



**NATIONAL BUILDINGS CONSTRUCTION CORPORATION LIMITED**  
**(A Government of India Enterprise)**  
**"Committed to Customers Delight"**

**NBCC Bhawan, Lodhi Road**  
**New Delhi - 110003**

**NBCC SERVICE (CONDUCT) RULES, 1969**

**(as amended upto 31.08.2012)**

**1. Short title, commencement and application :-**

- i) These rules may be called the NBCC Service (Conduct) Rules, 1969.
- ii) They shall come into force at once.
- iii) Save as otherwise provided in these rules, these rules, shall apply to every person appointed to any post in the regular establishment of the National Buildings Construction corporation Limited in connection with the affairs of the corporation.

Provided that nothing in these rules shall apply to a Government Servant who is on foreign service with the Corporation.

**2. Definitions :**

In these rules, unless the context otherwise requires :-

- a) "The Corporation: means the National Buildings Construction Corporation Limited.
- b) "Employees" means any person appointed to any post in the Corporation borne on the regular establishment.
- c) "Board" means the Board of Directors of the Corporation.
- d) "Members of family" in relation to any employee includes :-
  - i) the wife or husband as the case may be of such employee, whether residing with him or not but does not include a wife or husband, as the case may be, separated from the employee by a decree or order of a competent court.

- ii) son or daughter or step-son or step-daughter of the employee and wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the employee or of whose custody the employee has been deprived of by or under any law.
  - iii) any other person related, whether by blood or marriage, to the employee or to the employee's wife or husband and wholly dependent on the employee.
- e) "Regular Establishment" means any monthly paid establishment other than the Temporary Works Establishment.

3. **General** :

1. Every employee shall at all times :-
  - i) maintain absolute integrity;
  - ii) maintain devotion to duty; and
  - iii) do nothing which is unbecoming of an employee of the Corporation.
2. i) Every employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority;
  - ii) No employee shall, in the performance of his official duties, or in the exercise of powers conferred on him act otherwise than in his best judgement 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 direction becomes unavoidable,]<sup>1</sup> the official superior shall confirm it in writing immediately thereafter.*
  - iv) An employee 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**

An employee 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).

### **Explanation-II**

Nothing in clause (ii) of sub-rule(2) shall be construed as empowering an employee 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.

### **3A : Misconduct :**

Without prejudice to the generality of the term "misconduct" the following acts of omission and commission shall be treated as misconduct :-

- (1) Theft, fraud or dishonesty in connection with the business or property of the Corporation or of property of another person within the premises of the Corporation.
- (2) Taking or giving bribes or any illegal gratification.
- (3) Possession of pecuniary resources or property disproportionate to the known sources of income by the employee or on his behalf by another person, which the employee cannot satisfactorily account for.
- (4) Furnishing false information regarding name, age, father's name, qualification, ability or previous service or any other matter germane to the employment at the time of employment or during the course of employment.
- (5) Acting in a manner prejudicial to the interests of the Corporation.
- (6) Wilful insubordination or disobedience, whether or not in combination with others, of any lawful and reasonable order of his superior.
- (7) Absence without leave or over-staying the sanctioned leave for more than four consecutive days without sufficient grounds or proper or satisfactory explanation.
- (8) Habitual late or irregular attendance.
- (9) Neglect of work or negligence in the performance of duty including malingering or slowing down of work.

- (10) Damage to any property of the Corporation.
- (11) Interference or tampering with any safety devices installed in or about the premises of the Corporation.
- (12) Drunkenness or riotous or disorderly or indecent behaviour in the premises of the Corporation or outside such premises where such behaviour is related to or connected with the employment.
- (13) Gambling within the premises of the establishment.
- (14) Smoking within the premises of the establishment where it is prohibited.
- (15) Collection without the permission of the competent authority of any money within the premises of the Corporation except as sanctioned by any law of the land for the time being in force or rules of the Corporation.
- (16) Sleeping while on duty.
- (17) Commission of any act which amounts to a criminal offence involving moral turpitude.
- (18) Absence from the employee's appointed place of work without permission or sufficient cause.
- (19) Purchasing properties, machinery, stores etc. from or selling properties, machinery, stores. etc. to the Corporation without express permission in writing from the competent authority.
- (20) Commission of any act-subversive of discipline or of good behaviour.
- (21) Abetment of or attempt at abetment of any act which amounts to misconduct.
- (22) Breach of any provision of these Conduct Rules.
- (23) Participation and / or inciting others to participate in strikes, gheraos, go-slow and similar other agitational activities or abetting, inciting or acting in furtherance thereof.
- (24) Unauthorised custody and / or use of the Corporation's equipment, tools, quarters, offices, godowns, land or any other property of the Corporation.

