

Most Immediate  
For Personal Attention

No.Per(A-IV)-B(15)-3/2009  
Government of Himachal Pradesh  
Department of Personnel,  
Appointment-IV Section.

From

The Chief Secretary to the  
Government of Himachal Pradesh.

To

1. All the Additional Chief Secretaries/  
Principal Secretaries/Secretaries to the  
Government of Himachal Pradesh, Shimla-171002.
2. All the Heads of Departments in Himachal Pradesh.
3. All the Divisional Commissioners/Deputy  
Commissioners in Himachal Pradesh.
4. All the Managing Directors of Board/Corporations in  
Himachal Pradesh.

Dated Shimla-171 002, the 12<sup>th</sup> July ~~May~~, 2011.

Subject:-

Regarding prior permission for purchasing of any  
immovable property.- instructions thereof.

Sir/Madam,

I am directed to invite a reference to the subject mentioned above and to say that **Rule 16 (3) of the All India Service (Conduct) Rules, 1968** provides that no member of the service shall, without the previous knowledge of the Government acquire/dispose off 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. There is also similar provision in **sub rule (2) of Rule 18 of the CCS (Conduct) Rules, 1964**, in respect of other Government servants. These rules specifically provide that **"Previous Sanction"** of the Government/prescribed authority shall be obtained, if any such transaction is with a person having official dealings with the member of the service or Government Servant as the case may be. The word "Previous Knowledge" as used in the rules ibid by common interpretation means "Prior Intimation/Information" to the State Government or prescribed authority as the case may be for the proposed acquisition/disposal of immovable property i.e. land/flat/house etc.

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The instances have come to the notice of the Government that many officers are not adhering to the provisions of Conduct Rules as they are acquiring/disposing off immovable property i.e. land/flats/houses etc. without "Previous Knowledge" of the Government or the prescribed authority as provided in the Conduct Rules mentioned above. However, the intimation of such transactions post deal amounts to violation of relevant provisions of these Rules. In such a scenario virtually nothing is left for examination at the level of Government or the prescribed authority whether the immovable property has been purchased from a person having official dealing with the concerned officer or whether the cost of property acquired is commensurate to the known sources of the concerned.

It is reiterated that the provisions of All India Service (Conduct) Rules, 1968 and CCS (Conduct) Rules, 1964, be adhered to strictly failing which officers will be liable for disciplinary action.

Yours faithfully,

*M Nanda*

Principal Secretary (Personnel) to the  
Government of Himachal Pradesh.

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