



ODISHA POLICE
STATE HEADQUARTERS
CUTTACK.

No. OPM-06-2022

36 /ACR Cell

13/01/2023

To

All Heads of Police District / Establishments
(Including Vigilance, Home Guards and Fire Services)

Ref: State Police Hdqrs., Cuttack Memo No.8648/Min Dtd.04.03.2021 &
Letter No.675/ACR Cell dtd.28.12.2022.

Sub: Prior intimation / Prior sanction of prescribed authority for transaction in
Movable/Immovable property/Valuable property under 14 & Rule-21 of
Odisha Government Servants Conduct Rules, 1959 regarding.

It is to inform that Rule-21 of Odisha Government Servants Conduct Rules, 1959 prescribes rules regarding Movable/ Immovable/Valuable property. Copy of the relevant rules is enclosed as Annexure-I.

Further the amendment rule of Govt of Odisha GA&PG Department issued vide letter No.4920/Gen Dt.12th February 2021 is also enclosed as Annexure-II.

As such, you are requested to bring to the notice of all Government servants under your control that they shall follow the above rules and submit prior intimation or seek prior sanction information in Form-I and Form-II enclosed herewith as mandated under Rule - 21 of Odisha Government Servants Conduct Rules, 1959 for transaction in respect of Immovable property, Movable and valuable property.

This issues with the approval of DGP.

IG of Police (Personnel),
Odisha, Cuttack.

OD. No.

37

/ACR Cell. Dt. 13. 1.2023

- 1- Copy alongwith its enclosures forwarded to all Sr.Officers for information and necessary action.
- 2- Copy alongwith its enclosures forwarded to all Branch Officers / all Sectional Heads / Inspr control Room / Inspr I.T. Cell/Librarian for information and necessary action.

FORM-1

Form for giving prior intimation or seeking previous sanction under Rule 21 of the OCS Rules 1959 for transaction in respect of immovable property.

1.	Name and Designation.	
2.	Scale of Pay and present pay.	
3.	Purpose of application-sanction for transaction/prior intimation of transaction.	
4.	Whether property is being acquired or disposed of.	
5.	Probable date of acquisition/disposal of Property.	
6.	Mode of acquisition/disposal	
7(a)	Full details about location, viz. Municipal No., Street/Village, Taluk, District and State in which situated.	
(b)	Description of the property, in the case of cultivable land, dry or irrigated land.	
(c)	Whether freehold or leasehold.	
(d)	Whether the applicant's interest in the property is in full or part. (in case of partial interest, the extent of such interest must be indicated).	
(e)	In case the transaction is not exclusively in the name of the Government servant. Particulars of ownership and share of each member.	
8.	Sale/purchase price of the property. (Market value in the case of gifts)	
9.	In cases of acquisition, source or sources from which financed/proposed to be financed :- (a) Personal savings (b) Other sources giving details.	
10.	In the case of disposal of property, was requisite sanction/intimation obtained/given for its acquisition (A copy of the sanction/acknowledgement should be attached).	
11(a)	Name and address of the party with whom transaction is proposed to be made.	

(b)	Is the party related to the applicant? If so, state the relationship.	
(c)	Did the applicant have any dealings with the party in his official capacity at any time, or is the applicant likely to have any dealings with him in the near future?	
(d)	How was the transaction arranged? (Whether through any statutory body or a private agency through advertisement or through friends and relatives. Full particulars to be given).	
12	In case of acquisition by gift, whether, sanction is also required under Rule 14 of the OCS Rule	
13	Any other relevant fact which the applicant may like to mention.	

DECLARATION

I..... hereby declare that the particulars given above are true. I request that I may be given permission to acquire/dispose of property as described above from/to the party whose name is mentioned in item 11 above.

OR

I..... hereby intimate the proposed acquisition/disposal of property by me as detailed above. I declare that the particulars given above are true.

Station:
Date:

Signature:
Designation

Note: 1. In the above form, different portions may be used according to requirement.

2. Where previous sanction is asked for, the application should be submitted at least 30 days before the proposed date of the transaction.