- (25) Falsification of Corporation records, impersonation or forgery.
- (26) Making representations to persons or bodies outside the Corporation, whether official or otherwise on matters connected with the affairs of the Corporation or personal grievances against the Management.
- (27) Making representations or sending grievance petition to the members of the Board of Directors or the senior management except through proper channel. (This does not prevent submission of appeals to the prescribed Appellate Authorities under the Rules).
- (28) Attending or holding meeting other than in the course of duty within the Corporation premises without prior permission of the Competent Authority.
- (29) Distribution or exhibition of any newspaper clippings / bulletins, handbills, pamphlets, protest-badges, etc., within the Corporation's premises.
- (30) Deliberately making false statements and allegations before a superior knowing it to be false.
- (31) Applying for appointment, scholarships, fellowships, travelships or for any training to Government or any Public Sector / Private Sector Undertakings without the permission of the Management.
- (32) Proxy registering of attendance or abetting the act of registering attendance of another employee.
- (33) Spreading or encouraging casteism, regionalism or communalism.
- (34) Give or take or abet the giving or taking of dowry or demand directly or indirectly from the parents or guardian of a bride or bridegroom as the case may be any Dowry Prohibition Act, 1961 (28 of 1961).
- (35) Refusal to accept and acknowledge charge sheets, orders or any other communication addressed to an employee.
- (36) Taking any active part in a meeting or demonstration organised by a political party.
- (37) Any other act or omission which the corporation considers as misconduct.

NOTE : The above instances of misconduct are illustrative in nature, and not exhaustive.

**[3 B : Promptness and Courtesy**

*No employee 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.*

**3 C : Observance of Government's policies**

*Every employee shall, at all times -*

- (i) *act in accordance with the Government's policies regarding age of marriage, preservation of environment, protection of wildlife and cultural heritage.*
- (ii) *observe the Government's policies regarding prevention of crime against women.]<sup>2</sup>*

**[ 3 D : Prohibition of sexual harassment of working women.**

- (1) *No employee shall indulge in any act of sexual harassment of any woman at her work place.*
- (2) *Every employee who is Incharge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.*

*Explanation - For the purpose of this rule, "sexual harassment" includes such unwelcome sexually determined behaviour, whether directly or otherwise as --*

- (a) *physical contact and advances;*
- (b) *demand or request for sexual favours;*
- (c) *sexually coloured remarks;*
- (d) *showing any pornography; or*
- (e) *any other unwelcome physical, verbal or non-verbal conduct of a sexual nature." ]<sup>1</sup>*

#### **4. Employment of near relatives of employees in Companies or firms.**

- (1) No employee shall use his position or influence directly or indirectly to secure employment for any member of his family in any Company or firm.
- (2) i) No Group "A" Officer shall, except with the previous sanction of the Corporation permit his son, daughter or other dependent to accept employment in any Company or firm with which he has official dealings or in any other company or firm having official dealings with the Corporation.

Provided that where the acceptance of the employment cannot await prior permission of the Corporation or is otherwise considered urgent, the matter shall be reported to the Corporation and employment may be accepted provisionally subject to the permission of the Corporation.

ii) An employee shall, as soon as he becomes aware of the acceptance by a member of his family of an employment in any Company or firm, intimate such acceptance to the Corporation and shall also intimate whether he has or has had any official dealings with that company or firm.

Provided that no such intimation shall be necessary in the case of a Group "A" officer if he has already obtained the sanction of, or sent a report to, the Corporation under Clause (i).

- (3) No employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or any other person if any member of his family is employed in that Company or firm or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the employee shall refer every such matter of contract to his official superior and the matter on contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

#### **5. Taking part in politics and elections**

- (1) No employee shall be a member of or be otherwise associated with, any political party or any organisation which takes part in politics nor

shall take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

- (2) It shall be the duty of every employee to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established and where an employee is unable to prevent a member of his family from taking part in, or subscribing in aid of, or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Corporation.
- (3) If any question arises whether a party is a political party or whether any organisation takes part in politics or whether any movement or activity falls within the scope of sub-rule (2), the decision of the Corporation thereon shall be final.
- (4) No employee 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; Provided that :-
  - i) An employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
  - ii) An employee shall not be deemed to have contravened the provisions of this sub-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.

### **Explanation**

The display by an employee 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.

