

CHAPTER-XVI

OFFICE DISCIPLINE

16 Hours of Attendance

16.1 (a) Normal office hours of attendance, on all working days are from 9.00 a.m. to 5.30 p.m. with lunch break from 1.00 p.m. to 1.30 p.m. However, Section Officers/AAOs have power to require early or late attendance, when the work is in arrear or the interests of public require it. In the case of compulsory attendance on holidays, Section Officers/AAOs should attain prior sanction of the Branch Officer concerned.

(b) It has been noticed that some members of staff continue to sit in office even after 7 p.m. are time upto while office choukidars are required to be on duty. This not only causes inconvenience to the caretaking staff of this office as well as that of the CPWD but also renders the security arrangement difficult. If in the interest of the office work, it becomes absolutely necessary for some members of the staff to sit after 7 p.m. in future, they would obtain the prior permission of the Deputy Accountant General concerned and communicate it to welfare cell for information.

(c) It was further came to notice that some members attend office in Saturdays/Sundays and Holidays but Section Officers/Asstt. Audit Officers do not attend the office, and experience inconvenience when the chowkidars refuse to open the section for them. As the chowkidars have been given instructions to open the rooms of the sections on Saturdays, Sundays and Holidays only if a member of the supervisory staff also attends the office as if the member concerned is in possession of a written permission from the Branch Officer/Deputy Accountant General concerned to attend office with out his Section Officer/Asstt. Audit Officer necessary arrangements should be made well before the members of the staff attend office on Saturdays, Sundays and Holidays.

16.1.1 All Group 'D' employees are required to attend office ½ hour before the usual office hour, and must report for duty in office punctually at 8.30 am.

After the Group 'D' staff initial their attendance in the Section, where he is required to mark his attendance. That section will maintain the CL Account of the Group

'D' and also be responsible to regulate his other leave and for sending his absentee statement to Estt II section..

Disciplinary action will be taken against those who are found disobeying these orders in future, Section Officer should report to respective group officers all cases of violation of above orders.

(O.O. No. OE-85 dated 15.5.1955)

16.1.2 The office will remain open for regular work for five days in a week from Monday to Friday and all Saturday would be Holidays with effect from 3rd June, 1985.

(Authority: Department of personnel and training GOI vide O.M.no. 1314/86/ JCA claimed 21st March, 1985)

16.2 Leaving office during office hours.

16.2.1 No staff should leave office during the day without the permission of his Section Officer/AAO nor should a Section Officer/AAO do so without the Knowledge of Branch Officer.

16.2.2 Leave to Muslims for Juma Prayers : Leave of absence should be given to Muslim employees for a period sufficient to enable them to attend Juma Prayers, provided the time so spent is made up, if necessary outside the office hours, on the same or other days of the week.

(Authority: G I, MPO Home Deptt. Memo No 74-D/39-Public, dated on 20th March 1939, received with the Auditor General's endorsement No. 251-Rec/46- 39 dated the 21 April, 1939)

16.3 Observance of silence on the 30th January

The silence should be observed in the office at 11 a.m. on every 30th January for two minutes in the memory of those who gave their lives in the struggle for India's freedom.

16.4 Attendance Register

All members are expected to be in their places punctually at 9.00 a.m. An attendance

Register in Form SY 302 will be maintained for each branch/section of the office and kept in the custody of the Section Officer/Assistant Audit Officer. As each person arrives he should initial in the Attendance Register of this section and then commence work.

(ii) At 9.10 a.m. the Section Officer/Assistant Audit Officer will make a red cross mark against the name of the absentees under his initial and submit the Register to the Audit Officer-in-charge. In the case of the directly controlled sections by the Accountant General, the Attendance Register will be submitted to the Audit Officer -in-charge on the routine work of those section. The Audit Officer will encircle the cross marked by SO/AAO of 9.10 a.m.

Any member of the staff coming late, should put down in red ink the excess time of attendance below the red cross mark in presence of the Audit Officer.

16.4.1 Custody of Attendance Registers and Casual Leave Registers:- It is hereby ordered that these registers should always under lock and key under the personal custody of the section officer/AAO on whose table and in whose presence only the officials should initial the Attendance Register on coming to office; Section Officers will be held personally responsible in cases of loss or manipulation.

The attendance register should be closed monthly and the account of casual leave taken during the month and since the beginning the casual leave account should be agreed with entries in the casual leave register which should always be kept upto date.

Note(i) The round mark for late attendance should be made clearly and in red ink. If it is subsequently treated as Casual leave, it should be marked as such prominently. Holidays should be shown as such. No column should be left blank in the Register.

Note (ii):- The names of permanent incumbents making up the sanctioned scale of the department or section should invariably be shown in order of seniority in the Attendance Register and below them the names of the temporary or officiating officials working in the section. The nature of the observance should be stated in the case of all absentees. After the register is seen by the Audit Officer-charge, it should be kept under lock and key of by the Section Officer/Assistant Audit Officer.

16.5 Punctuality and Efficiency in Central Government Offices.

The Government of India, gave, with a view to ensure the observance of punctuality and efficiency in the transaction of work in Central Government Offices, decided to discontinue the practice of allowing a government servant to attend office late, and have for future guidance laid down the following instructions :-

(i) Half a day's casual leave should be debited to the casual leave account of a government servant for each late attendance but late attendance upto one hour on not mark than the occasion in a months may be endorsed by the authority if he is satisfied that it is due to unavoidable reasons like illness in the family, cycle puncture, late running of buses/trains etc. In case such a course does not ensure punctual attendance of the government servant, suitable disciplinary action may be taken against him in addition to debiting ½ day's casual leave to his CL Account, on each occasion of such late attendance.

