

15 -ാം കേരള നിയമസഭ

6 -ാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത പോദ്യം നം. 1936

01-09-2022 - ൽ മറുപടിയ്ക്ക്

സെക്രട്ടേറിയറ്റിലെ അംഗീകൃത സർവീസ് സംഘടനകൾ

ചോദ്യം		ഉത്തരം	
ശ്രീ. മോൻസ് ജോസഫ്		ശ്രീ. പിണറായി വിജയൻ (മുഖ്യമന്ത്രി)	
(എ)	സർക്കാർ ഉദ്യോഗസ്ഥർ ഓഫീസ് സമയത്ത് ജോലി സംബന്ധമായ കാര്യങ്ങൾക്കല്ലാതെ മറ്റ് ക്യാമ്പയിനുകളിൽ പങ്കെടുത്ത് ജോലി സമയം നഷ്ടപ്പെടുത്തുന്നതായി ശ്രദ്ധയിൽപ്പെട്ടിട്ടുണ്ടോ; എങ്കിൽ അതിനെതിരെ എന്തൊക്കെ നടപടികൾ സ്വീകരിച്ചിട്ടുണ്ടെന്ന് വിശദമാക്കാമോ;	(എ)	ശ്രദ്ധയിൽപ്പെട്ടിട്ടില്ല.
(ബി)	സെക്രട്ടേറിയറ്റിലെ അംഗീകൃത സർവീസ് സംഘടനകൾ ഏതെല്ലാമാണെന്ന് വ്യക്തമാക്കാമോ;	(ബി)	<p>അംഗീകൃത സർവീസ് സംഘടനകളുടെ ലിസ്റ്റിൽ ഉൾപ്പെട്ടിട്ടുള്ള സെക്രട്ടേറിയറ്റിലെ സർവീസ് സംഘടനകൾ ചുവടെപ്പറയുന്നവയാണ്.</p> <ol style="list-style-type: none"> 1. കേരള ഗവൺമെന്റ് സെക്രട്ടേറിയറ്റ് ലാസ്റ്റ് ഗ്രേഡ് ഓഫീസേഴ്സ് അസോസിയേഷൻ, 2. കേരള സെക്രട്ടേറിയറ്റ് നോൺ-ഗസറ്റഡ് ഓഫീസേഴ്സ് അസോസിയേഷൻ 3. കേരള ലോ സെക്രട്ടേറിയറ്റ് അസോസിയേഷൻ 4. കേരള ഗവണ്മെന്റ് ഫിനാൻസ് സെക്രട്ടേറിയറ്റ് അസോസിയേഷൻ, 5. കേരള സെക്രട്ടേറിയറ്റ് കോൺഫിഡൻഷ്യൽ അസിസ്റ്റന്റ്സ് അസോസിയേഷൻ, 6. കേരള സെക്രട്ടേറിയറ്റ് അസോസിയേഷൻ 7. കേരള സെക്രട്ടേറിയറ്റ് ക്ലറിക്കൽ അസിസ്റ്റന്റ്സ് ആൻഡ് അറ്റൻഡേഴ്സ് അസോസിയേഷൻ 8. കേരള സെക്രട്ടേറിയറ്റ് എംപ്ലോയീസ് അസോസിയേഷൻ
(സി)	സർവീസ് സംഘടനകൾ ഏത് സർക്കാർ ഉത്തരവിന്റെ അടിസ്ഥാനത്തിലാണ് രജിസ്റ്റർ ചെയ്യേണ്ടതെന്ന് വിശദമാക്കാമോ; പ്രസ്തുത ഉത്തരവിന്റെ പകർപ്പ് ലഭ്യമാക്കാമോ?	(സി)	സർവീസ് സംഘടനകൾക്ക് 1960 ലെ കേരള സർക്കാർ ജീവനക്കാരുടെ പെന്ഷനാറ്റകളിലെ ചട്ടം 77ലെ വ്യവസ്ഥകൾക്കനുസൃതമായാണ് അംഗീകാരം

		നൽകുന്നത്. പ്രസ്തുത ചട്ടത്തിന്റെ പകർപ്പ് അനുബന്ധമായി ചേർക്കുന്നു.
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സെക്ഷൻ ഓഫീസർ

68. No Government servant shall permit any member of his family to take part in or in any way assist any movement or activity which is or tends directly or indirectly to be subversive of Government as by law established.

Explanation:—A Government servant shall be deemed to have permitted a person to take part in or assist a movement or activity within the meaning of the above rule, if he has not taken precaution and done everything in his power to prevent such person so acting, or if, when he knows or has reason to suspect that such person is so acting he does not at once inform the Government or the officer to whom he is subordinate.

