

GOVERNMENT OF WEST BENGAL.

Home Department.

General Administration.

MEMORANDUM.

No. 1733G.A.

Calcutta, the 18th June 1948.

Departmental action against Government servants for participation in the activities of unlawful organisations.

In pursuance of an order of the Government of India in the Ministry of Home Affairs, dated the 12th January 1948, copy enclosed, stating *inter alia* that the Rashtriya Swayam Sewak Sangh should be treated as a Political Organisation for the purposes of rule 23 of the Government Servants Conduct Rules, the undersigned is directed to say that it has been decided that departmental action should be taken against such Government servants who have continued to be members, or to take part in the activities (including physical exercises) of the Rashtriya Swayam Sewak Sangh after the issue of these orders. It is not contemplated however that enquiries should be initiated to ascertain if any Government servant continues to be a member of the Rashtriya Swayam Sewak Sangh. Government would consider it sufficient if action is taken as and when cases come to notice and if a general watch is kept on the situation.

2. The cases of Government servants if and when arrested for alleged association with Rashtriya Swayam Sewak Sangh, also require consideration in this connection. Government servants, so arrested, would have to be treated as being under suspension, with effect from the dates of their arrest. The departmental action against Government servants so arrested should depend on what charges the police have against them. If the Government servants so arrested are let off without blemish no notice need be taken of their arrest. In cases where mere participation in the drill of the Rashtriya Swayam Sewak Sangh

was the cause of arrest, the authorities concerned should take departmental action on the release from arrest of the Government servants if the participation was subsequent to the orders conveyed herein. No action need, however, be taken, nor any notice taken of the arrest therefor, if the participation was merely in drill and was prior to the issue of these orders. In other cases treatment would depend on the merits of each case and suspension followed by departmental proceedings would be suitable provided it is ascertained that the police have something concrete against the Government servant concerned.

3. What has been stated above applies *mutatis mutandis* to other unlawful organisations also, e.g., the Muslim National Guards.

R. GHOSH,

Presidency College Under Secretary to the
Government of West Bengal.

Calcutta 822

No. N 25/28/47-Ests. dated New Delhi, the 12th
January 1948.

Diary No. 300 Date.....
Memo. by—The Deputy Secretary to the Government of India, Ministry of Home Affairs.

Ass'tt.....
Participation by Government Servants in political activities.

It has come to the notice of Government that some Government servants have been taking part in the activities of the Rashtriya Swayam Sewak Sangh. It is presumed that they have done so under the impression that the Sangh is a non-political organisation. Rule 23(i) of the Government Servants Conduct Rules lays down that Government servants should not take part in, subscribe in aid of, or assist in any way, any political movement in India or relating to Indian affairs. Under the Explanation to that clause the expression "political movement" includes any movement or activities tending directly or

indirectly to excite disaffection against, or to embarrass, the Government as by law established or to promote feelings of hatred or enmity between different classes of His Majesty's subjects or to disturb the public peace. The Rashtriya Swayam Sewak Sangh and its activities come within the scope of that rule and explanation. Government servants should not therefore become its members or take part in its activities. The undersigned is accordingly directed to request that Government servants under the Ministry of Finance, etc., and in their attached and subordinate offices, should be warned that membership or participation in the activities of the Sangh involves infringement of rule 23 of the Government Servants Conduct Rules and that persistence in such activities will make them liable to disciplinary action.

R. C. DUTT,

Deputy Secretary to the
Government of India.

Memo: No. 4608(1898)

OM-189G=48

Calcutta, the 29th July, 1948.

R. GHOSH,
Under Secretary to the
Government of West Bengal.

CALCUTTA,
The 8th June 1948.

Copy forwarded to the Principal, Presidency College
for information and necessary action.

WBGP-48/9-3690B

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