

Government  of Madras

HOME (MISCELLANEOUS) DEPARTMENT

G.O. No. 989, 10th August 1917

Government Servants' Conduct Rules

Directing the issue of a Special Local Ruling to the — enjoining upon every Government servant, who consults a medical practitioner with a view to obtaining leave on medical certificate, to disclose to that practitioner the fact of his having previously consulted any other practitioner and the result of such consultation.

INDEXED

N. P.



## BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

## FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

Number of copies { Letter.  
Order.

N. P.

ORIGINAL

# Government of Madras

HOME (MISCELLANEOUS) DEPARTMENT

G.O. No. 989, 10th August 1917

## Government Servants' Conduct Rules

Directing the issue of a Special Local Ruling to the — enjoining upon every Government servant, who consults a medical practitioner with a view to obtaining leave on medical certificate, to disclose to that practitioner the fact of his having previously consulted any other practitioner and the result of such consultation.

Order—No. 989, Home (Miscellaneous), dated 10th August 1917.

The Government direct that the following shall be added to the Government Servants' Conduct Rules, as Special Local Ruling No. 12, in Appendix A:—

"It shall be the duty of every Government servant who consults a medical practitioner with a view to obtaining leave or an extension of leave on medical certificate to disclose to that practitioner the fact of his having consulted any other practitioner for the same purpose and the result of such consultation. Omission on the part of any public servant to do this or any false statement made by him to a medical practitioner in this respect will entail serious departmental notice."

(True Extract)

R. RAMACHANDRA RAO,  
Secretary to Government.

To the Heads of Departments under Home Department (including District and Sessions Judges).  
Copy to departments of the Secretariat.



NOTES CONNECTED WITH G.O. No. 989, HOME (MISCELLANEOUS),  
DATED 10TH AUGUST 1917.

[SUBJECT.—*Medical certificates granted by registered medical practitioners.*]

*Previous papers :*

|                                   |                                  |
|-----------------------------------|----------------------------------|
| G.O. 630, Public, 26th July 1895. | G.O. 989, Public, 22nd May 1916. |
| " 694 " 16th September 1905.      | " 165, Medical, 20th April 1917. |
| " 820 " 10th " 1910.              | " 208 " 12th May "               |

*Demi-official*—from the Hon'ble Surgeon-General W. B. BANNERMAN, C.S.I., K.H.P.,  
M.D., D.Sc., I.M.S., Surgeon-General with the Government of  
Madras.

To—R. A. GRAHAM, Esq., I.C.S., Acting Secretary to Government, Local and  
Municipal (Medical) Department.

Dated—Ootacamund, the 14th June 1917.

No.—T. 76.

Please refer to the correspondence ending with G.O. No. 208, Medical, dated 12th May 1917, regarding medical certificates granted by registered medical practitioners. The difficulty I brought to notice in my letter No. 100/T. 35, dated 27th April 1917, was experienced by a Presidency District Surgeon (Major F. F. Elwes, C.I.E., I.M.S.) to whom the head of a department sent for countersignature a medical certificate granted by a registered medical practitioner recommending the grant of an extension of leave to a Government servant. This certificate was from quite a different registered medical practitioner to the one who granted the first certificate which was countersigned by the Presidency District Surgeon. Apparently the applicant did not go to the same man as he was not sure of succeeding or it may be that he did go to him and was refused a certificate. I think this is a practice which Government can put a stop to without inconveniencing Government servants to any great degree while it would save the Presidency District Surgeons, who are as it is overburdened with work, some trouble.

The proper course would be, I think, for Government to order that a Government servant applying for an extension of leave should produce a certificate from the same medical man who granted the first certificate if still living in the same place. This should be so whether the Government servant lives in Madras or in the mufassal.

This rule will not inconvenience Government servants much while it will be the means of preventing abuse in the matter of obtaining medical certificates.

LOCAL AND MUNICIPAL (MEDICAL) DEPARTMENT.

In his letter disposed of by G.O. No. 208, Medical, dated 12th May 1917, the Surgeon-General proposed that medical practitioners should be prohibited from recommending extensions of leave to Government servants without consulting the medical man who granted the original certificate. He now puts the proposal in a slightly modified form, namely, that Government servants applying for extension of leave should be asked to produce a certificate from the same practitioner who first recommended the leave. The Government have already stated that if the two certificates are signed by different persons, it is open to the head of an office to call for an explanation. This will automatically lead applicants to consult the same medical man as far as possible and it does not seem necessary to place any further restrictions upon them. Further the proposal will not save any appreciable amount of trouble to the Presidency Surgeons as such cases are not likely to be of frequent occurrence. For orders whether G.O. No. 208, dated 12th May 1917, may stand.

K.N.—16-6-17.

V.S.—16-6-17.

V. T. KRISHNAMA ACHARIYAR—18-6-17.

Is there any rule under which a Presidency District Surgeon is bound to countersign?

R. A. GRAHAM—19-6-17.



Please see articles 833 and 834 of the Civil Service Regulations and paragraphs 576 and 585 of the Civil Medical Code. It would appear that, unless a Presidency District Surgeon sees reason to differ from the recommendation made in the certificate, he is bound to countersign it.

K.N.—21-6-17.

