otherwise allow occupation by any other person of Government accommodation which has been allotted to him.
- (2) A Government servant shall, after the cancellation of his allotment of Government accommodation vacate the same within the time-limit prescribed by the allotting authority.

16. Investment, lending and borrowing

- ³⁵(1) No Government 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 authorised and licensed or who have obtained a certificate of registration under the relevant law.

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.

- ⁴⁰(2) (i) 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. 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 Government servant.

(ii) No Government 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.

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

- ⁹(4) (i) No Government 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,-

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- (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 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; 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 Government 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 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 Government.

- (ii) When a Government 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 prescribed authority and shall thereafter act in accordance with such order as may be made by such authority.

17. 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 proceeding 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 Government.

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.

18. Movable, immovable and valuable property

- (1) (i) Every Government servant shall on his first appointment to any service or post submit a return of his assets and liabilities, in such form as may be prescribed by the Government, giving the full particulars regarding -
 - (a) 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;
 - (b) 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; and
 - (d) debts and other liabilities incurred by him directly or indirectly.

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NOTE I.- Sub-rule (1) shall not ordinarily apply to Group 'D' servants but the Government may direct that it shall apply to any such Government servant or class of such Government servants.

NOTE II.- In all returns, the values of items of movable property worth less than Rs.3310,000/- may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books, etc. need not be included in such return.

NOTE III.- ²⁰Where a Government servant already belonging to a service or holding a post in appointed to any other civil service or post, he shall not be required to submit a fresh return under this clause.

¹⁸(ii) Every Government servant belonging to any service or holding any post included in Group 'A' and 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 Government servant 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:

²⁷Provided 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 him.

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

Provided 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 dealings with him.

(4) 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 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 prescribed authority, 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 Government 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 ¹¹Cabinet Secretariat (Department of Personnel).

Explanation I. - For the purposes of this rule -

(1) the expression "movable property" includes-

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- (a) jewellery, insurance policies, the annual premia of which exceeds Rs. ⁴²'two months' basic pay of the Government servant, shares, securities and debentures;
- ³⁰(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.

2. "Prescribed authority" means-

- (a) (i) the Government, in the case of a Government servant holding any Group 'A' post, except where any lower authority is specifically specified by the Government for any purpose;
- (ii) Head of Department, in the case of a Government servant holding any Group 'B' post;
- (iii) Head of Office, in the case of a Government servant holding any Group 'C' or Group 'D' post;
- (b) in respect of a Government servant on foreign service or on deputation to any other Ministry or any other Government, the parent department on the cadre of which such Government servant is borne or the Ministry to which he is administratively subordinate as member of that cadre.

¹⁴Explanation 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 Government servant, a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

¹⁴18-A. 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 18, 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 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 organisation or concern,-
- (i) for the acquisition, 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;
- (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.

Explanation.- In this rule "prescribed authority" has the same meaning as in Rule 18.

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19. Vindication of acts and character of Government servant

- (1) No Government servant 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 the subject-matter of adverse criticism or an attack of a defamatory character.

³⁴Provided that if no such sanction is received by the Government 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.

- (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 any 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.

20. Canvassing of non-official or other outside influence

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

⁵21. ¹²Restriction regarding marriage-

- (1) No Government servant shall enter into, or contract, a marriage with a person having a spouse living; and
- (2) No Government servant, having a spouse living, shall enter into, or contract, a marriage with any person:

Provided that the Central Government may permit a Government servant to enter into, or contract, any such marriage as is referred to in clause (1) or clause(2), if it is satisfied that-

- (a) such marriage is permissible under the personal law applicable to such Government servant and the other party to the marriage; and
- (b) there are other grounds for so doing.

- ¹²(3) A Government servant who has married or marries a person other than of India Nationality shall forthwith intimate the fact to the Government.

22. 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) ⁸not be under influence of any intoxicating drink or drug during the course of his 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;

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- ¹³(bb) refrain from consuming any intoxicating drink or drug in a public place;
- (c) not appear in a public place in a state of intoxication;
- (d) not use any intoxicating drink or drug to excess.

¹³Explanation: For the purposes 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.

³⁷22-A. Prohibition regarding employment of children below 14 years of age.

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

23. 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.

24. 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 powers under Rule 23 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.

25. Repeal and Saving

Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to the Government servants to whom these rules apply are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

⁶Provided further that such repeal shall not affect the previous operation of the rules so repealed and a contravention of any of the said rules shall be punishable as if it were a contravention of these rules.

Mahalingam Arundhaniam
Additional Controller
Munich