Form-II
Form for giving intimation or seeking previous sanction under Rule
21(3) for transaction in respect of movable property

1	Name of the Government servant	
2	Scale of pay and present pay	
3	Purpose of applications- Sanction for transaction/intimation of transaction	
4	Whether property is being acquired or disposed of	
5(a)	Probable date of acquisition or disposal of property	
(b)	If the property is already acquired/disposed of Actual date transaction	
6(a)	6. (a) Description of the property (e.g., Car/ Scooter/ Motorcycle/ Refrigerator/ Radio/ Radiogram/ Jewellery/ Loans/ Insurance Policies, etc.)	
(b)	Make, model (and also Registration No. in case of vehicles), where necessary.	
7	Mode of acquisition/disposal (purchase/sale, gift, mortgage, lease otherwise)	
8	Sale/purchase price of the property (Market value in the case of gifts)	
9	In case of acquisition, source or sources from which financed/proposed to be financed- (a) Personal savings (b) Other sources giving details	
10	In the case of disposal of property, was requisite sanction/intimation obtained/given for its acquisition (a copy of the sanction/acknowledgement should be attached)	
11	(a) Name and address of the party with whom transaction is proposed to be made/ has been made	
	(b) is the party related to the applicant? If so, state the relationship	
	(c) Did the applicant have any dealings with the party in his official capacity at any time, or is the applicant likely to have any dealings with him in the near future?	

	(d) Nature of official dealings with the party	
	(e) How was the transaction arranged? (Whether through any statutory body or a private agency through advertisements or through friends and relatives. Full particulars to be given)	
12	In the case of acquisition by gifts, whether sanctions is also required under Rule 14 of the OCS of the 1959	
13	Any other relevant fact which the applicant may like to mention	

DECLARATION

I hereby declare that the particulars given above are true. I request that I may be given permission to acquire/dispose of property as described above from/to the party whose name is mentioned in item 11 above.

OR

I hereby intimate the acquisition/disposal of property by me as detailed above. I declare that the particulars given above are true.

Station:

Date:

Signature:

Designation:

The Orissa Government Servants' Conduct Rules, 1959

Published vide Notification Orissa Gazette/1.5.1959-Notification No. 4757-Gen./7.4.1959

or355

No. 4757-Gen. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Orissa is hereby pleased to make the following rules to regulate the conduct of Government servants employed in connection with the affairs of the State of Orissa, namely :

1. Short title. - These rules may be called the Orissa Government Servants' Conduct Rules, 1959.

2. Definitions. - In these rules, unless the context otherwise requires-

(a) "**Government**" means-

(i) in the case of a Government servant who is outside India whether on duty or on leave, or whose services have been placed at the disposal of the Government of India;

(ii) in the case of a Government servant whose services have been placed at the disposal of the Government of another State, so long as he is serving within India-the Government of the State;

(iii) in all other cases the Government of Orissa;

(b) "**Government servant**" means any person appointed to serve in connection with the affairs of the State, in respect of whom the Government of Orissa is empowered to make rules under Article 309 of the Constitution of India, whether for the time being such person serving in connection with the affairs of the Government of India or of any State, or is on Foreign Service, or on leave;

(c) "**member of the family**" in relation to a Government servant includes-

(i) the wife, child or step-child of such Government servant whether residing with him or not, and in relation to a Government servant who is a woman, the husband residing with her and dependent on her ; and

(ii) any other person related whether by blood or by marriage to the Government servant and wholly dependent on him or her, but does not include a wife or husband separated from the Government servant or a child or step-child who is no longer in any way dependent upon him or her, or of whose custody the Government servant has been deprived of by law.

[3. General. - Every Government servant shall at all times maintain absolute integrity, decorum of conduct, and devotion to duty and shall not commit any act which amounts to personal immorality or failure to discharge duties properly.

Explanation - For the purpose of this rule-

- (a) **"personal immorality"** means vicious habits relating to drinks, sex and gambling which reduce the utility of a public servant so as to damage Government or the official, generally in public esteem; and
- (b) **"failure to discharge duties properly"** includes all such acts and omissions on the part of a Government servant as are likely to weaken the position and prestige of the Government of the Union or of the Government of Orissa or which indicates an absence of loyalty and devotion to the Union or any feeling of loyalty towards any State outside the Union.]

4. Obedience to superiors. - Every Government servant shall at all times carry out the orders and act according to the instructions of his superior authorities so far as his official duties are concerned.

[4A. Prohibition of sexual harassment of working women. - (1) No Government servant shall indulge in any act of sexual harassment of any woman at her work place.

(2) Every Government servant who is in charge of 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 behaviour, whether directly or otherwise, as

- (a) Physically 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.]

5. Taking part in politics, etc. - (i) No Government servant shall be a member of or be otherwise associated with any political or communal party or any Organisation which takes part in politics or communal activities nor shall he take part in, subscribe in aid of, or assist in any other manner any political or communal movement or activity.

(ii) It shall be the duty of every Government servant to endeavour to prevent any member of the family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established, and where a Government servant fails 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, and according to the directions given by the Government in this regard.

(iii) If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Government thereon shall be final.

(iv) No Government servant shall canvas or otherwise interfere or use his influence in connection with, or take part in an election to any legislature or local authority :

Provided that-

- (a) a Government servant qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- (b) a Government servant shall not be deemed to have contravened the provisions of this rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

Explanation - The display by a Government servant on his personal vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election, within the meaning of this sub-rule.