V.S.—22-6-17.

V. T. KRISHNAMA ACHARIYAR—22-6-17.

In the particular instance quoted, the circumstances, if unexplained, might have justified the District Surgeon in refusing to countersign. It does not seem necessary to make any further rule.

R. A. GRAHAM—25-6-17.

What actually happens in these cases is, I understand, that A, a Government servant, wants to get an extension of leave on medical certificate. He goes to B who originally certified him as requiring leave and asks for certificate enabling him to obtain an extension. B finds that the man has recovered and is quite fit for duty and refuses to give him a certificate. A then goes on to C and concealing from C the fact that B has refused to give him a certificate for extension of leave obtains a certificate for extension from C. Another aspect of the matter is that, when A goes to B for a certificate to enable him to get an extension of leave and B demurs to grant it, A says to B "if you won't grant me a certificate, I will go to C and transfer the care of the health of myself and family to C". B is thus coerced into granting a certificate which he does not in his judgment believe to be necessary.

2. The question is how we are to deal with these cases of abuse of medical certificates. I understand that they are not very uncommon, but I am in some doubt as to what rule should be laid down. What we really want is to be able to impose some penalty upon A who really obtains or seeks to obtain leave on medical certificate under false pretences or at any rate by suppression of fact. It seems to me that in the first place it should be incumbent upon every public officer who applies to a medical officer to examine him with a view to extension of leave to disclose to that medical officer the fact that he has already consulted another medical officer and been refused if that is the case and omission to disclose this fact should constitute an offence for which a public servant in question can be punished departmentally. In order to elicit information as to whether an officer who applies for certificate for extension of leave has gone to some other practitioner and been refused, it should be the duty of every medical officer to question the applicant on this point and if he ascertains that the applicant has been refused medical certificate by another practitioner he should decline to certify him. Any public servant who makes a false statement to a medical practitioner on this point should be subject to departmental punishment. I think this would be better than requiring a certificate always to be produced from the same officer who granted the original certificate. Will the Secretary kindly examine this proposal.

A. G. C[ARDEW]—26-6-17.

Note.

R.A.G.—27-6-17.

The Honourable Member's proposals are—

(1) that every Government servant consulting a medical officer or practitioner with a view to obtain an extension of leave should disclose the fact of his having previously consulted any other practitioner, and

(2) that every medical officer or practitioner so consulted should question the applicant whether he has had any previous consultation and refuse to grant a certificate if one has been refused by another practitioner.

2. It has to be noted that absence on leave on medical certificate involves ordinarily the sacrifice of at least 50 per cent of an officer's salary. This fact alone will in most cases act as a deterrent to Government servants applying for extensions except in cases of real necessity. The only classes of persons who may be anxious to obtain extensions on false pretences will be those who are in the habit of shirking their duty or who have been, for whatever cause, refused any other sort of leave. Such cases must be fairly well known to the heads of the offices, who are given full discretion to call for an explanation or to require the countersignature of the District

Surgeon if certificates of a doubtful character are produced before them. When forwarding such certificates for countersignature, heads of offices can always furnish the Surgeon with a statement of the circumstances and request him, if necessary, to keep the applicant under observation before deciding whether to countersign or not. It would thus appear that heads of departments or offices have already sufficient powers to prevent malingering subordinates from escaping from duty on false pretences and that no new rule on the subject need be laid down.

3. It may also be pointed out that a new rule to the effect that a medical officer or practitioner should refuse certificate if it has been previously refused by another medical man will work real hardship in some cases and does not provide for an honest difference of opinion among medical experts—for instance, the medical practitioner first consulted may not be able to diagnose the case properly or may, for other private reasons, be unwilling to grant a certificate. In such cases a really suffering official who is in need of leave for treatment and rest should not, it is submitted, be sacrificed to a rigid compact of the medical profession.

4. In view of these considerations, it would seem best on the whole to leave things as they are and allow full discretion to heads of offices as regards the countersignature of certificates in all doubtful cases.

5. If however it is decided that it is expedient to lay down a rule as proposed, it would seem sufficient to issue a Government Order that all Government servants must disclose to their consulting medical practitioners the fact of their having previously consulted another practitioner and having been refused a certificate and that failure to do so will entail departmental notice and punishment.

In the case however of medical practitioners, it would seem that the Medical Council is the proper authority to issue a rule that all registered practitioners, before granting certificates of extension of leave to Government servants, should question them as to their having previously consulted any other practitioner [and refuse them certificates if one has been refused by another member of his profession already].

V.S.—4-7-17.

A rule that a medical practitioner should refuse a certificate for extension of leave if one has been previously refused by the medical practitioner who gave the original certificate is likely to work hardship in some cases.

2. There is no objection to the Medical Council instructing practitioners on its register to question public servants, when they apply for certificates for extension, as to their having previously consulted other practitioners and recording their answer.

Medical practitioners should however be at liberty to furnish certificates as a result of their medical examination of the public servants, even if some other practitioners had refused previously.

3. So far as the Government are concerned, a rule may be laid down that a public servant producing a certificate for extension of leave from a medical practitioner, other than the one who gave the original certificate, should explain the reason to the head of his office when he submits his application for extension. If the head of the office has reason to distrust the certificate produced, he may send the public servant to the District Surgeon for examination.

