

## **BACKGROUND NOTE**

### **Invitation for Stakeholders comments on draft Competition Commission of India (Conduct) Rules, 2025**

The Competition Act, 2002 (hereinafter referred to as the said Act) was enacted in the year 2002, to provide for establishment of a Commission to prevent practices having adverse effect on competition, to promote and sustain competition in markets, to protect the interests of consumers and to ensure freedom of trade carried on by other participants, in India, and for matters connected therewith or incidental thereto.

2. Central Civil Services (Conduct) Rules, 1964 has been adopted with the approval of the Government for employees of CCI in terms of Rule 7 of Competition Commission of India (salary, allowances and other terms and conditions of service of the Secretary and officer and other employees of the Commission and the number of such officers and other employees) Rules, 2009.

3. The nature of work in Competition Commission is commercially sensitive. The Officials working in the Commission deal with confidential and commercially sensitive information (CSI) received from various parties, which require high level of maintenance of confidentiality in handling such matters. Therefore, draft Competition Commission of India (Conduct) Rules, 2025 are proposed to be introduced, in line with those already existing in other similarly placed organizations, to ensure confidentiality in the Commission and to set high standards of ethics among the employees.

4. Accordingly, draft Competition Commission of India (Conduct) Rules, 2025 are being proposed, with the approval of the Commission, in order to strengthen the regulatory framework governing the vigilance administration in CCI.

5. The CCI invites stakeholders to submit written comments on the draft Competition Commission of India (Conduct) Rules, 2025 within 30 (thirty) days from 07.03.2025 to 06.04.2025. The comments must be sent only by duly filling the form hosted on the CCI's website at: <https://cci.gov.in/stakeholders-topics-consultations>.

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**DRAFT CCI (CONDUCT) RULES, 2025**

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## DRAFT CCI (CONDUCT) RULES, 2025

### 1. **Short title, commencement and application**

- (1) These rules may be called the Competition Commission of India (Conduct) Rules, 2025.
- (2) They shall come into force on the date of their publication in the official Gazette.
- (3) These rules shall apply to every employee of the Competition Commission of India.

### 2. **Definitions**

In these rules, unless the context otherwise requires,-

- (a) "*Act*" means the Competition Act, 2002;
- (b) "*Chairperson*" means the Chairperson of the Commission;
- (c) "*Commission*" means the Competition Commission of India;
- (d) "*Competent authority*" means
  - I.
    - (i) the Chairperson, in case of employees of the level of Deputy Director and above.
    - (ii) the Secretary for all other employees of the level of Senior Assistant Director and below.
  - II. in respect of an employee on foreign service or on deputation to any other Ministry or any other Government, the parent department on the cadre of which such employee is borne.
- (e) "*Employee*" means an officer or staff of the Commission;
- (f) "*Government*" means the Central Government;
- (g) "*Members of family*" in relation to an employee includes:-
  - (i) the wife or husband as the case may be, of the employee, whether residing with the employee or not but does not include a wife or husband, as the case may be, separated from the employee by a decree or order of a competent Court;
  - (ii) son or daughter or step-son or step-daughter of the employee and wholly dependent on him, but does not include a child or step-child who

is no longer in any way dependent on the employee or of whose custody the employee has been deprived by or under any law;

(iii) any other person related, whether by blood or marriage to the employee or to the employee's wife or husband, and wholly dependent on the employee.

(h) "Secretary" means the Secretary of the Commission;

### **3. Scope of an employee's service**

Unless it be otherwise distinctly provided, the whole time of an employee shall be at the disposal of the Commission and he shall serve the Commission in its business in such capacity and at such place as he may from time to time be directed.

### **4. Liability to abide by Rules and Orders**

Every employee shall conform to and abide by these rules and shall observe, comply with and obey all orders and directions which may from time to time be given to him by any person or persons under whose jurisdiction, superintendence or control he may for the time being be placed.

### **5. Employees to promote Commission's interest**

(1) Every employee shall serve the Commission honestly and faithfully and shall use his utmost endeavors to promote the interest of the Commission.

(2) Every employee shall at all times--

(a) maintain absolute integrity;

(b) maintain devotion to duty; and

(c) Do nothing which is unbecoming of an employee / public servant.