6. Connection with Press or Radio. - (i) No Government servant shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in editing or managing of any newspaper or other periodical publication.

(ii) No Government servant shall, except with the previous sanction of the Government or any other authority empowered by it in this behalf, or in the *bona fide* 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 contribution to any newspaper or periodical is on a purely literary, artistic or scientific subject and of occasional character.

7. Criticism of Government. - No Government servant shall, in any radio broadcast or in any document, publish anonymously or in his own name or in the name of any other person or 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 Government of Orissa or the Government of India or the Government of any other State; or
- (ii) which is capable of embarrassing the relation between the Government of Orissa and the Government of India or the Government of any other State ; or
- (iii) which is capable of embarrassing the relation between the Government of India and the Government of any foreign State :

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

Explanation I - Nothing contained in this rule shall be construed to limit or abridge the power of the Government to require any Government servant to publish and explain any policy or action of the Government in such manner as may appear to them to be expedient or necessary.

Explanation II - For Purposes of this rule a club shall be deemed to be a public place.

8. Strike etc. - (1) No Government servant shall with a view to ventilating his grievance whether such grievance is individual or general in character or for any other reason take to any strike (including hunger strike) from work whether such strike is partial or complete.

Explanation - "Strike" means a cessation of work by a person or a body of persons employed in any office acting singly or in combination, or a concerted refusal, under a common understanding of any number of persons who are or have been so employed to continue to work or accept employment.

[(2) No Government servant shall join any procession, demonstration or any other form of agitation which is likely to cause a breach of public tranquillity.]

(3) No Government servant shall join the public to ventilate his grievances even such grievances are common with public in a manner which is likely to cause a breach of public tranquillity.

[9. Joining of Associations by Government servants. - No Government servant shall join or continue to be a member of an association the objects or activities of which are in the opinion of Government prejudicial to the interest of the sovereignty and integrity of India or public order or morality.]

[9A. No Government servant shall, without the approval of Government, be or continue to be an office-bearer of a service association of Government servants of a particular category, if he does not belong to that category and he has no common interest in matters of that association.]

10. Evidence before committee or any other authority. - (1) No Government servant shall, except with the previous sanction of the Government give evidence in connection with any enquiry conducted by any person, committee or authority :

Provided that no such sanction shall be necessary for giving evidence-

- (a) at an enquiry before an authority appointed by the Government of Orissa, by the Government of India, by the Legislature of Orissa or by Parliament, or
- (b) in any judicial inquiry, or
- (c) in any Court.

(2) No Government servant giving such evidence shall criticise the policy of the Government of Orissa, the Government of India or any other State Government.

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

12. Subscription. - No Government servant shall, except with the previous sanction of the Government or of such authority as may be empowered 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.

13. No Government servant shall, except with the permission of the head of the office or department in which he works, shall apply for any concession, help or loan granted by the Government, if he is likely to deal with such application in his official capacity. The head of the office or department shall before granting such permission satisfy himself that the application is not likely to take other advantage of his office in availing the concession, help or loan.

14. Gift. - (1) Save as otherwise provided in these rules, no Government servant shall except with the previous sanction of the Government accept or permit any member of his family to accept any gift whatsoever from any person who is not a close relation of the family.

Explanation - For the purpose of this sub-rule any trowel, key or other similar articles offered to a Government servant 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) A Government servant may accept or permit any member or his family to accept a gift of a reasonable value from personal friends on ceremonial occasions such as the functions connected with birth, death or marriage when the making or receiving such gifts is in conformity with the prevailing religious or social customs.

(3) A Government servant may accept or permit any member of his family to accept gifts of trifling value from personal friends on other occasions.

(4) If any question arises whether a gift is of reasonable or trifling value, or where a Government servant is in any doubt whether a gift is of a reasonable or trifling value or not, reference shall be made

to the Government by such Government servant and the decision of Government thereon shall be final.

Explanation - Whether or not a gift should be treated as of a reasonable or trifling value shall depend on the social and economic standing of both the donor and the donee and the circumstances in which the gift is made. A gift exceeding Rs. 20 in value from a person who is not a close relation shall ordinarily be regarded as a gift not of trifling value.

(5) Nothing in this rule shall be deemed to prevent any Government servant sitting at the request of any public body for a portrait, bust or statue, not intended for presentation to him.

[14A. No Government 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 a bridegroom, as the case may be, any dowry.]

Explanation - For the purpose of this rule 'Dowry' has the same meaning as in the Dowry Prohibition Act 28 of 1961.

