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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

CABINET SECRETARIAT

ESTABLISHMENT DIVISION

REGULATION WING

Section VI

The Government Servants
(Conduct) Rules, 1979

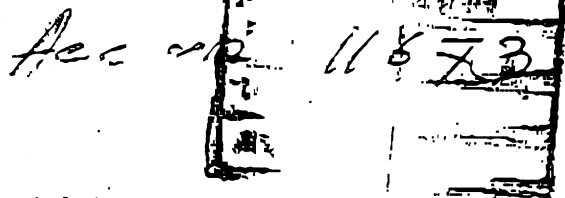
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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

CABINET SECRETARIAT

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NOTIFICATION

Dacca, the 18th May, 1979.

No. 133-L/79.—In exercise of the powers conferred by the proviso to article 133 of the Constitution of the People's Republic of Bangladesh, the Vice-President, exercising the powers of the President as delegated to him by the President under President's Secretariat, President's Division (Public) Notification No. PS/Admn/3(24)/78-1569, dated the 20th November, 1978, is pleased to make the following rules, namely:—

THE GOVERNMENT SERVANTS (CONDUCT) RULES, 1979

1. Short title and commencement.—(1) These rules may be called the Government Servants (Conduct) Rules, 1979.

(2) They shall come into force at once.

2. Application.—These rules shall apply to all Government servants, whether on duty or on leave, within or without Bangladesh, serving in a civil capacity in respect of the Government of Bangladesh or while on deputation with any other Government agency, institution or authority, except—

(a) persons to whom the Railway Establishment Code applies;

(b) subordinate officers of the Dacca Metropolitan Police and the Chittagong Metropolitan Police;

- (c) members of any other Police force below the rank of Inspector of Police;
- (d) subordinate officers, Riflemen and Signalmen of the Bangladesh Rifles;
- (e) subordinate Jail Officers below the rank of Deputy Jailor and Sergeant Instructor of Bangladesh Jails; and
- (f) members of such services and holders of such posts as may be specified by the Government by notification in the official Gazette.

3. **Definitions.**—(1) In these rules, unless there is anything repugnant in the subject or context,—

- (a) “Government servant” means a person to whom these rules apply; and
- (b) “member of a Government servant’s family” includes—

- (i) his wife, child or step child, whether residing with the Government servant or not; and
- (ii) any other relative of the Government servant or his wife, when residing with, and wholly dependent upon the Government servant, but does not include a wife legally separated from the Government servant, or a child or step-child who is no longer in any way dependent upon him, or of whose custody the Government servant has been deprived by law.

(2) References to a wife in clause (b) of sub-rule (1) shall be construed as references to a husband where the Government servant is a woman.

4. **Repeal, etc.**—The Government Servants (Conduct) Rules, 1964, made under paragraph (a) of clause (2) of article 178 and clause (1) of article 179 of the Constitution of 1962, and the Government Servants’ (Conduct) Rules, 1966, made under paragraph (b) of clause (2) of article 178 and clause (1) of article 179 of the Constitution of 1962, in so far as they applied to the persons to whom these rules apply, are hereby repealed, but such repeal shall not affect anything done or suffered under those rules.

5. **Gifts.**—(1) Save as otherwise provided in this rule, no Government servant shall, except with the previous sanction of the Government, accept, or permit any member of his family to accept, from any person any gift the receipt of which will place him under any form of official obligation to the donor. If the offer of a gift cannot be refused without giving undue offence, it may be accepted and delivered to the Government for decision as to its disposal.

(2) If any question arises whether receipt of a gift places a Government servant under any form of official obligation to the donor, the decision of the Government thereon shall be final.

(3) If any gift is offered by the head or representative of a foreign State, the Government servant concerned should attempt to avoid acceptance of such a gift, if he can do so without giving offence. If, however, he cannot do so, he shall accept the gift and shall report its receipt to the Establishment Division for orders as to its disposal.