(ii) Half a day's casual leave for the first half/second half may be granted if applied for by a government servant to attend to same urgent private work which does not require a full days casual leave e.g., when he has to go to Railway stations or Bus stand to receive a guest or a friend or so go to a dispensary to have himself or a member of this family treated.

(iii) For the grant of 1/2 days casual leave, as mentioned in sub-para (ii) above the lunch break will be dividing terms e.g. a person who takes 1/2 day's casual leave for the forenoon session, is required to come to office at 1.30p.m. Similarly if a person takes leave for the afternoon season, he can be allowed to leave office at 1.00 p.m.

(iv) In view of the decisions contained in the preceding paragraphs, the balance of credit in one casual leave recount of such government servants may be in term of full day or day's casual leave plus 1/2 day's casual leave in conjunction with full days or day's casual leave, if so applied for like wise, even when the casual leave at the credit of the government servant is in terms of full day there is no objection to the grant of 1/2 day's casual leave in conjunction with full day or 1/2 day's casual leave. The existing restrictions imposed on the member of day's casual leave that can normally be granted of a time will, however, continue to apply.

(v) In the case of a government servant who having exhausted his casual leave attends office late upto one hour at a time for unavoidable reasons mentioned in para (i) above, such late attendance may be condoned on not more than two occasions in a month. If however, he attends office late on subsequent occasions in a month disciplinary action may be taken against him.

(vi) As no orders regarding punctual attendance would be fully effective unless strict measures are taken for their enforcement, the supervisor staff should be very particular in scrutinizing the Attendance Register. The lunch break must be scrupulously observed even by the supervisory staff. Surprise daily check must be carried out in one or two sections.

16.5.1 The following measures may be taken for enforcing punctuality in the office:

- (i) The Section Officer/Asstt. Audit Officer or in their absence Sr. most Auditor should close the attendance registers promptly at 10 minutes past the prescribed time where the office hours are from 9.00 a.m. to 5.30 p.m. and submit the register to the Sr. Audit Officer/ Audit Officer after marking circle in red ink against the names of those who had not come by that time.
- (ii) The late comers should be asked to initial indicating the time of arrival in the Branch Officer's chamber after 9.10 A.M..
- (iii) The Branch Officers should ensure that all the attendance register reach them from the respective section in time.
- (iv) The Group Officers should carry out surprise checks of one or two sections daily to see that the procedure of closing the attendance register is being followed scrupulously.
- (v) The Accountant General etc. are also requested to ensure that not only the subordinate staff but also the supervisory officers come to office in time and the lunch hour is also scrupulously followed by one and all.
- (vi) Strict measures should be taken by the administrative authorities for enforcement of punctuality and Section Officers and Supervisory officers should be very particular in scrutinizing the Attendance Registers;

- (vii) Surprise daily checks should be carried out in Section under the Direct supervision of a Senior Officer and;
- (viii) The lunch hour must be scrupulously observed not only by the subordinate Staff but also by the supervisory officers and periodical surprise check also by the supervisory officers and periodical surprise check should be made to ensure this;
- (ix) habitual non-observance of scheduled hours for attending office is highly objectionable and will amount to lack of devotion to duty, thus attracting rule 3(i) (ii) of the C.C.S (Conduct) Rules, 1964;
- (x) These officials should not crowd in rooms or corridors and indulge in gossip, nor waste their time in so called “Coffee Breaks” and “Tea Breaks”.

These instructions will be scrupulously followed by all concerned. It is expected that all would put in maximum possible efforts to increase output and efficiency in the office. Further, maintenance of proper working conditions and environment has a direct bearing on efficiency and output. All of us can help in this matter if hour working places and immediate environments are kept clean and tidy.

(Authority: (C.A.G.’s letter No 3825-NGE/12-73, dated the 3rd October 1974 circulated with O.O. No OE I 418, dated the 14th November 1974 and O.O. No. OE. I.212, dated the 15th July, 1975).

Note 1 : It has been decided by the Government of India, Ministry of Home Affaris, in consultation with Ministry of law that if an official who has no casual leave to his credit, comes late without sufficient justification and the administrative authority concerned is not prepared to condone the late coming but does not at the same time, propose to take disciplinary action, it may inform the official concerned that he will be treated as on unauthorised absence or to apply for earned leave or any other kind of leave due and admissible for that day, as he may choose. If he applied for earned leave or any other kind of leave due and admissible for the entire day, the same be sanctioned by the competent authority.

(Authority: G.I. M.H.A. (Deptt. of personnel & A.R.) O.M.No. 28034/3/82-Ests(A) dated 5.3.1982 and CAG.’s endorsement No. 1053/NGE –I/62-78 dated 30.3.1982.)

Note 2: Grant of concessions of a religious or sectarian nature to other staff.

(i) A doubt has been raised whether concession of religious or sectarian nature, like come to office late or leaving office early which were being granted to staff in the past should be continued be allowed now.

