



मुख्य आयुक्त कार्यालय

OFFICE OF THE CHIEF COMMISSIONER

सीजीएसटी एवं केंद्रीय उत्पाद शुल्क (जयपुर परिक्षेत्र), जयपुर

CGST & CENTRAL EXCISE (JAIPUR ZONE), JAIPUR

फा.सं. सी.सी.ओ(जे.जेड.)/आरटीआई/111/MSJ/19-20/

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दिनांक 10.02.2020

सेवा में,

Shri Mukesh Solanki,
Bhuriyala Ki Dhani Bhopalgarh,
Jodhpur- 342603

महोदय ,

विषय:-सूचना के अधिकार अधिनियम,2005 के अन्तर्गत चाही गई सूचना के क्रम में ।

Please refer to your application dated 1.1.2020 filed under RTI Act, 2005 and amount of Rs. 22/-, deposited through on line on 8.2.2020 on account of photocopies charges. Reply in respect of information sought by you is as under-

Point No. 1. The Instructions available with this office w.r.t. Medical Examination on first appointment as contained in Swamy's Establishment and Administration Book (copy of relevant pages enclosed). In the matter a copy of Board's letter F.No. A-12034/4/93-Ad.III-B(SSC) dated 30.8.1994 is enclosed.

Point No. 2. As per Point No.-1

Point No. 3. Details of appropriate Medical Authority for conducting the medical examination is given in the chapter-23 of Swamy's Establishment and Administration Book as per Point No.-1

Point No. 4. Information sought is hypothetical. No such information is available.

If you are not satisfied with above reply, you may prefer an appeal against the reply within 30 days of receipt of this reply to Shri Alok Sharma, Joint Commissioner & First Appellate Authority, Office of the Chief Commissioner, CGST & Central Excise, Jaipur Zone, Jaipur, New Central Revenue Building, Statue Circle, C-Scheme, Jaipur-302005.

भवदीय,

Enclosed- As above

(अशोक कुमार शर्मा)

सहायक आयुक्त एवं केन्द्रीय लोक सूचना अधिकारी

Copy to- The Superintendent (Computer), CGST, Commissionerate, Jaipur for uploading on the department website

सहायक आयुक्त एवं केन्द्रीय लोक सूचना अधिकारी

CHAPTER 23

MEDICAL EXAMINATION ON FIRST APPOINTMENT

Production of Medical Certificate of Fitness at the time of appointment in a pensionable establishment.—To ensure that only persons, as are physically as well as mentally sound in health, are admitted to Government service, every candidate for appointment to a post (including appointment on part-time basis) under Government is required to produce a medical certificate of fitness from the appropriate Medical Authority except in cases where the appointment is made specifically for a period not exceeding three months in a non-pensionable establishment, when no medical certificate will be necessary unless it is decided later to extend the appointment beyond three months.

In view of the admissibility of family pension to the families of those Government servants who die before completion of one year of continuous service (provided the deceased Government servant immediately prior to his appointment to the service or post was examined by the appropriate medical authority and declared fit by that authority for Government service), in no case should a person be allowed to join Government service in a pensionable establishment without having been medically examined and found fit.

[G.L., M.F., O.M. No. 45 (1)-E, V/54, dated the 24th March, 1954; 5/6/54-RPS, dated the 28th September, 1956 and D.P., A.R., O.M. No. 15015/179-Estr. (D), dated the 26th June, 1979.]

Appropriate medical authority for conducting the medical examination.—The examining medical authority will be—

1. *For appointment to a Gazetted post.*—A Medical Board consisting of three Group 'A' Medical Officers of the status of specialists, namely, a Physician, a Surgeon and an Ophthalmologist. When a woman candidate is to be examined by a Medical Board, there should be on the Board a woman Doctor possessing a medical qualification in one of the first, second or Part-II of the Third Schedule, to the Indian Medical Council Act, 1956 (102 of 1956). As far as possible, the members of the Board should be comparable in status to each other and not ordinarily be officers immediately subordinate to one another.

2. *For appointment to a non-Gazetted (other than Group 'D') post.*—In the case of male candidates, a Civil Surgeon or a District Medical Officer or a Medical Officer of equivalent status.

In the case of female candidate appointed to a post (i) in Delhi, the Assistant Surgeon, Grade I (Woman), under the Central Government Health Scheme, and (ii) in any other place, a registered female medical practitioner possessing a medical qualification included in one of the Schedules to the

Indian Medical Council Act, 1956 (102 of 1956), Indian Medical Central Act, 1970 and Homoeopathy Central Council Act, 1973.

3. *For appointment to a Group 'D' post.*—In the case of male candidate, the Authorized Medical Attendant possessing a medical qualification included in one of the schedules to the Indian Medical Council Act, 1956 (102 of 1956) and when there is no such Authorized Medical Attendant, a Government Medical Officer of the nearest dispensary or hospital possessing such qualification.

In the case of female candidate appointed to a post (i) in Delhi, the Assistant Surgeon, Grade I (Woman) under the Central Government Health Scheme and (ii) in any other place a registered female medical practitioner possessing a medical qualification included in one of the schedules to the Indian Medical Council Act, 1956 (102 of 1956), Indian Medical Central Act, 1970 and Homoeopathy Central Council Act, 1973. (SR 4).

NOTE.—Medical certificates issued by Honorary Medical Officers are acceptable for the purpose of appointments to non-gazetted posts under the Central Government, provided that such certificates are acceptable for the same purpose in respect of its own employees by the Government of the State in which the candidate is appointed under the Central Government or in which his medical examination is arranged.

