



## PART II

### CHAPTER III      GENERAL CONDITIONS OF SERVICE

**F.R. 10 Health certificate on first appointment.-** Except as provided by this rule, no person may be substantively appointed in India to a permanent post in Government service without a medical certificate of health, which must be affixed to his first pay bill. A local Government may make rules prescribing the form in which medical certificates should be prepared, and the particular medical or other officers by whom they should be signed. It may, in individual cases, dispense with the production of a certificate, and may by general order exempt any specified class of Government servants from the operation of this rule.

**F.R. 10-A.** Except as provided by or under this rule, no person may be appointed to a post in Government service, without a medical certificate of health. [\*\*\*] Government may, by rules prescribe the form in which medical certificates should be prepared, and the particular medical or other officers by whom they should be signed. Government may, in individual cases, dispense with the production of a certificate and may by general order exempt any specified class of Government servants from the operation of this rule.

Rule made by the State Government for application to Government servants under their rule-making control.

<sup>2</sup> The certificate should be produced either before or within a [month] of the commencement of the employment of the candidate as may be convenient. A temporary or officiating Government servant who has furnished a medical certificate of fitness in the form prescribed in Supplementary Rule 1 (a) below this rule shall not be required to produce a fresh certificate of fitness at the time of confirmation if he is confirmed without a break in his temporary or officiating service. Similarly, a temporary or officiating Government servant who has already been medically examined in one office, if transferred to another office, shall not be required to undergo a fresh medical examination, provided the

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<sup>1</sup> The words "which must be affixed to his first bill", deleted by F.D. Notification No. 1769-408-IV-R-I, dated 9.12.66.

<sup>2</sup> Substituted for the words "a week" by F.D. Notification No.1662-CR1420-IV-RI Dated 27.7.61



transfer occurs without a break in his service. The person concerned should obtain a certificate from the head of the office from which he is transferred to the effect that he had already produced the requisite medical certificate of health.

**S.R. 1. Form of certificate.-** (a) A medical certificate of fitness for Government service shall be in the following form:-

**Form of the Medical Certificate**

I/We do hereby certify that I/we have examined ..... a candidate for employment in the ..... Department and cannot discover that he/she has any disease (communicable or otherwise) constitutional weakness or bodily infirmity except .....

I/We do not consider this a disqualification for employment in the Department.....

Condition of -

1. Circulatory System- .....  
Blood Pressure - .....  
(Systolic) .....  
(Diastolic) .....m.m. Hg.....
2. Respiratory System- .....
3. Digestive System- .....
4. Genito Urinary System- .....  
Urine Examination- .....  
Reaction- .....  
Specific gravity- .....  
Albumen- .....  
Sugar- .....
5. Nervous System- .....



6. Special Senses including .....  
remarks on correction of  
visual defects, if any.-

His/Her age is, according to his/her own statement.....  
years and by appearance about ..... years.

He/She has/had smallpox/has been successfully vaccinated.

Thumb and finger impressions of the left/right hand (to be  
obtained except in the case of women and literate persons who can  
sign their names in English)

Thumb .....Index ..... Middle ..... Ring .....Little  
.....

Signature of the candidate in English <sup>3</sup> [or in Hindi]

(to be obtained in the case of those who can sign their names  
in English <sup>4</sup> [or in Hindi].

**Note.-** In the case of transfer of an officer from one office to  
another, the duties of which are different in character from  
those of his/her former office a commissioned medical  
officer or a medical officer in charge of a civil station should  
be required to report whether the defect, if one exists, will  
materially interfere with the discharge of the duties of the next  
office by the officer in question.

.....  
Station..... (Signature and Designation of  
Date..... (examining Medical Authority)

**NOTE.-** The thumb and finger impressions of the candidates  
should except in case of women and literate persons who  
can sign their names in English, <sup>5</sup> [or in Hindi] be taken on

<sup>3</sup> Inserted by F.D. Notification No.705/R-69-IV-R-I, dated 17.4.64.