(ii) The ministry of Home affairs who were consulted in the matter have advised that any previous instruction or order permitting such concessions should be treated as having lapsed. The govt. have accordingly been strictly adhering to the principle that no govt Servant should get privileged on the ground of his community or religion alone.

(Authority: CAG's circular letter no 301-NGE, 11 211/66, dt. 17 file 1967)

16.6 Combination of Half Casual Leave with Regular Leave

(i) In case where a government servant has got only 1/2 day's casual leave due in his casual leave account and avails of the same after one such break, and to unable to resume duty on the next day due to unexpected illness or some unforeseen compelling grounds he may as an exception to the general rule be permitted to combine half-a-day's casual leave with regular leave. Those who have only 1/2 casual leave due to them and will not attend office on the next working days having already applied for the leave of kind due and admissible to cover their absence for that working day and for subsequent days if any should not be allowed the half-a-day's casual for one afternoon.

(ii) In cases where an officials has casual leave on his credit but not sufficiently enough to cover the period of leave applied for, there should be no objection to grant 1/2 day's casual leave in combination with regular leave, if the other conditions mentioned in the last sentence of sub-para (i) above are satisfied. In such a case it has been held by one CAG of India that, since the casual leave does not constitute absence from duty and the pay is not intermitted. The government servant should handover charge on the afternoon of the date of commencement of casual leave. In the case of non-gazetted officers, it would be taken that the officer concerned has been deemed to have been relieved from the afternoon of the commencement of casual leave.

(Government of India MO HA-OM No. 60/17/64 Ests (A) dated the 4th August 1965,)

NOTE: late attendance upto an hour due to reasons like late running , of buses/trains etc. could be condoned by the competent authority on not more than two occassion in a month. The Railway Board issued orders that late attendance of Railway employees due entirely to late running of trains may be condoned by the competent authority.

On a question having been raised in regard to the number of occasion and the number of hours for which late attendance can be condoned and also whether the Railway Board's order could be made to other Central Govt. Officer, it has been clarified by the ministry of Home affairs, that there may be no objection to the administrative authority late attendance if they are satisfied in individual case that the late attendance was due, actual of the trains.

(Authority : GOIMHAUO No. 4292-63 Ests (A) dated 11th June 1960 copy received with CAG's letter no. 1006-AGEI/149-67 dt. 18 June 1968)

16.7 Absence without leave: Staying away from office without leave renders person liable to dismissal, except when the cause is sudden illness or unforeseen circumstances of a pressing nature. In every case of absence, without prior sanction, the reason of attendance, should be communicated at once and, if it is due to illness, a medical certificate should be produced, if so directed by the Audit Officer concerned.

16.8 Prohibition to late working: Except during budget pressure/ preparation of draft Audit Report and other important work, etc. no clerk/Typist/Auditor/Sr. Auditor should remain in office later than 6.45 P.M. from March to October and later than 6.00 P.M. from November to March without the permission of his Sr. Audit Officer/ Audit Officer. Any arrears that cannot be made up by working upto 6.45 P.M. should ordinarily be cleared by the Clerk/Auditor/Sr. Auditor attending officer in the morning. If arrears cannot be brought up by working upto 6.00 or 6.45 P.M. the Clerk/ Auditor/ Sr. Auditor should attend office from 8.00 A.M. to 6.45 P.M. daily till the work is completed.

16.9 Borrowing money from subordinates

Please refer Rule-16 of CCS (Conduct) Rules 1964.

16.10 Government Servants found guilty of contravention of prohibition loans.

Please refer Rule-16(4) of CCS (Conduct) Rules 1964.

16.11 Practice of Homoeopathic treatment

Please refer to G.I. D. No. (13) read with No.(9) below Rule 15 (2) of CCS (Conduct) Rules 1964.

16.12 Grant of permission for publication of Books/Guides

Please refer Rule-8 of CCS (Conduct) Rules 1964.

16.13 Leakage of information in respect of official or personal cases

Please refer Rule-11 of CCS (Conduct) Rules 1964.

16.14 Declaration of all immovable property held or acquired by a Govt. servant or his dependants.

Please refer Rule-18 of CCS (Conduct) Rules 1964.

16.15 Transactions in movable and immovable property by government servant.

Please refer Rule-18 of CCS (Conduct) Rules 1964.

16.16 Acceptance of Dowry by Government Servant

Please refer Rule 13 A-of CCS (Conduct) Rules 1964.

16.17 Disposal of disciplinary cases.

With a view to avoid delays in the disposal of disciplinary cases against government servants, the Government of India have ordered that a time limit should be prescribed, as in judicial proceedings, within which replies must be submitted by the persons concerned to the charges framed against them. This time should be rigidly enforced.

(Letter No. 226/44-Ests. dated the 6th June 1944 from GI, MOH Department to the Chief Secretaries of all State , Governments received with Accountant General's No 1144-NGE/24944 dated the 23rd June 1944)

Note 1. Officers dealing with cases of indiscipline or corruptions should avoid all delays in investigations and be very fU1D/prompt in taking action.

Note 2. Steps should be taken to ensure that in any case where fraud is involved and presumably, loss of public funds, no time is lost in holding a prompt enquiry and in submission of accept in order to avoid losses and delinquents, escaping punishment.

16.18 Communicating with Members of Legislatures

Please refer to G.I. D. No. 17(A),17 (B), 17(C), 17(D), 17(E) & 17(F) below Rule 3-C of of CCS (Conduct) Rules 1964

16.19 Insolvency and habitual indebtedness

Please refer Rule 17-of CCS (Conduct) Rules 1964.