15. Public demonstrations in honour of Government servants. - No Government servant shall, except with the previous sanction of the Government, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour or in the honour of any other Government servant :

Provided that nothing in this rule shall apply to-

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

Illustration. - A, a Deputy Collector, is due to retire. B, another Deputy Collector in the district may give a dinner in honour of A, to which select persons are invited.

16. Unauthorised pecuniary arrangement. - No Government servant shall enter into any pecuniary arrangement with another Government servant or any other person so as to afford any kind of advantage to either or both of them in any unauthorised manner or against the specific or implied provisions of any rule for the time being in force.

17. Private trade or employment. - (1) No Government servant shall except with the previous sanction of the Government, engage directly or indirectly in any trade or business or undertake any employment :

[Provided that a Government servant may, without such sanction undertake honorary work of a social or charitable nature or occasional work, a literary, artistic or scientific character, subject to the following conditions namely :

- (i) he shall, within one month of his undertaking any such work report to the Government giving full details ;
- (ii) his official duties do not thereby suffer ; and
- (iii) he shall discontinue any such work, if so directed by the Government:]

Provided further that, if the undertaking of any such work involves holding of an elective office, he shall not seek election to any such office without the previous sanction of the Government.

Explanation - (i) Canvassing by a Government servant in support of the business of insurance agency, commission agency etc., owned or managed by any member of his family shall be deemed to be a breach of this sub-rule.

[(ii) * * *]

(2) No Government servant shall, except with the previous sanction of the Government take part in the registration, promotion or management of any Bank or other company registered under the Indian Companies Act, 1956 or any other law for the time being in force :

[Provided that a Government servant may take part in the registration, promotion or management of a Co-operative Society substantially for the benefit of Government servants or of a literary, scientific or charitable society registered under the Societies Registration Act 21 of 1960 or any corresponding law in force, subject to the following conditions namely :

(i) he shall within one month of his taking part in any such activity, report to the Government giving full details;

(ii) his official duties do not thereby suffer ; and

(iii) he shall discontinue taking part in any such activities, if so directed by the Government:]

Provided further that if taking part in any such activity involves holding of an elective office, he shall not seek election to any such office without the previous sanction of the Government.

(3) No Government servant shall hold a lottery, for the disposal of his property or for any other purpose, except with the permission of the Government.

(4) A Government servant who is about to quit the station, district or other local limits for which he has been appointed may, without reference to any authority, dispose of his movable property by circulating lists of it among the community generally or by causing it to be sold by public auction.

[(5) Every Government servant shall, if any member of his family is engaged in trade or business or owns or manages an insurance agency or commission agency, report that fact to Government.]

18. Action in respect of a relation. - (1) Where a Government servant submits any proposal or opinion to take any other action, whether for or against any individual related to him, whether the relationship be distant or near he shall with every such proposal, opinion or action, expressly state whether the individual is related to him, and if so related, the nature of the relationship.

(2) Where a Government servant has by any law, rule or order in force, power of deciding finally any proposal, opinion or any other action, and that proposal, opinion or action, is in respect of an individual related to him, whether the relationship be distant or near and whether that proposal, opinion or action affects the individual favourably or otherwise, he shall not take a decision but shall submit the case to his superior officer after explaining the reasons and the nature of relationship.

19. Investments, lending and borrowing. - (1) No Government servant shall speculate in any investment.

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 sub-rule.

(2) No Government servant shall make, or permit any member of the family to make any investment likely to embarrass or influence him in the discharge of his official duties and where a Government servant fails to prevent a member of his family from making an investment of this nature, he shall make a report to the effect to the Government forthwith.

(3) If any question arises whether a security or investment is of the nature referred to in Sub-rule (1) or Sub-rule (2) the matter shall be referred to the Government or any officer authorised by it in this behalf and the decision of the Government thereon shall be final.

(4) No Government servant shall, except with the previous sanction of the Government, lend money to any person possessing land or valuable property within the local limits of his authority, or at interest to any person:

Provided that a Government servant may make an advance of pay to a private servant, or give a loan of small amount free of interest to a personal friend or relative, even if such person possesses land within the local limits of his authority.

(5) No Government servant shall have in the ordinary courses of business with a Bank or firm of a standing borrow money from, or otherwise place himself under pecuniary obligation to any person within the local limits of his authority not shall he permit any member of his family, except with the previous sanction of the Government to enter into any such transaction:

Provided that a Government servant 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.

Note-A pecuniary obligation means not only obligation arising out of a cash transaction, but also the acceptance without consideration of any service or facility other than trifling value.

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

20. Insolvency and habitual indebtedness. - A Government servant shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Government servant, who becomes the subject of a legal proceeding for insolvency, shall forthwith report the full facts to the Government.

[20A. A Government servant who is arrested due to involvement in criminal proceedings or otherwise shall intimate the facts leading to his arrest immediately to his appointing authority to whom he is subordinate.]