(4) Secretaries to the Government or officers of equivalent status may accept gifts offered abroad or within Bangladesh by institutions or official dignitaries of foreign Government of comparable or higher-level provided that the value of the gift in each case does not exceed Taka 500 (Taka five hundred). If the gift is capable of being used in a Government office or department or at official residence, it should be used accordingly. If the gift cannot be so used, the Government servant may retain it for his own use.

6. Acceptance of foreign awards.—No Government servant shall, except with the approval of the President accept a foreign award, title or decoration.

Explanation.—For the purposes of this rule, the expression “approval of the President” means prior approval in ordinary cases and *ex post facto* approval in special cases where sufficient time is not available for obtaining prior approval.

7. Public demonstrations in honour of Government servants.—(1) No Government servant shall encourage meetings to be held in his honour or presentation of addresses of which the main purpose is to praise him or any entertainment to be held in his honour.

(2) Subject to the provisions of any general or special order of the Government, a Government servant may attend a fare-well entertainment of a substantially private and informal character held as a mark of regard to himself or to some other Government servant, or to a person who has recently quitted the service of Government, on the occasion of retirement from service or departure from a district or station of himself or such other Government servant or person.

8. Raising of funds by Government servants.—(1) Notwithstanding anything contained in rule 9, a Government servant may participate in the raising of funds in respect of approved development projects, a part of which is required to be met by local contribution, without any reference to the Government.

(2) Subject to sub-rule (1), a Government servant shall before participating in the raising of funds, obtain prior permission of the Government except as a member of a Relief Committee which is authorised to raise funds under the Famine Code and the Famine Manual.

(3) Participation in raising of funds with or without permission, as the case may be, as mentioned in sub-rules (1) and (2) shall be subject to the following conditions:—

(a) a Government servant, when associated in a committee set up for raising of funds for the purposes mentioned in sub-rules (1) and (2), shall not make any personal appeal to any individual which is likely to influence him in any way in the exercise of his public duties;

(b) a Government servant shall not involve himself personally in the collection of subscriptions;

(c) a Government servant found neglecting his official work for the sake of successful raising of funds shall render himself liable to disciplinary action;

(d) a Government servant shall not make payment of a subscription to any object, a condition of his exercising or refraining from exercising his powers in a particular manner;

- (e) a Government servant shall not deal with the question of funds within office hours and it should not interfere with, or the performance of, his official duties in any way;
- (f) a Government servant shall not use coercion or pressure in funds, subscriptions and donations which is always voluntary;
- (g) a Government servant taking part in the raising of funds in accordance with the provisions of sub-rules (1) and (2), shall be required to keep regular accounts and submit them to his next higher officer for approval who may pass it on to the Government, if necessary.

(4) Notwithstanding anything contained in this rule, no Government servant belonging to the Bangladesh Rifles, Police, Dacca Metropolitan Police, Chittagong Metropolitan Police, Income tax and Food Department shall be allowed to associate himself with the raising of funds for the purpose of sub-rules (1) and (2).

9. **Subscriptions.**—Subject to rule 8, no Government servant shall take part in the raising of funds for any purpose, except with or under specific order of the Government and subject to any instructions in the matter.

10. **Lending and borrowing.**—(1) No Government servant shall lend money to, or borrow money from, or place himself under any pecuniary obligation to, any person within the local limits of his authority or any person with whom he has any official dealings:

Provided that this sub-rule shall not apply to dealings in the course of business with a joint stock company, bank or a firm of standing.

(2) When a Government servant is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has otherwise placed himself under a pecuniary obligation will be subject to his official authority, or will reside, possess immovable property, or carry on business within the local limits of such authority, he shall forthwith declare the same to the Government through the usual channel.

(3) Non-gazetted Government servants shall make the declaration required in sub-rule (2) to the head of their office.

(4) This rule, in so far as it may be construed to relate to transactions given to, or taken from, co-operative societies registered under the Co-operative Societies Act, 1940 (Ben. Act XXI of 1940), or under any law for the time being in force relating to the registration of co-operative societies by the Government servants, shall be subject to any general or special provisions or relaxations made or permitted by the Government.

