

Damodar Valley Corporation Service

(Conduct) Regulation, 1955*

(Vide DVC Notification No. 4 dated the 28th July, 1956)

No. 4 — In exercise of the powers conferred by Section 60 of the Damodar Valley Corporation Act, 1948, the Corporation with the previous sanction of the Central Government hereby makes the following regulations :

1. Short title and application

- 1) These regulations may be called the Damodar Valley Corporation Service (Conduct) Regulations, 1955.
- 2) Except as otherwise provided by or under these regulations they shall apply to all persons appointed to any post in the Damodar Valley Corporation, provided that nothing in these regulations shall apply to any Government servants who are on foreign service with the Damodar Valley Corporation, or to the Secretary or the Financial Adviser of the Corporation.

2. Definitions — In these regulations, unless the context otherwise requires —

- a) “the Corporation” means the Damodar Valley Corporation.
- b) “employee” means any person appointed to any post in the Corporation, whether borne on the regular or work-charged establishment and includes as casual employee.
- c) “members of the family” in relation to an employee, includes —
 - i) the wife, child or step-child of such employee, whether residing with him or not, and a relation to any employee who is a woman, the husband residing with her and dependent on her; and
 - iii) any other person related, whether by blood, or by marriage to the employee or to such employee’s wife or husband, and wholly dependent on such employee, but does not include a wife or husband legally separated from the employee, or child or step-

* Revision of the D.V.C. Service (Conduct) Regulations 1955 on the basis of the Central Civil Services (Conduct) Rules, 1964 is under consideration.

child who is no longer in any way dependent upon him or her, or of whose custody the employee has been deprived by law.

3. General — Every employee shall at all time maintain absolute integrity and devotion to duty.
4. Taking part in politics and elections
 - 1) No employee shall be a member of , or be otherwise associated with, any political party or any organisation which takes part in politics nor shall be 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 employee 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 to be, subversive of the Government as by law established and where an employee 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 Corporation.
 - 3) If any question arise whether any movement or activity falls within the scope of this regulation, the decision of the Corporation thereon shall be final.
 - 4) No employee shall canvass or otherwise interfere or use his influence in connection with, or take part in, an election to any legislature or local authority :

Provided that -

- i) an employee 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) an employee shall not be deemed to have contravened the provisions of this regulation by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force ;

- iii) the Corporation may permit an employee to offer himself as a candidate for election to a local authority and the employee so permitted shall not be deemed to have contravened the provisions of this regulation.

Explanation – The display by an employee 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 regulation.

5. Connection with press or radio – (1) No employee shall, except with the previous sanction of the Corporation, own wholly or in part, or conduct, or participate in the editing or managing of any newspaper or other periodical publication.

(2) No employee shall, except with the previous sanction of the Corporation or any other authority empowered by it in this behalf, or in the bonafide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter either anonymously or in his own name or in the name of any other person to any newspaper or periodical.

Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary, artistic or scientific character.

6. Criticism of Government and or Corporation – No employee shall, in any radio broadcast or in any document published anonymously or in his own name or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion -

- i) which has the effect of an adverse criticism of any current or recent policy or action of the Central or a State Government or the Corporation ; or
- ii) which is capable of embarrassing the relations between the Corporation and the Central Government or a State Government ;

Provided that nothing in this regulation shall apply to any statements made or reviews expressed by an employee in his official capacity or in the due performance of the duties assigned to him.

7. Evidence before committee or any other authority – (1) Save as provided in clause (3) no Corporation employee shall except with the previous sanction of the

Corporation give evidence in connection with any enquiry conducted by any person, committee or authority.

- (2) Where any sanction has been accorded under clause (1), no employee giving such evidence shall criticise the policy or any action of the Central or a State Government or the Corporation.
- (3) Nothing in this regulation shall apply to –
 - a) evidence given at an enquiry before an authority appointed by the Government, by Parliament or by a State Legislature ;
 - b) evidence given in any judicial enquiry ; or
 - c) evidence given at any departmental enquiry ordered by the Corporation or by authorities subordinate to the Corporation.

8. Unauthorised communication of information – No employee shall, except in accordance with any general or special order of the Corporation or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or information to any employee or any other person to whom he is not authorised to communicate such document or information.

9. Subscription – No employee shall, except with the previous sanction of the Corporation or such authority as may be empowered by it in this behalf, ask for or accept contributions to, or otherwise associate himself with the raising of any fund in pursuance of any object whatsoever.

10. Gifts – (1) Save as otherwise provided in this regulation, no employee shall, except with the previous sanction of the Corporation, accept or permit his wife or any other member of his family to accept from any person any gift of more than a trifling value ;

Provided that gifts of a value, reasonable in all circumstances of the case, may be accepted from relations and personal friends or presented in such persons on occasions such as weddings, anniversaries, funerals and religious functions, when the making or receiving of such gifts is in conformity with the prevailing religious or social customs ; but acceptance of such gifts other than those of a trifling value shall be reported to the Corporation and the gifts shall be disposed of in such manner as the Corporation may direct.

Explanation – For the purpose of this regulation any trowel, key or other similar articles offered to any employee at the laying of the foundation stone or the opening of a public building or any ceremonial function shall be deemed to be a gift.

(2) If a question arises whether any gift is of a trifling value or not or where an employee is in any doubt whether a gift offered to him is of a trifling value or not, a reference shall be made to the Corporation, by such employee and the decision of the Corporation thereon shall be final.

