

Govt. of NCT of Delhi
Labour Department, 5, Shamnath Marg, Delhi.

F.No. 2663

Dated : 6th September, 2010

CIRCULAR

On the directions of the Central Vigilance Commission, Govt. of India, endorsed by the Directorate of Vigilance, Govt. of NCT of Delhi, Vigilance Awareness Week is observed each year by inter-alia, the Labour Department, Govt. of NCT of Delhi. During this week, employees of the Department also renew their pledge to continuously strive to bring more integrity and transparency in all spheres of their activities and to work unstintingly for eradication of corruption in all spheres of life. They also renew their pledge to be vigilant and work towards growth and reputation of Labour Department and assure that through their collective efforts they shall bring pride to their organization and provide value based service to the citizens and do their duty conscientiously and act without fear or favour in discharge of their official duties.

2. In the context of above, the relevant provisions of the CCS (Conduct) Rules, 1964 and the Prevention of Corruption Act, 1988 (Act no. 49 of 1988) are brought to the notice of all concerned for necessary guidance.

3. (i) sub rule (1) of Rule 3 of CCS (Conduct) Rules, 1964 provides as under:

"(1) Every Government servant shall at all times—

- (i) maintain absolute integrity;
- (ii) maintain devotion to duty; and
- (iii) do nothing which is unbecoming of a Government servant.

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(ii) Further sub rule (2) of Rule 3 of CCS (Conduct) Rules, 1964 provides as under:

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

....."

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

(iii) sub rule 3 (A) provides as under:

"No Government servant shall-

- (a). in the performance of his official duties, act in a discourteous manner;
- (b). in his official dealings with the public or otherwise adopt dilatory tactics or wilfully cause delays in disposal of the work assigned to him."

4. Sections 7, 11, 12 and 13 of the Prevention of Corruption Act give details of offences by Govt. servant and penalties

(i) Section 7 of the Prevention of Corruption Act provides as follows:

"Public servant taking gratification other than legal remuneration in respect of an official act.- Whoever, being, or expecting to be a public servant, accepts or obtains or agrees to accept or attempts to obtain from any person, for himself or for any other person, any gratification whatever, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act or for showing or forbearing to show, in the exercise of his official functions, favour or disfavour to

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any person or for rendering or attempting to render any service or disservice to any person, with the Central Government or any State Government or Parliament or the Legislature of any State or with any local authority, corporation or Government company referred to in Clause (c) of Section 2, or with any public servant, whether named or otherwise, shall be punishable with imprisonment which shall be not less than six months but which may extend to five years and shall also be liable to fine."

(ii) Section 11 of Prevention of Corruption Act provides as follows:

"Public servant obtaining valuable thing, without consideration from person concerned in proceeding or business transacted by such public servant - Whoever, being a public servant, accepts or obtains or agrees to accept or attempts to obtain for himself, or for any other person, any valuable thing without consideration, or for a consideration which he knows to be inadequate, from any person whom he knows to have been, or to be, or to be likely to be concerned in any proceeding or business transacted or about to be transacted by such public servant, or having any connection with the official functions of himself or of any public servant to whom he is subordinate, or from any person whom he knows to be interested in or related to the person so concerned, shall be punishable with imprisonment for a term which shall be not less than six months but which may extend to five years and shall also be liable to fine."

(iii) Section 12 of Prevention of Corruption Act provides as follows:

"Punishment for abetment of offences defined in Section 7 or Section 11—Whoever abets any offence punishable under Section 7 or Section 11 whether or not that offence is committed in consequence of that abetment, shall be punishable with imprisonment for a term which shall be not less than six months but which may extend to five years and shall also be liable to fine."

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(iv) Section 13 of Prevention of Corruption Act provides as follows:

"Criminal misconduct by a public servant. —(1) A public servant is said to commit the offence of criminal misconduct—

- (a) if he habitually accepts or obtains or agrees to accept or attempts to obtain from any person for himself or for any other person any gratification other than legal remuneration as a motive or reward such as is mentioned in Section 7; or
- (b) if he habitually accepts or obtains or agrees to accept or attempts to obtain for himself or for any other person, any valuable thing without consideration or for a consideration which he knows to be inadequate from any person whom he knows to have been, or to be, or to be likely to be concerned in any proceeding or business transacted or about to be transacted by him, or having any connection with the official functions of himself or of any public servant to whom he is subordinate, or from any person whom he knows to be interested in or related to the person so concerned ; or
- (c) if he dishonestly or fraudulently misappropriates or otherwise converts for his own use any property entrusted to him or under his control as a public servant or allows any other person so to do; or
- (d) if he---
 - (i) by corrupt or illegal means, obtains for himself or for any other person any valuable thing or pecuniary advantage ; or
 - (ii) by abusing his position as a public servant, obtains for himself or for any other person any valuable thing or pecuniary advantage; or
 - (iii) while holding office as a public servant, obtains for any person any valuable thing or pecuniary advantage without any public interest; or
- (e) if he or any person on his behalf, is in possession or has, at any time during the period

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of his office, been in possession for which the public servant cannot satisfactorily account, of pecuniary resources or property disproportionate to his known sources of income.

All the officers of Labour Department may, therefore, note the above and also bring it to the notice of their subordinate staff. All Supervisory officers are also advised to monitor the conduct of their subordinate staff and take all possible steps to ensure the integrity and devotion to duty of all subordinate staff for the time being under their control and authority.



(Devinder Singh)
Special Commissioner (Labour)

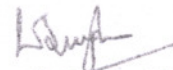
1. All Dy. Labour Commissioners (Distt)/Welfare Commissioner
2. Deputy Labour Commissioner (HQ) I & II
3. Chief Inspector of Factories
4. Electrical Inspector
5. All ALCs/Branch Incharges (HQ)

Copy for information to.

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2010

Dated: 6th September,

1. P.S. to Secretary (Labour), GNCTD, 7th Level, Delhi Sectt.
2. PS to Commissioner (Labour), GNCTD, 5, Shamnath Marg, Delhi.
3. Additional Secretary (Vigilance), GNCTD, 4th Level, C-Wing, Delhi Sectt., New Delhi-110002.
4. Dy. Labour Commissioner (Vig)/ALC(Vig), Labour Department, 5, Shamnath Marg, Delhi



(Devinder Singh)
Special Commissioner (Labour)