



GOVERNMENT OF INDIA, MINISTRY OF FINANCE
DEPARTMENT OF REVENUE, CENTRAL BOARD OF DIRECT TAXES
DIRECTORATE OF INCOME TAX (HUMAN RESOURCES DEVELOPMENT)

F.No. HRD/CM/104/2/2016-17/

Dated: 27.06.2016

To,

All the Pr. CCsIT(CCA's) /
Pr. DGsIT of attached Dte. of CBDT

Sir/Madam,

Subject: Circulation of CBDT's Advisory regarding "Canvassing of non-official or other outside influence – Representation from Government servant on service matters" – Regarding.

Kindly refer to the above.

2. In this regard, I am directed to draw your kind attention to CBDT's advisory letter F.No. A-41015/10/2015-Ad.VII dated 11.09.2015 with the subject "Canvassing of non-official or other outside influence – Representation from Government servant on service matters" (Copy enclosed for ready reference). In the said advisory, it has been requested to bring the instructions issued by DoPT in this regard vide their O.M. No. 11013/08/2013-Estt.(A-III) dated 31.08.2015(Copy enclosed) to the notice of all officials/officers under their administrative control and appropriate disciplinary action may be taken against those who violate these instructions. As per DoPT's O.M. dated 31.08.2015 "**Such submission of representations directly to other authorities by-passing the prescribed channel of communication, has to be viewed seriously and appropriate disciplinary action should be taken against those who violate instructions. This can rightly be treated as an unbecoming conduct attracting the provisions of Rule 3(1)(iii) of the Central Civil Services (Conduct) rules, 1964. It is clarified that this would include all forms of communication including through e-mails or public grievances portal etc.**"

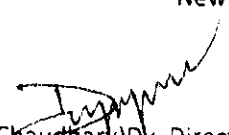
3. Despite CBDT's advisory for desisting from approaching MPs/MLAs in the service matter by the officials of the department, a number of MP/VIP references are still being received by this Dte. In view of the above, I am directed to request you that appropriate action in case of any violation of instructions issued by DoPT in this regard may kindly be taken as requested in CBDT's aforesaid advisory dated 11.09.2015.

Encls: as above

Yours faithfully

(Digvijai Kumar Chaudhary)Dy.
Director of Income Tax(CMD-1)HRD
New Delhi

✓ Copy to: Database Cell of CBDT for uploading the
same on official website:


(Digvijai Kumar Chaudhary)Dy. Director of
Income Tax(CMD-1)HRD
New Delhi

MOST IMMEDIATE

F.No.A-41015/10/2015-Ad.VII
Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes

460, Hotel Samrat, Chankayapuri, New Delhi-110021,
Dated the 11th September, 2015

To

The All Pr. Chief Commissioners of Income-Tax (CCAs)
The DGIT (NADT), Nagpur & DGIT (Admn.)

Sub: Canvassing of non-official or other outside influence-
Representation from Government servant on service matters.

Sir,

Attention is drawn to the provisions contained in Rule 20 of the CCS (Conduct), Rules, 1964 which stipulates that "No Government servant shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under Government." Detailed procedure for dealing with the Government servants attempting to further their service interests through Non-Government influence has been prescribed in Government of India's Decisions (1) below Rule 20 of the CCS (Conduct) Rules, 1964.

2. Attention in this connection is also invited to the DoPT's Office Memorandum F.No.11013/08/2013-Estt.(A-III) dated 31.08.2015 (copy enclosed) wherein instructions have been issued on submission of representation by Government servants about their service matters. As per existing instructions, wherever, in any matter connected with his service rights or conditions, a Government servant wishes to press a claim or to seek redressal of a grievance, the proper course for him is to address his immediate official superior, or Head of his office, or such other authority at the appropriate level who is competent to deal with the matter in the organization.

3. In spite of these instructions, it has come to the notice that certain Government servants are bringing to bear outside influence indirectly to further their service interests. They are also representing directly to the Prime Minister, Minister, Secretary and other higher authorities, directly. It is clarified in Government of India's Decisions (1-A) below Rule 20 of the CCS (Conduct) Rules, 1964 that bringing of indirect influence by Government servant would also attract the provisions of Rule 20 of the CCS (Conduct) Rules, 1964.

