

Railway Services (Conduct) Rules, 1966

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Railway Services (Conduct) Rules, 1966

1. Short Title :-

(1) These rules may be called the Railway Services (Conduct) Rules 1966.

(2) They shall come into force at once.

2. Definition :-

In these rules, unless the context otherwise requires- Government means, in relation to -

(i) gazetted officers holding posts in the Railway Board, the President;

(ii) other gazetted officers, the Railway Board;

(iii) non-gazetted officers, in the Railway Board, the Secretary, Railway Board;

(iv) other non-gazetted officers in offices directly under the administrative control of the Railway Board, the Heads of the offices concerned; and

(v) other non-gazetted officers, the General Managers of the Railway Administrations concerned:

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

(b) "railway servant" means a railway servant as defined in rule 103

(43*) of the Indian Railway Establishment Code.

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

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

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

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

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

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

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

3. General :-

(1) Every railway servant shall at all times-

(i) maintain absolute integrity;

(ii) maintain devotion to duty; and

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

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

(ii) no railway servant shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than 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, and where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter; and

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

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

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

necessary under the scheme of distribution of powers and responsibilities.

Railway Ministry's decision. -In the light of the provisions of Rule 3(2)(ii) it is impressed upon all Railway servants that-

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

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

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

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

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

(vi) If junior officer received oral instructions from the Minister or from his personal staff and the orders are in accordance with the normal rules, regulations or procedures, they should be brought to the notice of the Secretary, or the concerned Members of the Railway Board or the Head of the Department, as the case may be, for information.

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

3A. Promptness And Courtesy :- No Railway servant shall-

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

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

3B. Observance Of Governments Policies :- Every railway servant shall, at all times-

(i) act in accordance with the Governments policies regarding age of marriage, preservation of environment, protection of wildlife and

cultural heritage;

(ii) observe the Governments policies regarding prevention of crime against women.

3C. Prohibition Of Sexual Harassment Of Working Women :-

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

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

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

(a) Physical contact and advances;

(b) demand or request for sexual favours;

(c) sexually coloured remarks;

(d) showing any pornography; or

(e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

4. Employment Of Near Relatives Of Railway Servants In Company Or Firm Enjoying Government Patronage :-

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

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

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

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

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

(3) No railway servant shall in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or any other person, if any member of his family is employed in that company or firm or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the railway servant shall refer every such matter or contract to his superior officer or authority and the matter or contract shall thereafter be disposed of according to the instructions of such officer or authority.

5. Taking Part In Politics And Elections :-

(1) No railway servant shall be a member of , or be otherwise associated with , any political party or any organization which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

(2) It shall be the duty of every railway servant to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be subversive of the Government as by law established and where a railway servant is unable to prevent a member of his family from taking part in, or subscribing in aid of or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Government.

(3) If any question arises whether a party is a political party or whether any 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 railway servant shall canvass, otherwise interfere with, or use his influence in connection with or take part in, an election to any legislature or local authority.

Provided that -

(i) a railway servant qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;

(ii) a railway servant shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the

conduct of an election in the performance of a duty imposed on him by or under any law for the time being in force. Explanation. - The display by a railway servant on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

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

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

"If any person in the service of the Government, acts as an election agent or a polling agent or a counting agent of a candidate at an election he shall be punishable with imprisonment for a term which may extend upto 3 months or with fine or with both." (3) Political neutrality of Railway servants-It is essential that Railway servants should not only maintain political neutrality but should also appear to do so and they should not participate in the activities of, or associate themselves with any organization in respect of which there is the slightest reason to think that the organization has a political aspect or with organisations banned by the Government.

6. Joining Of Associations Or Unions By Railway Servants :-

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

Note. - It is not permissible for a gazetted railway servant to join any association of non-gazetted railway servant like a Railway Employees Union,. When a non-gazetted railway servant who is a member of a Railway Employees Union is promoted to gazetted rank, either in an officiating or permanent capacity he shall resign his membership of such Union. If, however, the officer concerned satisfies the General Manager of the railway concerned that by such

resignation he will lose financially or otherwise under any beneficent scheme organized by such Union such as death or accident insurance, he may be permitted to continue as an ordinary member, but not as office bearer or representative, of that Union. The responsibility for satisfying the General Manager in this respect will rest with the officer concerned.