(d) commit himself to and uphold the supremacy of the Constitution and democratic values;

(e) defend and uphold the sovereignty and integrity of India, the security of the State, public order, decency and morality;

- (f) maintain high ethical standards and honesty;
- (g) maintain political neutrality;
- (h) promote the principles of merit, fairness and impartiality in the discharge of duties;
- (i) maintain accountability and transparency;
- (i) maintain responsiveness to the public, particularly to the weaker section;
- (k) maintain courtesy and good behaviour with the public;
- (l) take decisions solely in public interest and use or cause to use public resources efficiently, effectively and economically;
- (m) declare any private interests relating to his public duties and take steps to resolve any conflicts in a way that protects the public interest;
- (n) not place himself under any financial or other obligations to any individual or organisation which may influence him in the performance of his official duties;
- (o) not misuse his position as an employee/civil servant and not take decisions in order to derive financial or material benefits for himself, his family or his friends;
- (p) make choices, take decisions and make recommendations on merit alone;
- (q) act with fairness and impartiality and not discriminate against anyone, particularly the poor and the under-privileged sections of society;
- (r) refrain from doing anything which is or may be contrary to any law, rules, regulations and established practices;
- (s) maintain discipline in the discharge of his duties and be liable to implement the lawful orders duly communicated to him;
- (t) maintain confidentiality in the performance of his official duties as required by any laws for the time being in force, particularly with regard to information, disclosure of which may prejudicially affect the sovereignty and integrity of India, the security of the State, strategic, scientific or economic interests of the State, friendly relation with foreign countries or

lead to incitement of an offence or illegal or unlawful gain to any person;

(u) perform and discharge his duties with the highest degree of professionalism and dedication to the best of his abilities.

(3) Every employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority;

(4) No employee shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his best judgement except when he is acting under the direction of his official superior;

(5) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;

(6) An employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.

Explanation I.- An employee who habitually fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected to him shall be deemed to be lacking in devotion to duty within the meaning of clause (b) of rule 2.

Explanation II.- Nothing in sub-rule (4) shall be construed as empowering an employee to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

## **6. Promptness and Courtesy**

No employee shall

(a) in the performance of his official duties, act in a discourteous manner;

(b) in his official dealings with the public or otherwise adopt dilatory tactics or willfully cause delays in disposal of the work assigned to him.

**7. Observance of Government's policies**

Every employee shall, at all times-

- (1) Act in accordance with the Government's policies regarding age of marriage, preservation of environment, protection of wildlife and cultural heritage;
- (2) Observe the Government's policies regarding prevention of crime against women.

**8. Prohibition of sexual harassment of working women**

- (1) No employee shall indulge in any act of sexual harassment of any woman at any work place.
- (2) Every employee who is incharge of a work place shall take appropriate steps to prevent sexual harassment to any woman at the work place.

Explanation. - For the purpose of this rule, -

(a) "sexual harassment" includes any one or more of the following acts or behaviour (whether directly or by implication) namely

- (i) physical contact and advances; or
- (ii) a demand or request for sexual favours; or
- (iii) making sexually coloured remarks; or
- (iv) showing pornography; or
- (v) Any other unwelcome physical, verbal, non-verbal conduct of a sexual nature.

(b) The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment : -

- (i) implied or explicit promise of preferential treatment in employment; or
- (ii) implied or explicit threat of detrimental treatment in employment; or
- (iii) implied or explicit threat about her present or future employment status; or
- (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or



(v) humiliating treatment likely to affect her health or safety.

(c) "workplace" includes,-

(i) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the Central Government;

(ii) hospitals or nursing homes; any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;

(iv) any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;

(v) a dwelling place or a house.

## **9. Not to misuse official position**

(1) No employee shall;

(a) Ever encourage outside agencies to call on him at his residence/temporary headquarters while on tour for discussion on official matters.

(b) In dealing with any person and public for seeking any clarification on matters relating to them, resort to oral clarifications and personal discussions as far as possible unless authorized to do so by the Commission and written communication shall be the normal practice.

(c) Use office facilities like letter heads for writing to the companies asking them to consider allotment of shares/securities to his family members, friends or associates on expiry of the relevant date/s or otherwise.

(d) Ever involve in any type of activities/favours and physical facilities so as to place himself in an embarrassing position in the discharge of his duties with integrity and fairness.

(2) An employee is strictly prohibited from using his official position for any personal favour for himself or his family members or his relatives or friends.

Explanation:- For the purposes of this rule, "person" has the same meaning as in the Competition Act, 2002 (12 of 2003).

