

No.6/260/06.PER/Part.I/3599
Administration of Daman & Diu,
Department of Personnel &
Administrative Reforms,
Secretariat,
Daman - 396 220.

Dated: 10/02/2014.

CIRCULAR

Attention of all Head of Offices is invited to the provision in Rule 3 (2) (ii -iv) of the CCS Conduct Rules, 1964, which provides as follows:-

- "[(ii) No Government Servant shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his own best judgment except when he is acting under the direction of his official superior.*
- (iii) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral directions becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;*
- (iv) A Government servant who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing]*

Explanation I - A Government Servant who habitually fails to perform a 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 the Clause (ii) of sub-rule (1):

Explanation II - Nothing in clause (ii) of sub-rule (2) shall be construed as empowering a Government servant to evade his responsibilities by seeking instructions from or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities."

2. In pursuance to the orders of the Hon'ble Supreme Court vide its judgment dated 31st October, 2013 in Writ Petition (Civil) No.82 of 2011 (TSR

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Subramaniam and others v/s Union of India and others) with Writ Petition (Civil) No.234 of 2011, and in accordance with the Ministry of Home Affairs OM No.14040/22/2013-UTS-I dated 31st December, 2013, all Secretaries / Special Secretaries / Head of Offices in the UT Administration of Daman & Diu shall bring the provisions of the above rule to the knowledge of all officials / officers working with them and ensure strict compliance and adherence to the provision of above rule.

This issues with the approval of the Hon'ble Administrator, Daman & Diu and Dadra & Nagar Haveli, Daman vide Diary No.12495 dated 10.02.2014.

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(P.J. Bamania)
Joint Secretary (Pers.)
10-02-2014.

To,

1. The Staff Officer to Administrator, Secretariat, Daman.
2. The Development Commissioner, Secretariat, Daman.
3. The Finance Secretary, Secretariat, Daman.
4. The Chief Conservator of Forest, Secretariat, Daman.
5. The Inspector General of Police, Daman & Diu, Daman.
6. The Law Secretary, Secretariat, Daman.
7. The Secretary (Education), Secretariat, Daman
8. The Conservator of Forest, Daman.
9. The Collector, Daman / Diu.
10. All Head of Offices, Daman / Diu.
11. The SIO, NIC, Daman for uploading in the Administration Website.
12. The Deputy Director, Government Printing Press, Daman for publication in the Official Gazette.
13. Office copy / Guard file.