Several cases for action under Rule 16(2) of the government servants conduct Rules (Now Rule 17 of CCS (Conduct) Rules,) that have been submitted to the CAG show that heavy indebtedness to employees I the Indian Audit Department is after explained as due to an employee's standing surety for another and being obliged to pay on the principal debtor's default. The CAG has conveyed his strong disapproval of one employee's standing surety for another and has observed that many indebtedness arising out of a government servant's standing surety for another is by itself an imprudent act not due to circumstances beyond his control.

(CAG letter No.-1972 NGE/292-36-dated 17th December 1936)

Exception :- The above instructions have been released by the CAG in cases of Co-operative credit societies in the various audit offices but the effect of this relaxation has to be matched.

(Auditor General letter NO. 857-NGE/59-33 dated 14th June 1938)

(i) The extent upto which the pay of a government servant while on duty is exempt from attachment is laid down in rule 225 of the Central Treasury Rule Vol. I.

(ii) The Accountant General can himself dispose of cases of indebtedness among the members of his establishment.

16.20 Non-interference by Government Servants in Election propaganda.

Please refer Rule 5 -of CCS (Conduct) Rules 1964.

Misconduct

It is the duty of every Assistant Audit Officer/Section Officer of a section to bring to the notice of the Deputy Accountant General (Admn.) any disorder conduct, irregular habit, or insubordinations on the part of any member of staff in his department or section, and to submit after carefully investigating the matter, a full report to the Gazetted Officers-in-charge under orders of the Accountant General.

16.21 Conduct in Private Life

Please refer of CCS (Conduct) Rules 1964.

16.22 Strike

Please refer Rule 7-of CCS (Conduct) Rules 1964.

16.23 Gherao

Please refer to G.I.D. No -3 below Rule 7-of CCS (Conduct) Rules 1964.

16.24 Departmental Proceedings and Prosecutions :

Please refer Rule -of CCS (CCA) Rules 1965.

16.25 Convictions of government servants in courts of law

Please refer to G.I.D. No -1 below Rule 3-C of CCS (Conduct) Rules 1964.

16.26 Secret Enquiries

Please refer Manual Vol. II (Central Vigilance Commission)

16.27 Use of electric light and fans

Everyone should exercise the utmost economy in the use of electric energy. The following are some of the ways in which wastage may be avoided :-

Lights

(a) Office rooms should always be swept in the early hours of morning, instead of at night, a when it would be necessary to keep lights on.

(b) Men working late hours should use the minimum number of lights essentially necessary and should take care to put out these before leaving the rooms.

(c) Electric lights should not be kept on during the day time when natural lights may be made use of advantageously in certain rooms.

(d) The light in the office rooms should be switched off during lunch break, when rooms remain unoccupied.

(e) The last man leaving the section should ensure, that all the lights are switched off properly :-

(i) Electric heaters should not be used on lighting points.

(ii) Fans-Electric fans should be switched on only when the officials concerned arrive and require them. They should in all cases be switched off, before, leaving office.

(iii) Water taps should be turned off immediately after use.

The Assistant Audit Officers/Section officers should observe these order and should impress upon their assistants the necessity of strict compliances. There will be surprise check to ensure that the above instructions are being complied with. Any non-compliances of these instructions will be viewed seriously.

16.28 Submissions of memorials

The rules regarding the submission of petitions to the Government of India and of memorials to the President are laid down in paragraph 3.39 of the CAG's, Manual of standing orders (Admn)Vol. I. These rules do not contemplate the submission direct to the Government of India, of copies of memorials and definitely prescribe that such representations should be forwarded through the prescribed authority. It should, therefore, be borne in mind that memorials addressed to the President should not be forwarded to those authorities direct.

16.29 Memorials, appeals and applications should be submitted in duplicate

Memorials, appeals and applications addressed to the CAG and other higher authorities must be submitted in duplicate so that copies may be kept on office record. Thus instructions also apply in case of petitions submitted by the Non-gazetted staff of the CAG.

(Authority: paragraph 3.39 of the CAG's, Manual of standing orders (Admn)Vol. I.)

16.30 Courts of law

The Government of India, have decided that the allotment of government accommodations to government servant and recovery of rent of damages for the occupations of such accommodations are matters, arising out of government employment and therefore resort by an allottee government servant to law courts on these matters, without first seeking redress in the normal official course, would evidently amount to violation of the instruction contained in the Ministry of the Affairs office Memorandum No-828 NGE 1/127/52 dated the 12th March 1953)

16.31 Representation from staff Association

In sending representations by one Staff Association (Civil Audit and Accounts Association /Civil Audit Association) direct to the Government of India and the CAG, the procedure laid down in paragraph 10.14 of the CAG Manual of Standing Orders (Admn)Vol. I., should be strictly followed even in respect of telegraphic representations, which a subject matter of a representation is such that urgent action is considered necessary and the desire to send a telegraphic representation necessary and the Association desire to send a telegraphic representations, the telegram should be issued by the association only after the subject matter has been considered by the Head of office and the contents of the telegram approved by him.

(vide CAG's letter no-1111-NGE 11/152-50 dated 8th April 1951).