69. Save as provided by or under any law for the time being in force, no Government servant shall canvass or otherwise, interfere or use his influence in connection with or take part, in any election to a Legislative Body, whether in the Kerala State or elsewhere:

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

(2) 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.

(3) The Government may permit a Government servant to offer himself as a candidate for election to a local authority and the Government servant so permitted shall not be deemed to have contravened the provision of this rule.

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

(4) No Government servant shall, save as provided by or under any law for the time being in force, offer himself as a candidate for election to any of the authorities of a University.

70. A Government servant who issues an address to electors or in any other 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 purposes of rule 69 to take part in the election to such body.

71. The provisions of rules 69 and 70 shall, so far as may 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 for the time being in force, to be a candidate at such elections.

72. Seditious propaganda or the expression of disloyal sentiments by a Government servant will be regarded as sufficient ground for dispensing with his services.

73. A Government servant proposing to take part in a non-official conference or meeting held in any place in the Kerala State must obtain the prior sanction of the Government:

Provided that such sanction shall not be necessary in respect of conferences in which a Government servant may participate in the course of duty or conferences convened to discuss scientific, technical, literary or similar subjects and participation therein is not likely to embarrass Government in its relationship with the public in any manner. In cases of doubt the Government servant should apply to Government and obtain orders.

The rules regarding taking part in politics and elections apply to Part-time Government servants also, such as the Advocate General, etc.

74. **Vindication of acts and character of Government servants as such.**—No Government servant shall, except with the previous sanction of Government have recourse to any Court or the press for the vindication of his official acts or character from defamatory attacks.

Nothing in this rule shall derogate from the right of a Government servant to vindicate his private acts or character.

75. No Government servant shall, except with the previous sanction of Government, accept from any person or body of persons compensation of any kind for any malicious prosecution brought against him or for any defamatory attacks made on his public acts or character, unless such compensation has been awarded by a competent Court.

76. **Membership of Association.**—No Government servant shall join or continue to be a member of an association the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

77. **(a) Conditions for recognition.**—No association of Government servants or association purporting to represent Government servants or any class thereof shall be recognised unless it satisfies the following conditions, namely:—

(1) (i) The association must consist of a distinct class of Government employees and must represent 25 per cent of the total strength of that class or 50 persons whichever is higher.

Note 1.—Class I and Class II Officers shall not be allowed to be members in the same association in which Class III Officers are members and vice versa.

Note 2.—The Heads of Departments concerned will satisfy themselves about the prescribed minimum representative strength and report to Government while forwarding the applications from Service Association for the grant of recognition.

- (ii) Every Government employee of the same class must be eligible for membership of the Association;
 - (iii) Persons who are not in the service of Government shall not be office bearers of the Association; and
 - (iv) The Association must not be formed on a territorial or communal basis.
- (2) The Association shall not be, in any way, connected with, or affiliated to any association, which does not, or any federation of associations, which do not, satisfy condition (1).
- (3) The Association shall not be, in any way, connected with any political party or organisation.

(b) Rules to be observed by Service Associations.— Government shall withdraw the recognition granted to any Association, if it violates any of the following rules:—

(1) The Association shall not seek the assistance of any political party or organisation to represent the grievances of its members, or indulge in any seditious propaganda, or expression of disloyal sentiments.

(2) The Association shall not resort to any strike or threat of strike as a means of achieving any of its purposes or for any other reason.

[(3) [*** *****]]

(4) The Association shall not, except with the previous sanction of Government.

- (i) issue or maintain any periodical publication;
- (ii) permit its proceedings to be open to the Press, or publish any representation, on behalf of its members, in the Press or otherwise.

(4A) No publication issued by the Association should contain commercial advertisements.

(5) The Association shall not engage in any political activity.

¹ Rule 77 (b) (3) omitted by G.O.(P) 441/80/GAD, dated 25-9-1980. Published as S.R.O. No. 1275/80 in Kerala Gazette No. 52, dated 30th December, 1980.

(6) The Association shall not.

(i) pay, or contribute towards any expenses incurred by a candidate for any election to a legislative body whether in India or elsewhere, or to a Local Authority or Body;

(ii) support by any means, the candidature of any person for such election;

(iii) undertake or assist in the registration of electors or the selection of candidate for such election; and

(iv) maintain or contribute towards the maintenance of any member of a legislative body or of local authority or body.

(7) Government may require the regular submission for their information copies of the rules of the Association and the annual statement of its accounts and of lists of its members.

[(8) The funds of a Service Association shall consist exclusively of subscriptions from members and grants, if any, made by the Government or the money collected with the prior sanction of the Government and shall be applied only for the furtherance of the objects of the Service Association.