<sup>4</sup> Inserted by F.D. Notification No.705/R-69-IV-R-I, dated 17.4.64.

<sup>5</sup> Inserted by F.D. Notification No.705/R-69-IV-R-I, dated 17.4.64.



the medical certificates by the examining medical officer and the impressions should be verified by the head of the office with those taken in the service books or service rolls, as the case may be. In the case of gazetted officers and of non-gazetted Government servants who can sign in English the examining medical officer, or the Medical Board, as the case may be, should obtain the signature of the Government servant on the medical certificate in his or its presence. This signature should, in the case of gazetted officers, be verified by the Audit Officer with that on the first pay bill to which the medical certificate is attached while in the case of non-gazetted Government servants the head of the office will make the verification by comparison with the signature of the Government servant in the service book.

(b) The following classes of Government servants are exempted from the production of medical certificate of health:-

- (i) Qualified students of the Thomson College, Roorkee, who are appointed within 18 months from the date of the health certificate granted to them on the completion of their College Course.
- (ii) A Government servant in superior service appointed in a temporary vacancy of less than three month's duration.
- (iii) A Government servant in inferior service appointed in a temporary vacancy of less than six month's duration.

<sup>6</sup>.**[NOTE.-** (1) A non-gazetted employee of the State Government appointed or deputed to hold a gazetted post will not be subjected to fresh medical examination by a Medical Board, if he has already been examined by the competent medical authority, and declared fit for the previous non-gazetted appointment. If, however, his appointment or deputation to the gazetted post is not in the normal line of promotion and

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<sup>6</sup> Inserted by F.D. Notification No.1591-1801/IV-R-I, dated 25.10.66.



requires a different medical standard of high order or rules for recruitment to this new appointment require a fresh medical examination, he will have to undergo a fresh medical examination of the prescribed standard conducted by a Medical Board.

- (2) A Non-gazetted employee of the Central or other State Government if appointed/deputed to non-gazetted post under the State Government will not be required to undergo a fresh medical examination. If, however, he is appointed or deputed to a gazetted post he will be required to undergo a fresh medical examination by a Medical Board.
- (3) A permanent employee of the Central or other State Government holding a gazetted post if appointed/deputed to the State Government in a gazetted post will not be subjected to fresh medical examination of the Medical Board.]

**S.R. 2. Authorities who should grant medical certificates.-** In the case of candidates for appointment to the Provincial Services or to gazetted posts the medical certificate to be furnished under F.R. 10-A should be that of a medical board, while in other cases a certificate signed by the Civil Surgeon of the district in which the candidate is resident or in which he is to be employed would suffice.

**Note.-** The services of a candidate declared medically unfit for services should be dispensed with from the date of receipt of the result of the first medical examination without waiting for the decision of any appeal which he may have preferred to the higher authority (Central Medical Board) for a second medical examination under S.R. 5 below.

[Note inserted vide G.A.D. No. 2037-CR-113-II, dated 5-5-1955]

**Exception 1.-** The Assistant Medical Officer at Sironcha has been authorised to grant health certificates in the case of all officials appointed in that tahsil on pay not exceeding Rs. 50 per mensem.



**Exception 2.-** Medical Officers in charge of jails are authorised to grant health certificates in the case of candidates selected for employment as subordinate officers of any jail.

**Exception 3.-** The Civil Assistant Surgeons in charge of the Main Hospitals Narsimhapur, Damoh, Seoni, Mandla, Balaghat and Durg are authorised to grant health certificates to candidates for enlistment in the Police, Forest, Revenue, Excise and Land Records Departments at those places. The Civil Assistant Surgeon at Mandla is authorised to grant health certificate to candidates for appointment in the Revenue, Excise and Land Records Departments in the Mandla district.

The Assistant Surgeons at Jashpurnagar, Baikunthpur and Rajnandgaon in Raigarh, Surguja and Durg districts, respectively, are authorised to grant health certificates to candidates for enlistment in the Police Department at those places.

