

New Delhi, the 10th May, 1978.

OFFICE MEMORANDUM

Subject:- Issue of certificate of eligibility to certain categories of persons (other than Indian Citizens) for appointment under the Central Government - Delegation of powers to Ministries.

As the Ministry of Finance etc. are aware, the Government of India had issued a Resolution regarding the eligibility for appointment under the Government of India vide Resolution No.15014/3(S)/76-Estt(B) dated the 1st March, 1977, copy enclosed for ready reference, in accordance with this Resolution, a candidate in whose case a certificate of eligibility is necessary, may be admitted to an examination or an interview conducted by the Union Public Service Commission or others recruiting authority, but the offer of appointment may be given only after the necessary certificate of eligibility has been issued to him by the Government of India.

2. Prior to the issue of the Resolution of the 1st March, 1977, the position was that the appointing authorities could, after verification of character and antecedents, appoint the candidates on a provisional basis, and then refer the case to this Department for issue of certificate of eligibility along with the following particulars:-

- (i) Name
- (ii) Father's Name
- (iii) State/Territory, of which he is a subject or to which he belongs or his nationality.
- (iv) Post/Service and Office in which appointed, or likely to be appointed.
- (v) Date of appointment, if made already.
- (vi) Whether appointment is temporary, for a definite period or in a permanent capacity.
- (vii) Whether character and antecedents have been verified and found satisfactory.
- (viii) In case of a migrant, date of migration to India, and whether he has intention of settling permanently in India.

On receipt of the above information from the authority concerned, this Department took action to issue the certificate

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of eligibility and send the same to the Department for keeping in the personal record of the employee.

3. After the issue of the revised Resolution on the 1st March, 1977, the position has changed and no candidate in respect of whom a certificate of eligibility is necessary in terms of the Resolution can be appointed without first obtaining the certificate of eligibility in the candidate's favour from this Department. For this purpose, the appointing authorities are required to take immediate steps, as soon as the selection is made in respect of a candidate, to verify his character and antecedents in accordance with the procedure prescribed by this Department from time to time in respect of such candidate. After completion of the verification, action should be taken to issue the certificate of eligibility.

4. The question whether certificate of eligibility in terms of the Resolution referred to above should continue to be issued by this Department or whether any delegation can be made in this regard has been examined in the context of the present policy to maximise delegation and to reduce delay in appointments. It has now been decided that the certificate of eligibility should, in future, be issued by the Ministry/Department itself which is administratively concerned with the post where the candidate is likely to be appointed on the basis of the information referred to in para 2 above) being received from the authorities concerned.

5. A form of the certificate to be issued is also enclosed. In the case of appointments under the Public Sector Undertakings, this Department have already stopped issuing such certificates. According to the instructions issued by the Ministry of Finance (Bureau of Public Enterprises), it is for the respective Public Sector Undertaking to issue the certificate of eligibility after completion of the formality of verification of character and antecedents of the candidate and keeping in view, the procedure followed by the Government in respect of Government employees. On the analogy of the orders issued by the Ministry of Finance (Bureau of Public Enterprises) in the case of Public Sector Undertakings, there should be no objection to a similar procedure being adopted in the case of employees of autonomous bodies/quasi-Government Organisations etc. which are under the administrative control of the various Ministries/Departments in the matter of issue of certificate of eligibility in the case of employees of the respective bodies/organisations.

6. To ensure that the appointment of candidates in respect of whom the certificates of eligibility is a prior requirement in terms of the Government Resolution referred to above is not delayed, steps should be taken by the appointing authorities ensure the completion of verification of character and antecedents within the time prescribed i.e., a maximum of eight weeks. In future while making a refer to the District Authorities it should be specifically indicated that the nationality of the candidate is also to be verified.

7. Under no circumstances should the candidate be required to approach this Department or the Ministry/Department concerned direct for the issue of certificate of eligibility. It is for the appointing authority concerned to approach the Ministry/Department administratively concerned, for issue of the certificate. This supersedes the earlier instructions relating to the procedure for issue of certificates of eligibility.

8. Ministry of Finance etc. are, requested to bring the above to notice of all administrative authorities including Public Sector Undertakings, autonomous bodies/quasi-Government Organisations etc. which are under their administrative control.

Sd/-

(N. Rangarajan)

Deputy Secretary to the Government of India

To

All Ministries of the Government of India.

New Delhi, the 1st March, 1977.

R E S O L U T I O N

The Government of India have decided that in supersession of earlier instructions regarding the eligibility for appointment under the Government of India, the standard rule for recruitment will henceforth be modified as follows:-

A candidate for appointment to any Central Service or post must be -

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962, with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

Provided further that candidates belonging to categories (b), (c) and (d) above will not be eligible for appointment to the Indian Foreign Service.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Union Public Service Commission or other recruiting authorities but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.

Order:- Ordered that a copy of this Resolution may be communicated to all State Governments, all Ministries of the Government of India etc. and also that the Resolution be published in the Gazette of India.

Sd/-
(K.D. MADAN)
Joint Secretary to the Government of India

To

All Ministries etc. of the Government of India.

GOVERNMENT OF INDIA

MINISTRY/DEPARTMENT _____

FILE NO. _____

NEW DELHI, THE _____

CERTIFICATE OF ELIGIBILITY

In pursuance of Government of India, Department of Personnel and Administrative Reforms Resolution No.15011/3(S)/76-Estt.(B) dated the 1st March, 1977, the President is pleased to direct that _____

_____ son/
daughter/wife of _____ being a
subject/native of _____
shall be eligible to hold any civil office in connection with
the affairs of the Union.

UNDER SECRETARY TO THE GOVERNMENT OF INDIA.