



F. No. 11013/1/2016-Estt.A-III
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
(Establishment A-III Desk)

North Block, New Delhi – 110001
Dated: 27 February, 2020

OFFICE MEMORANDUM

Subject: Sanction for holding an elective office under Rule 15(1)(c) of CCS(Conduct) Rules, 1964 – reg.

The undersigned is directed to refer to this Department O.M. No. 11013/1/2016-Estt.A-III dated 5.08.2019 (copy enclosed) to say that the competent authority has now approved the modification in Para 3 and Para 4 of the existing O.M. dated 5.08.2019. Para 3 and Para 4 of existing OM dated 5.08.2019 are modified as under:

“3. The policy on fixing an upper limit of the number of years for which Government servants can hold elective office in any body in their entire career has been reviewed and it has been decided that a Government servant may be allowed to hold elective office in any body, whether incorporated or not, for period of two terms or for a period of 5 years, whichever is earlier, for which prior sanction would be required when a Government servant contests an election in such body, as per existing rules.

4. It is, therefore, necessary for the Competent Authority to keep in mind all the relevant factors while granting permission under Rule 15(1)(c) of CCS (Conduct) Rules, 1964. In cases where the Government servants have assumed charge of elected posts prior to the issuing of O.M. dated 5.08.2019, they may be allowed to complete the full period of their current tenure, except in cases where there are charges of corruption and adverse audit paras etc.”

2. All Ministries/Departments/Offices are requested to bring the above instructions to the notice of all administrative authorities under their control.

3. In their application to the employees of Indian Audit and Accounts Department, these order are issued after consultation with Comptroller and Auditor General of India, as mandated under Article 148(5) of the Constitution

4. Hindi version will follow.


(Umesh Kumar Bhatia)

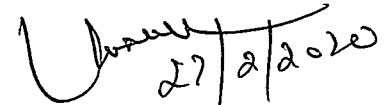
Deputy Secretary to the Govt. of India
Tel: 23094471

To

The Secretaries of All Ministries/Departments
(as per the standard list)

Copy to:

1. President's Secretariat, New Delhi.
2. Vice-President's Secretariat, New Delhi.
3. The Prime Minister's Office, New Delhi.
4. Cabinet Secretariat, New Delhi.
5. Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Secretary, Central Vigilance Commission
8. The Secretary, Union Public Service Commission, New Delhi.
9. The Secretary, Staff Selection Commission, New Delhi.
10. All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
11. National Commission for Scheduled Castes, New Delhi.
12. National Commission for Scheduled Tribes, New Delhi.
13. National Commission for OBCs, New Delhi.
14. Secretary, National Council (JCM), 13, Feroze Shah Road, New Delhi.
15. CVOs of all Ministries/Departments.
16. ADG (M&C), Press Information Bureau, DoP&T
17. NIC, Department of Personnel & Training, North Block, New Delhi [for uploading the same on the website of this Ministry under the under the Head Notifications→ OMs & Orders→ Establishment→ CCS (Conduct)Rules & What's New]
18. Hindi Section, DoP&T for translation in Hindi.


27/2/2020

(Umesh Kumar Bhatia)

Deputy Secretary to the Govt. of India

Tel: 23094471



F. No. 11013/1/2016-Estt.A-III
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
(Establishment A-III Desk)

North Block, New Delhi – 110001

Dated: 5 August, 2019

OFFICE MEMORANDUM

Subject: Sanction for holding an elective office under Rule 15(1)(c) of CCS(Conduct) Rules, 1964 – reg.

The undersigned is directed to say that as per Rule 15 (1) (c) of the CCS (Conduct) Rules, 1964, no Government servant shall except with the previous sanction of the Government, hold an elective office, or canvass for a candidate or candidates for an elective office, in any body, whether incorporated or not. DoPT's O.M. No. 11013/9/93-Estt.(A) dated 22.04.1994 had also stipulated that no Government servant should be allowed to hold elective office in any sports association/federation for a term of more than 4 years, or for one term whichever is less. Further, according to Department of Personnel & Training's OM No. 11013/11/2007-Estt (A) dated the 13th November, 2007, the entire time of the Government servant should be available to the Government and that no activities unconnected with his or her official duties should be allowed to interfere with the efficient discharge of such duties. All Ministries were requested to ensure that the participation of the Government servants in the activities of the cooperative societies conform to the above provisions and does not interfere with the discharge of their official duties.

2. Instances have come to notice where Government servants continue to hold elective offices in various capacities for unduly long periods. In some cases, where bye-laws of these bodies place restrictions on the number of consecutive terms a person may hold an office, Government servants are reported to have either got themselves re-elected after a gap or have got a family member/ close relative elected as a surrogate in order to keep control of such bodies. In such cases, Government servants may not be bestowing adequate attention upon their official duties and, as a result, an apprehension may arise that such Government servants also develop vested interests, particularly if the body is involved in commercial activities, directly or indirectly.

3. The policy on fixing an upper limit of the number of years for which Government servants can hold elective office in any body in their entire career has been reviewed and it has been decided that a Government servant may be allowed to hold elective office in any body, whether incorporated or not, for period of two terms or for a period of 4 years, whichever is earlier, for which prior sanction would be required when a Government servant contests an election in such body, as per existing rules.

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4. It is, therefore, necessary for the Competent Authority to keep in mind all the relevant factors while granting permission under Rule 15(1)(c) of CCS(Conduct) Rules, 1964. It may also be necessary that cases of such sanctions are reviewed from time to time and permissions earlier granted revoked where Government servants have been holding office in any body, whether incorporated or not, for more than four years or in cases there are charges of corruption, adverse audit paras etc. In such cases, the Government servant concerned may be directed to resign from his office in such body immediately. He will cease to discharge any function from the date such direction is conveyed to him, irrespective of the fact whether his resignation from the body is accepted or not. This action may be taken immediately in those cases where information is already available with the Ministries and Departments. In addition, all the Ministries and Departments are also requested to obtain information from their employees in the proforma attached to this Office Memorandum for reviewing the position as well as while considering the request for sanction under Rule 15(1)(c) of CCS(Conduct) Rules, 1964 in future.

5. This O.M. issues in supersession of DoPT's 11013/9/93-Estt.(A) dated 22.04.1994.

6. In so far as the employees of Indian Audit and Accounts Departments are concerned, this O.M. issues after consultation with Comptroller & Auditor General of India.

7. All Ministries/Departments/Offices are requested to bring the above instructions to the notice of all administrative authorities under their control.

8. Hindi version will follow.



(Satish Kumar)

Under Secretary to the Govt. of India

To

The Secretaries of All Ministries/Departments
(as per the standard list)

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Contd..

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18. Hindi Section, DoP&T for translation in Hindi.



(Satish Kumar)

Under Secretary to the Govt. of India

PROFORMA

Name of the Government Servant and Designation	Name of the body and the elective office held by the Government servant from time to time.	The different periods during which he/she has held an elective office in the body	Whether any family member or relative of the Government servant is holding or has held any elective office in the body.	Whether the Government servant receives any remuneration from the body as honorarium/ allowance etc.	Any perks or facilities given by the body viz. car/ air-conditioner etc.
(1)	(2)	(3)	(4)	(5)	(6)