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POLITICAL DEPARTMENT
(GENERAL BRANCH)

NOTIFICATION

The 20th July, 1960

No. A/A1-102/60--P.G.-2079- In exercise of the powers conferred by the proviso to article 309 of the Constitution, and in supersession of all previous instructions of the subject, the Governor of Bihar is pleased to make the following rules, namely:-

THE BIHAR GOVERNMENT SERVANTS (RECOGNITION OF SERVICE ASSOCIATIONS) RULES, 1960

1. Short title-These rules may be called the Bihar Government servants' (Recognition of Service Associations) Rules 1960.
2. Definitions- In these rules, unless there is anything repugnant in the subject or context :-
 - (a) "The Government" means the Government of Bihar;
 - (b) Government Servants' (Conduct) Rules, 1956, apply.
3. Service Associations already recognised- A Service Association which has been recognised by the Government before the commencement of these rules and in respect of which the recognition is subsisting at such commencement shall be deemed to have been recognised by the Government under these rules and shall continue to be so recognised unless and until the recognition is withdrawn under rule 6.
4. Conditions for recognition of Service Associations- No Service Association shall be recognised by the Government after the commencement of these rules, unless all the following conditions are satisfied, namely :-
 - (a) An application for recognition of the Service Association is made with all the information relevant for such recognition.
 - (b) The Service Association is formed primarily with the object of promoting the common service interests of its members;
 - (c) Membership of the Service Association is restricted to a distinct category of Government servants having such common interest all such Government servants being eligible for membership of the service Association.
 - (d) no person, who is not a Government Servant, is connected with the affairs of the Service Association ;
 - (e) The executive of the Service Association is appointed from amongst the members only ; and
 - (f) The funds of the Service Association consist exclusively of subscriptions from members and grants, if any, made by the Government, and are applied only for the furtherance of the objects of the Service Association.
5. Conditions subject to which recognition is granted- Every Service Association recognised or deemed to have been recognised under these rules shall comply with the following conditions namely :-
 - (a) The Service Association shall not send any representation or deputation except in connection with a matter which is of common interest to members of the Service Associations;

(b) The Service Association shall not espouse or support the cause of individual Government Servants relating to service matters :-

(c) The Service Association shall not maintain any political fund or lend itself to the propagation of the views of any political party or political.

(d) All representations by the Service Association shall be submitted through proper channel and shall as a normal practice be addressed to the Secretary or Head of the Department of Office :-

(e) A list of members and office bearers, an up to date copy of the rules and an audited statement of accounts of the Service Association shall be furnished to the Government annually, through proper channel, after the general annual meeting so as to reach the Government before the 1st day of July, each year :

(f) Whenever the Service Association proposes to make any amendment to its rules, it shall send immediately a copy of the draft amendment to the Government in advance for their scrutiny and approval. The Government may allow only such amendments to be made in the rules of the Service Association as are not inconsistent with these rules:

(g) The Service Association shall not amalgamate, unite or affiliate itself with any other body, without obtaining previous permission of the Government.

(h) The Service Association shall not state or publish any periodical magazine or bulletin without the previous approval of the Govt.

(i) The Service Association shall cease to publish any periodical magazine or bulletin, if directed by the Govt. to do so on the ground that the publication thereof is prejudicial to the interests of the Central Govt. the Government of any State or any Government authority or to good relations between Government servants and the Government or any government authority.

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

(k) 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 rules 4A and 4B of the Bihar Government Servant (Conduct) Rules, 1953;

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

6. Withdrawal of recognition-If in the opinion of Government, a service recognition under these rules has failed to comply with the conditions set out in rule 4 or rule 5, the Government may withdraw the recognition accorded to such association.

7. Relaxation-The Government may dispense with or relax the requirements of any of these rules to such extent and subject to such conditions as it may deem fit in regard to any Service Association or class of Service Associations.

8. Interpretation-If any question arises as to the interpretation of any of the provisions of these rules it shall be referred to the Govt. whose decision thereon shall be final.

By order of the Government of Bihar,
Sd/- W. C. Rao,
Chief Secretary, Bihar.