

**GOVERNMENT OF JAMMU AND KASHMIR
GENERAL ADMINISTRATION DEPARTMENT**

Subject :—The Jammu and Kashmir Civil Services (Verification of Character and Antecedents) Instructions, 1997.

Government Order No. 1918-GAD of 1997.

Dated 09-12-1997.

The Jammu and Kashmir Civil Services (Verification of Character and Antecedents) Revised Instructions, 1997 forming annexure to this Government Order are hereby sanctioned. These shall be issued to officers concerned as "Confidential" for official use.

By order of the Government of the Jammu and Kashmir.

(Sd.).....

Commissioner/Secretary to Government,
General Administration Department.

No. GAD(MGT)RB/39/86

Dated 09-12-1997

Copy to the :—

1. Financial Commissioner and Secretary to Government, _____ Department.
2. All Additional Chief Secretaries and Secretary to Government.
3. Principal Secretary to Hon'ble Chief Minister.
4. Divisional Commissioner, Jammu/Kashmir
5. All Heads of the Departments.
6. All Deputy Commissioners.
7. Secretary, Services Selection Board/Public Service Commission.

(Sd.).....

Under Secretary to Government,
General Administration Department.

THE JAMMU AND KASHMIR CIVIL SERVICES
(Verification of Character and Antecedents) Instructions, 1997.

1. *Application.*—These instructions shall apply to all candidates for appointment to Civil Services and posts under the Government including autonomous bodies under the control of the Government or established under any law for the time being in force or posts which fall within the definition of section 21 of the Ranbir Penal Code (RPC).

2. *Pre-appointment verification by appointing authority.*—Before making any appointment, the appointing authority shall satisfy itself about the identity and suitability of candidates selected by different recruiting agencies by obtaining verifications of his/her character and antecedents in the manner prescribed in these instructions. In no case should an appointment order be issued without having the prescribed verification completed :

Provided that the appointing authority may dispense with verification of antecedents and character of a candidate who is already in Central or State Government, but may consider it sufficient to make a reference to the candidate's employer to ascertain his character and antecedents.

3. *General Principles.*—

- (a) A person dismissed from service of the Central or any State Government (including the Administrations of Union Territories) should be deemed to be ineligible for appointment.
- (b) Persons debarred/disqualified by the Union Public Service Commission or any State Public Service Commission permanently from appearing at the examination and selections conducted by them should be regarded as unsuitable for appointment. In the case of those debarred/disqualified only for a specific period the appointing authority may decide on the basis of facts made available in each case whether the person concerned can be regarded as suitable for appointment after the expiry of such period.
- (c) A person convicted of an offence involving moral turpitude be regarded as ineligible for service.
- (d) The following categories on such verification will, subject to the procedure indicated herein below, be considered unfit for the appointment :—
 - (i) Persons engaged in subversive or espionage activities, members and active associates of any organization or association the object of which is :
 - (a) to change the existing order of society by violent means,
 - (b) to question, disclaim or disrupt the secular foundation, the sovereignty and territorial integrity of India.
 - (ii) Persons detained under the J&K Preventive Detention Act, 1964 and J&K Public Safety Act, 1978, as amended from time to time or under the Defence of India Rules, 1962 for activities prejudicial to the security of the State or to defence of India or to Public Order, be debarred from employment in the Government.

Explanation :—Detention means detention which has been confirmed by the Competent Court and has become final.

4. *Procedure for verification.*—The appointing authority shall arrange to have detailed verification conducted for every classes of posts/services in the following manner :—

- (i) The appointing authority on receiving recommendations from the Recruiting Agency or any other body shall call upon the selected candidate to submit to him attestation forms duly filled in (in triplicate) as per Annexure-I, to these instructions and identity certificate, as per Annexure-II.