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

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

[Provided further that nothing in this sub-rule shall apply in respect of the lease of a house taken by a Government servant for residential purposes.]

[Explanation - The prescribed authority for the purpose of this sub-rule shall be the controlling authority, namely :

- (a) in case of all officers the immediate superior authority under whom the officer is serving;
- (b) in respect of a Government servant on foreign service on deputation to any other department or any other Government, the prescribed authority shall be the immediate superior authority to whom he is administratively subordinate.]

Illustration-A Sub-Divisional Officer can give permission to a Tahsildar or any [Grade A or Grade B], [Grade C or Grade D] Officer working under him. Similarly the Tahsildar can permit his subordinate to dispose of or acquire immovable/immovable property. In case of the Department of the Government and Heads of Departments, the Section Officer can permit the staff working under him in this matter.

[(2) The controlling authority while according sanction for acquisition or disposal of property shall also send a copy of such sanction to Government through their Heads of Departments].

(3) A Government servant who, [either in his own name or in the name of any member in his family,] enters into any transaction concerning any movable property exceeding in value of [Rs. 4,000] in case of Grade A or B and [Rs. 2,000] in case of [Grade C or Grade D] Officers, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the prescribed authority referred to in Sub-rule (1) :

Provided that no Government servant shall, except with the previous sanction of Government enter [either in his own name or in the name of any member in his family,] into any transaction with or through any person other than a reputed dealer or agent of standing.

Explanation-For the purpose of this sub-rule, the expression "movable property" includes *inter alia*, the following property, namely :

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

(4) Every Government servant is required to make a true and complete declaration before the end of January at an interval of every three years of all his assets movable and immovable and the value thereof as on the 31st December of the previous year in the form given in the Appendix 'A'. The declaration shall contain detailed particulars of the officer's assets and must include and specify the assets which are held by or in the name of his wife, children, other dependents or benamidars. The declaration shall be written by the officer in his own hand and submitted in a sealed cover to the authority as directed by the Government and such authority shall be responsible for its careful preservations. [It shall be obligatory on the part of the Government servants to submit the declarations in every three years and in the event of their failure to do so in time they shall be liable to disciplinary action. An officer making a declaration found to be materially incomplete, misleading or false shall be liable for disciplinary action and even for dismissal from Government service.]

[Note - (1) The Secretary to Government in the Administrative Department in the case of [Grade A or Grade B] Officers and the Heads of Departments or Heads of Offices in case of [Grade C or Grade D] Officers shall be the authority to whom the declarations are to be submitted. The Chief Secretary to Government in case of Secretary to Government and Heads of

Departments, shall be the authority to whom the declarations are to be submitted. The Political and Services Department shall act as the Co-ordinating Department in regards to the matter. [Judicial Officers shall submit their property statements to the High Court for preservation.]]

Note - (2) Officers who are on deputation or transferred temporarily to another cadre shall submit their property statements to their authority in the parent cadre in which they are borne or retain a lieu. On their permanent transfer to another cadre or department all sealed covers containing their statements shall be transmitted to the appropriate authority in their new cadre or departments competent to preserve them.

Note - (3) In case of Government servants newly appointed to Government service, they should declare their assets as on the date of appointment within three months from that date. They will make subsequent declaration along with orders after the normal triennial period, notwithstanding the fact that three years will not have elapsed since the submission of their first declaration.

Note - (4) The first declaration shall be made by a Government servant in respect of all his assets, both movable and immovable and subsequent declaration need only specify modification required in the statement of the previous occasion, showing in detail the manner of fresh acquisition or disposal of property acquired previously.

[**Note** - (5) Notwithstanding anything contained in this sub-rule, every Government servant, after his/her marriage, shall make a true and complete declaration of his/her assets afresh in the prescribed form within three months of marriage.]

[**Note** - (6)] The [Grade D] Government servants shall not be required to submit declaration under this sub-rule.

22. Vindication of acts and character of Government servants. - No Government servant shall except with previous sanction of Government have recourse to any Court or to the Press for the vindication of any official act which has been the subject-matter of adverse criticism or an attack of defamatory character.

Explanation - Nothing in this rule shall be deemed to prohibit a Government servant from vindicating his private character or any act done by him in his private capacity.

23. Canvassing of non-official or other outside influence. - No Government servant shall bring or attempt to bring any influence whether official or nonofficial to bear upon any authority to further his interests in respect of matters pertaining to his appointment under Government promotion, pay and other service condition.

Explanation - Intermission by an outsider on behalf of an officer shall be deemed as an attempt on the part of the officer to bring extraneous influence for furthering his official interests.