The Civil Assistant Surgeon at Kanker is authorised to grant health certificates to candidates for appointment in the Forest Department at that place.

**Exception 4.-** The Civil Assistant Surgeon at Balaghat is authorised to grant health certificates to candidates for appointment in the Revenue, Excise, Land Records, Sales Tax and Food Department in the Balaghat district.

[G.A.D. Memo No. 914-CR-74-II, dated 6-3-1953]  
[F.D. endt. No. 3333-516-R-VI-I, dated 27-3-53. C.F.No. 13-4-53].

**Exception 5.-** The Civil Assistant Surgeon at Jagdalpur is authorised to grant health certificates to candidates for appointments to posts in the Revenue, Excise and Land Records Departments, in the absence of the Civil Surgeon, Jagdalpur, from headquarters.

[G.A.D. Memo. No. 1553-3126-II, dated the 26th March, 1954].

Female  
candidates.

**S.R. 3.** Female candidates shall be required to produce a certificate from a female medical officer or practitioner when this could be obtained without undue inconvenience, otherwise a



competent authority may dispense with the production of the certificate.

**S.R. 4.** In the case of a candidate for appointment to <sup>7</sup> [a class IV]post the appointing authority may accept a certificate signed by any medical officer irrespective; of his qualifications. Candidate on pay below Rs. 25.

**S.R. 5.** (i) Any person who is declared unfit for appointment to Government service by the certifying medical officer, may appeal through the appointing authority to the Central Medical Board against the unfavourable decision of the medical officer on payment of a fee of Rs. 10. The decision of the Board shall be considered as final.

<sup>8</sup> [(ii) The appeal to the Central Medical Board under sub-rule (i) must be preferred within 30 days from the date of intimation to the Candidate.]

**Note.-** The fees realized under this rule shall be credited to Government under head "XXVII-Medical-Miscellaneous".

**F.R. 11.** Unless in any case it be otherwise distinctly provided, the whole time of a Government servant is at the disposal of the Government which pays him and he may be employed in any manner required by proper authority, without claim for additional remuneration, whether the services required of him are such as would ordinarily be remunerated from general revenues, from a local fund (or from the funds of a body corporate or not, which is wholly or substantially owned or controlled by the Government.) General conditions of service.

**F.R. 12.**

- (a) Two or more Government servants cannot be appointed substantively to the same permanent post at the same time. Appointment of two or more Government servants to the same post.

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<sup>7</sup> Substituted for the words "on pay below Rs. 25" by F.D. Notification No. 1109-R-167-IV-R-I, dated 19.6.63.

<sup>8</sup> Substituted by F.D. Notification No.765/IV-R-I, dated 27.4.64.



- (b) A Government servant cannot be appointed substantively, except as a temporary measure, to two or more permanent posts at the same time.
- (c) A Government servant cannot be appointed substantively to a post on which another Government servant holds a lien.

**F.R. 12-A.-** Unless in any case it be otherwise provided in these rules, a Government servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

Retention of lien. **F.R. 13.** Unless his lien is suspended under rule 14 or transferred under rule 14-B, a Government servant holding substantively a permanent post retains a lien on that post-

- (a) While performing the duties of that post;
- (b) while on foreign service, or holding a temporary post, or officiating in another post;
- (c) during joining time on transfer to another post; unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties on the old post;
- <sup>9</sup> [(d) Subject to the exception in rule 97, while on leave other than refused leave granted after the date of compulsory retirement under Rule 86;]
- (e) while under suspension.

<sup>10</sup>  
**Note.-** [Deleted].

**A.G.I.** This rule does not, however, apply to cases in which it is the recognised practice to pay a Government servant at a higher

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<sup>9</sup> Substituted by F.D. Notification No.F.A.I-86-60-R-I-IV, dated 28.3.74.

<sup>10</sup> Deleted by F.D. Notification No. 1559/2882/84/R-I-IV dated 27.8.84.





rate for more important duties performed during a part only of a day.