**10. Employment of near relatives of employee in Companies or firms**

(1) No employee shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm;

(2) (i) No employee shall, except with the previous sanction of the Commission, permit his son, daughter or other dependent, to accept employment in any company or firm with which he has official dealings or in any other company or firm having official dealings with the Commission:

Provided that where the acceptance of the employment cannot await prior permission of the Commission or is otherwise considered urgent, the matter shall be reported to the Commission; and the employment may be accepted provisionally subject to the permission of the Commission.

(ii) An employee shall, as soon as he becomes aware of the acceptance by a member of his family of an employment in any company or firm, intimate such acceptance to the Secretary and shall also intimate whether he has or has had any official dealings with that company or firm:

Provided that no such intimation shall be necessary in the case of an employee if he has already obtained the sanction of, or sent a report to the Commission under clause (i) of sub-rule (2).

(3) No employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or any other person if any member of his family is employed in that company or firm or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the employee shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

**11. Taking part in politics and elections**

(1) No employee 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.

(2) It shall be the duty of every employee to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established and where an employee is unable to prevent a member of his family from taking part in, or subscribing in aid of, or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Commission.

(3) If any question arises whether a party is a political party or whether any organisation takes part in politics or whether any movement or activity falls within the scope of sub-rule (2), the decision of the Commission thereon shall be final.

(4) No employee shall canvass or otherwise interfere with, or use his influence in connection with or take part in an election to any legislature or local authority:

Provided that -

(i) an employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;

(ii) an employee shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

EXPLANATION.- The display by an employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

## **12. Prohibition against joining of associations, demonstration and strikes**

(1) No employee shall join or continue to be a member of, an association the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India, or public order or morality.

(2) No employee shall resort to in any way abet, any form of strike or coercion or physical duress or participate in any violent, unseemly or indecent demonstration

in connection with any matter to his conditions of service or the conditions of service of any other employee of the Commission.

(3) No employee shall engage himself or participate in any demonstration which is prejudicial to the interests of the Commission, sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence.

**13. Public demonstrations in honour of employees**

No employee shall, except with the previous sanction of the competent authority, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour; or in honour of any other employee:

Provided that nothing in this rule shall apply to-

- (i) a farewell entertainment of a substantially private and informal character held in honour of an employee or any other employee on the occasion of his retirement or transfer or any person who has recently quit the service of the Commission; or
- (ii) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

Note: - Exercise of pressure or influence of any sort on any employee to induce him to subscribe towards any farewell entertainment if it is of a substantially private or informal character and the collection of subscription from any employee under any circumstance for the entertainment of any employee is forbidden.

**14. Contribution to print, social and digital/electronic media or any other media in public domain**

(1) No employee may contribute to print, social and digital / electronic media or any other media available in the public domain without the previous sanction of the competent authority or without such sanction make public or publish any document, paper or information which may come in his possession in his official capacity.

(2) No employee shall except with the previous sanction of the competent authority, publish or cause to be published any book or any similar printed matter of which he

is the author or not to deliver talk or lecture in any public meeting or otherwise.

Provided that no such sanction is required, if such broadcast or contribution or publication is of a purely literary, artistic, scientific, professional, cultural, educational, religious or social character.

Provided further that wherever such sanction is granted by the competent authority for employee's contribution to any print, social, digital / electronic media or any other media available in the public domain, he shall provide a disclaimer to the effect that the views expressed therein are his own and are not endorsed by the Commission.

**15. Criticism of Government and the Commission**

No employee shall, in any radio broadcast, telecast through any electronic media or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion -

(i) which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government or the Commission:

(ii) which is capable of embarrassing the relations between the Central Government and the Government of any State; or

(iii) which is capable of embarrassing the relations between the Central Government and the Government of any foreign State;

Provided that nothing in this rule shall apply to any statements made or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him.

**16. Obligation to maintain secrecy**

- (1) Every employee shall maintain strictest secrecy regarding the Commission's affairs and shall not divulge or disclose, directly or indirectly, any information of a confidential nature or relating to the working of the Commission to a member of the public or to the Commission's employee or to his friends or relatives,

unless compelled to do so by judicial or other authority, or unless instructed to do so by a superior officer in the discharge of his duties.