- (ii) The candidate on being asked by the appointing authority shall be required to fill in and submit (in triplicate) (a) an attestation form as in Annexure-I, giving descriptive details as indicated, as also (b) an identity certificate from a Gazetted Officer of the Central Government or State Government or a member of Parliament or member of State Legislature, as per Annexure-II to these instructions.
- (iii) The appointing authority on receiving the attestation forms from the candidates shall ; forward with a covering letter (sealed and marked secret) in the form prescribed in Annexure-III to the District Magistrate where the candidate permanently resides, or of the District where he/she resided for more than one year within the last five years of the date of an enquiry. Similar procedure shall be followed in respect of persons who have resided for sometime outside India. In such cases, a reference shall also be made to the Home Department who in turn will make a reference to the Intelligence Bureau, Government of India.
- (iv) The District Magistrate shall immediately forward (in a sealed cover marked Secret) one copy of the form to the District S.P. of the concerned District and another copy to the D.I.G. CID, requesting for verification of character and antecedents of the candidate.
- (v) The verifying authorities viz. the District Supdt. of Police and the DIG Police, CID will furnish (in sealed cover marked Secret) to the District Magistrate a definite report about the candidate specifically on each point mentioned in these instructions, date or description based on official record as also the grounds for such reports. Mere local rumour of vague reputation of the candidate will not be made the basis of such reports.
- (vi) The verifying authority shall make only a record check. In cases of doubtful identity, however, where the Supdt. of Police, CID feels that a field enquiry or a spot check is necessary, these may be made by an officer not below the rank of an Inspector of Police.
- (vii) The verifying authorities shall ensure that the final report is sent to the District Magistrate within three weeks positively.

5. Where the verifying authorities have forwarded an adverse report (which has to be comprehensive and detailed) against any candidate, the same shall be placed before the State Level Screening Committee/ Divisional Level Screening Committee/District Level Screening Committee.

6. The composition of the Screening Committees shall be as under :—

State Level Screening Committee for State Cadre Posts :

- | | | |
|--|-----|----------|
| (i) Chief Secretary | ... | Chairman |
| (ii) Addl. Chief Secretary and Secretary to Government, Home Department | ... | Member |
| (iii) Director General of Police | ... | Member |
| (iv) Commr. and Secretary to Government, GAD | ... | Member |
| (v) Commr. and Secretary to Govt. of the concerned Administrative Department | ... | Member |

Divisional Level Screening Committee for Divisional Cadre Posts :

- | | | |
|---|-----|----------|
| (i) Divisional Commissioner of the Division | ... | Chairman |
| (ii) IGP of the concerned range | ... | Member |
| (iii) Divisional Head of the Department | ... | Member |

District Level Screening Committee for District Level/Cadre Posts :

- | | | |
|---|-----|----------|
| (i) Deputy Commissioner | ... | Chairman |
| (ii) District Supdt. of Police | ... | Member |
| (iii) Concerned District Head of the Department | ... | Member |

7. The concerned Screening Committee will furnish within one week from the date of receipt of reports from the verifying agencies their recommendations to the concerned Administrative Secretaries who after seeking orders of the Minister Incharge will convey a decision to the appointing authority. A copy of the decision will also be sent to the District Magistrate.

8. The District Magistrate will not make any recommendations to the appointing authority in respect of the candidates, who have been adversely reported. He shall, however, inform the appointing authority by a secret communication simply that the case has been referred to the Screening Committee.

9. Notwithstanding anything contained in these instructions, the Government may reverify the character and antecedents of a Government employee holding a sensitive post or while making any posting/ appointment on a sensitive post as defined in the Civil Services (Verification of Character and Antecedents) Instructions, 1969 or as may be declared so by the Government from time to time and take such measures as may be necessary in the circumstances of the cases. Such verification may be conducted by the General Administration Department through D.I.G. CID and after obtaining report from the CID, the case shall be submitted by the General Administration Department to the Chief Minister through Chief Secretary for appropriate decision.

10. An entry shall be made in the service book about the character verification.

11. The J&K Civil Services (Verification of Character and Antecedents) Instructions, 1969 except to the extent indicated in para (9) shall stand repealed.

(Sd.).....

Commissioner/Secretary to Government,
General Administration Department.

ANNEXURE—I

Descriptive Roll to be submitted by candidate with application for appointment.

Warning :

Submission of incorrect information will disqualify a candidate from employment at the sole discretion of the Govt.