[M.F., O.M. No. 5 (1)-E, V (B)/63, dated the 30th March, 1963.]

Persons who are also required to produce medical certificate of fitness.—A medical certificate of fitness is required to be produced in the following cases also:—

(1) A Government servant initially employed in a non-pensionable establishment in an office in temporary capacity for a period not exceeding three months is subsequently retained in that office or is transferred without a break to another office and the total period of continuous service under Government is expected to last for a period exceeding three months he shall produce the medical certificate of fitness within a week from the date of the orders sanctioning his retention in that office or joining that new office.

(2) Government servants promoted from non-gazetted service paid from local fund to a Group 'A', Group 'B' or Group 'C' post. Persons re-employed after resignation or forfeiture of past service. However, a person re-employed after resignation is exempted from producing a medical certificate of fitness, if the resignation was for taking up another appointment under Government or quasi-Government body for which he applied with the approval of and through the appropriate authority, provided that he was medically examined by the competent medical authority and declared fit, according to the medical standards not lower than those required in his new post.

RTI DOCUMENTS ISSUED UNDER SECTION 7(1)(D)

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- (4) Persons appointed to Gazetted posts under the Central Government on contract basis.
- (5) Persons appointed on part-time basis.
- (6) Extra-Departmental staff and Work changed staff in the Posts and Telecommunication Departments.

[S.R. 4 read with G.I., M.F., O.M. No. F. 45 (1)-E. V/54, dated the 24th March, 1954; 67 (22)-E. V/60, dated the 13th December, 1960; D.G., P. & T., Memo. No. SPB/61-10/54, dated the 17th December, 1954 and STB/20-66/54, dated the 1st February, 1955.]

Persons exempted from producing a medical certificate of fitness.—
The following classes of Government servants are exempted from producing a medical certificate of fitness on appointment to a post under Government:—

- (1) A person recruited through a competitive examination who has undergone medical examination by the appropriate medical authority in accordance with the regulations prescribed for appointment for service under Government.
- (2) A qualified student of the Thomason College, Roorkee, permanently appointed to the PWD within 18 months from the date of the health certificate granted to him on the completion of the College Course.
- (3) A Government servant who has already been medically examined in one office, if transferred to another office without a break in his service.
- (4) A person already in the employ of the Government of India or of a State on appointment to a new post without break in service —
 - (a) if he is in permanent employ and the appointment is regarded as having been made by promotion or transfer from a normal source of recruitment to the post; and
 - (b) in any other case, if he has already undergone medical examination in respect of any post previously held by him, by a medical authority not lower than that appropriate to the new post and the standard for that examination was not lower than that, if any, required in respect of the new post;

This exemption shall not apply in a case where the rules of recruitment to the new post prescribe a fresh medical examination in respect of all the candidates.

- (5) Retired Government servants re-employed immediately after retirement.
- (6) A person appointed after a break in service if the break is not due to medical reasons or resignation and does not exceed one year and if in respect of any post previously held by him under Government, he had undergone medical examination by a medical authority not lower than appropriate to the new post and the standard for that examination was not lower than that, if any, required in respect of the new post.

- (7) A permanent Central Government servant holding a Gazetted post under the Centre, when appointed to another Gazetted post under the Centre.
- (8) A permanent State Government servant holding a Gazetted post in the State, when appointed to Gazetted post under the Central Government.
- (9) A permanent non-gazetted State Government servant when appointed to a Gazetted post under the Central Government, will be required to undergo a fresh medical examination by a Medical Board, but when appointed to a non-gazetted post under the Central Government no medical examination is necessary.
- (10) All directly recruited/selected candidates irrespective of whether they are already in permanent or quasi-permanent Government service in the same or other departments or are fresh appointees, should undergo a medical examination by the prescribed standard and by the prescribed medical authority, provided that a fresh medical examination will not be necessary in the case of —

- (a) a person who is already in employ of the Government and has already undergone medical examination by a standard and by a medical authority which are recognized by the appointing authority as equivalent to those prescribed for the new appointment; and
- (b) a person who is already in permanent or quasi-permanent employ in the same line and being eligible for promotion to the new appointment against a promotion quota of vacancies, is actually so promoted.

[Supplementary Rule 4-A (6), M.H.A., O.M. No. F. 55 (11)-E. V/59, dated the 12th February, 1960 and No. F. 55 (5)-E. V (B)/59, dated the 18th February, 1960.]

NOTE.—A person who has already been medically examined by the prescribed medical standards and the appropriate medical authority, should not be subjected to fresh medical examination at the time of his appointment to the new post, irrespective of the fact whether that person was permanent, quasi-permanent or temporary in his previous appointment.

[G.I., M.F., O.M. No. F. 15 (1)-E. V (B)/62, dated the 5th July, 1962.]

Relaxation of medical standards in case of disabled Defence Services personnel.—The disabled Defence Services personnel will be examined by a Demobilization Medical Board of the Defence Services and the certificate of fitness granted by the Board would be considered adequate for the purpose of employment of such personnel in Group 'A' to Group 'D' posts. The Ministry of Defence will, in consultation with the Ministry of Home Affairs, lay down satisfactory norms of medical standards for guidance of the Defence

Services Medical Boards. However, if the physical capacity of a person either deteriorates or improves after demobilization, the employing authority may require a fresh medical examination by the appropriate Civil Medical Board. In that case also, the Medical Board will follow the norms laid down for the Defence Services Medical Board and if the disabled personnel are found fit for discharging the duties of the post, they will be considered as medically fit. [G.I., Dept. of Per. & A.R., O.M. No. 39016/5/81-Estt. (C), dated the 21st February, 1981.]