- (2) No employee shall make use of any information emanating from the Commission or otherwise which has come to his knowledge in the discharge of his official duties for his personal benefit or for the benefit of his friends or relatives
- (3) No employee shall communicate any unpublished price sensitive information to any other person except when required to do so in the course of his official duty.
- (4) Every employee shall, before entering upon his duties, make a declaration of fidelity and secrecy in Form – A annexed to these Rules.

**17. Communication of Official Information. -**

Every employee shall, in performance of his duties in good faith, communicate information to a person in accordance with the Right to Information Act, 2005 (22 of 2005) and the rules made thereunder :

Provided that no employee shall, except in accordance with any general or special order of the Commission or in performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or classified information to any employee or any other person to whom he is not authorized to communicate such document or classified information.

**18. Evidence before Committee or any other authority**

(1) Save as provided in sub-rule (3), no employee shall, except with the previous sanction of the competent authority, give evidence in connection with any enquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under sub-rule (1), no employee giving such evidence shall criticise the policy or any action of the Central Government or of a State Government or of the Commission.

(3) Nothing in this rule shall apply to-

(a) Evidence given at an enquiry before an authority appointed by the Government, Parliament or a State Legislature, the Commission ; or

(b) Evidence given in any judicial enquiry; or

(c) Evidence given at any departmental enquiry ordered by authorities subordinate to the Commission.

**19. Subscriptions**

No employee shall, except with the previous sanction of the Commission or of the competent authority, ask for or accept contributions to, or otherwise associate himself with the raising of, any funds or other collections in cash or in kind in pursuance of any object whatsoever.

**20. Gifts**

(1) Save as provided in these rules, an employee shall not solicit or accept any gift or permit any member of his family or any other person acting on his behalf to accept, any gift from any person with whom the employee has have official dealings, either directly or indirectly or from any subordinate employee.

EXPLANATION - The expression "gift" shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with the employee or with the Commission.

NOTE (1) - A casual meal, lift or other social hospitality shall not be deemed to be a gift -

NOTE (2) - An employee shall avoid accepting lavish hospitality or frequent hospitality from any individual, or concern having official dealings with the employee or with the Commission.

(2) On occasions such as weddings, anniversaries, funerals or religious functions, when the making of gift is in conformity with the prevailing religious and social practice, an employee may accept gifts from his near relatives or from his personal friends having no official dealings with him or with the Commission, but shall make a report to the competent authority, if the value of such gift exceeds rupees twenty five thousand.

(3) In any other case, an employee shall not accept any gift without sanction of the competent authority, if the value thereof exceeds rupees one thousand five hundred.

(4) Notwithstanding anything contained in sub rules (2), and (3), an employee, being a member of the Indian delegation or otherwise, may receive and retain gifts from foreign dignitaries if the market value of gifts received on one occasion does not exceed rupees one thousand. In all other cases, the acceptance and retention of such gifts shall be regulated by the instructions issued by the Government in this regard from time to time.

(5) An employee shall not accept any gifts from any foreign firm which is either contracting with the Commission or is one with which the employee had, has or is likely to have official dealings. Acceptance of gifts by an employee from any other firm shall be subject to the provisions of sub-rule (3).

**21. Dowry**

No employee shall give or take or abet the giving or taking of dowry; or demand directly or indirectly, from the parent or guardian of a bride or bridegroom, as the case may be, any dowry.

Explanation: - For the purposes of this rule, 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961(28 of 1961).

**22. Sub-letting and vacation of Government accommodation.**

(1) An employee shall not sub-let, lease or otherwise allow occupation by any other person of Government accommodation which has been allotted to him.

(2) An employee shall, after the cancellation of his allotment of Government accommodation vacate the same within the time-limit prescribed by the allotting authority.

**23. Private trade or employment**

(1) Subject to the provisions of sub-rule (3), no employee shall, except with the previous sanction of the Commission -

(a) engage directly or indirectly in any trade or business either on his own account, or an agent for others or

(b) negotiate for, or undertake, any other employment, or



- (c) hold an elective office, or canvass for a candidate or candidates for an elective office, in any body, whether incorporated or not, or
- (d) canvass in support of any business of insurance agency, commission agency, etc., owned or managed by any member of his family, or
- (e) take part except in the discharge of his official duties, in the registration, promotion or management of any bank or other company registered or required to be registered, under the Companies Act, 2013 ( 18 of 2013) or any other law for the time being in force, or of any co-operative society for commercial purposes.