[24. Bigamous marriages. - (1) No Government servant shall enter into, or contract a marriage with a person having a spouse living; and

(2) No Government servant having a spouse living shall enter into a contract a marriage with any person ;

Provided that the Government may permit a Government servant to enter into or contract may such marriage as is referred to in Clause (1) or Clause (2) if they are satisfied that -

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

(b) there are other grounds for so doing.]

[24A. Drinking. - A Government servant shall -

- (a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;
- (b) not be under influence of any intoxicating drink or drugs during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug during the course of his duties at any time is not affected in any way by the influence of such drink or drug;
- (c) refrain from consuming any intoxicating drink or drug in a public place;
- (d) not appear in a public place in a state of intoxication;
- (e) not use any intoxicating drink or drug to excess.

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

[25. Employment of Government servant outside his formal duties. - A Government servant whose whole time is at the disposal of the Government which pays him may be employed in any manner required by the appropriate authority. For all his actions in such employment whether it is paid or honorary or whether it is under Government or under any other public or private body or institution, he shall be held responsible to Government irrespective of the fact whether such employment is outside the normal duties of the post he holds at the time under Government.]

Note - The appropriate authority with reference to this rule shall be in case of Government servants belonging to a State service, the Government and in other cases the Head of the Department.

26. Proper use of amenities. - No Government servant shall misuse or carelessly use amenities provided for him by the Government to facilitate the discharge of his public duties.

Note - Violation of non-compliance with the instruction contained in Transport Department Circular No. 1004(18) T-TAR-106-69, dated the 21st February, 1959. (See Appendix 'B') will amount to misuse of amenity for the purpose of Rule 27.

27. Payment for purchase. - Unless payment by instalments is customary, or specially provided or a credit account is maintained with a *bona fide* tradesman, no Government servant shall without prompt and full payment for the article purchased by him whether the purchases are made on tour or otherwise.

28. Use of service without payment. - No Government servant shall without making proper and adequate payment, avail himself of any service or entertainment for which a hire or price or admission fee is charged.

Note-The prohibitions will not apply to occasional and unsolicited complimentary passes issued by the proprietors or managers of the service or entertainment.

29. Use of conveyances belonging to others. - No Government servant shall, save in exceptional circumstances, use a conveyance belonging to a private person except when such conveyance is a Public service vehicle and proper fare has been paid for its use, or use a conveyance belonging to a Government servant who is subordinate to him unless he travels with such subordinate officer on duty.

Note - The onus of establishing exceptional circumstances and payment of proper fare shall rest on the Government servant.

30. Purchase through subordinates. - No Government servant shall himself ask or permit his wife, or any other member of his family living with him, to ask any Government servant who is subordinate to him, to make purchases, locally or from out-station on behalf of him, his wife or other member of his family, whether on advance payment or otherwise :

Provided that this rule shall not apply to the purchases which the personal staff attached to the Government servant may make on behalf of such Government servants.

[30A. (1) Every Government servant shall intimate his residential and postal address and changes, if any, to the Head of Office/Department.

(2) It shall be the duty of the Government servant to make adequate arrangement for receipt of letters addressed to him at his residential address during his absence. Any letter sent by special messenger or service effected by properly addressing, prepaying and posting by registered post, in the address intimated by him shall be deemed to have been duly delivered or served to him, if the letter returns with the postal remark, that the addressee refused to receive the letter or that the addressee is not found or otherwise not available, or any other similar endorsement or he refuses to receive any letter sent by special messenger, such omission, lapse or commission or conduct, as the case may be on the part of Government servant shall be treated as gross misconduct.]

[30B. Engagement of child labourer. - No child below the age of fourteen years shall be employed to work by any Government Servant.]

31. Relaxation. - Government may relax all or some of the provisions contained here in respect of such Government servants particularly part-time and contingency paid Government servants as they may deem fit.

32. Interpretation. - If any question arises relating to the interpretation of any of these rules, it shall be referred to the Government whose decision thereon shall be final.

33. Delegation of powers. - The Government may, by general or special order, direct that any power exercisable by it or any Head of Department under these rules, (except the power under Rule 21 and this rule) shall subject to such condition, if any, as may be specified in the order.

34. Repeat and saving. - Any rules corresponding to the rules in force immediately before the commencement of these rules and applicable to Government servant under the control of the Government of Orissa are hereby repealed :

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

Appendix-A

Form

Name (in full) of officer

Designation

Pay.....