**L.G.R.** A Government servant appointed provisionally substantive to a permanent post should be regarded for all purposes as an officer with a substantive appointment so long as the lien on the post is not resumed by the Government servant on whose place the provisional substantive appointment was made.

Government  
servants  
appointed  
provisionally  
substantive.

**F.R. 14.** (a) A local Government shall suspend the lien of a Government servant on a permanent post which he holds substantively if he is appointed in a substantive capacity-

Suspension of  
lien.

- (1) to a tenure post, or
- (2) <sup>11</sup> [Deleted]
- (3) Provisionally to a post on which another Government servant would hold a lien had his lien not been suspended under <sup>12</sup> [the] rule.

(b) A local Government may, at its option, suspend the lien of a Government servant on a permanent post which he holds substantively if he is deputed out of India or transferred to foreign service, or, in circumstances not covered by clause (a) of this rule, is transferred, <sup>13</sup> [in an officiating capacity], to a post in another cadre, and if in any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien for a period of not less than three years.

(c) Notwithstanding anything contained in clause (a) or (b) of this rule, a Government servant's lien on the tenure post may in no circumstances be suspended. If he is appointed substantively to another permanent post, his lien on the tenure post must be terminated.

<sup>11</sup> Deleted by F.D. Notification No. 1083-CR-1018/IV-R-I -71, dated 14.9.71.

<sup>12</sup> Substituted by F.D. Notification No. 1083-CR-1018/IV-R-I -71, dated 14.9.71

<sup>13</sup> Substituted by F.D. Notification No. 1083-CR-1018/IV-R-I -71, dated 14.9.71



(d) If a Government servant's lien on a post is suspended under clause (a) or (b) of this rule, the post may be filled substantively, and the Government servant appointed to hold it substantively shall acquire a lien on it; provided that the arrangements shall be reversed as soon as the suspended lien revives.

**Notes.-** (1) <sup>14</sup> [This clause shall also apply to a post of a selection grade of a cadre].

(2) When a post is filled substantively under this clause, the appointment will be termed a provisional appointment; the Government servant appointed will hold a provisional lien on the post; and that lien will be liable to suspension under clause (a) but not under clause (b) of this rule.

(e) Except as provided in sub-rule 97, Government servant's lien which has been suspended under clause (a) of this rule shall revive as soon as he ceases to hold a lien on a post of the nature specified in <sup>15</sup> [sub-clause (1), or (3)] of that clause.

(f) A Government servant's lien which has been suspended under clause (b) of this rule shall revive as soon as he ceases to be on deputation out of India or on foreign service or to hold a post in another cadre, provided that a suspended lien shall not revive because the Government servant takes leave if there is reason to believe that he will, on return from leave, continue to be on deputation out of India or on foreign service or to hold a post in another cadre and the total period of absence on duty will not fall short of three years or that he will hold substantively a post of the nature specified in <sup>16</sup> [sub-clause (1) or (3) of clause (a)].

**F.R. 14-A.-** (a) Except as provided in <sup>17</sup> [clause (c) and (d) of this rule and rule 97, a Government servant's lien on a post may

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<sup>14</sup> Substituted by F.D. Notification No. 407-R-53-IV-R-I, dated 5.3.63.

<sup>15</sup> Substituted by F.D. Notification No. 204-R-191-IV-R-I, dated 22.2.68.

<sup>16</sup> Substituted by F.D. Notification No. 204-R-191-IV-R-I, dated 22.2.68.

<sup>17</sup> Substituted by F.D. Notification No. 407-R-53-IV-R-I, dated 5.3.63.



in no circumstances be terminated, even with his consent, if the result will be to leave him without a lien or suspended lien upon a permanent post.