(2) Subject to the provisions of sub-rule (3), no employee shall, except with the previous sanction of the competent authority participate in or associate himself in any manner in the making of-

- (i) a sponsored media (radio or television) programme; or
- (ii) a media programme commissioned by Government media but produced by a private agency; or
- (iii) a privately produced media programme including video magazine:

Provided that no previous permission shall be necessary in case where the Government servant participates in a programme produced or commissioned by Government media in his official capacity.

(3) An employee may, without the previous sanction of the competent authority,-

- (a) undertake honorary work of a social or charitable nature, or
- (b) undertake occasional work of a literary, artistic or scientific character, or
- (c) participate in sports activities as an amateur, or
- (d) take part in the registration, promotion or management (not involving the holding of an elective office) of a literary, scientific or charitable society or of a club or similar organisation, the aims or objects of which relate to promotion of sports, cultural or recreational activities, registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being in force, or
- (e) take part in the registration, promotion or management (not involving

the holding of elective office) of a co-operative society substantially for the benefit of employees, registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law for the time being in force:

Provided that: -

(i) he shall discontinue taking part in such activities, if so directed by the competent authority; and

(ii) in a case falling under clause (d) or clause(e) of this sub-rule, his official duties shall not suffer thereby and he shall, within a period of one month of his taking part in such activity, report to the Government giving details of the nature of his participation.

(4) Every employee shall report to the Commission if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

(5) Unless otherwise provided by general or special orders of the Commission, no employee may accept any fee for any work done by him for any private or public body or any private person without the sanction of the Commission.

EXPLANATION- The term 'fee' used here shall have the meaning assigned to it in Fundamental Rule 9 (6-A).

## **24. Employment after retirement**

(1) No employee of the Commission who has retired from service shall, within a period of one year from the date when he finally ceases to be in the Commission's service, accept or undertake commercial employment except with the previous approval in writing of the Commission.

(2) For the purpose of this rule, "commercial employment" means:

(a) Employment in any capacity including that of an agent under a company, cooperative society, firm or individual engaged in trade, or commercial, industrial or professional business and also includes a directorship of such a company and partnership of such firm but does not include employment under a body corporate wholly or substantially held or controlled by the Commission.

- (b) Setting up a practice, either independently or as partner of a firm, as adviser or consultant in matters in respect of which the retired officer—
  - (i) has no professional qualifications and the matters in respect of which the practice is to be set up or is carried on are relatable to his official knowledge or experience, or
  - (ii) the matters in respect of which such practice is to be set up are such as are likely to give his clients an unfair advantage by reason of his previous official position, or
- (c) Undertaking work involving liaison or contact with the offices or officers of the Commission.

Explanation : For the purpose of this clause, "employment under a cooperative society" includes the holding of any office, whether elective or otherwise such as that of President, Chairman, Manager, Secretary, Treasurer and the like, by whatever name called in such society.

- (3) Notwithstanding anything contained in sub-rule (1), no employee of the Commission shall within a period of one year from the date that he finally ceases to be in the Commission's service, accept or undertake an employment or be in any manner associated with any person, with whom he has or had official dealings or whose confidential information was handled by the employee while in Commission's service, except with the prior written approval of the Chairperson:

Provided that the employee would be required to seek fresh approval from the Commission in the event of seeking employment with any other person or associating in any other manner with such person, with whom he has or had official dealings or whose confidential information was handled by the employee while in Commission's service, within a period of one year:

Provided further that before refusing approval, the Chairperson may give a hearing to the concerned employee. A copy of the decision taken shall

be communicated by the Secretary to the concerned employee.

- (4) The Commission or the Chairperson, as the case may be, while granting such approval shall satisfy itself regarding the appropriateness of granting the approval, having regard to the dealings, which the employee may have had with the said person while in the service of the Commission, including the confidential information of such person, which was handled by the employee while in Commission's service; and may impose such conditions as may be necessary having regard to the circumstances of the case including prohibiting the employee from representing such person in any manner before the Commission.
- (5) The approval/refusal under this rule shall be communicated to the employee by the Secretary within a period of 90 days from the date of receipt of the application for such approval, failing which the approval shall be deemed to have been granted.

Explanation :- For the purposes of this rule, "person" has the same meaning as in the Competition Act, 2002 (12 of 2003).