11. **Buying and selling of valuable property, movable and immovable.**
 (1) Save in the case of a transaction conducted in good faith with a dealer, a Government servant who intends to transact any purchase or disposal by other means of movable or immovable property exceeding the value of Taka 15,000 (Taka fifteen thousand) with a person residing, possessing movable property or carrying on business within the station, district or other local limits for which such Government servant is appointed, shall declare the transaction to the Head of the Department or the Secretary to the Government.

case may be. When the Government servant concerned is himself the Minister of Department or Secretary to the Government, he shall declare his intention to the Government through the Secretary of the Ministry concerned or the Establishment Secretary, as the case may be. Any such declaration shall state the circumstances, the price offered or demanded and, in the case of disposal otherwise than by sale, the method of disposal. Thereafter such Government servant shall act in accordance with such orders as may be passed by Government:

Provided that all transactions with a person who is an official subordinate of the Government servant, should be reported to the next higher authority.

(2) Notwithstanding anything contained in sub-rule (1), 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 generally or by causing it to be sold by public auction.

12. **Construction of building etc.**—No Government servant shall construct a building, whether intended to be used for residential or commercial purpose except with the previous sanction of the Government obtained upon an application made in this behalf disclosing the source from which the cost of such construction shall be met.

13. **Declaration of property.**—(1) Every Government servant shall, at the time of entering Government service, make a declaration to the Government through the usual channel, of all immovable and movable properties, including shares, certificates, securities, insurance policies and jewellery having a value of Taka 10,000 (Taka ten thousand) or more belonging to, or held by, him or a member of his family and such declaration shall—

- (a) state the district within which the property is situated,
- (b) show separately individual items of jewellery exceeding Taka 10,000 (Taka ten thousand) in value, and
- (c) give such further information as the Government may, by general or special order, require.

(2) Every Government servant shall submit to the Government, through the usual channel, an annual return of assets in the month of December showing any increase or decrease of property as shown in the declaration under sub-rule (1) or, as the case may be, the last annual return.

14. **Disclosure of liquid assets.**—A Government servant shall disclose his liquid assets when required to do so by the Government.

15. **Speculation and investment.**—(1) No Government servant shall speculate in investments. For the purpose of this sub-rule, the habitual purchase and sale of securities of notoriously fluctuating value shall be deemed to be speculation in investments.

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

(3) No Government servant shall make any investment the value of which is likely to be affected by some event of which information is available to a Government servant and is not equally available to the general public.

(4) If any question arises whether a security or an investment of a Government servant referred to in any of the foregoing sub-rules the decision of the Government thereon shall be final.

16. Promotion and management of companies.—(1) A Government servant shall not take part in the promotion, registration or management of any company or other company:

Provided that a Government servant may, subject to the previous sanction of the Government, take part in the registration or management of a co-operative society registered under the Co-operative Societies Act, 1940 (Ben. Act XXI of 1940).

17. Private trade or employment.—(1) Subject to the other provisions of this rule, no Government servant shall, except with the previous sanction of the Government, engage in any trade or undertake any employment or other business other than his official duties:

✓ Provided that a non-gazetted Government servant may, with the previous sanction, undertake a small enterprise which absorbs family labour; and if he does so, he shall file details of the enterprise along with the statement of assets.

(2) A Government servant may undertake honorary work of a social or charitable nature and occasional work of a literary or artistic nature which includes publication of one or a few literary or artistic works provided that his official duties do not suffer thereby; but the Government may, at any time, forbid him to undertake or require him to abandon any employment or other business in its opinion, is undesirable.

(3) A Government servant shall not, without the previous sanction of the Government, permit any member of his family to engage in any trade or business in any area over which such Government servant has jurisdiction.

(4) This rule shall not apply to sports activities and membership of recreation clubs.

