

U.T. ADMINISTRATION OF DAMAN & DIU

OFFICE OF THE COLLECTOR, COLLECTORATE, DAMAN.

No.17/01/Circular/LS/2019/443

Dated: 11/03/2019

Subject: General Election to Lok Sabha -2019 - **Guidelines for Conduct of Govt. Servants regarding.**

C I R C U L A R

The General Elections to Lok Sabha -2019, Daman and Diu are to be held in the Month of April 2019. In the past, instructions have been issued by the Administration regarding the conduct of Govt. Servants in relation to an Election, stressing that all Govt. Employees should maintain an attitude of strict neutrality. In view of ensuing Election, the following instructions are issued and reiterated for strict compliance and observance by all concerned,

1. Attention of all Govt. Servants of Daman and Diu Administration is invited to the relevant provisions of Election Law and Conduct Rules relating to their participation in Politics and Elections, Section 134 A of the Representation of the People Act-1951 reads thus:

"134A: Penalty for Government Servants for acting as Election Agent, Polling Agent or Counting Agent. If any person in the service of the Government acts as an election agent or a polling agent or a counting agent of a candidate at an election, he shall be punishable with imprisonment for a term which may extend to three months, or with fine, or with both"

It is thus clear that the Law provides for strict punishment of imprisonment for violation of provisions of above law.

2. The Central Civil Services (Conduct) Rules, 1964 also prohibit the Govt. Servants from taking part in politics and elections. As provided under Sub-rule (1) of Rule 5 of the said Conduct Rules, no Govt. Servant shall be a member of or be otherwise associated with, any political party or any organization which take part in politics and that nor shall a Govt. Servant take part in, subscribe in aid of, or assist in any other manner, any political movement or activity. Sub-rule (4) of Rule 5 of the said Conduct Rules further stipulates that no Govt. servant shall canvass or otherwise interfere with, or use his influence in connection with or take part in an election to any Legislature or local authority. However, a Govt. servant is always free to exercise his right to vote at the election without indicating the manner in which he proposes to vote or has voted.

3. The Govt. of India, Ministry of Home Affairs, has laid down with regard to the question of participating of Govt. Servants in political activities that the responsibility for the consequences of the action of Govt. Servants must rest squarely on his shoulders and that plea of ignorance or misconception with respect to activities of any organization or association would not be tenable. It has also been laid down by the Govt. of India that Govt. Servant's attendance at the meeting organized by political parties would

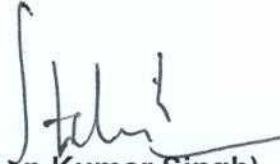
Government Servants should, therefore, avoid giving room for any suspicion that they are favoring any party or any candidate. The Govt. Servants are not expected to take part in any election campaign or canvassing for any candidate. The conduct of Govt. Servants should be such and they should conduct themselves in such a manner to inspire confidence in the public in regard to their impartiality. The Govt. Servants should not only be impartial but should also appear to be so in relation to the elections.

4. The provisions of the relevant Act/Rules and guidelines given above be strictly followed by all the Govt. Servants. And violation or disregard to the provisions and instructions by any Govt. Servant would be considered as a serious act of indiscipline and penal action will be taken against the guilty.

5. All Heads of Offices are also directed not to grant any kind of leave to any Govt. Servant without prior permission of the Collector/Returning Officer, Daman and Diu till completion of General Election to Lok Sabha - 2019.

6. Contents of the Circular should be brought to the notice of all the Govt. Employees.

7. Receipt of the circular should be acknowledged.



(Sandeep Kumar Singh)

Collector/Returning Officer,
1-Daman & Diu Parliamentary Constituency
Daman

To,

All Heads of Offices, Daman and Diu.

Copy to (for information): -

- 1- The Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi – 110 001
- 2- The Chief Electoral Officer, Daman & Diu, Secretariat, Daman
- 3- The Advisor to Hon'ble Administrator, Daman & Diu, Secretariat, Daman