Explanation – Whether or not a gift should be treated as of a trifling value shall depend on who the donor is and the circumstances in which the gift is made. A gift exceeding in value $1/20^{\text{th}}$ of the monthly emoluments of an employee or Rs. 20 (whichever is less) from a person who is not his relation or his personal friend shall ordinarily be regarded as a gift not of trifling value. Gifts from relatives and personal friends up to the value of $1/8^{\text{th}}$ of the monthly emoluments of the employee or Rs. 50 whichever is less or even up to the value of one half of such emoluments or Rs. 200 whichever is less, on special occasions such as mentioned in the proviso to clause (1) may be regarded as of a trifling value.

(3) Nothing in this regulation shall be deemed to prevent an employee from sitting, at the request of any public body, for a portrait, bust or statue, not intended for presentation to him.

11. Public demonstration in honour of employee – No employee shall, except with the previous sanction of the Corporation, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour, or in the honour of any other Corporation employee.

Provided that nothing in this regulation shall apply to –

- i) a farewell entertainment of a substantially private and informal character held in honour of an employee on the occasion of his retirement or transfer or any person who has recently quitted service of the Corporation ; or
- ii) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

12. Private trade or employment (1) No employee shall, except with the previous sanction of the Corporation, engage directly or indirectly in any trade or business or undertaken any employment :

Provided that an employee may without such sanction, undertaken honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer ; but he shall not undertake, or shall discontinue, such work if so directed by the Corporation.

Explanation – Canvassing by an employee in support of the business of insurance agency, commission agency and the like owned or managed by his wife or any other member of his family shall be deemed to be a breach of this regulation.

(2) No employee shall, except with the previous sanction of the Corporation, take part in the registration, promotion or management of any bank or other company registered under the Indian Companies Act, 1956 (1 of 1956), or any other law for the time being in force ;

Provided that an employee may take part in the registration, promotion or management of a co-operative society registered under the Co-operative Societies Act, 1912 (11 of 1912) or any other law for the time being in force or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (XXI of 1860), or any corresponding law in force.

13. Investments, lending and borrowing – (1) No employee shall speculate in any investment.

(2) No employee shall make, or permit his wife or any member of his family to make, any investment likely to embarrass or influence him in the discharge of his official duties.

Explanation – The habitual purchase or sale of securities of a notoriously fluctuating value shall be deemed to be speculation in investments within the meaning of this clause.

(3) If any question arises whether a security or investment is of the nature referred to in clause (1) or clause (2), the decision of the Corporation thereon shall be final.

(4) No employee shall, except with the previous sanction of the Corporation, lend money at interest to any person.

(5) No employee shall, save in the ordinary course of business with a bank or a firm of standing, borrow money from or otherwise place himself under pecuniary obligation to any person within the local limits of his authority or any person with whom he is likely to have official dealings, nor shall he permit any member of his family, except with the previous sanction of the Corporation, to enter into any such transactions :

Provided that an employee may accept a purely temporary loan of small amount, free of interest, from a personal friend or relative or operate a credit account with a *bona fide* tradesman.

(6) When an employee is appointed or transferred to a post of such a nature as to involve him in the breach of any of the provisions of clause (4) or clause (5) he shall forthwith report the circumstances to the Corporation and shall thereafter act in accordance with such orders as may be passed by the Corporation.

14. Insolvency and habitual indebtedness – An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee who becomes the subject of a legal proceeding for insolvency shall forthwith report the full facts to the Corporation.

15. Movable, immovable and valuable property – (1) No employee shall except with the previous knowledge of the prescribed authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family :

Provided that any such transaction conducted otherwise than through a regular or reputed dealer shall require the previous sanction of the prescribed authority.

Explanation – The prescribed authority for the purpose of the clause shall be –

- i) the Corporation in the case of all Grade I employees ;
- ii) Heads of Departments in the case of all Grade II employees; and
- iii) Heads of Offices in the case of Grade III employees.

- (2) An employee who enters into any transaction concerning any movable property exceeding one thousand rupees in value, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the prescribed authority ;

Provided that no employee shall enter into any such transaction except with or through a regular or reputed dealer or agent or with the previous sanction of the prescribed authority.

Explanation – For the purpose of this regulation, the expression “movable property” includes inter alia the following property, namely ;

- a) jewellery, insurance policies, shares, securities and debentures ;
- b) loans advanced by such employee whether secured or not ;
- c) motor cars, motor cycles, horses, or any other means of conveyance ;
and
- d) refrigerators, radios and radiograms

(3) Every Grade I and Grade II employee shall, on first appointment in the Corporation and thereafter at intervals of every twelve months, submit a return in such form as the Corporation may prescribe in this behalf, of all immovable property owned, acquired or inherited 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.

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

16. Vindication of acts and character of Corporation employees – No employee shall except with the previous sanction of the Corporation, have recourse to any Court or to the Press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of defamatory character.

17. Canvassing of on-official or other outside influence – No employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Corporation.

*18. Bigamous Marriages – (1) No employee shall enter into, or contract, a marriage with a person having a spouse living ;

(2) No employee, having a spouse living, shall enter into, or contract, a marriage with any person ;

Provided that the Corporation may permit an employee to enter into, or contract, any such marriages 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 employee and the other party to the marriage ; and
- b) there are other grounds for so doing.

19. Interpretation – If any question arises relating to the interpretation of these regulations, it shall be referred to the Corporation whose decision thereon shall be final.

20. Delegation of powers – The Corporation may, by general or special order, direct that any power exercisable by t or any Head of Department under these regulations (except the powers under regulation 19 and this regulation), 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.

21. Repeal and saving – Any order regulating the conduct of an employee in force immediately before the commencement of these regulation is hereby repeated.

* As substituted by D.V.C. Notification No. 73, dated the 6th June, 1969.