

अध्याय-2

चरित्र सत्यापन एवं पंजी

(Character Verification and Roll)

राज्य सेवा के किसी भी वर्ग में सेवारत कर्मचारी/अधिकारी का चरित्र उसके अपने एवं राजकीय सेवा क्षेत्र दोनों में बड़ा महत्वपूर्ण होता है इसलिए राजकीय सेवा में लिए जाने के पूर्व ही उसके चरित्र व पूर्ववृत्त का सत्यापन करा लिए जाने की शासन ने व्यवस्था की है। सरकारी सेवक का सेवाकाल में चरित्र व व्यवहार कैसा होगा यह बहुत कुछ उसके सेवा में आने के पूर्व व्यतीत जीवन पर निर्भर करता है और यदि उसका चरित्र एवं पूर्ववृत्त संतोषप्रद पाया गया है तो शासन को आश्चर्यता होती है कि वह सेवाकाल में भी उत्तरोत्तर चरित्रवान, योग्य एवं कुशल कर्मचारी/अधिकारी सिद्ध हो सकेगा। चरित्र एवं पूर्ववृत्त सत्यापन आख्या ही उसके चरित्र पंजी का श्री गणेश है। चरित्र पंजी, चरित्र व पूर्ववृत्त सत्यापन सम्बन्धी आवश्यक शासनादेश इस अध्याय में दिये जा रहे हैं।

1. चरित्र सत्यापन

1

G. O. 4694-II-B-321-1947, dated April 28, 1958

विषय : प्रथम नियुक्ति के समय चरित्र सत्यापन की प्रक्रिया।

Subject : Verification of Character at first appointment.

"I am directed to refer to Appointment (B) Department secret G. O. No. 2712/II-B-321-1947 dated November 9, 1953 in which detailed instructions were issued regarding the method of verifications of character and antecedents of candidates for appointment under the State Government. These instructions were later on revised in this Department secret G. O. No. 4637/II-B-321-47; dated December 4, 1957. It has been noticed that difficulty is being experienced by some appointing authorities in correctly interpreting the instructions issued in the Government Order dated December 4, 1957. It has also been found that these instructions are not fully comprehensive to cover all the cases. The Governor has therefore been pleased to lay down the following instructions in suppression of all the previous orders on the subject.

2. The rule regarding character of candidates for appointment under the State Government shall continue to be as follows :

"The character of candidate for direct appointment must be such as to render him suitable in all respects for employment in the service or post to which he is to be appointed. It would be the duty of the appointing authority to satisfy itself on the point."

3. (a) Every direct recruit to any service under the Uttar Pradesh Government will be required to produce:

- (i) A certificate of conduct and character from the head of the educational institution where he last studied (if he went to such an institution).
- (ii) Certificates of character from two persons. The appointing authority will lay down requirements as to kind of persons from whom it desires these certificates.

(b) In cases of doubt, the appointing authority may either ask for further references, or may refer the case to the District Magistrate concerned. The District Magistrate may then make further enquiries as he considers necessary.

Note—(a) A conviction need not of itself involve the refusal of a certificate of good character. The circumstances of the conviction should be taken into account and if they involve on moral turpitude or association with crimes of violence or with a movement which has its object to overthrow by violent means of Government as by law now established in free India the mere conviction need not be regarded as disqualification.¹ (Conviction of a person during his childhood should not necessarily operate as a bar to his entering Government service. The entire circumstances in which his conviction was recorded as well as the circumstances in which he is now placed should be taken into consideration. If he has completely reformed himself on attaining the age of understanding and discretion, mere conviction in childhood should not operate as a bar to his entering Government service).

(b) While no person should be considered unfit for appointment solely because of his political opinions, care should be taken not to employ persons who are likely to be disloyal and to abuse the confidence placed in them by virtue of their appointment. Ordinarily, persons who are actively engaged in subversive activities including members of any organization the avowed object of which is to change the existing order of society by violent means should be considered unfit for appointment under Government. Participation in such activities at any time after attaining the age of 21 years and within three years of the date of enquiry should be considered as evidence that the person is still actively engaged in such activities unless in the interval there is positive evidence of change of attitude.

(c) Persons dismissed by the Central Government or by a State Government will also be deemed to be unfit for appointment to any service under this Government.