V. T. KRISHNAMA ACHARIYAR—5-7-17.

I doubt if it would be much good instructing medical officers to whom applications for certificates to cover extensions of leave are made to ask the applicants whether they have already applied to the officers who granted the original certificates. All sorts of reasons could be given for changes of medical adviser. I think it must be left to the head of the office in each case to call for an explanation, if he sees grounds for doing so when, on an application for an extension, the certificate is granted by a medical man other than the one who granted the original certificate.

If the applicant does not appear in person before a Presidency District Surgeon, the latter's countersignature can be no more than a voucher to the respectability of the practitioner who signs the certificate.

R. A. GRAHAM—6-7-17.



I am not much impressed by the arguments brought forward in the office-note. It is urged that the heads of offices have already sufficient powers to prevent malingering, but I am assured that experience does not support that view.

It is then said that if a really suffering official, who has been refused a medical certificate by one practitioner, were bound to disclose the fact of refusal to any other medical practitioner, he would be "sacrificed to the rigid compact of the medical profession." This argument is based on the assumption that the second medical officer or practitioner will dishonestly refuse a medical certificate merely because another medical officer has refused it. But this is an argument based merely on prejudice. It is against the interests of a medical practitioner to refuse a medical certificate without good reason, and what we know is the actual course of events is that certain officers grant them with too great laxity and become notorious for doing so. It then results that a Government servant, who can't get a medical certificate honestly, goes to live within the jurisdiction of the medical officer who is known to be lax and gets a certificate from him. If the medical practitioner is called to account, he denies all knowledge of the applicant's having been refused a certificate by someone else. The supposed "rigid compact of the medical profession" is a mistake. Everyone knows the proverb about doctors differing.

Every Insurance Company makes it a condition of insurance that the fact that an applicant's life has been refused by another company shall be revealed, and concealment of this fact is legal fraud and invalidates the insurance, if granted.

It appears to me that no Government servant can have any valid ground for concealing from one medical officer, to whom he applies for a medical certificate, the fact that he has been refused a certificate by another. Such a fact is a material point which ought to be known to the medical officer who is last consulted, and the only reason for concealment is the desire to secure some undue advantage through the ignorance of the second medical officer. A Government servant ought therefore to be bound to disclose this material fact, and a rule requiring him to do so would be well justified and should be made.

We may, as suggested, leave it to the Medical Council to require registered practitioners, before granting certificates for extension of leave to Government servants, to question them as to their having previously consulted any other practitioner and recording their answer.

A. G. C[ARDEW]—8-7-17.

A draft order and a draft demi-official are submitted for approval.

2. The Surgeon-General's proposal related only to medical certificates recommending *extensions* of leave, but this restriction is no longer necessary as the question has now assumed a quite different aspect. The present decision may be made applicable to all sorts of medical certificates, whether required when an officer first proceeds on leave or when subsequently extending it.

3. As all Government servants are affected by the rule, it would perhaps be best to incorporate it in the "Government Servants' Conduct Rules" in the form of a supplementary local ruling. The Home (Miscellaneous) Department may be consulted on this point and, if it agrees, the draft order may perhaps issue in that department.

K.N.—11-7-17.

V.S.—12-7-17.

V. T. KRISHNAMA ACHARIYAR—12-7-17.

R. A. GRAHAM—14-7-17.

#### HOME (MISCELLANEOUS) DEPARTMENT.

Submitted that there is no rule at present in the Government Servants' Conduct Rules, under which the proposed instructions can be brought as a supplementary local ruling. If therefore it is considered necessary to embody the instructions in the rules, they will have to be included as an additional special local ruling in Appendix A to the rules. It is for orders whether the following may be added as Special Local Ruling No. 12:—

"It shall be the duty of every Government servant who consults a medical practitioner with a view to obtaining leave or an extension of leave on medical certificate to disclose to that practitioner the fact of his having consulted any other practitioner for the same purpose and the

result of such consultation. Omission on the part of any public servant to do this or any false statement made by him to a medical practitioner in this respect will entail serious departmental notice."

M.D.R.—23-7-17.

P.D.R.—26-7-17.

E. A. HARVEY—27-7-17.

The demi-official to the Surgeon-General will have to issue in Medical.

2. Regarding the suggested rule, the Home (Miscellaneous) will take it up if Medical will kindly send the file with notes.

R. RAMACHANDRA RAO—30-7-17.

#### LOCAL AND MUNICIPAL (MEDICAL) DEPARTMENT.

The demi-official to the Surgeon-General may issue in this department.

2. After issue the file may be transferred to the Home (Miscellaneous) Department u.o. for further action.

K.N.—31-7-17.

V. T. KRISHNAMA ACHARIYAR—1-8-17.

*Demi-official*—from M.R.Ry. V. T. KRISHNAMA ACHARIYAR Avargal, Under Secretary to Government, Local and Municipal (Medical) Department.

To—the Hon'ble Surgeon-General W. B. BANNERMAN, C.S.I., K.H.P., M.D., D.Sc., I.M.S., Surgeon-General with the Government of Madras.

Dated—the 1st August 1917.

No.—1285-2/Medl.

