

EXTRACT of Ministry of Home Affairs (Department of Personnel and Admn. Reform)s O.M No.18011/9(S)/78-Estt.(B) dated 2.07.82, addressed to the Secretaries of the various Ministries/Departments.

**Sub: Verification of character and antecedents of candidates selected for appointment to civil posts under the Government of India Review of the procedure and revision of instructions regarding.**

1. Attention is invited to the instructions contained in Home Departments O.M.No.20/58/45-Estt.(S), dated the 7th February, 1947, and Ministry of Home Affairs O.M.No.3/8(S)/67-Estt.(B), dated the 27th September, 1967 which lay down the broad principles behind the practice of verification of character and antecedents of candidates selected for appointment under the Government of India.

2. The Government have reviewed the orders issued from time to time on the above subject and it has been decided that in respect of the verification of the character and antecedents of candidates for appointment to civil posts, the procedure explained below should be adopted in future.

3. Determination of suitability of a person for appointment to Government service:

Pre-enrolment verification, whether simple or detailed, is a pre-requisite for appointment. It will be the responsibility of the appointing authority to satisfy itself about the identity and suitability of the candidate according to the prescribed criteria before making any appointment.

3.1 Criteria:

(A) While there is no change in the guiding principles laid down in the circular dated 7.02.1947, referred to above, specifically the following may be considered undesirable for employment under Government:

(a) those who are, or have been, members of or associated with any body or association declared unlawful after it was so declared, provided the body or association continues to be declared unlawful at the time of the verification;

(b) those who have been charged with, or against whom there is substantial evidence of, participation in or association with any activity or programme which is aimed at:

(i) subversion of the Constitution;

(ii) overawing or overthrowing by force or by unconstitutional means the Government established by law in India;

(iii) causing organized breach or defiance of law involving violence;

(iv) bringing about, on any ground whatsoever, the cession of a part of the territory of Indian or the secession of a part of the territory of India from the Union, or which supports any claim for cession or which supports any claim for secession, or which incites any individual or group of individuals to bring about such cession or secession

(v) disclaiming, questioning or disrupting the sovereignty and territorial integrity of India or being prejudicial to the security of state;

(vi) Promoting or propagating or attempting to create on grounds of religion, race, language, caste or community, feelings of enmity or hatred or disharmony between different sections of the people.

(c) Those who have been associated with foreign powers or their agents in a manner which may give rise to a reasonable presumption of activities prejudicial to the national interest.

(B) Participation in any such activities, particularly within 3 years of the date of enquiry, should be considered as evidence that the person is unsuitable for Government employment unless there is, in the interval, positive evidence of a change of attitude.

(C) Normally a person convicted of an offence involving moral turpitude should be regarded as ineligible for Government service:

Provided in cases where the appointing authority feels that there are redeeming features and reasons to believe that such a person has cured himself of the weakness, specific approval of Government may be obtained for his employment.

**NOTE:** (i) Participation in the activities of communal organizations (including their front organizations) will also be covered by A(b)(vi).

(ii) Mere membership at some stage of a political party which is not banned by the Government during the period of such membership cannot be deemed to ipso facto disqualify a person from Government service except where such membership has resulted in his taking part in anti-national or communal or similar activities.

(iii) Participation in student politics or students organizations in the University will not be a bar unless it involves participation in extremist activities involving violence, subversion, etc. In such cases, the verification report will be considered on the basis of the facts revealed therein.

4. Existing procedure for verification of character and antecedents:

At present, Government are following 2 procedures for verification of character and antecedents, viz.

1) Detailed verification in respect of :-

- (a) Group A posts;
- (b) Group B posts;
- (c) Ministerial posts in Government of India Secretariat and attached offices;

(d) Group C and D posts of all other offices in which detailed verification is considered particularly necessary in the interest of security by the administrative Ministry or office;

(e) Cases in which simple verification cannot be done because of the candidates inability to produce a certificate of character.

2) Simple verification in respect of all Group C and D posts, not included in (c), (d) & (e) above, i.e. in subordinate and other offices.

4.1 Detailed verification consists of getting an attestation form filled by the candidate and getting the entries verified by the district authorities.

4.2. (1) In simple verification, the candidate is required to furnish (i) An attestation form duly filled in without the identity certificate.

(ii) (a) In respect of Group C posts, a certificate of character in the form prescribed duly attested by a District Magistrate or a sub-Divisional Magistrate or their superior officers.

(b) In regard to Group D posts, a certificate of character from a gazetted officer or a Magistrate in the prescribed form without attestation by District Magistrate or Sub-Divisional Magistrate.