Power to dispense with a Medical Certificate of fitness.—The power to dispense with a medical certificate of fitness before appointment to Government service in individual cases has been delegated among others to the following authorities to the extent indicated below —

Departments of the Government of India	Full powers.
Comptroller and Auditor-General of India	Full powers.
All Heads of Departments	Full powers in the case of non-gazetted staff.

NOTE.—In the case of Gazetted post, concurrence of the Ministry of Finance (in consultation where necessary with the Ministries of Home Affairs and Health), is necessary.

Although under FR 10 the Ministries are competent to dispense with a medical certificate of fitness before appointment to Government service in individual cases, powers should not be exercised liberally and exemption should be granted only sparingly and in exceptional cases in public interest. The medical examination is necessary both in the interest of the employer and the employee. If any relaxation is considered necessary after the examination in a really deserving case, where the individual concerned is highly qualified and otherwise perfectly fit to hold a particular post under the Government of India, exemption should be granted, in consultation with the Ministry of Finance who may consult the Ministries of Home Affairs and Health.

Except as provided above, once a candidate is asked by an authority to produce a medical certificate of fitness and has actually been examined and declared unfit, it is not open to such authority to use its discretion to ignore the certificate that has been produced.

[Sl. No. 4 of Appendix-3, FR & SR, Part-I; G.I., M.H.A., O.M. No. 5/9/58-RPS, dated the 10th October, 1958 and O.M. No. F. 20 (1)-E. V (A)/64, dated the 24th February, 1964.]

Head of the Office has to arrange for medical examination.—When a candidate including a person already in Government service is required to produce a medical certificate of fitness from a Government Medical Officer, the Head of the Office concerned should make a written request to that officer to give the candidate examined giving full particulars indicating—

- (a) the name and address of the candidate and also the post for which he is a candidate;
- (b) the correct date of birth of the candidate;
- (c) the date of entry into Government service;
- (d) the status and nature of duties of the post;
- (e) specific standards, if any, of physical fitness prescribed for the post;
- (f) whether the candidate has prior to the appointment suffered from Tuberculosis.

If the candidate is required to be examined by a Medical Board, the request shall be addressed by the Head of the Office of the candidate direct to the Administrative Medical Officer of the State in which the candidate is residing giving all particulars indicated above. In Delhi, the request for medical examination, where such examination is to be made by a Civil Surgeon/DMO, shall be addressed to the Staff Surgeon (Man), Willingdon Hospital and Assistant Surgeon, Grade I (Woman), under the Central Government Health Scheme for male and female candidates respectively. For examination by Medical Boards, the request shall be addressed to the Chairman, Central Standing Board, Willingdon Hospital/Saldarjung Hospital. The candidate will then be informed of the time and place at which he will be examined.

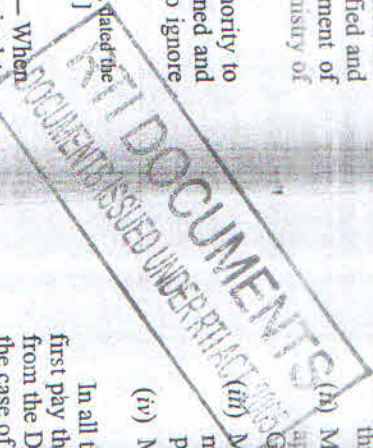
[G.I., M.H., O.M. No. F. 7 (1)-19/53 M. II, dated the 3rd October, 1953; F. 7 (1)-24/53 H. II, dated the 16th October, 1954; F. 7 (1)-2/52-M. II, dated the 4th February, 1952 and 5 (1)/54-H. II, dated the 16th February, 1955.]

Fees to be borne by Government.—The fees for the following kinds of medical examination shall be borne by Government:—

- (i) Medical examination of candidates for appointment to posts either through the UPSC by advertisement or through any other agency.
- (ii) Medical examination of Government servants holding non-gazetted appointments and already examined by a Civil Surgeon selected for Gazetted post.
- (iii) Medical examination of women candidates by private registered medical practitioners outside Delhi for appointment to non-gazetted posts.
- (iv) Medical examination of part-time employees.

In all the States other than Union Territories, the candidates concerned shall first pay the fee direct to the Medical Officer and then claim reimbursement from the Department after joining duty. No reimbursement will be allowed in the case of candidates who are found unfit.

[G.I., M.H., O.M. No. 7 (1)-25/51-M. II, dated the 15th October, 1951; O.M. No. F. 7 (1)-11/51-M. II, dated the 10th April, 1951 and M.F., O.M. No. 45 (1)-E. V/54, dated the 24th March, 1954.]



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Fee to be borne by candidates.—The fees for the following kinds of medical examination shall be borne by the candidates themselves:—

- (i) Medical examination of candidates recruited through competitive examinations held by the UPSC for appointment to Gazetted posts, e.g., IAS, IPS, IFS and other Central Services.
- (ii) Second and subsequent medical examinations allowed on appeal in all cases.

[G.I., M.H.A., O.M. No. F. 7 (1)-25/51-M. II, dated the 15th October, 1951.]

Admissibility of Travelling Allowance.—Travelling Allowance is not admissible for a journey undertaken to procure a health certificate on first appointment to Government service.

[G.I., M.H.A., O.M. No. F. 7 (1)-12/52-M. II, dated the 31st May, 1952 and CID (1) under SR 156.]