With reference to your demi-official No. T-76, dated 14th June 1917, on the subject of the grant of medical certificates, the Government consider that the inconvenience to which you draw attention can best be remedied by requiring every Government servant who consults a medical practitioner with a view to obtaining leave on medical certificate to disclose to the latter the fact of his having previously consulted and failed to obtain a certificate from any other practitioner. Orders are accordingly under issue giving effect to this decision. The question of imposing an obligation on medical practitioners to question all applicants as to the fact of their having consulted any other practitioner and record their answers is, in the opinion of Government, one which can suitably be dealt with by the Medical Council. You will no doubt take the necessary action in the matter in consultation with the Medical Council.

#### HOME (MISCELLANEOUS) DEPARTMENT.

Please see the notes of this department and of Local and Municipal (Medical) ante.

2. A draft order issuing a special local ruling as ruling No. 12 in Appendix A to the Government Servants' Conduct Rules is submitted.

M.D.R.—4-8-17.

P.D.R.—6-8-17.

E.A.H.—7-8-17.

For approval.

R.R.—8-8-17.

H. F. W. G[ILLMAN]—9-8-17.

A. G. C[ARDEW]—9-8-17.

Issue.

R.R.—10-8-17.

[G.O. No. 989, Home (Miscellaneous), dated 10th August 1917.]



Gov. Servants' Conduct Rules.

Directing the issue of a Special Local  
Order ~~12~~ to the \_\_\_\_\_ enjoining upon every  
Gov. servant, who consults a medical practitioner with a view  
to obtaining leave on medical certificate, to disclose to  
that practitioner the fact of his having previously consulted  
any other practitioner and the result of such consultation.

READ AGAIN G.O. No....., dated.....191.

” ” ” ” ..... ” ” ..... 191

READ ALSO:—

C. No. \_\_\_\_\_, From the \_\_\_\_\_, No. \_\_\_\_\_, dated \_\_\_\_\_ 191

90 91 ..... 92 93 ..... 94 ..... 95

ORDER.

No. 989, dated 10. 8. 1915.

Press.

The Govt. direct that the following ~~will~~<sup>shall</sup> be added to the Govt. Servants' Conduct Rules, as Special Local Ruling No. 12, in Appendix A.

~~The~~ " It shall be the  
" duty of every Gov. servant  
" who consults a medical  
" practitioner with a view to  
" obtaining leave or an  
" extension of leave on  
" medical certificate to  
" disclose to that practitioner  
" the fact of his having



*For approval, Copy*  
*14/8/17*

"consulted any other  
 "practitioner for the same  
 "purpose and the result  
 "of such consultation. Omission  
 "on the part of any public  
 "servant to do this or any  
 "false statement made by  
 "him to a medical practitioner  
 "in this respect will entail  
 "serious departmental notice."

*Note*  
*4-8-17*  
*Pd R*  
*6.8.17*

*Ca*  
*7.8.17*

*mm*

To the Heads of Dept - under  
 (Home Dept. (including Judges))  
 Copy to depts. of the  
 Secretariat.

*Note for E. T.*

*11.8.17*

HOME (MISCELLANEOUS) DEPARTMENT  
 G.O. No. 989, 10th August 1917  
 Government Servants' Conduct Rules

Directing the issue of a Special Local Ruling to the — enjoining upon every Government Servant, who consults a medical practitioner with a view to obtaining leave on medical certificate, to disclose to that practitioner the fact of his having previously consulted any other practitioner and the result of such consultation.

Order—No. 989, Home (Miscellaneous), dated 10th August 1917.

The Government direct that the following shall be added to the Government Servants' Conduct Rules, as Special Local Ruling No. 12, in Appendix A:—

"It shall be the duty of every Government servant who consults a medical practitioner with a view to obtaining leave or an extension of leave on medical certificate to disclose to that practitioner the fact of his having consulted any other practitioner for the same purpose and the result of such consultation. Omission on the part of any public servant to do this or any false statement made by him to a medical practitioner in this respect will entail serious departmental notice."

(True Extract)

R. RAMACHANDRA RAO,  
 Secretary to Government.

To the Heads of Departments under Home Department (including District and Sessions Judges).  
 Copy to departments of the Secretariat.

*Pres*  
*Please stick off*



*Pd R*  
*17.8.17*

*11.8.17*  
*15.8.17*

*30.2.17*  
*2000 S. B. R.*  
*16 for notes*  
*16 for files*



OG for approval, 18/8/17

NOTES CONNECTED WITH G.O. No. 989, HOME (MISCELLANEOUS),  
DATED 10TH AUGUST 1917.

[SUBJECT.—Medical certificates granted by registered medical practitioners.]

| Previous papers:            |       |  | G.O. 989, Public, 22nd May 1916. |       |  |
|-----------------------------|-------|--|----------------------------------|-------|--|
| G.O. 630, Public, 26th July | 1895. |  | " 165, Medical, 20th April       | 1917. |  |
| " 694 " 16th September      | 1905. |  | " 208 " 12th May                 | "     |  |
| " 820 " 10th "              | 1910. |  |                                  |       |  |

Demi-official—from the Hon'ble Surgeon-General W. B. BANNERMAN, C.S.I., K.H.P.,  
M.D., D.Sc., I.M.S., Surgeon-General with the Government of  
Madras.