5. Revised procedure for verification of character and antecedents.

The following changes have been made in the above procedure with immediate effect:

a. In respect of candidates for the post of Lower Division Clerk or posts of equivalent grade in the Secretariat and attached offices, simple verification would be adopted instead of detailed verification as at present.

b. In respect of other Group C employees in the Secretariat and attached offices, the attestation forms may be sent directly to the Superintendent of Police of the district, who may be requested to make a record check of the entries in the form and then send it back to the appointing authority through the District Magistrate with his attestation. In such cases, field enquiries may not be necessary.

c. As an exception to the general procedure, in case of persons appointed to certain posts or services or departments, detailed verification may be necessary for all levels. Such posts/services/departments may be identified by the respective Ministries and persons to be appointed at all levels to these

posts/services/departments may be subjected to detailed verification. The responsibility for identification of the posts, the appointments to which are to be subjected to detailed verification will be that of the Head of the Organization/Department/Ministry.

d. The detailed verification in respect of Group B and Group A posts would continue to be carried out as at present.

e. Simple verification for other categories as mentioned in para 4 (2) will continue as before.

6. With the coming into force of the modifications outlined in para 5 above, the types of verification now proposed for the various categories would be as under.

#### 6.1 Detailed verification.

Detailed verification would be applicable to appointment to:

- a. Group A Posts;
- b. Group B posts;

c. Group C and D posts of all those offices in which detailed verification is considered particularly necessary in the interest of security by the Administrative Ministry of office.

d. Cases in which simple verification cannot be done because of the candidates inability to produce a certificate of character.

#### 6.2 Record Check

##### 6.2.1 Record Check What it is?

Record Check involves looking into adverse reports in respect of any matter including criminal cases, arrests, debarment by Union Public Service Commission, etc. as may be revealed by the Police records.

##### 6.2.2 Record Check Persons to whom applicable.

Record check would be applicable to Group C posts above the level of Lower Division Clerk in the Government of India Secretariat and its attached offices.

#### 6.3 Simple Verification.

Simple verification would be applicable to appointments to all other posts viz:

- (a) Posts of LDC and posts of equivalent grade and all Group D posts in the Government of India Secretariat and its attached offices; and
- (b) Group C & D posts under the Government of India in subordinate offices.

6.4 As mentioned in para 6.1(c) above, as an exception to the general procedure in case of persons in categories mentioned in paras 6.2 and 6.3 above, and appointed to certain posts or services or departments, detailed verification may be necessary for all levels. Such

posts/services/departments may be identified and persons appointed at all levels to these posts/services/departments may be subjected to detailed verification.

6.4.1. To cite an example, persons appointed at all levels who may have to handle Top Secret/Secret/Sensitive matters should be subjected to detailed verification. This category would necessarily include LDCs, Gestetner Operators, Messengers/Peons attached to: Secret Sections, Secret R&I, Offices of Joint Secretaries, Secretaries and Ministers, and those employed in the budget Sections of the Ministry of Finance/Railways/Defence.

7. A specimen of the attestation form to be used for the purpose of verification of character and antecedents is at Annexure-I.

7.1. All appointing authorities should clearly indicate at the top of the attestation forms the type of verification required to be done, i.e., Detailed Verification, Record Check or Simple Verification

#### **8. INITIATION OF VERIFICATION ROLLS:**

8.1 A list of authorities to whom the attestation forms are to be forwarded by the various appointing authorities has already been forwarded to the various Ministries/Departments vide O.M.No.3/20(S)/72-Estt.(B), dated the 5th August, 1974, and O.M.No.18011/3(S)/80-Estt.(B), dated the 20th June, 1980. The Ministries, etc. would hereafter refer the attestation form in respect of the various categories of posts as under:

- 1) Cases covered by para 6.1 District Magistrate or the Commissioner of Police as the case may be.
- 2) Cases covered by para 6.2 Superintendent of Police of the district. Return to appointing authority through the District Magistrate with his attestation.
- 3) Cases of additional verification through I.B., wherever prescribed I.B. through the Ministry concerned.

9. It is specifically clarified for the information of the various Ministries etc. that apart from the above, there is no change in the various other instructions that have been issued by this Department from time to time on the subject of verification of character and antecedents of candidates for appointment to civil posts under the Government of India.

10. Instructions dealing with re-verification would be issued separately.

11. It is expected that the various appointing authorities, unless otherwise specified in any other circular should be able to determine, on their own, the suitability of the candidates on the basis of the

revised criteria mentioned in paragraph 3.1. above. However, those cases in which it is felt that clarifications should be sought from this Department, may continue to be sent to us; while referring such cases, a self-contained note bringing out the facts of the case together with the comments of the administrative Department may be sent to us with the approval of the Joint Secretary concerned.

12. While on the subject, the policy that would govern appointments in public sector undertakings is also explained below.

12.1 The criteria regarding suitability for appointment in public sector undertakings would be the same as in Government.

12.2. For all Group C and D posts in public sector enterprises, the procedure of simple verification would be adopted. However, in the case of such Group C and D posts which are identified to be of sensitive nature by the Head of the Department, detailed verification procedure would be adopted.

In the case of Group A and Group B posts, the normal procedure for getting verification as applicable to Government servants would continue as at present.

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various Ministries are requested to bring these instructions to the notice of all Heads of the Departments under their control, including Heads of quasi-Government organizations, public sector undertakings, autonomous bodies etc. where the scheme of verification has been extended and instruct all appointing authorities to scrupulously observe the laid down principles in making appointments in their respective offices.