16.32 Representation from Government servants on service matters advance copies

:-

(i) Whenever, in any matter connected with his service rights or conditions, a government servant wishes to press a claim or to seek redress of a grievance, the proper

course for him is to address his immediate official superior, or the Head of his office, or such other authority one matter. An Appeal on representation to a highest authority must not be made unless the appropriate lower authority has already rejected the claim or refused relief or ignore or unduly delayed the disposal of the case. A presentations top all higher authorities (e.g. those addressed to the President, the government or to Home Ministries) must not be made, unless all means of securing attention or redress from lower Authorities have been exhausted even in such cases the representation must be submitted through the proper channel (i.e. the Head of office, etc. concerned. There will be no objection on that stage, but only at that stage, to an advance copy of the representation being such direct.

(ii) The treatment by the higher authorities to advance copies of representation so received should be governed by the following principles :-

(a) If the advance copy does not clearly show that all means of securing attention of redress from lower authorities have been duly tried and exhausted, the representation should be ignored or registered summarily on that ground, the reasons being communicated briefly to the government servants. If the government servant persists in thus prematurely addressing the higher authorities suitable disciplinary action should be taken against to him.

(b) If the advance copy shows clearly that all appropriate lower authorities have been duly addressed and exhausted, it should be examined to ascertain whether on the facts as stated some grounds appear, the representation may be ignored or summarily rejected, the reasons being communicated briefly to the government servant.

(c) Even where some grounds for interference or further consideration appears to exist, the appropriate lower authority should be asked, to forward the obliged representations within a time, with its report and comments of the appropriate lower authority.

(iii) Some government servants are in the habit of sending copies of their representations

also to outside authorities, i.e. authorities who are not directly concerned with the consideration with the consideration thereof (e.g. other Honorable Ministries,

Secretary, Member of Parliament, etc). This is most objectionable practice, contrary to official propriety and subversive of good discipline and all government servants are expected representation to eschew it.

The orders contained above have been accepted for application to the staff of the Indian Audit and Accounts Department by the CAG.

(GOI M.H. AOM, No-118/52 and CAG's letter no. 2006 NGE 1/127/52 dated 30th June 1952).

Note : "No notice should be by taken of a representation service matters submitted by relative of government servant. The only exceptions may be cases in which because of death or physical disability etc. of a government servant himself to submit a representation."

(GO II-MOHA No-25/21/63 (Ests) (A) dated 19th September, 1963 received points CAG No.-1135-NGE-11/82-63 dated 30th September, 1963).

16.33 Treatment of different types of representations

The representations from government servants on service matters may be broadly classified as follows:-

- (i) Representations/Complaints regarding non-payment of salary/allowance or other dues;
 - (ii) Representations as other service matters,
 - (iii) Representations against the orders of the immediate supervisory authority; and
 - (iv) Appeals and petitions under statutory rules and orders (e.g. classification, control and appeals rules and the petition instruction).
- (2) In regard to representations of the type mentioned at above(i) & (ii), if the individual has not received a reply thereto within a month of its submission, he could address or ask for an interview with he next higher officer for redress of the grievance. Such superior officer should immediately send for the papers and take such action as may be called for, without delay.
- (3) Representations of the type mentioned at of (iii) above would be made generally only in the cases where there is no permission under the statutory rules or orders for making appeal or petitions. Such representations also should be dealt with as

expeditiously as possible. The provision of the preceding paragraph would apply to such representations also but not to the later representation made by the same government servant on the same subject after his earlier representation has been disposed of appropriately.

(4) In regard to the representations of the type mentioned of (iv) above the relevant rules or orders do not prescribe a time limit for disposing of appeals and petitions by the competent authority, it should be ensured that all such appeals and petitions receive prompt attention and are disposed of within a reasonable time. If it is anticipated that an appeal or a petition cannot be disposed of within a month of its submission, an acknowledgement or an interim reply should be sent to the individual within a month

(Authority: GOI MOH OM No-25/34/88 Est 9A) dated 20th December, 1968 received with

CAG's circular no. 83-NGE/III/6-68 dated 8th January 1969).

16.34 Representation on service matters received in the Ministry of Home Affairs from officers serving elsewhere.

Treatment of the correct procedure to be followed by the government servants in making representations, in any matter connected with their service rights or conditions, is laid down in para 16.32 above. It has been directed, that a representation submitted to the Home ministry direct will, ordinarily be ignored. There is, however, no objection to copies of representations addressed to the proper authorities being forwarded to this Ministry, where the point of issue concerns the application or interpretation of revision of any rules or order of general application issued by the Home Ministry. Copies of representations, which do not raise such issues, received in the Ministry of Home Affairs will also be ignored. In cases, where grounds for intervention appear to exist the Ministry concerned will be asked to show the papers to this Ministry, before final order are assed on the original representations. However, if it In cases, where grounds for intervention appear to exist the Ministry concerned will be asked to show the papers to this Ministry, before final orders are passed on the original representations. However, if it is found that no representation had in fact been received by the Ministry concerned or its subordinate

authorities and the representation received in the Home Ministry is a one, no further notice will ordinarily be taken of such representations.

(Authority: GI, as OHA, Memo No. 109/56-Ests dated 12th August, 1954 excessed writte CAG's endorsement no 332-NGE 11/289-54, dated 18th September, 1954)

16.35 Withholding appeals, memorials, petitions etc.

The Accountants General may withhold appeals, memorials, petitions etc., addressed to the CAG of India, in cases not covered by Rule 23 of the (CCA) Rules.