Note:—The Association shall not ask for or collect money (other than subscriptions from members of the Association) without obtaining the prior sanction of the Government.

(9) Any amendment of a substantial character in the rules of the Service Association shall be made only with the previous approval of the Government; and any other amendment of minor importance shall be communicated through proper channel for transmission to the Government for information.

(10) The Service Association shall not do any act or assist in the doing of any act which, if done by a Government servant, would contravene any of the provisions of the Government Servants' Conduct Rules.

(11) The Service Association shall not address any communication to a foreign authority except through the Government which shall have the right to withhold it.

(12) Communications addressed by the Service Association or by any office bearer on its behalf to the Government or a Government authority shall not contain any disrespectful or improper language.

(13) Federation or a Confederation of Service Associations shall affiliate only recognised Service Associations, and if the recognition accorded to any of the Service Associations affiliated to a Federation or a Confederation of Service Associations is withdrawn, the Federation or Confederation of Service Associations shall forthwith disaffiliate such Service Association.

(14) The Service Association shall cease to be affiliated to a Federation or Confederation of Service Associations whose recognition under these rules is withdrawn by the Government.

(15) The Service Association shall not invite non-officials to speak at meetings of the Association without obtaining the prior sanction of the Government.

(c) Procedure for making representations.—(1) Representations from such Associations whether made orally, by deputation or presented in writing, may be received by Government officers, notwithstanding anything contained in the rules relating to the submission of petitions and memorials by Government servants, provided that no representations or deputations will be received except in connection with a matter which is, or raises questions which are, of common interest to the class represented by the Association.

(2) Government may specify the channel through which representations from the Association shall be submitted and authority by whom deputations may be received.

78. Any group of Government servants, who desire to organise themselves into an Association for the purpose of safeguarding their conditions of service and to make representations to Government on service matters shall apply to Government, through the Head of the Department for recognition of the Association along with a copy of the draft rules. The rules of the Association shall conform to the conditions prescribed in rule 77 and in addition shall specifically provide that the Association shall not resort to any strike or other activities calculated to paralyse or embarrass Government. Government may suggest such changes in the rules as may be deemed necessary and on their incorporation the Association may be granted recognition.

79. Government shall withdraw the recognition granted to any Association if it violates any of the conditions prescribed for its recognition or if it resorts to any strike or activities calculated to paralyse or embarrass Government.

80. Every Government servant, shall inform his immediate official superior of any reason that there may be, why it is undesirable, in the public interest, that he should be employed in a particular district or taluk, such as a near relationship of himself or his wife to any person or persons residing in that district or taluk.

81. (i) Every Government servant shall inform his immediate official superior, if a Government servant closely related to him is posted to work under him or if he is posted to work under a Government servant closely related to him.

(ii) No Government servant shall deal with a case in which he or any member of his family has any pecuniary or other interest. If any such case comes before him in the course of his official duties, he should refrain from dealing with the case and submit the case to the next higher authority for passing orders, indicating at the same time that "he is not dealing with the case because of the interest."

82. Influencing superior authority for furtherance of interest.—No Government servant shall direct or attempt to bring any political or other outside influence to bear upon any superior authority for the furtherance of his interest.

Explanation:—A Government servant causing his own case to be made the subject of an interpellation in the Legislature contravenes this rule.

83. Broadcast from Radio Station.—No Government servant shall, except with the previous sanction of 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 on any subject other than of a purely literary artistic or scientific nature. Heads of Departments may exercise the power of sanction in respect of Government servants serving in their respective Departments and may refer any case to Government for orders if they consider such a course desirable.

84. The provisions of rule 83 do not in any way prevent the acceptance of engagements by Government servants from a Broadcasting Station of the A.I.R. for music or other similar performances and the remuneration therefor.

85. [*****]

86. Government servants not to partake in any strike.—No Government servant shall engage himself in any strike or incitement thereto or in any similar activities. Government servants should not engage themselves in any concerted or organised slowing down or attempt at slowing down Government work or in any act which has the tendency to impede the reasonably efficient and speedy transaction of Government work. Concerted or organised refusal on the part of Government servants to receive their pay will entail severe disciplinary action.

87. Government servant under suspension.—When a Government servant is suspended, he is free to go wherever he likes; but he must give his address to the Head of his Office and if he is himself the Head of an Office, to his immediate superior. He must also give his address to the Officer, if and holdings an enquiry into his conduct.

¹ Rule 85 omitted by G.O.(Ms.) 352/68/PD, dated 28-11-1968. Published as S.R.O. No. 437/68 in Kerala Gazette No. 43 dated 24th December, 1968.