

The M.P. Civil Services (Medical Examination) Rules, 1972

MADHYA PRADESH

India

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Rule

THE-M-P-CIVIL-SERVICES-MEDICAL-EXAMINATION-RULES-1972 of 1972

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The M.P. Civil Services (Medical Examination) Rules, 1972Published vide Notification No. 372-CR-344-(3)-72, dated 29-6-1972, Published in M.P. Rajpatra, Part 4, dated 28-7-1972, pages 351-352In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Madhya Pradesh hereby makes the following rules, namely-

1.

(1)These rules may be called The Madhya Pradesh Civil Services (Medical Examination) Rules, 1972.(2)These rules shall apply to every person who is a member of a civil service or who holds a civil post under the Government of Madhya Pradesh.

2.

(1)Where the competent authority has reason to believe that a Government servant to whom these rules apply is suffering from-(a)a contagious disease; or(b)a physical or mental disability which, in its opinion, interferes with the efficient discharge of his duties;that authority may direct the Government servant to undergo a medical examination within such period, not exceeding one month, as may be specified by it and may, if it considers it essential to do so, also direct, the Government servant to proceed on leave forthwith pending medical examination. Such leave shall not be debited to the leave account of the Government servant, if the examining medical authority subsequently expresses the opinion that it was unnecessary for the Government servant to have been required to proceed of leave.(2)On the basis of the opinion expressed by the examining medical authority and subject to the provisions of sub-rule (3), the competent authority may require the Government servant to proceed on leave or if he is already on leave, to continue to remain on leave

or may retire him from service if he is permanent Government servant, or may terminate his services if he is a quasi-permanent Government servant.(3)The procedure for medical examination, grant of leave and retirement from service or termination of service under this rule shall be such as the Government may by order prescribe.(4)A Government servant whose services have been terminated in pursuance of sub-rule (2) may be granted such gratuity as may be admissible under the rules applicable to him on the date of such termination.(5)For the purpose of these rules "competent authority" in relation to a Government servant means the authority competent to dismiss him and includes such other authority as the Governor may, by order specify in this behalf.(6)For the avoidance of doubt, it is hereby declared that non-compliance with a direction given under sub-rule (1) or sub-rule (2) of this rule will be considered sufficient reason for the imposition of a penalty in accordance with the rules governing discipline applicable to the Government servant concerned.

3.

A Government servant who is retired from service under sub-rule (2) of Rule 2 may be granted such invalid pension, gratuity or provident fund benefits as may be admissible to him under the rules applicable to him on the date of such retirement.

4.

If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.