(ii) Appeals/petitions, etc. made in terms of one permissions of the CCS (CCA) Rules 1965 and CCS (TS) Rules1965 have necessarily to be forwarded to the authorities concerned and cause to withheld under any circumstances whatever.

(CAG No. 2178 NGE III/274(i) dt. 8.11. 74)

Note: The Accountants General are required to submit quarterly reports to the CAG of the appeals, memorials, petitions, etc, withheld, Blank returns however, need use be such.

(CAG'sletterno-1588-NGE 1/164-64 dated 7th September, 1964 addressed to the Accountant General (MP) copy endorsed to other Audit Offices)

16.36 Cases under enquiry by the Special Police Establishment.

Whenever information is received that an employee to this office is involved in the case brought against him by the Special Police Establishment, the same should be reported immediately to the Audit Officer (Admn) and dealt with the accordance with the instructions contained in the Ministry of Home Affairs, secret office memorandum no-22/1/50-P.U. dated the 14th January, 1954.

(Copy received with CAG's secret Do no-c-9/321-Admn1/53 II dated the 12th July 1954).

16.37 Entry of warnings in the Service Records

No warnings should be entered in the CR files except under orders of the appropriate disciplinary authority.

16.38 Tidiness and inspection of office rooms

The following rules should be carefully observed and anyone infringing them will be severely dealt with :-

- (i) Every official should arrange his table properly every evening before he leaves the office.
- (ii) No files registers or papers may be kept on the floor.
- (iii) No papers of any sort (files, cases, blank forms etc) should remain on auditor's table when he leaves office in evening. Vouchers should be locked up in the drawers, files and cases should be restored to the racks or almirahs where they have been taken.

(Codes and reference books should be locked in the drawers or placed neatly in the rack.

- (iv) No papers of any sort should be kept in the section except such as are required for reference or are under disposal or comment be sent to the record room under the rules of record procedure. Everything also should be returned to the Record Department as soon as it is done with.
- (v) The almirahs should be kept locked, except during office hours, and definite persons should be responsible for each key.
- (vi) Waste papers should be placed in the waste paper basket provided for the purpose and not thrown above the floor.
- (vii) Assistant Audit Officers/Section Officers should see that the peons regularly dust the tables, racks shelves, etc in the room. They should also bring to the notice of the Audit Officer, R&G Sections. All reasonable requirements of their sections in the matter of repairs of broken chair or tables and similar matters should be brought to the notice of the Audit Officer/ Record & General and should see that all almirahs are locked in the evening.

Very great importance should be attached to tidiness as it is an indication of careful and methodical work. Every Assistant Audit Officer/Section Officer must realize that he has arranged neatly the table and papers etc. belonging to him. Audit Officers also are advised occasionally to inspect the rooms occupied by their sections.

16.39 Gossiping and Loitering in passages

The practice of loitering about and talking in the corridors and verandahs, particularly near the rooms of the Gazetted officers is most objectionable and anyone found indulging in this practices, without just reason will be punished. Assistant Audit Officer/Section Officers will be responsible to see that order is maintained in their section.

16.40 Spitting about the floor & walls etc is strictly prohibited. Any one found indulging in this bad habit will be severely dealt with care must also be taken to see that floor walls etc. are not spoild by inksta

16.41 Responsibility of government servants for loss to government

The responsibility of government servants for any loss sustained by government is indicated in **Rule 33 to 38 of General Financial Rules 2005**. Any such loss should, therefore, be immediately reported by the officers concerned to the AG through his immediate superior official.

16.42 Eradiction of untouchability

Please refer to G.I. Decision No (20) below Rule 3-C of CCS (Conduct) Rules 1964

16.43 Admission of outsiders

No outsiders shall be allowed into the office whether in or out of office hours except on business when necessary permit will be issued by the Receptionist.

16.44 Information to outsiders

Information connected with office matters should not be given to an outsider whether a government servant or a private person, except with the permission of the gazetted officer-in-charge, and no clerk member of another office shall be allowed to have access to any of the office records, unless permission to that effect has been obtained from the Accountant Generals, heads of his office. The files or books which an

outsider is permitted to examine, should be examined in the presence of the official responsible for keeping these records. On no account should any document be removed from the office.

Note : Secret information is to be furnished to outsiders even with the permission of a Gazetted Officers.

(CAG letter no 1463 Admn 1/13/54 dated 13.8.1954)

Note :2 Whenever any official of the police department comes to the office for making earlier enquiries or for the inspection of original records in the possession of this office, the section concerned should immediately obtain the orders of the Senior Deputy Accountant General, before giving any such information & allowing him to inspect of the records.

(AG Haryana (Audit) O.O. No.-B/6, dated 10th September 1954-Note2 below para 69 chapter 200 O.P Manual)

Please also refer to Rule 11 of CCS of (Conduct) Rule 1964.

16.45 Grant of certificates to strangers

Gazetted officers and non-gazetted government servants should be careful in granting certificates to unknown persons or to act upon certificates produced by stranger whose antecedents are not known to them.

(Auditor General's endorsement No. 3236-1/664-26dated the 6th July, 1926)

16.46 Issue of Private telegramme irregularly as 'State'

The Government of India have decided that, when cases of irregular issue of private telegrams as 'State' are brought to notice of by the Telegraph check office, while no surcharge for default, should be levied such disciplinary action as may be considered necessary may, within the permissible limits, be taken against the defaulting officers.

