

Govt servants and RSS activities: what Rules say

Following a directive issued by the Department of Personnel and Training (DoPT) earlier this month, employees can now participate in the activities of the RSS without attracting disciplinary action under the rules of conduct applicable to them.

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The Centre has decided that the “mention of Rashtriya Swayamsevak Sangh (RSS)” as an organisation that government officials cannot be part of, should be “removed”. This [bar on officials participating in activities of the RSS](#) first came into effect almost six decades ago.

Following a directive issued by the Department of Personnel and Training (DoPT) earlier this month, employees can now participate in the activities of the RSS without attracting disciplinary action under the rules of conduct applicable to them.

What is the DoPT’s directive?

On July 9, the DoPT, which manages the central government’s human resources, said the government has “reviewed” instructions issued in 1966, 1970, and 1980, “and it has been decided to remove the mention of

Rashtriya Swayamsevak Sangh (RSS) from the impugned OMs (Official Memorandums) dated 30.11.1966, 25.07.1970 and 28.10.1980”:

What did these circulars say?

* On November 30, 1966, the Ministry of Home Affairs (of which DoPT was part until 1998) issued a circular: “Certain doubts have been raised about Government’s policy with respect to the membership or any participation in the activities of the Rashtriya Swayamsevak Sangh and the Jamaat-e-Islami by Government servants... Government have always held the activities of these two organisations to be of such nature that participation in them by Government servants would attract the provisions of sub-rule (1) of Rule 5” of the Central Civil Services (Conduct) Rules, 1964.

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“Any government servant, who is a member of or otherwise associated with the aforesaid organisations or with their activities, is liable to disciplinary action,” the circular said.

Rule 5 of the 1964 Rules is about “Taking part in politics and elections”:

Rule 5(1) says: “No Government servant shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.”

The All India Services (Conduct) Rules, 1968, which apply to officers of the IAS, IPS, and Indian Forest Service, has a similar Rule 5(1).

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* On July 25, 1970, the MHA said, "Action should invariably be initiated against any Government servant who comes to notice for violation of the instructions [of November 30, 1966]." During the Emergency (1975-77), orders were issued to take action against workers of the RSS, Jamaat-e-Islami, Ananda Marg and CPI-ML, whose activities had been banned.

* On October 28, 1980, the government of Indira Gandhi issued a circular underlining "the need to ensure a secular outlook on the part of Government servants", and stressed that "the need to eradicate communal feelings and communal bias cannot be over-emphasised".

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This circular reiterated the 1966 and 1970 orders: "No notice should be taken by Government and its officers, local bodies, state-aided institutions of petitions or representations on communal basis, and no patronage whatsoever should be extended to any communal organisation... Any disregard of these instructions should be considered as a serious act of indiscipline and suitable action initiated against the erring employees."

What was the position prior to 1966?

Before the notification of the Central Civil Services (Conduct) Rules, 1964, and the All India Services (Conduct) Rules, 1968, there was the Government Servants' Conduct Rules, which were framed in 1949, when Sardar Vallabhbhai Patel was home minister.

Rule 23 of 1949 was the same as Rule 5 of 1964 and 1968. Thus, participating in political activities was always prohibited for government

employees. The nature of the organisations in question was clarified from time to time as per requests and representations.

What can happen in case of violations of these Rules?

Rule 5(3) of the 1964 Rules says: "If any question arises whether a party is a political party or whether any organisation takes part in politics...the decision of the Government thereon shall be final."

Rule 5(3) of the All India Services (Conduct) Rules, 1968, says: "If any question arises whether any movement or activity falls within the scope of this rule, the question shall be referred to the Government for its decision."

In the most serious cases, violations could lead to the official concerned being dismissed from service. However, since the RSS does not have a system of formal membership, it is difficult to establish an individual's association with it.

So what does the July 9 circular mean?

It essentially means that the RSS is not a "political" organisation, and that central government employees can now take part in RSS activities without fear of attracting action under Rule 5(1) of the Conduct Rules.

Crucially, however, while the 1966, 1970, and 1980 circulars also mentioned the Jamaat-e-Islami as an organisation of a "political" nature, the July 9 circular removes that tag from only the RSS. This means that the Jamaat-e-Islami still remains an organisation whose activities are categorised as "political", and government officials cannot take part in them.

Is this the first time that a government has removed the RSS's "political" tag?

All three circulars were issued when Indira was PM. However, all governments have had the same approach towards the RSS.

Through the 1980s and 90s, when Rajiv Gandhi, P V Narasimha Rao, and the National Front and United Front governments were in power, the circulars of 1966, 1970, and 1980 remained applicable.

This situation did not change when Atal Bihari Vajpayee, a swayamsevak himself, was PM from 1998 to 2004. The same policy continued for 10 years of the [Narendra Modi](#) government from 2014 onward — until July 9. On January 5, 2016, in response to a question asked by [The Indian Express](#) under the Right to Information (RTI) Act, 2005, the DoPT reiterated: "No such orders withdrawing the OM/s dated 1966, 1980 has been issued."

What has been the RSS's attitude towards these Rules?

The RSS, which describes itself as a non-political, cultural organisation, has repeatedly said that its activities are not affected by such restrictions.

On December 1, 2014, Sarsanghchalak Mohan Bhagwat, when asked whether he would ask the Modi government to lift these restrictions on government employees, said: "Hum sarkar se koi maang nahin karne jaa rahe. Hum apna kaam kar rahe hain. Hamara kaam aise kisi avrodhon se nahin rukta (We are not going to demand anything from the government. We are doing our work. Our work is not affected by such restrictions)."

Does the July 9 circular apply to state government employees as well?

This circular is only for central government employees. State governments have their own Conduct Rules for their employees, and issue such instructions from time to time. Views of some state governments have changed depending on which party is in power.

* P K Dhumal's [BJP](#) government in Himachal Pradesh withdrew the restriction on its employees from participating in RSS activities on January 24, 2008.

* In [Madhya Pradesh](#), Digvijaya Singh's Congress government imposed restrictions on employees in 2003; however, [Shivraj Singh Chouhan](#)'s BJP government issued a clarification on August 21, 2006, saying the "restrictions are not applicable on RSS".



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* In February 2015, the BJP government of [Raman Singh](#) in [Chhattisgarh](#) issued a circular saying there were no restrictions on government employees taking part in RSS activities.