²(d) In the case of direct recruits to the State Services under the Uttar Pradesh Government includes requiring the candidates to submit the certificates mentioned in paragraph 3 (a) above. The appointing authority shall refer all cases simultaneously to Deputy Inspector General of Police, intelligence and the District Magistrate ³(of the home district and of the district(s) where the candidate has resided for more than a year within five years of the date of the inquiry) giving full particulars about the candidate. The District Magistrate shall get the reports in respect of the candidates from the Superintendent of Police who will consult District Police Records and records of the Local Intelligence Unit. The District Police or the District Intelligence Unit shall not make any enquiries on the spot, but shall report from their records whether there is anything

1. Added *vide* G. O. No. O—2239/II-B-212-1960, dated December 24, 1965.

2. Substituted *vide* G. O. No. 3780/II-B-321-1947, dated June 11, 1959.

against the candidate, but if in any specific case the District Magistrate at the instance of the appointing authority ask for an enquiry on the spot the Local Police or the Local Intelligence Units will do so and report the result to him. The District Magistrate shall then reports his own views to the appointing authority. Where the District Police or the Local Intelligence Units report adversely about a candidate the District Magistrate may give the candidate a hearing before sending his report.

(e) In the case of direct recruits (who are lower in rank than that of a State Service Officer) of :

- (i) the police (including ministerial staff of Police Officers).
- (ii) the Secretariat.
- (iii) the staff employed in the government factories.
- (iv) power houses and dams.

besides requiring the candidates to submit the certificates mentioned in paragraph 3 (a) above, the appointing authorities shall refer all cases simultaneously to the Deputy Inspector General, C.I.D. and the District Superintendent of Police² (of the home district and of the district(s) where the candidate has resided for more than a year within five year of the date of the inquiry) giving full particulars about the candidate. The Superintendents of Police will send his report direct to the appointing authority if there is nothing adverse against the candidate. In cases where the report is unfavourable the Superintendent of Police will forward it to the District Magistrate who will send for the candidate concerned, give him a hearing and then, form his own opinion. All the necessary papers (the Superintendent of Police's report the candidate's statement and the District Magistrate's finding) will there after be sent to the appointing authority.

4. It will be seen that in cases of direct recruit to services other than those mentioned in paragraphs 3 (c) and 3 (d) above, verification shall not be necessary as a matter of routine except in cases of doubt when the procedure mentioned in paragraph 3 (b) shall be followed.

5. In the case of a candidate for services mentioned in paragraphs 3 (c) and 3 (d) above—

- (i) if at the time of enquiry the candidate is residing in a locality situated outside Uttar Pradesh or if he has resided in such a locality at any time within five years of the date of enquiry for a period of one year or more it shall be the duty of the deputy Inspector General, C. I. D. to consult also the C. I. D. D. of the State concerned in which the locality is situated before making his verification report.
- (ii) if the candidate was residing before partition in area now comprising Pakistan the Deputy Inspector General, C. I. D. shall also make a reference to the Director of Intelligence Bureau, Ministry of Home Affairs, Government of India, in addition to the usual enquires as indicated above.

1. Added vide G. O. No. 4951/II-B-212-1962, dated January 16, 1963.

6. It has also been observed that where the District Magistrates are required to send the attestation forms they sometimes do not sign the forms themselves, Government consider it very desirable that the attestation forms should invariably be signed by the District Magistrates themselves in all such cases.

7. Other State Governments and Administrations are being informed separately that the verification of character and antecedents of recruits to their services from this State will henceforth be done according to the procedure adopted in the cases of recruits to different categories of services under the State Government.

8. In order to prevent a candidate, who has been disqualified for Government Employment from securing employment in a sub-ordinate or inferior service other than those mentioned in paragraph 3 (d), every person, recruited to these services should be required at the time of joining his appointment to fill up the form appended as Annexure 111 to this letter. If he is found to have made a false statement in this connection, he should be discharged forthwith, without prejudice to any other action that may be considered necessary.

9. All questions arising from this order shall be referred to Government in the appointment (B) Department for decision.

10. A form each of (i) particulars about the candidate (ii) character certificate and (iii) statement of candidate to be used by the enquiring officers is annexed to the letter.