(GI, Finance department No-604-S -A dated 2nd November, 1927 received with Auditor General's endorsement No. 1673-Amdn-277-25, dated 22nd November, 1927)

16.47 Acceptance of fees for private work

No member of the office establishments at liberty to take (3) up the audit of accounts or other similar private work, otherwise than under the rules framed by the Government

of India under rules 47 & 48 of the Fundamental Rules and subject to the following conditions :-

- (1) The member concerned obtains the prior permission of the Accountant General to undertake the private work.
- (2) The work shall not be done during office hours or at any other time, when his services may be required and no work shall be undertaken which is connected with his work as servant of Government.
- (3) He shall not in the Audit reports or other document, relating to the work sign his name as in any belonging to the service of Government.
- (4) The orders contained in this behalf in paragraph 3.36 of the CAG, Manual of standing orders should be carefully followed.

16.48 Acceptance of part time employment by Government Servants after office hours

(1) Instances have come to notice in which government servants have been allowed to accept regular part time employment in other government, outside office hours, is contrary to the principles embodied in **Rule 15 of the Central Civil Service (Conduct) Rules, 1964.**

prohibiting engagement in any trade or undertaking of any employment by a govt. servant other than his public duties. It may result in some deterioration in his efficiency because, if he does part time work in addition to his full working hours in his office, he may not get sufficient time for rest and recreation and will, therefore, be unable to give undivided attention to his work even during working hours. Moreover, such part time work by govt. servants leads generally to depriving unemployed people of work, which they would otherwise have got.

(2) Having regards to all these considerations, it has been decided that while the competent authority may permit a govt. servant under SR II to undertake work of a casual or occasional character a whole time govt. servant should not ordinarily be allowed to accept any part time employment, whether under govt. or elsewhere, even though such employment may be after office hours. In rare cases, where it is proposed to give permission to a govt. servant to accept part time employment, prior sanction of govt. should be obtained. In this connection a reference is also invited to the ministry of finance office memorandum no. F 10 (94)-F II (B)/58 dt. 13th September 1958 on the subject.

(3) In so far as the person serving in the Indian Audit and Accounts Deptt. are concerned, these orders have been issued after consultation with the CAG.

(Authority: Govt of India, Ministry of Home Affairs, Memo No. 25/ 42158-Est-(A) dt. 16/10/58 &G.I. Decision N (3) below Rule 15 of C.C.S. (Conduct) Rule 1964)

Note-1: No notice need be taken of any casual assistance that may be rendered by a govt. servant outside office hours and without detriment to the discharge of his official duties in the running of his family business without any pecuniary advantage to himself.

(Authority : Extract from CAG' s secret Do letter no. 2207 NGE III dt.31110/66)

16.49 Acceptance of private work relating to audit etc by subordinates:

The CAG has delegated to the Accountant General the power to sanction the acceptance of private work relating to audit, supervision, and maintenance of accounts by subordinates of and below the rank of section officers in cases where the work is purely honorary subject to the general conditions that it does not interfere with the official duties of involve in any way a breach of the Govt. servants conduct.

(Auditor General letter no. 1453-NGE/322-32dt. 417/92)

16.50 Taking work home: - Taking of official papers home by group C and D staff is strictly forbidden, and no relaxation is permissible. Any breach of these instructions will be viewed very seriously. If any official paper has to be taken out by the staff for official business, e.g. inspection duty a permit for the same must be obtained from the Audit Officer/Record & General.

16.51 Joining educational institutions by government servant outside normal office hours

(1) Ordinarily, there can be no objection to the pursuit of knowledge by govt. servant in their leisure hours. But this must be subject to the condition that such pursuit does not in any way detract from their efficiency. Whenever found necessary, the administrative authorities may require that govt. servants under their control should take prior permission before joining educational institutions or courses of studies for University degrees, as the joining of educational institutions involves advance commitment about attendance and at specific hours and absence from duty during periods of examination. Ordinarily, permission is to be granted, but with a view to summarily dealing with cases where it is noticed that the govt. servant has been neglecting his duties for the sake of his studies, a condition may be attached saying that the permission may be withdrawn at any moment without assigning reason. This will, of course be without prejudice to any other departmental action being taken where mere withdrawal of the permission is not considered adequate.

(2) Govt. servants belonging to the scheduled caste/tribes may be allowed to make full advantage of the educational facilities subject to the policy stated above.

(Authority : Govt of India, Ministry of Home affairs, OM No. 130/ 54-Ests (A)-M, dated 812/55 forwarded with CAG's endorsement no. 1245-NGEII/I5-55 dt. 23/3/55).

(Authority: G.I. Decision No (4) Below Rule 3-C of C.C.S. (Conduct) Rule 1964)

16.52 Transfer of charge of gazetted officers- When any, group 'A' officer is relieved in cases of transfer or going on leave, the facts is reported to Comptroller and Auditor General of India.

16.53 Prohibition of Govt. Servants from bidding (either personally or by proxy) at Govt. auction.

Please refer to G.I. Decision No (5) below Rule 18 of CCS conduct Rule 1964.

16.54 Integrity of officers appointed to responsible post, reputation regarding honesty

Please refer to G.I. Decision No (14) blow Rule 3-C of CCS conduct Rule 1964.