### **6. [Joining of Association / Trade Union :**

- (i) *No employee 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.*



- (ii) *"No employee holding group "A" or group "B" post shall become member of a trade union or otherwise hold office in the trade union."*
- (iii) *An employee on holding Group "A" or Group "B" post shall cease to be a member of a trade union or otherwise continue to hold office in the trade union.]<sup>3</sup>*

7. **Demonstration and strikes :**

No employee shall :-

- i) engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order, decency (or morality, or which involves contempt of court, defamation) or incitement to an offence; or
- ii) resort to or in any way abet any form of strike of coercion or physical duress in connection with any matter pertaining to his service or the service of any other employee of the corporation.

8. **[Connection with press or other media :**

- 1) *No employee shall, except with the previous sanction of the Corporation, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication or electronic media.*
- 2) *Nothing in sub-rule (1) shall apply in case of an employee in the bonafide discharge of his official duties publishes a book or participates in a public media.*
- 3) *An employee publishing a book or participating in a public media shall at all times make it clear that the views expressed by him are his own and not that of Corporation.]<sup>2</sup>*

9. **Criticism of Government or Corporation :**

No employee shall, in *[any radio broadcast, telecast through any electronic media]<sup>2</sup>* or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion :-

- i) which has the effect of an adverse criticism or any current or recent policy or action of the Central Government or a State Government or the Corporation.

*[Provided that in the case of an employee, nothing contained in this clause shall apply to bonafide expression of views by him as an office bearer of a trade union or association of employees for the purpose of safeguarding the conditions of service of such employees or for securing an improvement thereof.]<sup>2</sup>*

- ii) which is capable of embarrassing the relations between the Central Government and Government of any State and / or the Corporation.
- iii) Which is capable of embarrassing the relations between the Central Government and the Government of any foreign State.

Provided that nothing in this Rule shall apply to any statements made or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him.

#### **Explanation**

*Instances have come to the notice of the Corporation where some employees on behalf of the Service Association (including Unions; Federations etc.) of the Corporation (Recognised or un-recognised) are criticising the action of the Corporation or passing resolution, making statement and / or expressing opinion on issues which involve violation of Rule 9 of the NBCC Service (Conduct) Rules, 1969. While there is no objection to the Association / Unions taking up matters of general interest of its members provided that such matters are not in the nature of criticism or subversive of discipline. Such employees who are parties or signatories to the resolutions or other activities mentioned above would render themselves liable to disciplinary action, if they in their individual capacity or in their capacity as office bearers of Associations / Unions of Corporation employees or Editors / Publishers / Office bearers of Journals issued by such Associations/ Union / Office bearers of Journals issued by such Associations/ Unions, have violated the provisions of Rule-9 of the NBCC Service (Conduct) Rules, 1969.]<sup>4</sup>*

#### 10. **Evidence before committee or any other authority :**

- (1) Save as provided in sub-rule (3), no employee shall except with the previous sanction of the Corporation give evidence in connection with any enquiry conducted by any person, committee or authority.

- (2) Where any sanction has been accorded under sub-rule (1) no employee giving such evidence shall criticise the policy or any action of the Central Government or of a State Government or of the Corporation.
- (3) Nothing in this rule shall apply to :-
- a) evidence given at an enquiry before an authority appointed by the Government, Parliament or a State Legislature; or
  - b) evidence given in any judicial enquiry; or
  - c) evidence given at any departmental enquiry ordered by authorities subordinate to the Govt. or to the Corporation.

### **11. Unauthorised communication of information**

No employee shall, except in accordance with any general or special order of the Corporation or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly any official document or any part thereof or information to any employee of the Corporation or any other person to whom he is not authorised to communicate such document or information.

*[Vide NBCC circular No. 54(1) /04-Admn dated 28.9.2007 it was reiterated that the employees of the Corporation are debarred from communicating Corporations business related and project related information to external agencies including media. Any such communication shall amount to unauthorised communication of information in terms of this Rule.]<sup>5</sup>*

#### **Explanation**

Quotation by an employee (in his representations to the Head of Office or Head of Department or Corporation) of or from any letter, circular or office memorandum, or from the notes on any file, to which he is not authorised to have access, or which he is not authorised to keep in his personal custody or for personal purposes shall amount to unauthorised communication of information within the meaning of this rule.

### **12. Subscriptions**

No employee shall, except with the previous sanction of the Corporation ask for or accept contributions to, or otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance of any object whatsoever.