Employment of women candidates in a state of pregnancy

(a) *For appointments against posts carrying hazardous nature of duties.*—Where a pregnant woman candidate is to be appointed against a post carrying hazardous nature of duties, e.g., in Police Organizations, etc., and she has to complete a period of training as a condition of service and who as a result of tests is found to be pregnant of twelve weeks standing or over shall be declared temporarily unfit and her appointment held in abeyance until the confinement is over.

She should be re-examined for a fitness certificate six weeks after the date of confinement, subject to the production of medical certificate of fitness from a registered medical practitioner. The vacancy against which the woman candidate was selected should be kept reserved for her. If she is found fit she may be appointed to the post kept reserved for her and allowed the benefit of seniority in accordance with Para. 4 of Annexure to M.H.A., O.M. No. 9/11/55-RPS, dated the 22nd December, 1959.

(b) *For appointments against posts which do not prescribe any elaborate training.*—It shall no longer be necessary to declare a woman candidate as 'Temporarily Unfit' if she is found to be pregnant during medical examination before appointment against posts which do not prescribe any elaborate training, i.e., she can be appointed straightaway on the job.

[G.I., M.H. & F.P., O.M. No. F. 5-21/68 MA, dated the 12th December, 1968; D.P. & A.R., O.M. No. 14034/575-Estt. (D), dated the 19th July, 1976; and O.M. No. 14034/4/84-Estt. (D), dated the 13th February, 1985.]

Special provision in the case of re-employment of—

(a) *Ex-TB Patients.*—Ex-TB patients who were discharged from Central Government service on account of affliction with TB but who have subsequently been declared non-infective and medically fit for Government service by a TB Specialist or an authorized medical authority, are eligible for re-appointment to the posts previously held by them, if vacancies exist or to vacant posts in their own Departments, the usual condition regarding

age-limits not being enforced in their case. Such persons will be eligible for re-appointment by the Ministry/Department concerned without the intervention of Employment Exchanges whenever there are suitable vacancies. If such persons cannot be re-employed in the Ministry/Department concerned for want of vacancies, employment assistance will be rendered to them by Employment Exchanges. For this purpose, as also for the purpose of relaxation of age-limits, these persons will be treated as 'Retrenched Central Government employees'.

[G.I., M.H.A., O.M. No. 37/11/52-DGS, dated the 10th July, 1945.]

(b) *Pleurisy/Leprosy patients.*—Central Government employees discharged on account of affliction with Pleurisy/Leprosy and subsequently declared non-infective and medically fit may be re-appointed in the same or equivalent posts of the Ministry/Department concerned without the intervention of the Employment Exchanges.

[G.I., M.H.A., O.M., No. 37/11/52-D.G.S., O.M. No. 13/4/56-RPS, dated the 29th September, 1956 and O.M. No. 13/4/57-RPS, dated the 14th July, 1958.]

Medical examination of candidates having neural leprosy.—Candidates having suffered from leprosy but now declared as 'disease-arrested' or 'cured' by a competent authority should not be regarded as physically unfit for public services subject to the following conditions:—

(i) In addition to the normal medical examination by the appropriate medical authority prescribed in the rules from time to time for physical fitness for initial appointment to Government service, candidates should also be examined at the time of their initial appointment, by a Government Leprosy Medical Officer working in a Leprosy Control Unit or Hospital or as District Leprosy Officer and trained in leprosy from a recognized Leprosy Training Centre, and with not less than five years' standing in the diagnosis and treatment of leprosy;

(ii) It should be specifically certified by the Government Leprosy Medical Officer who examines the candidates at the time of their first appointment that the candidates concerned have taken the full course of treatment and have been declared as 'disease-arrested' or 'cured' from the available records of treatment and certificate of the patient, as well as clinical and bacteriological examination of the patient.

(iii) Ministries, in consultation with the Department of Health, may exclude certain specific posts where high standard of physical fitness is necessary, but such exclusion should be reduced to the minimum as the main purpose of this order is to break the psychological barrier between harmless ex-leprosy patients and the public. The position should be reviewed after a period of five years.

(iv) Apart from the initial medical examination at the time of recruitment, such persons should be medically examined annually (for a

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period of five years after initial appointment) to check that they take the maintenance dose of the drug, if any, advised by the Medical Officer who declared him as disease-arrested and that the disease-arrested condition has been maintained. In case, the medical examination discloses, at any time that the person concerned is having a recurrence of the disease with infectiousness, such cases should be dealt with under the normal rules for the purpose of their being given leave for treatment and the treatment period if required to be continued for over three years to make the patient non-infectious, he/she may be considered for invalidation from service.

(v) The confirmation of such a Government servant should be proceeded with only after two years of service during which he is continued to be non-infective and the disease has remained in the arrested or cured condition.

In all cases of doubt or where a departure is required to be made from the above procedure, the case should be referred to the Department of Health.

[G.L. M.H. O.M. No. A.17011/679-MS (D), dated the 25th June, 1980.]

Appeals against the findings of Medical Authority.— In cases where a Government servant or a candidate for Government service is declared unfit for retention in Government service or for appointment in the Government service by an individual Medical Officer/Medical Board, as the case may be, the grounds for rejection may be communicated to him in broad terms without giving minute details regarding the defects pointed out by the Medical Officer/Medical Board. Cases, where the grounds of rejection have not been clearly stated by the Medical Board in their report, may be referred to the Health Ministry for advice.

Ordinarily there should be no right of appeal from the findings of a Civil Surgeon or an Authorized Medical Attendant, but that, if Government are satisfied on the evidence placed before them by the candidate concerned of the possibility of an error of judgment in the decision of the Civil Surgeon or the Authorized Medical Attendant, it will be open to them to allow re-examination by another Civil Surgeon or a Specialist or by a Medical Board, as may be considered necessary.