**25. Part-time work**

No employee shall undertake part-time work for a private or public body or a private person, or accept any fee therefor, without the sanction of the Commission, which shall grant the sanction only in exceptional cases when it is satisfied that the work can be undertaken without detriment to his official duties and responsibilities. The Commission may, in cases in which it thinks fit to grant such sanction, stipulate that any fees received by the employee for undertaking the work shall be paid, in whole or in part, to the Commission.

**26. Restriction on Investments**

No employee shall make any direct or indirect investment in commodity derivatives, equity and equity related instruments including convertible debentures and warrants except units of Mutual Funds, non-convertible bonds and non-convertible debentures, initial public offerings and in rights issues in respect of the shares already held by them. These restrictions would apply to:

- (i) Investments of the employees ;

- (ii) Investments of dependent children or other wards managed by the employee as a guardian
- (iii) Investment made by spouse, dependent children, dependent parents and dependent parents-in-law of the employee out of the moneys received from the employee.

**27. Speculation in stocks, shares, investments, etc.**

- (1) An employee shall not indulge in badla trading or speculate in stock, shares, securities or commodities of any description.
- (2) No employee shall, when in knowledge of unpublished price sensitive information, encourage any person to deal in the securities to which it relates.

**28. Lending and Borrowing**

- (1) No employee shall, save in the ordinary course of business with a bank or a public limited company, either himself or through any member of his family or any other person acting on his behalf,-
  - (a) lend or borrow or deposit money, as a principal or an agent to, or from or with, any person with whom he is likely to have official dealings or otherwise place himself under any pecuniary obligation to such person or a subordinate employee of the Commission or any person, having dealings with the Commission; or
  - (b) lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid; and
  - (c) guarantee in his private capacity the pecuniary obligations of another person or agree to indemnify in such capacity another person from loss except with the previous permission of the competent authority;

Provided that an employee may, give to, or accept from a relative or a personal friend, a purely temporary loan of a small amount free of interest, or operate a credit account with a bonafide tradesman or make an advance of pay to his private employee;

Provided further that an employee may obtain a loan from a cooperative credit society of which he is a member or stand as surety in respect of a loan taken by another member from a cooperative credit society of which he is a member.

Provided further that nothing in this sub-rule shall apply in respect of any transaction entered into by an employee with the previous sanction of the competent authority.

- (2) When an employee is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of sub-rule (1), he shall forthwith report the circumstances to the competent authority and shall thereafter act in accordance with such order as may be made by such authority.

Explanation :- For the purposes of this rule, "person" has the same meaning as in the Competition Act, 2002 (12 of 2003).

## **29. Insolvency and habitual indebtedness**

An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee against whom any legal proceeding is instituted for the recovery of any debt due from him or for adjudging him as an insolvent, shall forthwith report the full facts of the legal proceedings to the competent authority.

Explanation - The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise of ordinary diligence, the employee could not have foreseen, or over which he had no control, and had not proceeded from extravagant or dissipated habits, shall be upon the employee.

## **30. Movable, immovable and valuable property**

(1) (i) Every employee shall on his first appointment to any service or post submit a return of his assets and liabilities, in such form as may be prescribed by the Commission, giving the full particulars regarding -

- (a) the immovable property inherited by him, or owned or acquired by him

- or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;
- (b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him;
- (c) other movable property inherited by him or similarly owned, acquired or held by him; and
- (d) debts and other liabilities incurred by him directly or indirectly.

NOTE I.- In all returns, the values of items of movable property worth less than Rs.10,000/- may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books, etc. need not be included in such return.

NOTE II.- Where a Government servant already belonging to a service or holding a post in appointed to any other civil service or post, he shall not be required to submit a fresh return under this clause.

(ii) Every employee shall submit an annual return in such form as may be prescribed by the Commission in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family or in the name of any other person.

(2) No employee shall, except with the previous knowledge of the competent 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:

Provided that the previous sanction of the Chairperson shall be obtained by the employee if any such transaction is with a person having official dealing with him.

(3) Where an employee enters into a transaction in respect of movable property either in his own name or in the name of the member of his family, he shall, within one month from the date of such transaction, report the same to the competent authority, if the value of such property exceeds two months' basic pay of the employee :

Provided that the previous sanction of the Chairperson shall be obtained by the employee servant if any such transaction is with a person having official dealings with him.

(4) The Commission or the competent authority may, at any time, by general or special order, require an employee to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the Commission or by the competent authority, include the details of the means by which, or the source from which, such property was acquired.