### **13. Gifts**

- (1) Save as otherwise provided in these rules, no employee shall accept or permit any member of his family or any other person acting on his behalf to accept any gift.

#### **Explanation**

The expression 'gift' shall include free transport, boarding lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with the employee.

#### **Note (i)**

A casual meal, lift or other social hospitality shall not be deemed to be a gift.

#### **Note (ii)**

*[An employee shall avoid accepting lavish hospitality or frequent hospitality from any individual, industrial or commercial firms or organisations etc. having official dealings with him.]<sup>1</sup>*

- (2) *[On occasions, such as weddings, anniversaries, funerals or religious functions, when the making of gift is in conformity with the prevailing religious or social practice, an employee may accept gifts from his near relatives or from his personal friends having no official dealings with him, but he shall make a report to the Corporation if the value of such gifts exceeds :-*
- i) Rupees seven thousand in the case of an employee holding any Group "A" post.*
  - ii) Rupees four thousand in the case of an employee holding any Group "B" post.*
  - iii) Rupees two thousand in the case of an employee holding any Group "C" post; and*
  - iv) Rupees one thousand in the case of an employee holding any Group "D" post.*
- (3) *In any other case, an employee shall not accept any gift without the sanction of the Corporation if the value exceeds: -*
- i) Rupees one thousand and five hundred in case of an employee holding any Group "A" or Group "B" post; and*

- ii) *Rupees five hundred in the case of an employee holding any Group "C" or Group "D" post.]<sup>6</sup>*
- (4) *[Notwithstanding anything contained in Sub-rules (2) and (3), an employee being a member of the Indian delegation or otherwise, may receive and retain gifts from foreign dignitaries if the market value of such gifts received on one occasion does not exceed rupees one thousand. In all other cases, the acceptance and retention of such gifts shall be regulated by the Corporation in this regard from time to time.*
- (5) *An employee shall not accept any gifts from any foreign firm which is either contracting with the Corporation or is one with which an employee had, has or is likely to have official dealings. Acceptance of gifts by an employee from any other firm shall be subject to the provisions of Sub-rule (3).]<sup>1</sup>*
- (6) [...deleted...]<sup>1</sup>
- (7) [...deleted...]<sup>1</sup>
- (8) [...deleted...]<sup>1</sup>

**13-A.** No employee shall :-

- i) give or take or abet the giving or taking of dowry; or
- ii) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom as the case may be, any dowry.

**Explanation :**

For the purposes of this rule "dowry" has the same meaning as in the "Dowry Prohibition Act, 1961 (28 of 1961).

**14. Public demonstrations in honour of employees of the Corporation.**

No employee shall, except with the previous sanction of the Corporation, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour of any other employee ;

Provided that nothing in this rule shall apply to :-

- i) A farewell entertainment of a substantially private and informal character held in honour of an employee or any other employee on the occasion of his retirement or transfer or any person who has recently quit the service of the Corporation; or

- ii) The acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

Note : Exercise of pressure or influence of any sort on any employee to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character, and the collection of subscriptions from Group "C" or Group "D" employees under any circumstances for the entertainment or any employee not belonging to Group "C" or Group "D" is forbidden.

#### 15. **Private trade or employment**

- (1) Subject to the provisions of sub-rule (2) no employee shall, except with the previous sanction of the Corporation :-
  - a) engage directly or indirectly in any trade or business, or
  - b) negotiate for, or undertake, any other employment, or
  - c) hold an elective office, or canvass for a candidate or candidate for an elective office, in anybody, whether incorporated or not, or
  - d) canvass in support of any business of insurance agency, commission agency, etc. owned or managed by any member of his family, or
  - e) take part except in the discharge of his official duties in the registration, promotion or management of any bank or other company registered or required to be registered under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force, or of any co-operative society for commercial purposes.
  - f) *[participate in or associate himself in manner in the making of -*
    - i) a sponsored media (radio or television) programme; or*
    - ii) a media programme commissioned by Government media but produced by a private agency; or*
    - iii) a privately produced media programme including video magazine.*

*Provided that no previous permission shall be necessary in case where he employee participates in a programme produced or commissioned by Government media in his official capacity. ]<sup>1</sup>*

- (2) An employee may, without the previous sanction of the Corporation: -
- a) undertake honorary work of a social or charitable nature, or
  - b) undertake occasional work of a literary, artistic or scientific character, or
  - c) participate in sports activities as an amateur, or
  - d) take part in the registration, promotion or management (not involving the holding of an elective office) of a literary, scientific or charitable society or of a club or similar organisation, the aims or objects of which relate to promotion of sports, cultural or recreational activities, registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being in force, or
  - e) take part in the registration, promotion or management (not involving the holding of elective office) of a cooperative society substantially for the benefit of Government servants, registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law for the time being in force.

