

GOVERNMENT OF JAMMU AND KASHMIR
Directorate of Family Welfare, MCH & Immunization J&K

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Subject:- Use of social media by the Government employees of Union Territory of Jammu & Kashmir-regarding.

Circular No; 473 -JK (DFW) of 2023

Dated:- 25 -09-2023

Attention is invited towards the instructions issued by General Administration Department J&K vide Circular No. 09-JK(GAD) of 2023 dated. 24.03.2023 to follow the directions for use of social media by the Government employees of UT J&K, in terms of Government Order No. 1646-JK(GAD) of 217 dated. 26.12.20170.

Further the provisions relating to the issue incorporated in the Jammu and Kashmir Employees conduct Rules, 1971, are excerpted herein:

(i) Sub-rule (3) of Rule 13:

“(3) No Government employee shall, by any utterance, writing or otherwise discuss or criticize in public or in any meeting of any association or body any policy pursued or action taken by the Government nor shall he in any manner participate in any such discussion or criticism.

(ii) Rule-18:

18. Criticism or Government.— No government employee shall, in any radio broadcast 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 Government of India, Government of Jammu and Kashmir or any other State Government;
- (ii) Which is capable of embarrassing the relations between the Government of Jammu and Kashmir and the Government of India or the Government of any other State in India: or
- (iii) Which is capable of embarrassing the relations between the Government of India or the Government of Jammu and Kashmir and the Government of any Foreign State:

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

Besides, the relevant legal framework that governs the social media users in general and conduct rules which over-see the employees' conduct in personal and professional life are enumerated as under:-

- (1) Article 19 (2) of the Constitution of India, which deals with the right to freedom of speech, also imposes reasonable restrictions.
- (2) The Jammu and Kashmir Government Employees (conduct Rules, 1971:

These rules are applicable to all the Government employees of the State of Jammu and Kashmir and give details on the conduct that is expected of the employees in their personal as well as professional life. The rules list out of the activities that are not to be carried out by the employees and violation of the conduct rules can be punished under rule 30 of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956.

- (3) The Jammu and Kashmir Civil Services (Classification , Control and Appeal) Rules 1956:

Rule 30: Punishment:

The following penalties may, for good and sufficient reason and as hereinafter provided, be imposed upon members of a service, namely ;

- (i) censure;
- (ii) fine not exceeding on month's pay
- (iii) withholding of increments and /or promotion;
- (iv) reduction to a lower post and /or a lower time-scale and/or to a lower stage in time-scale;
- (v) recovery from pay and the whole or part of any pecuniary loss caused to Government by negligence or breach of orders;
- (vi) premature retirement on proportionate pension other than that specified in rule 223(2) of Jammu and Kashmir Civil Service Regulations.
- (vii) removal from the service of the State which does not disqualify from future employment;
- (viii) dismissal from the service of the state which ordinarily disqualifies from future employment

Despite the aforementioned elaborate guidelines and governing legal framework, it has been observed that government servants often engage themselves with social media in a manner which is in contravention to these rules. While using different social media platforms like Face book, Twitter, Instagram, etc. or instant messaging application like WhatsApp, telegram etc., employees have been seen to air disparaging views on



subjects that they are expressly barred under rules to comment upon. Employees have been seen to comment or act or behave in a manner that does not conform to the acceptable standards of official conduct, as envisaged in the aforementioned guidelines and the rules.

Such actions range from unauthorized communication of official information and/or disseminations of patently wrong or misleading information , airing of political or communal views etc, under their real or assumed identities.

In view of the forgoing, it has been felt expedient to reiterate the main features of guidelines already notified regarding use of social media for compliance by the government employees:

- i. Employees, directly or indirectly, shall not publish, post or release any information on social media that is considered confidential or that is not meant for public dissemination nor shall they pass any official documents or any part thereof to any Government employee or any such person to whom he is not authorized to communicate such document or information.
- ii. 'No Government employees shall, through any post , tweet or otherwise discuss or criticize on social media, any policy perused or action taken by the Government, not shall he/she , in any manner, participate in any such discussion or criticism on social media pages/communities/micro blogs.
- iii. No Government employees shall post tweet or share content that is political or anti secular and communal in nature or subscribe to pages, communities or twitter handles and blogs of such nature.
- iv. Government employees shall not post on social media, any such contents or comments about co-workers or individuals, that are vulgar, obscene, threatening, intimidating or that violate the conduct rules or employees.
- v. No Government employee shall post grievances pertaining to their workplace on social media in the form of videos, posts, tweets or blogs or in any other form, but will follow the already established channels of complaint redressal existing in the departments.
- vi. Government employees shall not indulge in sharing/partaking in so-called giveaways and contests on social media platforms, which are actually scams in disguise, as they could unknowingly spread malware or trick people into giving away sensitive data by sharing it on their profiles.

It has been observed that in the Department of Family Welfare, MCH & Immunization J&K, some employees are misusing the social media



platform by posting vulgar, obscene and un-necessary tweets/contents/ comments against the department which defames the working/reputation of the department. The “Administrator” of the said social media platform as well as concerned employees if they are serving in the department are liable for disciplinary action under the relevant rules.

It is accordingly enjoined upon all employees working in the Department of Family MCH & Immunization J&K to strictly adhere to the guidelines and legal principles reproduced herein above and issued vide Government order *ibid*, and refrain from indulging in unwarranted debates/discussions and sharing/commenting. Posting inappropriate posts/content on social media platform. Violation of these guidelines/rules shall tantamount to misconduct and invite disciplinary action against the delinquent official under the relevant rules.

Jammu 25/9/2023
(Dr. Tabasum Jabeen)

Director

25/9/2023
Family Welfare MCH & Immunization, J&K

No; DFW/JK/Est/Circular/

25/9/2023
Dated:- 25/09/2023.

Copy to the:-

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- 1- Administrative Secretary to Government (H&ME) J&K.
- 2- Chief Accounts Officer, Directorate General Family Welfare MCH & Immunization J&K.
- 3- Assistant Director, Family Welfare MCH & Immunization Jammu/Kashmir.
- 4- Deputy Director Planning , Directorate General Family Welfare MCH & Immunization J&K.
- 5- Chief Medical Officer (All J&K).
- 6- Medical Superintendent JLNH Hospital Srinagar/SMGS Hospital Jammu / Government Hospital Gandhi Nagar Jammu /L.D. Hospital Srinagar / SMHS Hospital Srinagar
- 7- Principal RFPTC Kangan.
- 8- Deputy Chief Medical Officer (All Jammu / Kashmir Division)
- 9- District Immunization Officer (All Jammu / Kashmir Division)
- 10- Block Medical Officers (All J&K).
- 11- All concerned officers/officials of the Deptt.