To—R. A. GRAHAM, Esq., I.C.S., Acting Secretary to Government, Local and  
Municipal (Medical) Department.

Dated—Ootacamund, the 14th June 1917.

No.—T. 76.

Please refer to the correspondence ending with G.O. No. 208, Medical, dated 12th May 1917, regarding medical certificates granted by registered medical practitioners. The difficulty I brought to notice in my letter No. 100/T. 35, dated 27th April 1917, was experienced by a Presidency District Surgeon (Major F. F. Elwes, C.I.E., I.M.S.) to whom the head of a department sent for countersignature a medical certificate granted by a registered medical practitioner recommending the grant of an extension of leave to a Government servant. This certificate was from quite a different registered medical practitioner to the one who granted the first certificate which was countersigned by the Presidency District Surgeon. Apparently the applicant did not go to the same man as he was not sure of succeeding or it may be that he did go to him and was refused a certificate. I think this is a practice which Government can put a stop to without inconveniencing Government servants to any great degree while it would save the Presidency District Surgeons, who are as it is overburdened with work, some trouble.

The proper course would be, I think, for Government to order that a Government servant applying for an extension of leave should produce a certificate from the same medical man who granted the first certificate if still living in the same place. This should be so whether the Government servant lives in Madras or in the mufassal.

This rule will not inconvenience Government servants much while it will be the means of preventing abuse in the matter of obtaining medical certificates.

LOCAL AND MUNICIPAL (MEDICAL) DEPARTMENT.

In his letter disposed of by G.O. No. 208, Medical, dated 12th May 1917, the Surgeon-General proposed that medical practitioners should be prohibited from recommending extensions of leave to Government servants without consulting the medical man who granted the original certificate. He now puts the proposal in a slightly modified form, namely, that Government servants applying for extension of leave should be asked to produce a certificate from the same practitioner who first recommended the leave. The Government have already stated that if the two certificates are signed by different persons, it is open to the head of an office to call for an explanation. This will automatically lead applicants to consult the same medical man as far as possible and it does not seem necessary to place any further restrictions upon them. Further the proposal will not save any appreciable amount of trouble to the Presidency Surgeons as such cases are not likely to be of frequent occurrence. For orders whether G.O. No. 208, dated 12th May 1917, may stand.

K.N.—16-6-17.  
V.S.—16-6-17.

V. T. KRISHNAMA ACHARIYAR—18-6-17.



Pres  
Please strike off

20/8/17  
Pach  
22/8/17

unpublished any other  
practitioners for the same  
purpose and their result.  
Such consultation in the  
the first of the papers  
and the result of such consultation  
Order—No. 329, Home (Miscellaneous), dated 10th August 1917.  
The Government direct that the following shall be added to the Government  
Surgeons' Circulars as Special Local Rules:—  
"It shall be the duty of every Government servant applying for an extension of leave to produce a certificate from the same medical practitioner who granted the first certificate if still living in the same place. This should be so whether the Government servant lives in Madras or in the mufassal."  
To the Heads of Departments under Home Department (including District and Session Judges)  
Copy to be kept in the files of the Secretariat.  
R. BANNERMAN, C.S.I., K.H.P.,  
M.D., D.Sc., I.M.S., Surgeon-General with the Government of Madras.

12-8-17  
11-8-17  
10-8-17  
9-8-17  
8-8-17  
7-8-17  
6-8-17  
5-8-17  
4-8-17  
3-8-17  
2-8-17  
1-8-17



Is there any rule under which a Presidency District Surgeon is bound to countersign?

R. A. GRAHAM—19-6-17.

Please see articles 833 and 834 of the Civil Service Regulations and paragraphs 576 and 585 of the Civil Medical Code. It would appear that, unless a Presidency District Surgeon sees reason to differ from the recommendation made in the certificate, he is bound to countersign it.

K.N.—21-6-17.

V.S.—22-6-17.

V.T.K.—22-6-17.

In the particular instance quoted, the circumstances, if unexplained, might have justified the District Surgeon in refusing to countersign. It does not seem necessary to make any further rule.

R.A.G.—25-6-17.

What actually happens in these cases is, I understand, that A, a Government servant, wants to get an extension of leave on medical certificate. He goes to B who originally certified him as requiring leave and asks for certificate enabling him to obtain an extension. B finds that the man has recovered and is quite fit for duty and refuses to give him a certificate. A then goes on to C and concealing from C the fact that B has refused to give him a certificate for extension of leave obtains a certificate for extension from C. Another aspect of the matter is that, when A goes to B for a certificate to enable him to get an extension of leave and B demurs to grant it, A says to B "if you won't grant me a certificate, I will go to C and transfer the care of the health of myself and family to C". B is thus coerced into granting a certificate which he does not in his judgment believe to be necessary.