Provided that :-

- i) he shall discontinue taking part in such activities, if so directed by the Corporation and
  - ii) in a case falling Under Clause (d) or clauses(s) of this sub-rule, his official duties shall not suffer thereby and he shall, within a period of one month of his taking part in such activity, report to the Corporation giving details of the nature of his participation.
- (3) Every employee shall report to the Corporation, if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.
- (4) Unless otherwise provided by general or special orders of the Corporation, no employee may accept any fee for any work done by him for any private or public body or any private person without the sanction of the prescribed authority.

**Explanation :**

The term "fee" used here shall have the meaning assigned to it in Fundamental Rule 9 (6-A).

***[Restriction on Joining Private Commercial Undertakings after retirement***

*No Functional Director of the Corporation including the Chief Executive, who has retired from the service of the Corporation, after such retirement, shall accept any appointment or post, whether advisory or administrative, in any firm or company, whether Indian or foreign, with which the company has or had business relations, within two year from the date of his retirement without prior approval of the government.*

*Provisio 1: The term 'retirement' includes' resignation'; but not cases of those whose term of appointment was not extended by Government for reasons other than proven misconduct.*

*Provisio 2: The term 'business relations' includes 'official dealings' as well.]<sup>7</sup>*

*[No Executive of the Corporation of the level of Project Manager and above or its equivalent rank in other disciplines, who has retired / resigned from the services of the Corporation, after such retirement/resignation, shall accept any appointment or post, whether advisory or administrative, in any firm or company, whether Indian or foreign, with which the Corporation has or had business relations including official dealings, within two years from the date of his retirement/resignation without prior approval of the Chairman-cum-Managing Director.]<sup>8</sup>*

**16. Investment, lending and borrowing**

- (1) No employee shall speculate in any stock, share or other investment.

*[Provided that nothing in this sub-rule shall apply to occasional investments made through stock brokers or other persons duly authorized and licensed or who have obtained a certificate of registration under the relevant law.]<sup>1</sup>*

**Explanation**

Frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.



- (2) No employee shall make, or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties. *[For this purpose, any purchase of shares out of the quotas reserved for Directors of Companies or their friends and associates shall be deemed to be an investment which is likely to embarrass the employee.]*<sup>1</sup>
- (3) If any question arises whether any transaction is of the nature referred to in sub-rule (1) or sub-rule (2) the decision of the Corporation thereon shall be final.
- (4) No employee shall save in the ordinary course of business with a bank or a public limited company, either himself or through any member of his family or any other person acting on his behalf.
  - i)
    - a) Lend or borrow or deposit money, as a principal or an agent, to, or from or with, any person or firm or private limited company within the local limits of his authority or with whom he is likely to have official dealings or otherwise place himself under any pecuniary obligation to such person or firm of private limited company; or
    - b) lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid.

Provided that an employee may, give to, or accept from, a relative or a personal friend, a purely temporary loan of a small amount free of interest, or operate a credit account with the bonafide tradesman or make an advance of pay to his private employee.

Provided further that nothing in this sub-rule shall apply in respect of any transaction entered into by an employee with the previous sanction of the Corporation.

- ii) When an employee is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of sub-rule (3) or sub-rule (4) he shall forthwith report the circumstances to the Corporation and shall thereafter act in accordance with such order as may be made by the Corporation.

## **17. Insolvency and habitual indebtedness**

An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee against whom any legal proceeding is instituted for the recovery of any debt due from him or for

adjudging him as an insolvent shall forthwith report the full facts of the legal proceeding to the Corporation.

Note : The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise of ordinary diligence, the employee could not have foreseen or over which he had no control, and had not proceeded from extravagant or dissipated habits shall be upon the employees.

**18. Movable, Immovable, Valuable property.**

- (1) (i) Every employee shall on his first appointment to any service or post submit a return of his assets and liabilities in such form as may be prescribed by the Corporation, giving the full particulars regarding :-
- a) The immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;
  - b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him;
  - c) other movable property inherited by him or similarly owned, acquired or held by him;
  - d) debts and other liabilities incurred by him directly or indirectly.

**Note-I**

Sub-rule(1) shall not ordinarily apply to Group "D" employee but the Corporation may direct that it shall apply to any such employee or Group of such employees.