Explanation I. - For the purposes of this rule -

(1) the expression "movable property" includes-

- (a) jewellery, insurance policies (the annual premia of which exceeds 'two months' basic pay of the Employee), commodity derivatives, shares, securities and debentures of any description;
- (b) all loans, whether secured or not, advanced or taken by the employee ;
- (c) motor cars, motor cycles, horses or any other means of conveyance; and
- (d) refrigerators, radios radiograms and television sets.

Explanation II.- For the purpose of this rule 'lease' means, except where it is obtained from, or granted to, a person having official dealings with the employee, a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

**31. Restrictions in relation to acquisition and disposal of immovable property outside India and transactions with foreigners, etc.-**

Notwithstanding anything contained in sub-rule (2) of Rule 32, no employee shall, except with the previous sanction of the Commission, -

- (a) acquire, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property situated outside India;
- (b) dispose of, by sale, mortgage, gift or otherwise or grant any lease in respect of any immovable property situated outside India which was



acquired or is held by him either in his own name or in the name of any member of his family;

(c) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern,-

(i) for the acquisition, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property;

(ii) for the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

### **32. Vindication of acts and character of employee**

(1) No employee shall, except with the previous sanction of the competent authority, have recourse to any Court or to the Press for the vindication of any official act which has been the subject-matter of adverse criticism or an attack of a defamatory character.

Provided that if no such sanction is received by the employee within a period of three months from the date of receipt of his request by the competent authority, he shall be free to assume that the permission as sought for has been granted to him.

(2) Nothing in this rule shall be deemed to prohibit an employee from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit a report to the competent authority regarding such action.

### **33. Canvassing for non-official or other outside influence**

(1) No employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Commission.

(2) No employee shall address any appeal, representation or petition to any outside

authority or person in respect of a matter pertaining to the employees service in the Commission. Addressing such appeals, representations or petitions shall be deemed a breach of discipline.

**34. Restriction regarding marriage-**

(1) No employee shall enter into, or contract, a marriage with a person having a spouse living; and

(2) No employee , having a spouse living, shall enter into, or contract, a marriage with any person:

Provided that the Commission may permit an employee to enter into, or contract, any such marriage as is referred to in clause (1) or clause(2), if it is satisfied that-

(a) such marriage is permissible under the personal law applicable to such employee and the other party to the marriage; and

(b) there are other grounds for so doing.

(3) An employee who has married or marries a person other than of India Nationality shall forthwith intimate the fact to the Commission.

**35. Consumption of intoxicating drinks and drugs**

An employee shall -

(a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;

(b) not be under influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug;

(c) refrain from consuming any intoxicating drink or drug in a public place;

(d) not appear in a public place in a state of intoxication;

(e) not use any intoxicating drink or drug to excess.

Explanation: For the purposes of this rule, 'public place' means any place or premises (including a conveyance) to which the public have, or are permitted to

have, access, whether on payment or otherwise.

**36. Prohibition regarding employment of children below 14 years of age.**

No employee shall employ to work any child below the age of 14 years.

**37. Interpretation**

If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

**38. Delegation of Powers**

The Commission may, by general or special order, direct that all or any of the powers exercisable by it or any authority or officer under these rules (except the powers under Rule 39 and this rule) shall, subject to such conditions, if any, as it may think fit to impose, be delegated to such authority or officer as may be specified in the order.

**39. Saving Clause**

Nothing in these rules shall affect anything done or any action taken under the CCS (Conduct) Rules, 1964 in relation to the employees of the Commission and such action shall be deemed to have been done or taken under the corresponding provisions of these rules.

*APPENDIX*

**FORM A**

**DECLARATION OF FIDELITY AND SECRECY**

I.....do hereby declare that I will faithfully, truly and to the best of my skill and ability execute and perform the duties required of me as an employee / young professional/ expert of the COMPETITION COMMISSION OF INDIA and which properly relate to the office or position or responsibility held by me in or in relation to the said Commission.

I further declare that I will not communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of the Commission or relating to the affairs of any person having any dealing with the Commission, nor will I allow any such person to inspect or have access to any books or documents belonging to or in the possession of the Commission and relating to the business of the Commission or the business of any person having any dealing with the Commission.

(Signature)

Place:

Date:

Name in full.....

Nature of appointment.....

Signed before me

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