18. Insolvency and habitual indebtedness.—A Government servant shall not be or become insolvent or habitually indebted. If a Government servant is adjudged or declared insolvent or if the whole or that portion of his salary which is liable to attachment in satisfaction of debt is frequently attached for debt, has been continuously so attached for a period of two years, or is attached for a sum which, in ordinary circumstances, he cannot repay within a period of two years, he shall be presumed to have contravened this rule unless he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary prudence, he could not have foreseen or over which he had no control and which have proceeded from extravagant or dissipated habits. A Government servant who is or has been adjudged or declared insolvent shall forthwith report the same to the Head of the office or Department, or to the Secretary to the Ministry, as the case may be, in which he is employed.

19. **Communication of official documents or information.**—A Government servant shall not, unless generally or specially empowered by the Government in this behalf, disclose directly or indirectly to Government servants belong to other Ministries, Divisions or Departments, or to non-official persons or the Press, the contents of any official document or communicate any information which has come into his possession in the course of his official duties has been prepared or collected by him in the course of those duties, whether from official sources or otherwise.

20. **Approach to members of Parliament, etc.**—No Government servant shall, directly or indirectly, approach any member of Parliament or any non-official person to intervene on his behalf in any matter.

21. **Management, etc., of newspapers or periodicals.**—No Government servant shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in editing or management of, any newspaper or other periodical publication.

22. **Radio broadcasts and communication to the press.**—No Government servant shall, except with the previous sanction of the Head of the Department or in the *bona fide* discharge of his duties, participate in a radio or television broadcast or contribute any article or write any letter, either anonymously or his own name or in the name of any person, to any newspaper or periodical.

Provided that such sanction shall generally be granted if such broadcast or such contribution or letter is not, or may not be considered likely to jeopardise the integrity of the Government servant, the security of Bangladesh or friendly relations with foreign States, or to offend public order, decency or morality, or to amount to contempt of Court, defamation or incitement to an offence.

Provided further that no such sanction shall be required if—

- (a) such broadcast or such contribution or letter is of a purely literary, artistic or scientific character or connected with sports;
- (b) such broadcast or such participation is required to project Government activities on development works to the people by the Commissioners, Divisions, Deputy Commissioners and Subdivisional Officers.

23. **Criticism of Government and publication of information or opinion upon matters relating to foreign countries.**—(1) No Government servant shall in any document published under his own name or in any public utterance, radio broadcast or television broadcast delivered by him, make any statement of fact or opinion which is capable of embarrassing—

- (a) the relations between the Government and the people or any section thereof, or
- (b) the relations between the Government and any foreign country.

(2) A Government servant, who intends to publish any document under his own name or deliver any public utterance or radio broadcast or television broadcast containing statements in respect of which any doubt as to the applicability of the restrictions imposed by sub-rule (1) may arise, shall submit to the Government a copy of draft of the document which he intends to publish or of the utterance or of the radio broadcast or television broadcast which he intends to deliver and shall not publish the document or deliver the utterance or radio broadcast or television broadcast save with the sanction of the Government with such alterations, if any, as the Government may direct.

24. Evidence before committees.—(1) A Government servant shall not give evidence before a public committee except with the previous sanction of the Government.

(2) No Government servant giving such evidence shall criticise the orders or decisions of the Government.

(3) This rule shall not apply to evidence given before statutory committees which have power to compel attendance and the giving of answers, nor to evidence given in judicial inquiries.

25. Taking part in politics and elections.—(1) No Government servant shall take part in, subscribe in aid of or assist in anyway, any political movement in Bangladesh or relating to the affairs of Bangladesh.

(2) No Government servant shall permit any person dependent on him for maintenance or under his care or control to take part in or in anyway assist any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established in Bangladesh.

(3) No Government servant shall canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative assembly whether in Bangladesh or elsewhere:

Provided that a Government servant who is qualified to vote at such election may exercise his right to vote; but if he does so, he shall give no indication in the manner in which he proposes to vote or has voted.

(4) No Government servant shall permit any member of his family dependent on him to act in a manner in which he himself is not permitted by sub-rule (3) to act.

(5) A Government servant who issues an address to electors or in any manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purpose of sub-rule (3) to take part in an election to that body.

(6) The provisions of sub-rules (3) and (5) shall, so far as may be, apply to elections to local authorities or bodies, save in respect of Government servants required or permitted by or under any law, or order of the Government at the time being in force, to be candidates at such elections.