**Note-II**

*[In all returns, the values of items of movable property worth less than Rs.10,000/- may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books etc. need not be included in such return.]<sup>1</sup>*

**Note-III**

Every employee who is in service on the date of the commencement of these rules shall submit a return under this sub-rule on or before such date as may be specified by the Corporation after such commencement.

ii) Every employee belonging to any service or holding any post included in Group "A" or Group "B" shall submit an annual return in such form as may be prescribed by the Corporation in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family or in the name of any other person.

(2) No employee shall, except with the previous knowledge of the prescribed authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift, or otherwise either in his own name or in the name of any member of his family.

Provided that the previous sanction of the prescribed authority shall be obtained by the employee if any such transaction is with a person having official dealings with him.

*[As acquisition/disposal of immovable property for a consideration through Power of Attorney affects de-facto transfer of possession of the immovable property, in such cases also it will be mandatory for the employees to intimate to the prescribed Authority all transactions carried out by them through General Power of Attorney pertaining to sale/purchase of immovable property.]<sup>9</sup>*

(3) *[Where an employee enters into a transaction in respect of movable property either in his own name or in the name of a member of his family he shall within one month from the date of such transaction report the same to the prescribed authority if the value of such property exceeds [two month's basic pay of the employee]<sup>10</sup>.*

*Provided that the previous sanction of the prescribed authority shall be obtained by the employee if any such transaction is with a person having official dealings with him.]<sup>1</sup>*

*[3(i) Group "A" or "B" employees of the Corporation shall give an intimation to the Prescribed Authority in the prescribed proforma, if his / her total transaction in shares, securities, debentures and mutual fund schemes etc., exceed Rs.50,000/- during a calendar year.*

*3(ii) A Group "C" and "D" employees of the Corporation shall give an intimation to the prescribed Authority in the prescribed proforma, if his / her total transaction in shares, securities, debentures and*

*mutual fund schemes etc., exceed Rs.25,000/- during a calendar year.*

**Explanation**

*It is certified that shares, securities, debentures etc., are treated as movable properties for the purpose of Rule 18(3) of the NBCC Service (Conduct) Rules, 1969. If an individual's transaction exceeds the limit prescribed in Rule 18 (3), intimation to the Prescribed Authority would still be necessary in addition to the intimation prescribed in para 3(i) and (ii) above.]<sup>4</sup>*

- (4) The Corporation may, at any time by general or special order require an employee to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the Corporation include the details of the means by which, or the sources from which, such property was acquired.
- (5) The Corporation may exempt any category of employees belonging to Group "C" or Group "D" from any of the provisions of this rule except sub-rule (4).

**Explanation – I**

- i) For the purpose of this rule (1) the expression "movable property" includes :-
  - a) *[Jewellery, insurance policies, the annual premia of which exceeds Rupees 10,000 thousand or one-sixth of the total annual emoluments received from Corporation whichever is less, shares, securities and debentures;]*<sup>1</sup>
  - b) All loans, whether secured or not, advances or taken by the employee;
  - c) motor cars, motor cycles, horses or any other means of conveyance; and
  - d) refrigerators, radios, radiograms and television etc.
- ii) "Prescribed Authority" means :-

*[The Chairman-cum-Managing Director of the Corporation in the case of all regular employees in the scale of pay of Rs.12000-16500 and above; "Director (Projects)" of the Corporation in the case of regular employees in the scale of Rs.10000-15200 and Executive Director*

*(Vigilance) / Chief Vigilance Officer of the Corporation in the case of all other regular employees of the Corporation.]<sup>1</sup>*

*[Secretary MOUD has been designated as the Prescribed Authority/Controlling Officer for approving acquisition /disposal of immovable/movable property in respect of CEO/CMD of the Corporation under Rule 18 as per approval granted by the BOD in its 369<sup>th</sup> meeting held on 18.12.2007.]<sup>11</sup>*

## **Explanation – II**

For the purposes of this rule, lease means except where it is obtained from, or granted to a person having official dealings with the employee, lease or immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

## **18-A Restrictions in relation to acquisition and disposal of immovable property outside India and transactions with foreigners etc.**

Notwithstanding anything contained in sub-rule (2) of Rule-18, no employee shall except with the previous sanction of the prescribed authority :-

- a) acquires, by purchase, mortgage, lease, gift or otherwise either in his own name or in the name of any member of his family, any immovable property situated outside India;
- b) dispose of, by sale, mortgage, gift or otherwise, or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family;
- c) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern;
  - i) for the acquisition, by purchase, mortgage lease, gift or otherwise, either in his own name or in the name of any member of his family, or any immovable property;
  - ii) for the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of, any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

## **Explanation**

In this rule, "prescribed authority" has the same meaning as in Rule-18.