16.55 Smoking in office

Smoking in office rooms is absolutely prohibited and Assistant Audit Officer/Section Officers will see that this rule is strictly observed. It may be permitted during the interval of lunch in the Tiffin rooms. Disciplinary action will be taken against anyone disobeying these orders.

16.56 Wives/Husbands and dependents of Government Servants taking up employment with foreign Missions in India

It has been decided by the Government of India that a Government Servant, whose wife/husband or dependent has taken or intends to take employment under foreign Mission in India, should intimate the fact to Government in the Ministry concerned.

The members of the staff of this office are requested to furnish the required information regarding the proposed acceptance of employment in foreign Missions in India by their wives/husbands and dependents to the Admn. Section, as and when such an occasion arises. Where such employment has already been accepted they should intimate immediately to Admn. Section the details of the appointment held.

(O.O. No. O. 1.101 dated the 27th July, 1955).

16.57 Intimation of absence or late attendance by Gazetted Officer Sanction of Casual leave to Branch Officers.

The Group Officers are empowered to sanction Casual leave to the Branch officers are empowered to sanction casual leave to the Branch officers working under them.

Casual leave Account of Branch Officers may, be maintained in group officer's secretariat his steno/PA. The Group Officers after sanctioning casual leave to Branch Officers may send the application to his Steno/P.A. for maintaining the casual leave Account.

Officers, who propose to come late or have office early should obtain necessary permission for the same from the senior Deputy Accountant General, (Administration) Senior Deputy Accountant General concerned and report the arrangement made by them for the disposal of urgent work.

In the case of Senior Deputy Accountant General, however the applications for the grant of casual leave and the extension there of will be submitted directly to Accountant General who will pass necessary orders in regard to the distribution of the officers charge. They will also take permission of the Accountant General if they desire to come late or leave office early.

(A. G's orders dated the 9th April 1958)

16.58 Addresses of Gazetted Officer on leave

When a class I officer goes on leave the address at which communications will find him should be intimated to the Comptroller and Auditor General the charge report of the officer. Any change in the address should also be notified.

(Dy. C.G 4631912-13)

16.59 When a day can be marked Dies non and its effect

Absence of officials from duty without proper permission or when on duty in office, they have left the office without proper permission or while in the office, they refuse to perform the duties assigned to them is subversive of discipline. In case of such absence of work, the leave sanctioning authority may order that the day on which the work is not performed be treated as dies non i.e., they will neither count as service nor will be construed as break in service. This will be without prejudice to any other action that the competent authority might take against the persons resorting to such practices.

16.60 No marking of Dies non for late coming

According to instructions contained in para 16.59, the day can be marked as 'Dies non' by the leave sanctioning authority only under three circumstances, viz-

- (i) When the official remains absent from duty without prior information;
- (ii) When on duty in office, the official leaves the office without proper permission;
- (iii) and the official remains in office but refuses to perform duties assigned to him.

From the conditions mentioned above, it is clear that an official can be marked dies non even if he perform duties for part of the day in case he leaves office without proper permission or when he refuses to perform duties while remaining in office. But a day on which an official comes late and works throughout the day during office hours will not be marked as 'dies non.' It is accordingly clarified that treating the day as 'dies non' for coming late is not contemplated in the rules.

The proper course in such cases would be to debit the casual leave account of the official as per instructions issued from time to time.

(Authority: DI P & Ts letter no. 1O-44179-PE. II, dated 26.11.1979)

16.61 Action to be taken for late coming when no casual leave is at credit

The existing instructions provide for the deducting 1/2 a day's casual leave when a govt. servant comes late without sufficient justification and the competent authority, while not considering it as a fit case for initiating disciplinary action, he also not prepared to condoned the late coming. Sometimes, it so happen that a govt. servant comes late without sufficient justification has no casual leave to his credit and it is not, therefore, possible to debit 1/2 a day C.L. The question has, therefore, been raised by many Ministries and Deptts. as to how such a situation is to met.

The matter has been examined in consultation with Ministry of Law, it has been decided that if an official who have no C.L. due to his credit comes late without sufficient justification and the Administrative authority concerned is not prepared to condone the late coming but does not, at the same time, propose to take disciplinary action, it may inform the official that it will be treated as unauthorized absence for the day on which he has come late and leave it to the official himself either to face the consequence of such

unauthorized absence or to apply for earned leave or any other kind of leave due and admissible for the entire day. The same may be sanctioned by the completed authority.

(Authority: - GI, DP & AR a &M No. 28034/3/82Estt (A), dated 5.3.1982)

16.62 Observance of lunch break

The half an hour time limit for lunch break should be scrupulously observed not only by the subordinate staff but also by the supervisory officers and that periodical surprise checks should be made to ensure this.

(Authority: GI, DP & AR OM No. 11 o 13/20/83-Estt (A), dated 21.11.1983)

16.63 Supply documents to the Insurance Companies

It has been decided by the Comptroller & Auditor General that the Service particulars of the Government Servant called for by the Life Insurance Corporation for quick settlement of their claims ought not to be withheld. The information may, however, be supplied to the extent it can be supplied on the basis of official records.

(Authority :-C.A. G.'s U.O. No. 1146-NGEI/300-59, dated the 31stMay 1960 to the A.G.P. & T. and circulated under No, 1147-NGEI/300-59,dated the 31stMay 1960).