2. The question is how we are to deal with these cases of abuse of medical certificates. I understand that they are not very uncommon, but I am in some doubt as to what rule should be laid down. What we really want is to be able to impose some penalty upon A who really obtains or seeks to obtain leave on medical certificate under false pretences or at any rate by suppression of fact. It seems to me that in the first place it should be incumbent upon every public officer who applies to a medical officer to examine him with a view to extension of leave to disclose to that medical officer the fact that he has already consulted another medical officer and been refused if that is the case and omission to disclose this fact should constitute an offence for which a public servant in question can be punished departmentally. In order to elicit information as to whether an officer who applies for certificate for extension of leave has gone to some other practitioner and been refused, it should be the duty of every medical officer to question the applicant on this point and if he ascertains that the applicant has been refused medical certificate by another practitioner he should decline to certify him. Any public servant who makes a false statement to a medical practitioner on this point should be subject to departmental punishment. I think this would be better than requiring a certificate always to be produced from the same officer who granted the original certificate. Will the Secretary kindly examine this proposal.

A. G. C[ARDEW]—26-6-17.

Note.

R. A. GRAHAM—27-6-17.

The Honourable Member's proposals are—

(1) that every Government servant consulting a medical officer or practitioner with a view to obtain an extension of leave should disclose the fact of his having previously consulted any other practitioner, and

(2) that every medical officer or practitioner so consulted should question the applicant whether he has had any previous consultation and refuse to grant a certificate if one has been refused by another practitioner.

2. It has to be noted that absence on leave on medical certificate involves ordinarily the sacrifice of at least 50 per cent of an officer's salary. This fact alone will in most cases act as a deterrent to Government servants applying for extensions



except in cases of real necessity. The only classes of persons who may be anxious to obtain extensions on false pretences will be those who are in the habit of shirking their duty or who have been, for whatever cause, refused any other sort of leave. Such cases must be fairly well known to the heads of the offices, who are given full discretion to call for an explanation or to require the countersignature of the District Surgeon if certificates of a doubtful character are produced before them. When forwarding such certificates for countersignature, heads of offices can always furnish the Surgeon with a statement of the circumstances and request him, if necessary, to keep the applicant under observation before deciding whether to countersign or not. It would thus appear that heads of departments or offices have already sufficient powers to prevent malingering subordinates from escaping from duty on false pretences and that no new rule on the subject need be laid down.

3. It may also be pointed out that a new rule to the effect that a medical officer or practitioner should refuse certificate if it has been previously refused by another medical man will work real hardship in some cases and does not provide for an honest difference of opinion among medical experts—for instance, the medical practitioner first consulted may not be able to diagnose the case properly or may, for other private reasons, be unwilling to grant a certificate. In such cases a really suffering official who is in need of leave for treatment and rest should not, it is submitted, be sacrificed to a rigid compact of the medical profession.

4. In view of these considerations, it would seem best on the whole to leave things as they are and allow full discretion to heads of offices as regards the countersignature of certificates in all doubtful cases.

5. If however it is decided that it is expedient to lay down a rule as proposed, it would seem sufficient to issue a Government Order that all Government servants must disclose to their consulting medical practitioners the fact of their having previously consulted another practitioner and having been refused a certificate and that failure to do so will entail departmental notice and punishment.

In the case however of medical practitioners, it would seem that the Medical Council is the proper authority to issue a rule that all registered practitioners, before granting certificates of extension of leave to Government servants, should question them as to their having previously consulted any other practitioner [and refuse them certificates if one has been refused by another member of his profession already].

V.S.—4-7-17.

A rule that a medical practitioner should refuse a certificate for extension of

Yes.

A. G. C[ARDEW]—8-7-17.

leave if one has been previously refused by the medical practitioner who gave the original certificate is likely to work hardship in some cases.

2. There is no objection to the Medical Council instructing practitioners on its register to question public servants, when they apply for certificates for extension, as to their having previously consulted other practitioners and recording their answer.

Yes.

A. G. C[ARDEW]—8-7-17.

Medical practitioners should however be at liberty to furnish certificates as a result of their medical examination of

the public servants, even if some other practitioners had refused previously.

3. So far as the Government are concerned, a rule may be laid down that a public servant producing a certificate for extension of leave from a medical practitioner other than the one, who gave the original certificate, should explain the reason to the head of his office when he submits his application for extension. If the head of the office has reason to distrust the certificate produced, he may send the public servant to the District Surgeon for examination.

V. T. KRISHNAMA ACHARIYAR—5-7-17.



4 NOTES TO G.O. No. 989, HOME (MISCELLANEOUS), 10TH AUGUST 1917

I doubt if it would be much good instructing medical officers to whom applications for certificates to cover extensions of leave are made to ask the applicants whether they have already applied to the officers who granted the original certificates. All sorts of reasons could be given for changes of medical adviser. I think it must be left to the head of the office in each case to call for an explanation, if he sees grounds for doing so when, on an application for an extension, the certificate is granted by a medical man other than the one who granted the original certificate.

If the applicant does not appear in person before a Presidency District Surgeon, the latter's countersignature can be no more than a voucher to the respectability of the practitioner who signs the certificate.

R. A. GRAHAM—6-7-17.

I am not much impressed by the arguments brought forward in the office-note.

It is urged that the heads of offices have already sufficient powers to prevent malingerers, but I am assured that experience does not support that view.