A. Immovable property

(1) Lands

Sl. No.	Precise location	Area	Nature of land	Extent of interest	Value	In whose name (self, wife, child, dependant, other relation or benamidar) the asset is or was	Date and manner of acquisition or disposal	Remarks
1	2	3	4	5	6	7	8	9

(2) Houses

Sl. No.	Precise location	Extent of interest	Value	In whose name (self, wife, child, dependant, other relation or benamidar) the asset is or was	Date and manner of acquisition or disposal	Remarks
1	2	3	4	5	6	7

**(3) Immovable properties and other description
(including mortgages and such other rights)**

Sl. No.	Brief description	Extent of interest	Value	In whose name (self, wife, child, dependant, other relation or benamidar) the asset is or was	Date and manner of acquisition or disposal	Remarks
1	2	3	4	5	6	7

B. Movable property

(1) Cash, Bank Balance, Credit, Insurance Policies, Shares, Debentures, etc.

Sl. No.	Description of items	Value	In whose name (self, wife, child, dependant, other relation or benamidar) the asset is or was	Date and manner of acquisition or disposal	Loans that may have been given to others	Remarks
1	2	3	4	5	6	7

(2) Other movable (including jewellery and other valuables, motor vehicles, refrigerators and other articles or materials of value of Rs. 50 and over for each item in respect of [Grade A or Grade B] Officers and Rs. 200 and over for each item in respect of [Grade C or Grade D] Officers).

Sl. No.	Description of items	Value	In whose name (self, wife, child, dependant, other relation or benamidar) the asset is or was	Date and manner of acquisition or disposal	Remarks
1	2	3	4	5	6

I have hereby declare that the declaration made above is complete, true and correct to the best of my knowledge and belief.

Date.....

Signature.....

Note - (1) The categories noted in brackets in above heads are only illustrative and not meant to be exhaustive. In case of jewellery and ornaments their total weight in tolas and their cash value should be given in Column 3 of Form 'ET' (2).

Note - (2) In filling the form, endeavour should be made to provide Government with as complete a picture as possible of the Government servants' assets, no assets of appreciable value should be omitted by reason of any literal interpretation of the directions given.

Appendix-B

Copy of Government of Orissa, Transport Department Memo No. 1004-(18)-TAR-106/59, dated the 21st February, 1959 addressed to all Departments of Government.

Subject - Driving of Government-owned vehicles

The undersigned is directed to say that the State Government had decided that vehicles owned by Government need not be insured compulsorily against third party risks. A copy of the Press Note issued by Government in this connection was forwarded to all departments of Government and all Heads of

the Departments under the defunct, Supply and Transport Department Memo No. 34662-(104) S.T. dated the 1st September, 1949. This however did not absolve the State Government from liability in respect of death, bodily injury or damage to property etc. caused by Government vehicles. The claims arising out of any accident in which Government vehicles are involved have to be preferred against the department which is in the administrative charge of the particular vehicle.

The State Government have accepted the legal liabilities of paying compensation arising out of accidents in which Government vehicles are involved and in accordance with the provision of Section 110 of the Motor Vehicles Act, 1939 as amended, Claims Tribunals have been constituted to settle all claims arising out of such accidents.

Government cannot take any legal stand in such Tribunals if vehicles are driven by persons other than those appointed for the purpose. So Government have been pleased to order that, hereafter Government vehicles provided to department or to quasi-Government Organisation should be driven only by drivers appointed for the purpose. Where, however, due to temporary absence of a driver it becomes necessary in the interest of Government work for the vehicle to be driven by any other person, having a valid driving licence, written permission of the immediate higher authority concerned should be obtained.

It should be made clear that in claims put forward before the Claims Tribunal in cases of violation of the above rules, if Government are made liable to pay any compensation in pursuance of the award, the same shall be recovered from the officer driving the vehicle in addition to other action which may be taken against him.

A copy of this letter is being sent to all Heads of Departments. Receipt of this letter may be acknowledged.

GOVERNMENT OF ODISHA
GENERAL ADMINISTRATION AND PUBLIC GRIEVANCE DEPARTMENT

RESOLUTION

No. 4920 /Gen., Bhubaneswar, dated, the 12th February, 2021.
PT1-GAD-SC-GCS-0128-2014

Subject:- Compulsory submission of annual property statement by all Group/ranks of Government Servants and Peoples' Representatives and to place them in the public domain for access of general public.

The State Government is committed to ensure a transparent and corruption free administration. As a step further in the above pursuit, Govt. has decided to make submission of annual property statement by Government servants of all group & ranks and public representatives mandatory and to place the same in the public domain for access of everybody.

At present the submission of annual property statement by the Govt. servants is being regulated as per provisions of Rule-21 of the Odisha Government Servants' Conduct Rules, 1959. These rules are required to be amended to implement the above decision of the Government.