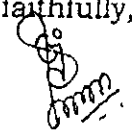
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4. Further, it is also reiterated that as per DoPT's O.M. No.11013/08/2013-Estt.(A-III) dated 31.08.2015 "Such submission of representations directly to other authorities by-passing the prescribed channel of communication, has to be viewed seriously and appropriate disciplinary action should be taken against those who violate these instructions. This can rightly be treated as an unbecoming conduct attracting the provisions of Rule 3(1)(iii) of the Central Civil Services (Conduct) Rules, 1964. It is clarified that this would include all forms of communication including through e-mails or public grievances portal etc."

5. In view of above, all Cadre Controlling Authorities (CCAs) are requested to bring these instructions to the notice of all officials/officers under their administrative control and appropriate disciplinary action may be taken against those who violate these instructions.

Yours faithfully,

Encl.: As above.


(Jati Singh Meena)

Under Secretary to the Govt. of India

Telefax: 24122759

Copt to: Addl. DIT(Data Base Cell), Jhandewalan, New Delhi to upload the above letter with enclosure on the website Income Tax Department.

*ofc
Issued with encl. (2pgs)
Kushan
21/7/15*

F. No. 11013/08/2013-Estt.(A-III)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
Establishment A-III Desk

North Block, New Delhi
Dated August 31, 2015

OFFICE MEMORANDUM

Subject: Representation from Government servant on service matters - reiteration of instructions - regarding.

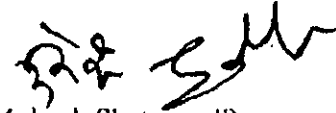
The undersigned is directed to refer to O.M. of even number dated 6th June, 2013 wherein instructions have been issued on submission of representation by Government servants about their service matters. In spite of these instructions, it has been observed that Government servants including officers/ officials of para military forces and Army personnel continue to represent directly to the Prime Minister, Minister, Secretary (P) and other higher authorities, directly.

2. As per the existing instructions, wherever, in any matter connected with his service rights or conditions, a Government servant wishes to press a claim or to seek redressal of a grievance, the proper course for him is to address his immediate official superior, or Head of his office, or such other authority at the appropriate level who is competent to deal with the matter in the organisation.

3. Such submission of representations directly to other authorities by- passing the prescribed channel of communication, has to be viewed seriously and appropriate disciplinary action should be taken against those who violate these instructions. This can rightly be treated as an unbecoming conduct attracting the provisions of Rule 3 (1) (iii) of the Central Civil Services (Conduct) Rules, 1964. It is clarified that this would include all forms of communication including through e-mails or public grievances portal etc.

4. Attention in this connection is also invited to the provision of Rule 20 of CCS (Conduct) Rules, 1964 prohibiting Government servants from bringing outside influence in respect of matter pertaining to his service matter. Representation by relatives of Government servant is also treated as outside influence as clarified vide MHA OM No. F.25/21/63-Estt.(A) dated 19.09.1963

5. It is reiterated that these instructions may be brought to the notice of all Govt. servants including officers/ officials of para military forces and member of armed forces and action taken against those who violate these instructions.


(Mukesh Chaturvedi)
Director (E)
Telefax: 23093176

To

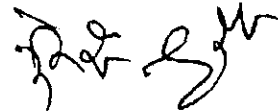
The Secretaries of All Ministries/Departments of Govt. of India
(as per the standard list)

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Copy to:

1. President's Secretariat, New Delhi.
2. Vice-President's Secretariat, New Delhi.
3. The Prime Minister's Office, New Delhi.
4. Cabinet Secretariat, New Delhi.
5. Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Secretary, Union Public Service Commission, New Delhi.
8. The Secretary, Staff Selection Commission, New Delhi.
9. All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
10. National Commission for Scheduled Castes, New Delhi.
11. National Commission for Scheduled Tribes, New Delhi.
12. National Commission for OBCs, New Delhi.
13. Secretary, National Council (JCM), 13, Feroze Shah Road, New Delhi.
14. CVOs of all Ministries/Departments.
15. ADG (M&C), Press Information Bureau, DoP&T
16. ✓ NIC, Department of Personnel & Training, North Block, New Delhi (for uploading the same on the website of this Ministry under the Head OMs & Orders → Establishment → (Conduct Rules).
17. Hindi Section, DoP&T



(Mukesh Chaturvedi)
Director (E)
Telefax: 23093176