**19. Vindication of acts and character of employees**

- 1) No employee shall except with the previous sanction of the Corporation have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character.
- 2) Nothing in this rule shall be deemed to prohibit an employee from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit a report to the Corporation regarding such action.

**20. Canvassing of non-officials or other outside influence.**

No employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Corporation.

**21. Restriction regarding marriage**

- 1) No employee shall enter into, or contract, a marriage with a person having a spouse living.
- 2) No employee having a spouse living, shall enter into or contract, a marriage with any person, and

Provided that the Corporation may permit an employee to enter into, or contract any such marriage as is referred to in clause (1) or clause (2), if it is satisfied that :-

- a) Such marriage is permissible under the personal law applicable to such employee and the other party to the marriage, and
  - b) There are other grounds for so doing.
- 3) An employee who has married or marries a person other than of Indian Nationality shall forthwith intimate the fact to the Corporation.

**22. Consumption of Intoxicating Drinks and Drugs**

An employee shall :-

- a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;
- b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug;
- c) refrain from consuming any intoxicating drink or drug in a public place.
- d) not appear in a public place in a state of intoxication; and
- e) not use any intoxicating drink or drug to excess.

### **Explanation**

For the purpose of this rule, 'public place' means any place or premises (including conveyance) to which the public have or are permitted to have access, whether on payment or otherwise.

### **23. Interpretation**

If any question arises relating to the interpretation of these rules, it shall be referred to the Board whose decision thereon shall be final.

### **24. Delegation of Powers**

The Board may, by general or special order, direct that any power exercisable by the Corporation or the Board under these Rules (except the powers under rule 23 and this rule) shall subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

### **25. Repeal and Saving**

Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to the employees of the Corporation to whom these rules apply are hereby repealed.

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

Provided further that such repeal shall not affect the previous operations of the rules so repealed and a contravention of any of the said rules shall be punishable as if it were a contravention of these rules.



### Superscripts:

1. Amended/Inserted/Substituted vide NBCC H.O. Circular No. 54(1)87-Admn. **18<sup>th</sup> Sept 1998** issued by Manager(Pers/IR) as per approval granted by BOD in their 305<sup>th</sup> meeting held on 25.5.98
2. Substituted/amended vide NBCC H.O. Circular No. 54(1)/87-Admn. dated **19.12.1995** issued by Manager(P&A) as per approval granted by BOD in their 287<sup>th</sup> meeting held on 10.11.1995
3. Substituted vide NBCC H.O. Circular No. 54(1)/04-Admn./2243 dated **18.11.2004** issued by General Manager(Pers/IR) as per approval granted by BOD in their 342<sup>nd</sup> meeting held on 16.09.2004
4. Substituted/amended vide NBCC H.O. Circular No. 54(1)/87-Admn. dated **22.9.1994** issued by Manager(Admn) as per approval granted by BOD in their 277<sup>th</sup> meeting held on 11.8.1994
5. Clarified vide NBCC H.O. Circular No. 54(1)/04-Admn/3001 dated **28.9.2007** issued by General Manager(Pers/IR) with the approval of Competent Authority.
6. Substituted vide NBCC H.O. Circular No. 54(1)/05-Pers/647 dated **04.03.2005** issued by General Manager(Pers/IR) as per approval granted by BOD in their 345<sup>th</sup> meeting held on 07.02.2005
7. Inserted vide NBCC H.O. Circular No. 54(1)87-Admn. Dated **14.8.2001** as per approval granted by BOD in their 322<sup>nd</sup> meeting held on 24.5.2001. Subsequently replaced vide NBCC H.O. Circular No. 54(1)/2002- dated **15.2.2002** issued by Addl General Manager(Pers)-I as per approval granted by BOD in their 325<sup>th</sup> meeting held on 12.12.2001.
8. Inserted vide NBCC H.O. Circular No. 54(1)/2004-Admn./pers/1394 dated **13.7.2004** issued by General Manager(Pers/IR) as per approval granted by BOD in their 340<sup>th</sup> meeting held on 01.07.2004. Also refer NBCC H.O. Circular No. 54(1)/2004-(Admn)/Pers/1419 dated **15.7.2004** vide which consolidated form of Rule 15 incorporating all amendments was circulated.