The fee for such examination, if any, will be paid by the candidate concerned.

Appeals should be submitted by those concerned together with the requisite evidence in support of their case within one month from the date of issue of the communication in which the findings of the Medical Officers/ Medical Boards are communicated to the candidate/Government servant.

In case no appeal is preferred by a candidate who is already in service within one month of the date of the communication to him of the findings of the examining medical authority, his service shall be terminated on the expiry

of the period of one month and ordinarily no appeal shall be allowed after expiry of that period.

If any medical certificate is produced by a candidate or Central Government servant as a piece of evidence about the possibility of an error of judgment in the decision of a Medical Board/Civil Surgeon, or other Medical Officer who had examined him in the first instance, the certificate will not be taken into consideration unless it contains a note by the medical practitioner concerned to the effect that it has been given in full knowledge of the fact that the candidate has already been rejected as unfit for service by a Medical Board, a Civil Surgeon or other Medical Officer.

The Administrative Ministries/Departments may decide themselves all such appeals at least at the level of Joint Secretary, subject to the following conditions:—

- (i) The appeal will not be taken into consideration unless it contains medical re-examination fees, i.e., ₹ 100 for Gazetted post and ₹ 25 for non-gazetted post.
- (ii) The appeal should be examined thoroughly and a decision as to the appeal is to be admitted or not, is taken at the level of Joint Secretary of the Administrative Ministry concerned.
- (iii) As far as possible, the Medical Board which examines such appeals should be the one other than the Medical Board which initially examined the candidate as a basis on which he/she was declared unfit.

If a candidate is declared medically unfit on account of visual acuity, an appeal preferred by him/her should be dealt with by a Special Medical Board, the composition of which should include three Ophthalmologists. Ordinarily, the finding of the Special Medical Board should be considered as final, but a second appeal shall be permissible in doubtful cases and under very special circumstances.

[G.L. M.H. O.M. No. F.7 (1)-27/51-M. II, dated the 18th January, 1952; F.7 (1)-10/53-M. II, dated the 1st May, 1953 and 27th March, 1953; F. 5-35/55-M. II, dated the 13th December, 1955; F. 5 (11)-45/56-M. II dated the 26th October, 1956 and 17th November, 1956; F. 5 (11) (Pt II)-12/57-M. II, dated the 17th December, 1957 and O.M. No. 14025/54/86-MS, dated the 19th January, 1989.]

Fitness of candidates with Pacemaker for Government services.— A question has been raised as to whether a person who has undergone Pacemaker implant should be considered fit for employment under the Government, in so far as medical standards are concerned. The matter has been examined carefully in this Ministry in consultation with the Directorate General of Health Services and Department of Personnel and Training and it is hereby clarified that a candidate having got a Pacemaker implanted, may be considered fit for Government service except the candidates selected for the following posts:—

- (1) Pilots.
- (2) Jobs in the Defence Forces, Police and Security.

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- (3) Railway or Bus Drivers.
- (4) Posts attached to electro-magnetic areas.
- (5) Any other post requiring higher standards of physical fitness.

In case of doubt about any category of services or posts, a reference will be made to this Ministry for obtaining clarifications.

[G.L., Min. of Health and Family Welfare, O.M. No. A-1/1020/2/86-MS, dated the 17th March, 1988.]

Medical examination of physically handicapped persons.—Cases of physically handicapped persons seeking employment in the public service that may be referred to the appointing and medical authority shall be viewed with the utmost sympathy.

On nomination of the physically handicapped persons by the Employment Exchanges for appointment against posts under the Government, they should not be subjected to the usual medical examination on first appointment in Government service, but the question of their appointment should be decided on the basis of the reports of the Medical Board attached to the Special Employment Exchanges for the Physically Handicapped. These persons need not be examined by the Medical Board at the time of their registration with the Employment Exchange, but they should be sent for medical examination to the Medical Board attached to the Special Employment Exchanges after they have actually been selected for a particular post.

[G.L., M.H.A., O.M. No. 20/29/57-Est. (D), dated the 17th December, 1957; O.M. No. 5/1/60, dated the 28th June, 1960; O.M. No. 5/1/62-Est. (D), dated the 31st July, 1967; O.M. No. 5/1/66-Est. (D), dated the 12th October, 1966; and the 8th December, 1967.]

Conditions for appointment in anticipation of medical certificate.—1.

The President has been pleased to delegate powers to the Administrative Ministers and the Comptroller and Auditor-General of India to authorize, in relaxation of FR 10, the drawal of pay and allowances for a period not exceeding two months in respect of fresh recruits to Government service without a medical certificate of health, subject to the condition that if the person concerned is subsequently found medically unfit, his services should be terminated after the expiry of the period of one month from the date of communication to him of the findings of the Medical Officer/Board, if no appeal for a second medical examination is made by him during this period or after the case for second medical examination is finally decided, if such an appeal is made and accepted. The condition should be clearly stated in the initial letter of appointment.

2. The Administrative Ministers and the C & AG of India shall, however, exercise this power sparingly and in exceptional circumstances only, e.g., when it is considered necessary in the public interest that a selected person should be appointed immediately in anticipation of his medical examination.

3. Where the competent authority authorizes the drawal of pay and allowances of a newly appointed Government servant for a period not exceeding

two months without medical certificate of health, a certificate to this effect shall be furnished in the first pay bill.

[G.L., M.F., O.M. No. 67 (21)-E. V/60, dated the 16th December, 1960; F. 25 (24)-E. V/66, dated the 24th August, 1966.]