<sup>18</sup>  
(b) [Deleted]

<sup>19</sup>  
[(c) Notwithstanding the provisions of rule 14 (a), the lien of a Government servant holding substantively a permanent post shall be terminated while on refused leave granted after the date of compulsory retirement under rule 86 or on his appointment substantively to any of the offices referred to in sub-rule (1) of rule 97 or to the post of Chief Engineer of the Public Works Department or on his appointment as the Chairman or any other member of the Union Public Service Commission or as the Chairman or any other Member of a State Public Service Commission].

<sup>20</sup>  
[(d) A Government servant's lien on a post shall stand terminated on his acquiring a lien in a permanent post (whether under a State Government or the Central Government) outside the cadre on which he is borne.]

**F.R. 14-B.-** Subject to the provisions of rule 15, a local Government may transfer to another permanent post in the same cadre the lien of a Government servant who is not performing the duties of the post to which the lien relates, even if the lien has been suspended.

**F.R. 15. (a)** A local Government may transfer a Government servant from one post to another; provided that except-

Transfer to a post carrying less pay.

- (1) on account of inefficiency or misbehaviour, or
- (2) on his written request,

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<sup>18</sup> Deleted by F.D. Notification No. 1083-CR-1018-IV-R-I-71, dated 14.9.71.

<sup>19</sup> Substituted by F.D. Notification No. 1083-CR-1018-IV-R-I-71, dated 14.9.71.

<sup>20</sup> Substituted by F.D. Notification No. 1083-CR-1018-IV-R-I-71, dated 14.9.71.



a Government servant shall not be transferred substantively to, or, except in a case covered by rule 49, appointed to officiate in a post carrying less pay than the pay of the permanent post on which he holds a lien, or would hold a lien had his lien not been suspended under rule 14.

(b) Nothing contained in clause (a) of this rule or in clause (13) of rule 9 shall operate to prevent the transfer of a Government servant to the post on which he would hold a lien, had it not been suspended in accordance with the provisions of clause (a) of rule 14.

Retrospective  
cancellation of an  
order not  
affecting  
emoluments not  
*ultra vires* of F.R.  
15.

**L.G.R.1.** A question arose whether an order which cancelled the appointment of an officer to a post with retrospective effect when his emoluments were not affected thereby was permissible. It was held that as the rule protects an officer from reduction in emoluments except in case of inefficiency or misbehaviour, the order under reference would not contravene the intention of Fundamental Rule 15.

**L.G.R. 2.** A question having arisen whether the reversal of permanent arrangements in consequence of any orders passed by the appellate or revisional authority, as the case may be, is barred by Fundamental Rule 15, it has been held with the concurrence of the Auditor-General that if an officer having been dismissed or removed from service, or reduced in rank, or superseded by another officer, has a right of appeal against the penalty imposed on him and his appeal is allowed, and equally if there is an authority competent to interfere, in revision, with the orders passed by lower authorities imposing that penalty and that authority sets aside the orders imposing that penalty the reversal of any permanent arrangement made in the meantime may be considered to be the automatic consequence of the orders passed by the appellate or revisional authority, as the case may be, and that the provisions of Fundamental Rule 15, according to which a Government servant shall not be transferred, substantively to a post carrying less pay, except under the circumstances mentioned in that rule, are not attracted in such a case.



[Aptts. Deptt. endt. No. 2551-1567-I, dated 3-7-1947]

**F.R. 16.** A Government servant may be required to subscribe to a provident fund, a family pension fund or other similar fund in accordance with such rules as the Secretary of State in Council may by order prescribe.

Provident and other funds.

<sup>21</sup>**F.R. 17.** (1) Subject to any exceptions specifically made in these rules an officer shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date when he assumes the duties of that post, and shall cease to draw them as soon as he ceases to discharge those duties:

Date from which pay and allowances take effect.

Provided that an officer who is absent from duty unauthorisedly shall not be entitled to any pay and allowances during the period of such absence.