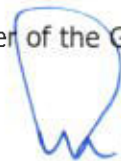
Pending amendment of the provisions of the Conduct Rules, 1959, the following modalities shall be followed scrupulously to implement the above decision of the Government :

1. Annual property returns as on 1st Jan of each year will be filed by each employee by 31st Jan of the year. Employees will be unable to submit their PAR online in HRMS unless the property return is submitted. Besides, up-to-date filing of property return will be a pre-requisite for promotions.
2. Suitable provision will be made in HRMS to enable the above requirements. CMGI will also enable public access of the property returns filed online in HRMS.
3. The PAR custodians of the Departments (for Group-B, C and D) may be authorised to download and authenticate the property statement following instructions issued by GA & PG Department in case such statements are required in a DP or in criminal case. For Group-A officers, GA & PG (S.E.) branch shall continue to be the custodian for the purpose of authentication.
4. For Group-D employees, the officer in charge of the establishment will upload the property statement on obtaining the same from those who cannot upload online in HRMS.
5. Declaration of assets afresh by Government servants within three months of marriage, as required u/r 21 may be done away with since the Government employee shall submit his/her property return each year.
6. Since the employee will submit his/her property statement online, the concept of competent authority for submission of property statement will be deleted.
7. State Government employees are, at present, required to obtain prior permission for purchase of movable assets whose value is more than two months' basic pay. This is done away with. Instead, employees will intimate any such transaction immediately to the head of office besides mentioning such transaction in the annual property return.
8. Consequent upon online submission, the concept of "Sealed Cover" submission of Property statement and their maintenance by GA & PG Department is done away with.

9. In the rule-21, the provision of seeking prior approval, if not buying from a reputed dealer, since not defined, will be omitted. Prior approval will be required only in case the property is being bought from someone with whom the employee has had official dealings in the past or the property is located outside the country.
10. Benami transactions are prohibited as per the Benami Transactions (Prohibition) Act, 1988. Hence the word 'benamidar' in Rule-21 will be deleted.
11. AIS officers shall submit their Immovable Property Return on the GoI portal, as usual. This information is already available in public domain and can also be accessed by Lokayukta. Besides, AIS officers are also required to intimate the authority on purchase of movable property where cost is more than two months' basic pay. A copy of such statement will also be sent to the Lokayukta by the concerned officers.
12. State Government employees shall submit their annual property return (both movable and immovable) online as usual. The present portal will be designed to allow access, to public as well as the Lokayukta, to his information.
13. All the public representatives shall submit their property return (both movable and immovable) annually online. Existing format used by Government employees will be utilized for filing the property returns, by the public representatives. The concerned departments (PA/H&UD/PR&DW) will develop online system to enable public representatives to upload property statement and allow access to public as well as Lokayukta on the respective websites of their department. User credentials will be issued to each public representative to upload the property statement.

ORDER: Ordered that the Resolution be published in an extraordinary issue of the Odisha Gazette for general information and copies be forwarded to all Departments/Heads of Departments/all Collectors.

Order of the Governor



Additional Chief Secretary to Government

Memo No. 4921 /Gen., Dated the 12th February, 2021

Copy forwarded to the Odisha Gazette Cell in-charge, Odisha Gazette Cell, C/o. Commerce Department for information with request to publish the Resolution in the extraordinary issue of the Odisha Gazette and supply 200 copies of the same to this Department for official use.

G.P.H.
12-2-2021
Special Secretary to Government

Memo No. 4922 /Gen., Dated the 12th February, 2021

Copy forwarded to the Director of Printing, Stationery & Publication for information with a request to publish the Office Memorandum in the extra-ordinary issue in the Odisha Gazette and Supply 200 copies to this Department for official use.

G.P.H.
12-2-2021
Special Secretary to Government

Memo No. 4923 /Gen., Dated the 12th February, 2021

Copy forwarded to all Departments of Government/ all Heads of Departments/ all Collectors/ Registrar, Odisha High Court/ Special Secretary, Odisha Public Service Commission, Cuttack/ Secretary, Odisha Staff Selection Commission, Bhubaneswar/Secretary, Odisha Sub-ordinate Staff Selection Commission, Bhubaneswar for information and necessary action.

The Director, Odisha Bhasa Pratisthan, Sanskruti Bhawan, State Museum Campus, Bhubaneswar-14 is requested to take action w.r.t. this Department Memo No. 30208/Gen., dated 24.10.2019.

G.P.H.
12-2-2021
Special Secretary to Government

Memo No. 4924 /Gen., Dated the 12th February, 2021

Copy forwarded to all Branches of G.A. & P.G. Department / Guard file (10 copies)/ G.A. & P.G. Department Library (10 copies) for information and necessary action.

G.P.H.
12-2-2021
Special Secretary to Government

Memo No. 4925 /Gen., Dated the 12th February, 2021

Copy forwarded to the G.A.&P.G. (A.R. Cell) Department with a request to post this Resolution in the website of G.A. & P.G. Department for general information.

G.P.H.
12-2-2021
Special Secretary to Government