7. Demonstration :-

No railway servant shall engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence.

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

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

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

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

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

Railway Ministry's decision.-(3) It will be in order to take disciplinary

action in respect of demonstration anywhere, even far away from office premises and at any time even on a holiday , resorted to by a railway servant, even in the capacity of a Trade Union worker, if that activity could be proved to be one falling within the prohibitive activities listed in this rule.

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

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

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

8. Connection With Press Or Other Media :-

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

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

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

9. Criticism Of Government :-

No railway servant shall, in any radio broadcast, telecast through any electronic media or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to press or in any public utterance, make any statement of fact or opinion-

(i) which has the effect of an adverse criticism of any current or

recent policy or action of the Central Government or State Government ;

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

(iii) which is capable of embarrassing the relations between the Central Government and the Government of any foreign State:

Provided that nothing in this rule shall apply to any statement made or views expressed by a railway servant in his official capacity or in the due performance of the duties assigned to him. Railway Ministry's decision.-Serving Railway employees, if they, in their individual capacity or in their capacity of office bearer of association (including federation/unions of railway employees) or editor/publishers office bearers of journals issued by such association (including federation/union) pass resolutions making statement and/or expressing opinion on issues which involve violation by the individual employees of this Rule become liable for disciplinary action.

10. Evidence Before Committee Or Any Other Authority :-

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

2. Where any sanction has been accorded under sub-rule (1), no railway servant shall in the course of giving such evidence 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 any enquiry before an authority appointed by the government, Parliament or a State Legislature; or

(b) evidence given in any judicial inquiry; or

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

11. Communication Of Official Information :-

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

Provided that no Railway servant shall, except in accordance with any general or special order of the Government or in performance in good faith of the duties assigned to him, communicate, directly

or indirectly, any official document or any part thereof or classified information to any Railway servant or any other person to whom he is not authorised to communicate such document or classified information."

12. Subscription :-

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

Railway Ministry's decision.-(1) The association of Railway servants with the selling of tickets for charity show or for any purpose whatsoever attract the provisions of this rule and prior permission of the Government would be necessary for this purpose. Sale of Tickets by Railway employees to the members of the general public is likely to invite public criticism and should not be permitted.

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

13. Gifts :-

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

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

Note. -(1) A casual meal, lift or other social hospitality shall not be deemed to be a gift. Note. -(2) A Railway servant shall avoid accepting lavish hospitality or frequent hospitality from any individual, industrial or commercial firms, organizations, etc. having official dealings with him.

(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 Railway Servant may accept gifts from his near relatives or from his personal friends having no official dealings with him, but shall make a report to the

Government, if the value of such gift exceeds -

- (i) rupees seven thousand in the case of a Railway servant holding any group A post;
- (ii) rupees four thousand in the case of a Railway servant holding any Group B post;
- (iii) rupees two thousand in the case of a Railway servant holding any Group C post; and
- (iv) rupees one thousand in the case of a Railway servant holding any Group D post..

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

- (i) rupees one thousand and five hundred in the case of Railway servants holding any Group A or Group B post; and
- (ii) rupees five hundred in the case of Railway Servants holding any Group C or Group D post.

(4) Notwithstanding anything contained in sub-rules (2) and (3), a Railway 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 Railway 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 Railway servant had, has or is likely to have official dealings. Acceptance of gifts by a Railway servant from any other firm shall be subject to the provisions of sub-rule (3).

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

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

Railway Ministry's decision. -3 Receipt of presents by Railway servants at the time of their marriage in form of cash, ornaments, cloths or other articles, otherwise than as consideration for marriage, from relative and personal friends and others will be regulated by the above Rule. Purchase of items of movable property for giving presents at the time of marriage or on other occasions will be regulated by Rule 18 (3), like any other transaction of movable property. Railway Ministry's decision. -4 Making or acceptance of gifts amongst "Near Relatives" which

include father, mother, son, daughter etc. requires the approval of the competent authority in terms of sub rule (5) above.