X-ray test to be conducted separately and for selected candidates only.—The undersigned has been directed to say that the National Human Rights Commission (NHRC) had, with a view to minimize exposure to X-ray radiation, made a recommendation that X-ray examination of chest should be performed only on those candidates who are recommended for appointment. The practice followed as of now in case of the candidates who appear at the Civil Services Examination, etc., is that, all candidates who are called for interview/personality test are medically examined (including X-ray of chest) on the next working day after they are interviewed for personality test by the Union Public Service Commission (UPSC). The aforesaid recommendation of the NHRC has been examined and accepted by the Government in respect of the Civil Services Examination and other competitive examinations conducted by the UPSC.

2. The modalities decided to implement the recommendation of the NHRC, as far as its applicability to the Civil Services Examination is concerned, are as follows:—

- (a) The medical examination of the candidate would be conducted in two parts, i.e., Part-I and Part-II.
- (b) Part-I would consist of the entire medical examination/test which the Medical Board may prescribe for a candidate except the chest X-ray test. Part-I would be conducted for all the candidates who would be called for interview/personality test by the UPSC and would continue to be held on the working day next to the date of interview as at present.
- (c) The medical report of Part-I would, as per the existing practice, be made available to the Department of Personnel and Training, which is the nodal agency for the Civil Services Examination, with the findings of the Medical Board in respect of the medical examination comprising Part-I. Such findings would, however, be subject to the chest X-ray report of the candidate.
- (d) After declaration of the final results, the candidates who are recommended for appointment by the UPSC would be required to undergo Part-II of the medical examination which would consist of X-ray test of the chest.
- (e) The Part-I and Part-II of the medical examination would be independent of each other. In other words, the findings of each part of the medical examination would be sent for processing to the Department of Personnel and Training as soon as the concerned part of the examination has been completed.
- (f) The existing Medical Boards at Delhi would continue to conduct the Part-I and Part-II of the medical examination. As far as



EX-1
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practicable, Part-II would be conducted in the same hospital in which Part-I was conducted.

3. As the medical examination of the candidates would be conducted in two parts, the pro forma in which the findings of the Medical Boards would be furnished has been split into two. Accordingly, Pro forma-I of the report would comprise the findings of the Part-I of the medical examination and Pro forma-II of the report would comprise the findings of Part-II of the medical examination. A copy of the Notification No. 13019/2/98-AIS (I), dated 22-9-1999 effecting changes in the Civil Services Examination Rules along with the aforesaid pro forma-I and II are enclosed.

4. In respect of other competitive examinations conducted by the UPSC (as indicated in Paragraph 1 above), the same procedure and pro forma as indicated in Paragraphs 2 and 3 above may be adopted with suitable modifications by the concerned nodal Ministries/Departments.

5. Ministries/Departments are requested to make suitable modifications in the existing examination rules accordingly. A copy of the amendments made in the relevant rules may be made available to the Department of Personnel and Training (Establishment 'D' Section) as well as to the NHRC.

6. The action suggested in Paragraph 5 above may be completed on priority basis.

[G.L. Dept. of Per. & Trg., O.M. No. 15015/1/97-Estt (D), dated the 5th October, 1999.]

ENCLOSURE

TO BE PUBLISHED IN PART-I, SECTION-1 OF
THE GAZETTE OF INDIA: EXTRAORDINARY,

DATED 22-9-1999

No. 13019/2/98-AIS (I)

Government of India

Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

New Delhi 110 001

September 22, 1999

NOTIFICATION

No. 13018/2/98 AIS (D): In the Rules for Civil Services Examination, 1999 published in Part-I, Section 1 of the Gazette of India (Extraordinary), dated 12-12-1998, the following amendments may be carried out:

(i) Rule 20 may be substituted as below:

"20. A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties as an officer of the service. A candidate who after such medical examination as Government or the appointing authority, as the case may be, may prescribe, is

found not to satisfy these requirements will not be appointed. Any candidate called for the Personality Test by the Commission may be required to undergo Part-I of the medical examination and the candidate who are declared successful on the basis of this examination, may be required to undergo Part-II of the medical examination. The details of Parts-I and II are given in the Appendix-III to these Rules. No fee shall be payable to the Medical Board by the candidate for the medical examination except in the case of appeal.

NOTE—(i) In order to prevent disappointment, candidates are advised to have themselves examined by a Government Medical Officer of the standing of a Civil Surgeon, before applying for admission to the examination. Particulars of the nature of the medical test to which candidates will be subjected before appointment and of the standard required are given in Appendix-III to these Rules. For the disabled Ex-Defence Services Personnel, the standards will be relaxed consistent with the requirements of the Service(s)."

(ii) The existing Regulation "2" of the medical regulations given in Appendix-III, shall be re-numbered as 2 (a) and 2 (b) shall be added as below:—

"2 (b) The Medical examination shall be conducted in two parts, i.e., Part-I which shall consist of the entire medical examination which the Medical Board may prescribe for a candidate, except the Radiographic examination of the chest (X-ray test) and Part-II which shall consist of Radiographic examination (X-ray test of the chest). The Part-II shall be conducted only in respect of the candidates who have been declared successful on the basis of the examination."

(iii) In sub-regulation (a) of Regulation 2 below Part "B, NON-TECHNICAL" of the Regulations, following shall be added:—

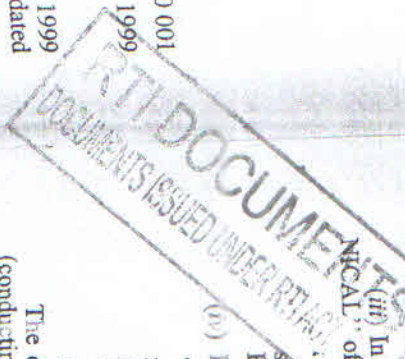
"However, the X-ray of the chest will be done in respect of only such candidates who are directed to appear before the Medical Board for Part-II of the medical examination."

