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Government of Orissa,  
General Administration Department.

No. 2R/1-31/91

13442

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/Gen. Dhubaneswar, Dt. 18/5/91

To

All Departments  
All Heads of Departments  
All Collectors.

Sub:-

EXECUTIVE INSTRUCTIONS ON RULE 21 OF THE  
ORISSA GOVERNMENT SERVANTS' CONDUCT RULES,  
1959.

The undersigned is directed to say that according to sub-rule (1) of rule 21 of the Orissa Government Servants Conduct Rules, 1959 no Government servant 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 or a benamidar. References have been made to this Department to clarify whether it will be construed as violation of sub-rule (i) of rule 21 of the Orissa Government Servants' Conduct Rules, if the wife of a Government servant has purchased immovable property without obtaining prior permission of the competent authority and the Government servant himself has not purchased the property in the name of his wife.

2. It is, therefore, clarified that all transactions both of immovable and movable property made out of the funds of the Government servant irrespective of the person in whose name the transaction is made should be governed strictly by sub-rules (1) and (3) of rule 21 that is :

(a) Transactions in immovable property:- In all cases the transactions should be with the previous knowledge of the prescribed authority.

(b) Transactions in movable property :-

In all cases a full report to the prescribed authority immediately after completion of the transactions is necessary.

3. Transactions entered into by the spouse or any other member of family of a Government servant out of his or her own funds (including Stridhan, gifts, inheritance) as

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distinct from the funds of Government servant himself, in his or her own name and in his or her own right would not attract the provisions of sub-rules (1) and (3) of rule 21. In such cases, transactions made in immovable and movable property should be included in the property returns to be submitted by the Government servants as separate items. Transactions relating to immovable and movable property should be reported to the prescribed authority immediately after the Government servant comes to know of them.

4. However, the transactions made in immovable and movable property by the spouse or any other member of family of a Government servant with some one with whom the Government servant has official dealings then the Government servant should obtain prior permission of the prescribed authority.

5. Gazetted Government servants who transfer any immovable property or movable property exceeding Rs.4000/- in value and non-gazetted officers who transfer any immovable property or movable property exceeding Rs.2000/- in value to any member of his family should report or obtain sanction of the prescribed authority in accordance with rule 24.

Memo No. 13443 /Gen.

for information.

Copy forwarded to all Branches of G.A. Department

*(Signature)*  
SPECIAL SECRETARY TO GOVERNMENT.

Dt. 18/5/91

*(Signature)*  
DEPUTY SECRETARY TO GOVERNMENT. 16.5.91

BBP.