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

1. The presents of symbolic nature like a ceremonial sword, ceremonial robe etc. may be retained by the recipient.
2. The gifts of the value not exceeding Rs. 1000/- may also be retained.
3. Railway servant shall report the receipt of gifts, the value of which exceeds Rs. 1000 to the department indicating the value. The Department will refer the matter to Toshakhana for valuation of the gifts. If it is found that the value is Rs. 1000/- or less the gift will be returned to the recipient. If however, the value exceeds Rs. 1000/- it will be retained by in Toshakhana and the recipient will, have the option to purchase it from Toshakhana by paying the difference between the value as estimated and Rs. 1000/-.
4. Acceptance of gifts from foreign firms with whom the Railway servant has had or has or is likely to have official dealing either, directly or indirectly by virtue of his official position as well as acceptance of gifts from firms which are contracting firms with the government are prohibited.

13A. Dowry :- No Railway servant shall ---

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

Explanations:- For the purpose of this rule dowry has the same meaning as in the Dowry Prohibition Act, 1961. In this Act, "dowry" means any property or valuable security given or agreed to be given either directly or indirectly-

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

Explanation I. ---For the removal of doubts, it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles shall not be deemed to be dowry within the meaning of this

section, unless they are made as consideration for the marriage of the said parties.

Explanation II. ---The expression "Valuable security" has the same meaning as in Section 30 of the Indian Penal Code.

14. Public Demonstrations In Honour Of Railway Servants :-

No railway servant shall except with the previous sanction of the Government receive any complimentary or valedictory address or accept any testimonial or attend any meetings of entertainment held in his honour, or in the honour of any other Government servant : Provided that nothing in this rule shall apply to ---

(i) a farewell entertainment of a substantially private and informal character held in honour of a railway servant or any other Government servant on the occasion of his retirement or transfer or any person who has recently quit the service of any Government;

or

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

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

Railway Ministry's decision. --- 1. Officers in Group A service upto the J.A. Grade should furnish promptly particulars of all invitations received by them from foreign missions in India and accept them only after obtaining the necessary clearance from the Railway Board. Officers in Group B service and below are debarred from accepting such invitations except in very rare cases. All officers, so permitted, should submit a list of any important and interesting talks or other discussions held with the representative of the foreign mission on matters of interest to the Railway Board.

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

especially in remote areas, prior permission of their superior officer should be obtained.

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

15. Private Trade Or Employment :-

1) Subject to the provisions of sub-rule (2) no Railway Servant shall, except with the previous sanction of the Government---

(a) engage directly or indirectly in any trade or business, or

(b) negotiate for, or undertake, any other employment, or

(c) hold an elective office, or canvass office 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.

(f) participate in or associate himself in any manner in the making of-

i. a sponsored media (radio or television) programme; or

ii. a media programme commissioned by Government media but produced by a private agency; or

iii. a privately produced media programme including video magazine;

Provided that no previous permission shall be necessary in case where the Railway Servant participates in a programme produced or commissioned by Government media in his official capacity.

(Authority: Railway Boards Letter No. E(D & A)96GS1-8 dated 7-1-97)

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

(a) undertake honorary work of a social or charitable nature, or
(b) undertake occasional work of a literary, artistic or scientific character, or
(c) participate in sports activities as an amateur, or (d) take part in the registration, promotion or management (not involving the holding of an elective office) 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 an elective office) of a co-operative society substantially for the benefit of railway servants, registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force.

Provided that:---

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

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

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

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

Explanation. -The term fee used here shall have the meaning assigned to it in Rule 103(18)-R.I.

Railway Ministry's decision. -(1) It is not permissible for a Railway servant to take an Insurance Agency in his own name and canvass for the same.

Railway Ministry's decision. - (2) Railway servants should not ordinarily be allowed to accept part time employment whether under Government or elsewhere, even though such employment is after office hours. (9E(D&A) 58 GSI-29 dt.16-1-59.) Railway Ministry's decision.---(3) Railway servants, holding recognized qualification for any system of medicine may be granted permission by the Heads of Departments to undertake medical practice during spare time, on a purely charitable basis without detriment to his

official duties. This will not apply to those who possess the qualification and are employed as physicians, surgeons etc., on the Railways.