Regulation 11 shall be substituted as below:—

"Radiographic examination of the chest for detecting any abnormality of the heart and lungs, which may not be apparent by ordinary physical examination will be restricted to only such candidates who are declared successful at the concerned Civil Services Examination."

The decision of the Chairman of the Central Standing Medical Board (conducting the medical examination of the concerned candidate) about the fitness of the candidate shall be final.

In case of doubt regarding health of a candidate, the Chairman of the Medical Board may consult a suitable Hospital Specialist to decide the issue of fitness or unfitness of the candidate for Government service, e.g., if a candidate is suspected to be suffering from any mental defect or aberration,



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the Chairman of the Board may consult a Hospital Psychiatrist, Psychologist, etc.

When any defect is found, it must be noted in the certificate and the Medical Examiner should state his opinion whether or not it is likely to interfere with the efficient performance of the duties which will be required of the candidate.

(v) Candidate's statement and declaration *vide* sub-regulation (a) and report of the Medical Board on Physical Examination *vide* sub-regulation (b) under the heading "Medical Board's Report" may be substituted as below:—

PRO FORMA-I

(A) Candidate's Statement/Declaration

The candidate must make the statement required below prior to his/her medical examination and must sign the Declaration appended thereto.

1. State your name in full (in block letter)

State your age and birth place

2. (a) Do you belong to Scheduled Tribe or to races such as Gorkhas, Garhwalis, Assamese, Nagaland Tribes, etc., whose average height is distinctly lower.

[Answer 'Yes' or 'No', and if the answer is 'Yes' state the name of the race.]

3. (a) Have you ever had small-pox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, heart disease, lung disease, fainting attacks, rheumatism, appendicitis?

OR

(b) Any other disease or accident requiring confinement to bed and medical or surgical treatment?

4. When were you last vaccinated?

5. Have you suffered from any form of nervousness due to overwork or any other cause?

6. Furnish the following particulars concerning your family:—

Father's age if living and state of Health	Father's age at death & cause of death	Number of Brothers living, their ages & state of health	Number of Brothers dead, their age and cause of death
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7. Have you been examined by a Medical Board before?
8. If answer to the above is yes, please state what Service/ Services you were examined for?

9. Who was the examining authority?

10. When and where was the Medical Board held?

11. Result of the Medical Board's Examination, if communicated to you or if known.

12. All the above answers are to the best of my knowledge belief, true and correct and I shall be liable for action under law for any material infirmity in the information furnished by me or suppression of relevant material information. The furnishing of false information or suppression of any factual information would be a disqualification and is likely to render the candidate unfit for employment under the Government. If the fact that false information has been furnished or that there has been suppression of any factual information comes to notice at any time during the service of a person, his services would be liable to be terminated.

Signed in my presence

Signature of the Chairman of the Board

Report of the Medical Board on
(Name of the Candidate)

Candidate's signature

PHYSICAL EXAMINATION

General Development: Good Fair Poor

Nutrition: Thin Average Obese

Height (without shoes) Weight

Any recent change in weight?
Temperature

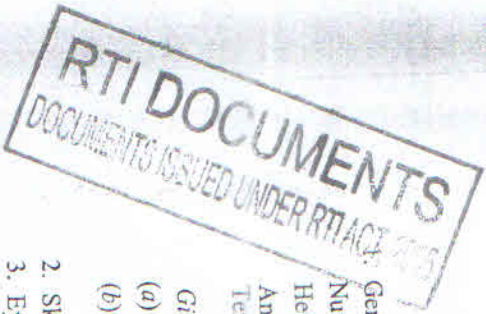
Girth of Chest:—

(a) (After full inspiration)

(b) (After full expiration)

Any obvious disease

- 2. Skin: (1) Any disease
- 3. Eyes: (2) Night Blindness
- (3) Defect in colour vision



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- (4) Field of vision
- (5) Visual Acuity
- (6) Purdus examination

Acuity of vision	Naked eye	With glasses	Strength of glasses		
			Sp.	Cyl.	Axis
Distant R.E. Vision L.E.					
Near R.E. Vision L.E.					

Hypemetroopia (Manifest)

R.E.
L.E.

4. Ears: Inspection Hearing Right Ear
Left Ear

5. Glands Thyroid

6. Condition of teeth

7. Respiratory System: Does physical examination reveal anything abnormal in the respiratory organs? If yes, explain fully.

CIRCULATORY SYSTEM

8. (a) Heart: Any organic lesions?

Rate Standing

After hopping 25 times
2 minute after hopping

(b) Blood pressure: Systolic Diastolic

9. Abdomen: Girth Tenderness Hernia

(a) Palpable: Liver Spleen Kidneys Tumors

(b) Haemorrhoids Fistula

10. Nervous system: Indications of nervous or mental disability

11. Locomotor System: Any abnormality

12.

Genito Urinary System

Any evidence of hydrocele
varicocele, etc.

(a) Physical appearance

(b) Sp. Gr.

(c) Albumin

(d) Sugar

(e) Casts

(f) Cells

13 Is there anything in the health of the candidate likely to render him/her unfit for the efficient discharge of his/her duties in the service for which he/she is a candidate?

NOTE— In the case of female candidate: If it is found that she is pregnant of 12 weeks standing or over, she should be declared temporarily unfit, vide Regulations 9.