1. Name in full (in capital letters) with aliases, if any and identification (Please indicate if you have added or dropped at any stage any part of your name or surname)
2. Present address in full *i.e.* Village, Tehsil, Thana or House number, Lane/Street, Road and District
3. (a) Home address in full *i.e.*, Village, Tehsil, Thana or House number, Lane/Street, Road and District

(b) If originally a resident of Pakistan, the address in that country and the date of migration to Indian Union
4. Particulars of places (including Foreign Countries) where you have resided at any time during the preceding five years

From	To	Residential address in full <i>i.e.</i> Village, Thana or House Number, Lane/Street and Road and District

5. Father's (a) Name in full with aliases, if any
(b) Present postal address (if dead give last address)
(c) Permanent home address
(d) Profession
(e) If in service, give designation and official address
6. (i) Nationality of candidate and his/her close relatives :
(a) Father
(b) Mother
(c) Husband/wife/children/brothers/sisters
(d) Candidate

(ii) Place of birth (a) Husband
(b) Wife
7. (a) Date of birth
(b) Present age
(c) Age at Matriculation
8. (a) Place of birth, Distt. and State in which it is situated
(b) Distt. and State to which you belong

- 9. (a) Your religion
- (b) Are you a member of a Scheduled Caste/ Scheduled Tribe/Backward Class/Area ?
Answer yes or no and if answer is yes state the name thereof
- 10. Educational qualifications showing places of education with years in schools and colleges since 15th year of age

Name of school/college with full address	Date of entering	Date of leaving	Examinations passed
--	------------------	-----------------	---------------------

11. If you have, at any time, been employed, give details

Designation of post held/description of work	Period		Full address of the officer firm or institution	Full reasons for previous service
	From	To		

12. If you have been or are a member of any political party or a social or cultural organization, give particulars of the office or position held during the five years.

13. (a) Have you ever been prosecuted, kept under detention or bound down fined or convicted by a court of law for any offence in any case pending against for in court of law at the filling up this verification Roll. If the answer is yes full particulars of the case detention, fine, conviction, sentence should be given ;

(b) Have you been debarred or disqualified by any State Public Service Commission or by the Union Public Service Commission from appearing at its examination/selection.

14. Names of two responsible persons of your locality or two references to whom you are known 1. 2.

I certify that the foregoing information is correct and complete to the best of my knowledge and belief. I am not aware of any circumstances which might impair my fitness for employment under Government.

Signature of candidate.
Date
Place

This certificate may be signed by any Gazetted Officer or a Member of Central or State Legislature

IDENTITY CERTIFICATE
(Not to be filled in by the candidate)

Certified that I have known Shri/Smt./Kumari _____
S/o/Wife/Daughter of Shri _____ R/o _____
_____ years _____ months and that to the best of my
knowledge and belief and above particulars furnished by him/her are correct.

Place : _____
Date : _____
Signature
Designation or Status and address

ANNEXURE—II

Certified that I have known Shri/Smt./Kumari _____
S/o/Wife/Daughter of Shri _____ R/o _____
_____ Tehsil _____ District _____ for the
last _____ years _____ months and that to the best of my knowledge and belief
he/she bears reputable character and has not antecedents which render him/her unsuitable for Government
employment.

2. Shri/Smt. _____ is not related to me.

Place

Signature

Date

Designation

*This certificate shall be signed by a
Gazetted Officer or a District Magistrate or
a Magistrate of 1st Class.

ANNEXURE—III

Covering letter for Attestation Form

(Confidential)

To

The District Magistrate,

Subject :—Verification of character and antecedents of candidates for the post of _____

Sir,

I am directed to say that Shri/Smt./Kumari _____ who has stated his/her particulars are in the enclosed attestation form is a candidate for the post of _____. To enable this Department/Office to determine the suitability of the candidate for Government service, I am to invite your attention to the J&K Civil Services (Verification of Character and Antecedents) Instructions, 1997 and to request you kindly to certify on the basis of the information available in your records and official enquiries whether he/she has come to adverse notice or not and whether there are any facts about him/her on record which would render him/her unsuitable for employment under Government.

It may be specifically indicated whether or not the candidate is suitable for Government service and if he/she is considered unsuitable, a brief statement of the grounds for the opinion expressed may be added, giving reference also to the relevant section or para of the aforesaid Instructions.

The result of the scrutiny together with the relevant papers may be communicated immediately to this department/office marked Secret addressed to the undersigned by name.

To obviate delay, simultaneous enquiries may kindly be made from the Deputy Inspector General of Police, CID and District Superintendent of Police.

Reply is requested positively by _____

An extract of paras 5 and 9 of the Instructions is reproduced over leaf.

Yours faithfully,

Signature

Designation