9. Provided vide NBCC circular No. 54(1)/87-Admn/455 dated **19.04.1999** issued by Manager(Pers/IR) as per DOPT observation vide its OM No. 11013/9/98-Estt(D) dated 29.12.1998
  
10. Substituted vide NBCC H.O. Circular No. 54(2)/2011-Estt/5793 dated **03.12.2011** issued by General Manager(Pers/IR) as per approval granted by BOD in their 400<sup>th</sup> meeting held on 23.11.2011
  
11. Provided vide NBCC H.O. Circular No. 54(1)/2008-Estt/27 dated **3.1.2008** issued by General Manager (P&IR) as per approval granted by BOD in its 369<sup>th</sup> meeting held on 18.12.2007

**LIST OF RULES & SUB-RULES WHICH HAVE UNDERGONE AMENDMENTS OVER TIME**

S.NO.	Amended Rule/Sub-Rule
1	Rule 3 - General sub rule-2(iii)
2	Rule 3B: Promptness & Courtesy
3	Rule 3C: Observance of Government's Policies
4	Introduction of new rule Rule 3 D : Prohibition of sexual harassment of working women.
5	Rule 6 : Joining of Association
6	Rule 8: Connection with Press or other media Sub-rule 1-3
7	Rule 9: Criticising Government or Corporation
8	Rule 13 - Gifts Sub-rule 1 – Note(ii) Sub-rule 2 - 8
9	Rule 15 : Private trade or employment Sub-rule 1 (f) Sub-rule 4
10	Rule 16 : Investment, lending and borrowing Sub-rule 1 & 2
11	Rule 18 : Movable, Immovable, Valuable property. Sub-rule 1 Note-ii Sub-rule 3, 3(i) & 3(ii) Explanation, Explanation-I (i) & (ii)

**CHRONOLOGICAL LIST OF CIRCULARS / AMENDMENTS – NBCC SERVICE CONDUCT RULES, 1969.**

<b>S.No</b>	<b>PARTICULARS</b>	<b>CIRCULAR NO.</b>	<b>DATE</b>
1	AMENDMENT TO RULE 18(a) OF SUB RULE (3)	54(2)/2011-Estt./	03.12.2011
2	CONTROLLING OFFICER OF CEO OF PSUs UNDER RULE 18	54(1)/2008-ESTT/27	03.01.2008
3	GENERAL CIRCULAR REG. RULE-11	54(1)/04-Admn. / 3001	28.09.2007
4	RULE-13 SUB RULE (2), (3), RULE-18	54(1)/05-PERS/647	04.03.2005
5	RULE-6 – JOINING OF ASSOCIATION/TRADE UNION	54(1)/04-ADMN / 2243	18.11.2004
6	REG. RESTRICTION ON JOINING PRIVATE COMMERCIAL UNDERTAKINGS AFTER RETIREMENT	54(1)/2004-ADMN.) / PERS/1419	15.07.2004
7	REG. RESTRICTION ON JOINING PRIVATE COMMERCIAL UNDERTAKINGS AFTER RETIREMENT	54(1)/2004-(ADMN.) /PERS/1394	13.07.2004
8.	AMENDMENT –RESTRICTION ON TOP LEVEL EXECUTIVES OF PUBLIC ENTERPRISES JOINING PRIVATE COMMERCIAL UNDERTAKINGS AFTER RETIREMENT	54(1)/2002-estt-ii	15.02.2002
9.	AMENDMENT – RULE-15 SUB RULE (4)	54(1)/87-ADMN.	14.08.2001
10.	REG. INTIMATION OF TRANSACTIONS (SALE / PURCHASE) IN IMMOVABLE PROPERTY ON GPA	54(1)/87-ADMN.	19.04.1999
11.	AMENDMENT – RULE NO.3 (GENERAL), RULE-13 (GIFTS), RULE-15 (PRIVATE TRADE OR EMPLOYMENT), RULE-16 (INVESTMENT IN LENDING & BORROWING AND RULE-18 (MOVABLE, IMMOVABLE AND VALUABLE PROPERTY)	54(1)/87-ADMN.	18.09.1998
12.	AMENDMENTS/SUBSTITUTION/MODIFICATIONS – RULE-3B, 3C, RULE-8, RULE-9	54(1)/87-ADMN.	19.12.1995
13.	AMENDMENT – RULE-18 SUB-RULE-3(i), 3(ii), RULE-9	54(1)/87-ADMN.	22.09.1994
14.	<b>OLD – NBCC SERVICE (CONDUCT) RULES, 1969 – AMENDED UPTO 19.12.1995</b>		