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

15A. Sub-Letting And Vacation Of Government Accommodation :-

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

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

16. Investment, Lending And Borrowing :-

(1) No Railway Servant shall speculate in any stock, share or other investment: Provided that nothing in this sub0rul shall apply to occasional investments made through stock brokers or other persons duly authorized and licensed or who have obtained a certificate of registration under the relevant law.

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

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

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

(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.

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

(a) Lend or borrow or deposit money, as a principal or an agent, to or from or with, any person or firm or private limited company with whom he is likely to have official dealings or otherwise place himself under 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 railway servant may give to, or accept from, a relative or a personal friend, a purely temporary loan of a small amount free of interest, or operate a credit account with a bonafide tradesman or make an advance or pay to his private employee.

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

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

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

17. Insolvency And Habitual Indebtedness :-

(1) A railway servant shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A railway servant against whom any legal 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 proceeding to the Government.

Note.---- The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the

exercise of ordinary diligence, the railway servant could not have foreseen, or over which he had no control and had not proceeded from extravagant or dissipated habits, shall be upon the railway servant.

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

(i) The report required under sub-rule (1) above shall be submitted by the railway servant to his immediate superior who should forward it through the normal channel to the authority competent to remove or dismiss the employee from service. Except where such authority requires guidance or clarification from a higher authority, it shall consider and pass appropriate orders thereon. A railway servant desiring to seek the benefit of the Insolvency Act shall apply to the Head of his Department, or to such authority as the government may specify in this behalf, for permission to file a Schedule in a Court of Law. Same time, he shall explain in such form as the Government may prescribe in this behalf all the circumstances which led to his financial embarrassment. The said authority will then consider his case in the light of those circumstances. If the railway servant can prove that the indebtedness was the result of circumstances, which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control, and did not proceed from extravagant or dissipated habits and if as the result of investigation, the said authority considers that sufficient justification exists for the retention of the employee in service, he may permit him to have recourse to the court. Otherwise he should take steps either to dismiss or remove the employee from service as the circumstances of the case may warrant. If a railway servant asks for permission to seek the benefit of the Insolvency Act for second time such permission may not be granted by an authority lower than the General Manager or Head of Office who, if he decides to retain the employee in service, shall report the circumstances to the Railway Board for information. As the Railway Co-operative Credit is often the creditor in such a case and other railway servants are sureties for the debtor, the said authority will, in deciding whether or not the debtor should be retained in railway service, consider the effect of this dismissal or removal on the railway and on his fellow employees.

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

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

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

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

(4) When a moiety of a railway servant's salary is attached, the report by his superior officer to the Government competent authority should show what is the proportion of the debts to the salary; how far they detract from the debtors efficiency as a railway servant; whether the debtors position is irretrievable; and whether in the circumstances of the case, it is desirable to retain him in the post occupied by him when the matter was brought to notice; or in any post under the Government.

18. Movable, Immovable And Valuable Property :-

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

(a) the immovable property inherited by him, owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;

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

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

acquired or held by him ;

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

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

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

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

(ii) Every railway servant belonging to any service or holding any post included in Group A or Group B shall submit an annual return in such form as may be prescribed by the Government in this regard giving full particulars regarding the immovable property the inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family or in the name of any other person.

(2) No railway servant shall, except with the previous knowledge of the Government acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family: Provided that the previous sanction of the Government shall be obtained by the Railway servant if any such transaction is with a person having official dealings with him.

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

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

Note.1-Purchase of items of movable property for giving presents at the time of marriage will be regulated by rule 18(3) above like any other transactions in movable property (Railway Boards letter No. E(D&A) 65 GSI-12 dated 23-4-1966.)

Note 2.--- The powers of the Government so far as sub-rule (3) is

concerned, may be exercised by-

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

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

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

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

Explanation I. -For the purpose of this rule, the expression movable property includes-

(a) jewellery, insurance policies the annual premium of which exceeds two months basic pay of the railway servant, shares, securities and debentures;

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

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

(d) refrigerators, radios, radiograms and television sets.

Explanation II. -For the purposes of this rule, "lease" means, except where it is obtained from, or granted to, a person having official dealings with the railway servant, a case of immovable property from year to year or for any term exceeding one year or reserving a yearly rent. Railway Ministry's decision 1.-It is undesirable for Railway servants to bid at auctions arranged by their own department or under orders of which the auction is conducted and if he does so it would be regarded as indulging in

conduct unbecoming of a railway servant under the rules.