(7) 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.

26. Propagation of sectarian creeds, etc.—No Government servant shall propagate such sectarian creeds or take part in such sectarian controversies or indulge in such sectarian partiality and favouritism as are likely to affect the integrity in the discharge of his duties or to embarrass the administration or create feelings of discontent or displeasure amongst the Government servants in particular and amongst the people in general.

27. Nepotism, favouritism and victimization, etc.—No Government servant shall indulge in parochialism, favouritism, victimization and wilful abuse of office.

28. Vindication by Government servants of their public acts or character.—

(1) A Government servant may not, without the previous sanction of the Government, have recourse to any court or to the press for the vindication of his public acts or character from defamatory attacks. In granting sanction, the Government will ordinarily bear the cost of the proceedings and in other cases leave the Government servant to institute them at his own expense. In the latter case, if he obtains a decision in his favour, the Government may reimburse him to the extent of the whole or any part of the cost.

Explanation.—The power of the Government to sanction permission to Government servants to have recourse to court or press referred to in this sub-rule may be exercised by the Secretaries to the Government in the administrative Ministries and Commissioners of Divisions, as the case may be.

(2) Nothing in this rule limits or otherwise affects the right of a Government servant to vindicate his private acts or character.

29. **Membership of service associations.**—No Government servant shall be a member, representative or officer of any association representing or purporting to represent, Government servants or any class of Government servants, unless such association satisfies the following conditions, namely:—

- (a) Membership of the association and its office bearers shall be confined to a distinct class of Government servants and shall be open to all Government servants of that class.
- (b) The association shall not be in anyway connected with, or affiliated to, any association which does not, or any federation of associations which do not, satisfy conditions (a).
- (c) The association shall not be in anyway connected with any political party or organisation, or engage in any political activity.
- (d) The association shall not—
 - (i) issue or maintain any periodical publication except in accordance with any general or special order of the Government;
 - (ii) except with the previous sanction of the Government, publish any representation on behalf of its members, whether in the press or otherwise.
- (e) The association shall not, in respect of any election to a legislative body or to a local authority or body, whether in Bangladesh or elsewhere—
 - (i) pay, or contribute towards, any expenses incurred in connection with his candidature for such election;
 - (ii) by any means support the candidature of any person for such election; or
 - (iii) undertake or assist in the registration of electors, or the selection of a candidate for such election.
- (f) The association shall not—
 - (i) maintain, or contribute towards the maintenance of, any member of a legislative body, or of any member of a local authority or body, whether in Bangladesh or elsewhere;

(ii) pay, or contribute towards, the expenses of any trade union registered under the Industrial Relations Ordinance, 1966 (Ordinance XXIII of 1969).

20. Use of political or other influence.—No Government servant shall bring, or attempt to bring, political or other outside influence, directly or indirectly, to bear on the Government or any Government servant in support of any claim arising in connection with his employment as such.

31. Approaching foreign Mission and aid-giving agencies.—No Government servant shall approach, directly or indirectly, a foreign Mission in Bangladesh or any foreign aid-giving agency to secure for himself invitations to visit a foreign country or to elicit offers of training facilities abroad.

32. Contravention of rules.—Contravention of any of these rules shall be construed as misconduct within the meaning of the Government Servants (Discipline and Appeal) Rules, 1976 and a Government servant found guilty of such contravention shall render himself liable to disciplinary action under the aforesaid rules.

33. Delegation of power.—The Government may, by general or special order, delegate to any officer or authority subordinate to it all or any of its powers under these rules and may, by such order, prescribe the channel through which reports shall be made to the Government and the officers, receipt by whom of such reports shall be regarded as receipt of the reports by the Government within the meaning of these rules.

34. Rules not to be in derogation of any law, etc.—Nothing in these rules shall derogate from the provisions of any law, or of any order of any competent authority, for the time being in force, relating to the conduct of Government servants.

22-2-79
FAYEZUDDIN AHMED

Secretary.