It is then said that if a really suffering official, who has been refused a medical certificate by one practitioner, were bound to disclose the fact of refusal to any other medical practitioner, he would be "sacrificed to the rigid compact of the medical profession." This argument is based on the assumption that the second medical officer

or practitioner will dishonestly refuse a medical certificate merely because another medical officer has refused it. But this

is an argument based merely on prejudice. It is against the interests of a medical practitioner to refuse a medical certificate without good reason, and what we know is the actual course of events is that certain officers grant them with too great laxity and become notorious for doing so. It then results that a Government servant, who can't get a medical certificate honestly, goes to live within the jurisdiction of the medical officer who is known to be lax and gets a certificate from him. If the medical practitioner is called to account he denies all knowledge of the applicant's having been refused a certificate by someone else. The supposed "rigid compact of the medical profession" is a mistake. Everyone knows the proverb about doctors differing.

Every Insurance Company makes it a condition of insurance that the fact that an applicant's life has been refused by another company shall be revealed, and concealment of this fact is legal fraud and invalidates the insurance, if granted.

It appears to me that no Government servant can have any valid ground for concealing from one medical officer, to whom he applies for a medical certificate, the fact that he has been refused a certificate by another. Such a fact is a material point which ought to be known to the medical officer who is last consulted, and the only reason for concealment is the desire to secure some undue advantage through the ignorance of the second medical officer. A Government servant ought therefore to be bound to disclose this material fact, and a rule requiring him to do so would be well justified and should be made.

We may, as suggested, leave it to the Medical Council to require registered practitioners, before granting certificates for extension of leave to Government servants, to question them as to their having previously consulted any other practitioner and recording their answer.

A. G. C[ARDEW]—8-7-17.

A draft order and a draft demi-official are submitted for approval.

2. The Surgeon-General's proposal related only to medical certificates recommending extensions of leave, but this restriction is no longer necessary as the question has now assumed a quite different aspect. The present decision may be made applicable to all sorts of medical certificates, whether required when an officer first proceeds on leave or when subsequently extending it.

3. As all Government servants are affected by the rule, it would perhaps be best to incorporate it in the "Government Servants' Conduct Rules" in the form of a supplementary local ruling. The Home (Miscellaneous) Department may be consulted on this point and, if it agrees, the draft order may perhaps issue in that department.

K.N.—11-7-17.

V.S.—12-7-17.

V. T. KRISHNAMA ACHARIYAR—12-7-17.

R.A.G.—14-7-17.



HOME (MISCELLANEOUS) DEPARTMENT.

Submitted that there is no rule at present in the Government Servants' Conduct Rules, under which the proposed instructions can be brought as a supplementary local ruling. If therefore it is considered necessary to embody the instructions in the rules, they will have to be included as an additional special local ruling in Appendix A to the rules. It is for orders whether the following may be added as Special Local Ruling No. 12 :—

"It shall be the duty of every Government servant who consults a medical practitioner with a view to obtaining leave or an extension of leave on medical certificate to disclose to that practitioner the fact of his having consulted any other practitioner for the same purpose and the result of such consultation. Omission on the part of any public servant to do this or any false statement made by him to a medical practitioner in this respect will entail serious departmental notice."

M.D.R.—23-7-17.

P.D.R.—26-7-17.

E. A. HARVEY—27-7-17.

The demi-official to the Surgeon-General will have to issue in Medical.

2. Regarding the suggested rule, the Home (Miscellaneous) will take it up if Medical will kindly send the file with notes.

R. RAMACHANDRA RAO—30-7-17.

LOCAL AND MUNICIPAL (MEDICAL) DEPARTMENT.

The demi-official to the Surgeon-General may issue in this department.

2. After issue the file may be transferred to the Home (Miscellaneous) Department u.o. for further action.

K.N.—31-7-17.

V. T. KRISHNAMA ACHARIYAR—1-8-17.

*Demi-official*—from M.R.Ry. V. T. KRISHNAMA ACHARIYAR Avargal, Under Secretary to Government, Local and Municipal (Medical) Department.

To—the Hon'ble Surgeon-General W. B. BANNERMAN, C.S.I., K.H.D., M.D., D.Sc., I.M.S., Surgeon-General with the Government of Madras.

Dated—the 1st August 1917.

No.—1285-2/Medl.

With reference to your demi-official No. T-76, dated 14th June 1917, on the subject of the grant of medical certificates, the Government consider that the inconvenience to which you draw attention can best be remedied by requiring every Government servant who consults a medical practitioner with a view to obtaining leave on medical certificate to disclose to the latter the fact of his having previously consulted and failed to obtain a certificate from any other practitioner. Orders are accordingly under issue giving effect to this decision. The question of imposing an obligation on medical practitioners to question all applicants as to the fact of their having consulted any other practitioner and record their answers is, in the opinion of Government, one which can suitably be dealt with by the Medical Council. You will no doubt take the necessary action in the matter in consultation with the Medical Council.

HOME (MISCELLANEOUS) DEPARTMENT.

Please see the notes of this department and of Local and Municipal (Medical) ante.

2. A draft order issuing a special local ruling as ruling No. 12 in appendix A to the Government Servants' Conduct Rules is submitted.

M.D.R.—4-8-17.

P.D.R.—6-8-17.

E.A.H.—7-8-17.

For approval.