14. (i) State the Services for which the candidate has been examined.

(a) Indian Administrative Service and Indian Foreign Service.

(b) Indian Police Service and Delhi and Andaman and Nicobar Islands Police Service.

(c) Central Services, Groups A and B.

(ii) Has he/she been found qualified in all respects for the efficient and continuous discharge of his/her duties in:

(a) Indian Administrative Service and Foreign Service.

(b) IPS and Delhi and Andaman and Nicobar Islands Police Service (see especially height, chest, girth, eye sight, colour blindness and locomotive system).

(c) Indian Railway Traffic Service (see especially height, chest, eye sight, colour blindness).

(d) Other Central Services, Groups 'A' and 'B'.

(iii) Is the candidate fit for Field Service.

NOTE— (i) The Board should record their findings under one of the following three categories:

(i) Fit

(ii) Unfit on account of

(iii) Temporarily unfit on account of

NOTE— (ii) The candidate has not undergone chest X-ray test. In view of this, the above findings are not final and are subject to the report on chest X-ray test.

Place:

Chairman

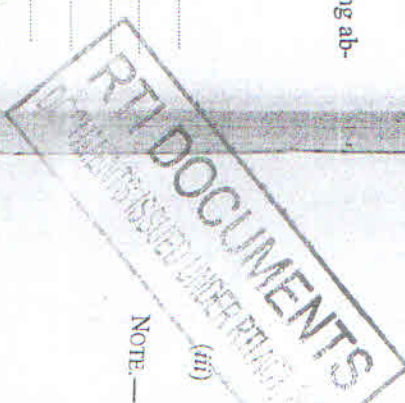
Member

Date:

Signature

Member

Seal of the Medical Board



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Candidate's Statement/Declaration

1. State your Name: *(in block letters)*
2. Roll No. ...

Candidate's signature

Signed in my presence

Signature of the Chairman of the Board

To be filled in by the Medical Board

NOTE — The Board should record their findings under one of the following three categories in respect of chest X-ray test of the candidate.

Name of the candidate

(i) Fit

(ii) Unfit on account of

(iii) Temporarily unfit on account of

Place:

Chairman

Signature

Date:

Member

Member

Seal of the Medical Board

**CHAPTER 24
DOMICILE**

1. Constitutional provisions

1. No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

2. Nothing shall prevent Parliament from making any law prescribing, in regard to class or classes of employment or appointment to an office under the Government of, or any local or other authority, within a State or Union Territory, any requirement as to residence within that State or Union Territory prior to such employment or appointment.

[Article 16 (2) and (3) of the Constitution.]

3. At the commencement of this Constitution, every person who has his domicile in the territory of India and—

(a) who was born in the territory of India; or

(b) either of whose parents was born in the territory of India; or

(c) who has been ordinarily resident in the territory of India for not less than five years immediately preceding such commencement, shall be a citizen of India.

[Article 5 of the Constitution.]

4. A person who has migrated to the territory of India from the territory now included in Pakistan shall be deemed to be a citizen of India at the commencement of this Constitution if—

(a) he or either of his parents or any of his grandparents was born in India as defined in the Government of India Act, 1935 (as originally enacted); and

(b) (i) in the case where such person has so migrated before nineteenth day of July, 1948, he has been ordinarily resident in the territory of India since the date of his migration, or

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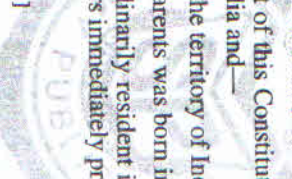
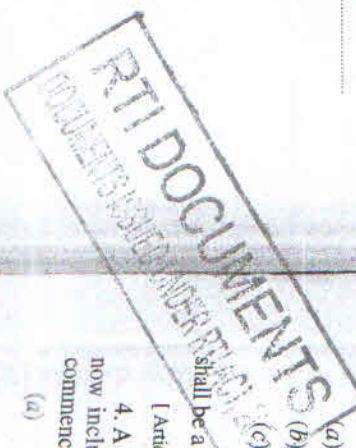
[Article 6 of the Constitution.]

2. Standard rules

(i) A candidate for appointment to any Central Service or post must be—

(a) a Citizen of India, or

(b) a subject of Nepal, or



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All Collectors of Central Excise,
All Collectors of Customs,
All Heads of Departments under CBEC.

SUBJECT:- Recruitment/appointment - Policy decision whether "COLOUR BLINDNESS" is a disqualification or not for recruitment/appointment to the Executive cadre posts of Inspector of Central Excise/ PO/EO, etc. - Review thereof - Instructions regarding.

Sir,

In supersession of Board's circular F.No. A.12034/83/85-AG.III dated 1st April, 1986 (copy enclosed for ready reference), I am directed to say that colour blindness will be a disqualification for recruitment to the executive cadre posts of Inspector/Preventive officer/Examiners under Central Excise and Customs departments.

Kindly acknowledge the receipt of this letter.

RTI DOCUMENTS
DOCUMENTS ISSUED UNDER RTI ACT, 2005

Yours faithfully,

(H.K. MITRA)
Under Secretary

Encls:- As above Central Board of Excise and Customs.

1. Copy forwarded to the Collector of Central Excise, Delhi with reference to his office letter C.No. II-31(1)Et. I/92/523 dated 5.3.93 for information and necessary action.
2. Copy to Secretary, Staff Selection Commission, New Delhi for information/necessary action please.

(H.K. MITRA)
Under Secretary
Central Board of Excise and Customs



Handwritten notes and stamps on the left margin, including a date stamp '45/01/93' and other illegible markings.