<sup>22</sup>**S.S.O.** [Deleted]

<sup>23</sup>**S.S.O.1** [Deleted]

<sup>24</sup>**S.S.O.2** [Deleted]

<sup>25</sup>**G.I.O.** [Deleted]

<sup>26</sup>**L.G.O.** [Deleted]

<sup>27</sup>**A.G.I. 1.** [ A Government servant will begin to draw the pay and allowance attached to his tenure of a post with effect from the date on which he assumes the duties of that post if the charge is transferred before noon of that date. If the charge is transferred afternoon, he commences to draw them from the following day.]

Transfer of charge.

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<sup>21</sup> Substituted by F.D. Notification No. D-300/2051/87/R-I/IV, dated 20.6.88.

<sup>22</sup> Deleted by F.D. Notification No. D-300/2051/87/R-I/IV, dated 20.6.88.

<sup>23</sup> Deleted by F.D. Notification No. D-300/2051/87/R-I/IV, dated 20.6.88.

<sup>24</sup> Deleted by F.D. Notification No. D-300/2051/87/R-I/IV, dated 20.6.88.

<sup>25</sup> Deleted by F.D. Notification No. D-300/2051/87/R-I/IV, dated 20.6.88.

<sup>26</sup> Deleted by F.D. Notification No. D-300/2051/87/R-I/IV, dated 20.6.88.

<sup>27</sup> Substituted by F.D. Notification No. 714-R-516-IV-R-I-71, dated 2..6.72, effective from 2.6.72.



A.G.I. 2.<sup>28</sup> [Deleted].

<sup>29</sup>  
**Rule 17-A.-** Without prejudice to the provision of rule 27 of the M.P. Civil Services (Pension) Rule, 1976, a period of an unauthorised absence -

- (i) in the case of employees working in industrial establishment, during a strike which has been declared illegal under the provisions of the Industrial Disputes Act, 1947 (No. 14 of 1947) or the M.P. Industrial Relations Act, 1960 (No. 27 of 1960) or any other law for the time being in force;
- (ii) in the case of other employees as a result of acting in combination or in concerned manner, such as during a strick, without any authority from, or valid reason to the satisfaction of the competent authority; and
- (iii) in the case of an individual employee, remaining absent unauthorisedly or deserting the post,

shall be deemed to cause an interruption or break in the service of the employee, unless otherwise decided by the competent authority for the purpose of leave travel concession, quasi-permanancy and eligibility for appearing in departmental examinations, for which a minimum period of continuous service is required.

**Explanation 1.-** For the purpose of this rule "strike" includes-

- (i) resort to a total or partial cessation of work by refusal or otherwise; or
- (ii) refuse to work beyond normal working hours where such work is necessary for the maintenance of the essential service; or

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<sup>28</sup> Deleted by F.D. Notification No. D-300/2051/87/R-I/IV, dated 20.6.88.

<sup>29</sup> Inserted by F.D. Notification No. D-300/2051/87/R-I/IV, dated 20.6.88.



- (iii) cause deterioration, damage or destruction to any installation, machinery, plant, vehicle, building, office record or any other property or attempt or abet the doing of such act; or
- (iv) absent himself from duty without prior sanction of leave; or
- (v) resort to any activity such as pendown, telephone-down, tool-down, chakka-jam, go-slow or any other activity by whatever name called, resulting in cessation or retardation of work; or
- (vi) take re-course to acts of commission or omission resulting in disruption of normal working; or
- (vii) prevent or obstruct any person from attending or discharge his duties.

**Explanation 2.-** In these rules, the terms "competent authority" means the Head of the Department to include-

- (a) Officers who have been declared by the Government to be Heads of Departments,
- (b) any other authority to which the Government may delegate the powers of a Head of Department.

<sup>30</sup>  
**F.R. 18.** Unless the Governor in view of the exceptional circumstances of the case otherwise determine, no Government servant shall be granted leave of any kind for a continuous period exceeding five years.

Effect of continuous absence.

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<sup>30</sup> Substituted by F.D. Notification No. 714-R-516-IV-R-I-71, dated 2..6.72, effective from 9.6.72