R.R.—8-8-17.

H. F. W. G[ILLMAN]—9-8-17.

A. G. C[ARDEW]—9-8-17.

Issue.

R.R.—10-8-17.

[G.O. No. 989, Home (Miscellaneous), dated 10th August 1917.]



ORDINARY.

PRESS SLIP.

PREFERENCE.

URGENT (a).

Seott. II-38-2-15.

DEPARTMENT.

Current No. ...., dated.....191

G.O. No. 989, dated.....10-8-191

Number of MS. pages sent { (b) Correspondence.....ul  
(b<sup>1</sup>) Notes.....12 + 2 p nos

Brief subject... Gov. Servant Conduct Rule

| (c) Number of copies required when struck off (not including copies for volumes and editors' table which are retained in the Press). | E. T. copies to supply requisitions for purchase by the public. | Complete correspondence and orders. | Notes. |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------|--------|
| FOR RECORD.*                                                                                                                         |                                                                 |                                     |        |
| Madras Records ...                                                                                                                   | 4                                                               |                                     | 12     |
| Ooty Records ...                                                                                                                     |                                                                 |                                     | 3      |
| For filing with original                                                                                                             |                                                                 |                                     | 1      |
| Total ..                                                                                                                             |                                                                 |                                     | 16     |

FOR ISSUE.†

| Letter only.                        | Complete G.O. | (d) Special issue copies of G.O. |         | Notes. |
|-------------------------------------|---------------|----------------------------------|---------|--------|
|                                     |               | No.                              | Papers. |        |
| Signature copies.....               | 30            |                                  |         |        |
| India Office.....                   |               |                                  |         |        |
| Govt. of India.....Dept.            |               |                                  |         |        |
| Revenue Department.....             |               |                                  |         |        |
| Public Works Department.....        |               |                                  |         |        |
| Local and Municipal Department..... |               |                                  |         |        |
| Educational Department.....Dept.    |               |                                  |         |        |
| Public Dept.....                    |               |                                  |         |        |
| Judicial Dept.....                  |               |                                  |         |        |
| Political.....                      |               |                                  |         |        |
| Financial Dept.....                 |               |                                  |         |        |
| Marine Dept.....                    |               |                                  |         |        |
| Ecclesiastical Dept.....            |               |                                  |         |        |
| Total ..                            |               |                                  |         |        |
| Spare copies                        |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| The.....                            |               |                                  |         |        |
| Total ..                            | 2030          |                                  |         |        |

\* Copies distributed on ..... (Press Clerk).

† Copies distributed on ..... (Press Despatcher).

To be initialled and dated.

## INSTRUCTIONS FOR THE SECRETARIAT.

(a) If a paper is marked to be printed urgently, the Superintendent of the section concerned should sign the Press slip. The Superintendent should exercise a careful discretion in the matter.

(b) Each letter, memorandum, or order, or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, II, etc.) by which that item has been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(b<sup>1</sup>) For rules regarding printing of notes, see rule 315 of the office Manual.

(c) The number of copies and the details of distribution should be filled in by the Superintendent or Refereencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for one week, and larger papers for two weeks only. The type of notes and of all confidential papers is distributed immediately after striking.

(e) This slip, properly and completely filled in, should accompany every paper sent to Press; it will be returned by the Press when proofs are furnished; it should be sent to the Press when a call is made for revised proofs or when a corrected proof is sent for striking. When finally returned by Press it should be filed with the original order or letter.

## INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Registrar any instance of incomplete or careless editing.

(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(d) This slip should be returned by the Press to the Secretariat when proofs are furnished; it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

(e) The names of the Secretary and Members should be printed in full when they occur on the right hand side, only the first time when they appear on the left side, the initials alone being printed later.



TO PRESS, MADRAS OOTY.

A

Please send proof in duplicate. The papers have been carefully edited.

B

Proof returned corrected. Please strike off and send number of copies as indicated.

C

As the matter is clear manuscript and has been carefully edited, (b) proof need not be sent. Please print and supply number of copies as indicated.

Type may be released after usual interval at once.

Type may be released after usual interval.

Referencer.  
Clerk.

Referencer.  
Clerk.

Referencer.  
Clerk.

Supdt.

Supdt.

Supdt.

SPECIAL INSTRUCTIONS.

TO BE FILLED IN BY THE PRESS.

Diary.

Initials of  
Press official.

Received in Press on.....  
First proof furnished on.....  
Call for revised proof received on.....  
Revised proof furnished on.....  
Corrected proof received for striking on.....  
Final copies supplied on.....

Account of copies.

Complete  
copies.

Notes.

Issue  
copies.

Special  
E.T. edition

|                                                                                     |  |  |  |   |
|-------------------------------------------------------------------------------------|--|--|--|---|
| Supplied to Secretariat for Record.....                                             |  |  |  |   |
| " " " Issue.....                                                                    |  |  |  |   |
| " " " for Extra E.T.<br>copies to supply requisitions for sale to<br>the public.    |  |  |  | 4 |
| For Volumes.....                                                                    |  |  |  |   |
| For supply to newspapers and institutions<br>admitted to the privileges of the E.T. |  |  |  |   |
| Total ...                                                                           |  |  |  |   |