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

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

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

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

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

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

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

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

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

(c) In case where the expenditure to be incurred on repairs or minor construction work in respect of any immovable property belonging to a Railway servant, is estimated to exceed Rs. 1,000/- sanction of the prescribed authority is required.

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

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

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

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

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

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

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

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

Railway Ministry's Decision No.11: Supervisory staff of Group C (class III) on railways working in scales of pay the maximum of which is Rs.900/- and above, should also submit an annual return regarding the immovable property inherited by him, or owned or acquired by him, or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person. The return should be submitted within three months of his first appointment in the grade and thereafter in the month of January every year.

The following categories of Commercial Staff in all grades, viz.- Reservation Clerks, Parcel Clerks, Booking Clerks,- TTEs and TCs, should, besides submitting a property return on their initial appointment as required in Rule 18 (1) (i) of the Conduct Rules,

should also submit a return of their property at the time of every promotion, as also at the time of submitting documents for pension (approximately two years prior to superannuation).

Railway Ministry's Decision No. 13: Sale and purchase of shares, securities, debentures, etc. are to be treated as transactions in movable property. An intimation is to be given under Rule 18(4) to the prescribed authority in the proforma laid down in the following cases:

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

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

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

18A. Restrictions In Relation To Acquisition And Disposal Of Immovable Property Out Side India And Transaction With Foreigners, Etc :- Notwithstanding anything contained in sub-rule (2) of rule 18. No railway servant shall except with the previous sanction of the Government -

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

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

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

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

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

19. Vindication Of Acts And Character Of Railway Servants

:-

(1) No railway 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 subject matter of adverse criticism or an attack of a defamatory character. Provided that if no such sanction is received by the railway servant within a period of three months from the date of receipt of his request by the Government, he shall be free to assume that the permission as sought for has been granted to him.

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

Railway Ministry's decision 1.-Railway servants seeking redress of their grievances arising out of their employment or conditions of service should in their own interest and also consistently with official propriety and discipline first exhaust the normal official channels of redress before they take the issue to a court of law. Any attempt by Railway servants to seek redress from the court of law or such matters (even in cases where such a remedy is legally admissible) without first exhausting the normal official channels of redress can only be regarded as contrary to official propriety and subversive of good discipline and may well justify the initiation of disciplinary action against them.

20. Canvassing Of Non-Official Or Other Influence :-

No railway servant shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. Railway Ministry's decision.-Railway servants are advised to strictly refrain from bringing pressure from the M.Ps and other influential outsiders to secure benefits out of turn or regarding any matter arising out of their service. If such occasions arise, the name of the officer or the member of the staff concerned will be brought to the notice of the Head of the Department for such disciplinary action as may be considered necessary.

21. Restrictions Regarding Marriage :-

(1) No railway servant shall enter into, or contract, a marriage with

a person having spouse living: and,

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

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

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

(b) there are other grounds for so doing .

22. Consumption Of Intoxicating Drinks And Drugs :-

(1) A railway servant shall-

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

(b) refrain from consuming any intoxicating drink or drug in a public place;

(2) A railway servant shall not-

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

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

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

Explanation. -For the purpose of this rule, "Public place" means any place or premises (including conveyance to which the public have, or are permitted to have, access whether on payment or otherwise.

22A. Prohibition Regarding Employment Of Children Below 14 Years Of Age :- No Railway servant shall employ to work any child below the age of 14 years.

23. Interpretation :-

The power of interpreting these rules is reserved to the president.

24. Delegation Of Powers :-

The Government may, by general or special order, direct that any

power exercisable by it under these rules shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

25. Repeal And Savings :-

The Railway Services (Conduct) Rules, 1966, contained in Appendix VI of the Indian Railways Establishment Code, Volume I, shall cease to be in force except as respects things done or omitted to be done. Obligation to abide by all administrative Instructions. - Notwithstanding anything contained in these rules, a railway servant shall be governed by all the administrative instruction that may be issued from time to time in regard to the conduct of railway servants.