

[To be published in the Gazette of India, Extraordinary, Part II, Section 3, Sub section (i)]

Government of India
Ministry of Personnel, Public Grievances and Pensions

NOTIFICATION

New Delhi, dated the 4th October , 2012

G.S.R. - In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Ex-servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979, namely:-

1. (1) These rules may be called the Ex-servicemen (Re-employment in Central Civil Services and Posts) Amendment Rules, 2012.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. In the Ex-servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979

(I) in rule 2, for clause (c), the following clause shall be substituted, namely:-

(c) An 'ex-serviceman' means a person -

(i) who has served in any rank whether as a combatant or non-combatant in the Regular Army, Navy and Air Force of the Indian Union, and

(a) who either has been retired or relieved or discharged from such service whether at his own request or being relieved by the employer after earning his or her pension; or

(b) who has been relieved from such service on medical grounds attributable to military service or circumstances beyond his control and awarded medical or other disability pension; or

(c) who has been released from such service as a result of reduction in establishment;

or

(ii) who has been released from such service after completing the specific period of engagement, otherwise than at his own request, or by way of dismissal, or discharge on account of misconduct or inefficiency and has been given a gratuity; and includes personnel of the Territorial Army, namely, pension holders for continuous embodied service or broken spells of qualifying service;

or

(iii) personnel of the Army Postal Service who are part of Regular Army and retired from the Army Postal Service without reversion to their parent service with pension, or are released from the Army Postal service on medical grounds attributable to or aggravated by military service or circumstance beyond their control and awarded medical or other disability pension;

or

(iv) Personnel, who were on deputation in Army Postal Service for more than six months prior to the 14th April, 1987;

or

(v) Gallantry award winners of the Armed forces including personnel of Territorial Army;

or

(vi) Ex-recruits boarded out or relieved on medical ground and granted medical disability pension.

(2) for rule 3, the following rule shall be substituted, namely:-

“3. Application - These rules shall apply to all the Central Civil Services and Posts and the posts upto the level of Assistant Commandant in all paramilitary forces.”

(3) in rule 4,-

(a) for sub-rule(1), the following sub-rule shall be substituted, namely:-

“(i) Reservation of vacancies: – Ten per cent of the vacancies in the posts upto of the level of the Assistant Commandant in all para-military forces, ten per cent of the vacancies in Group 'C' posts; and twenty per cent of the vacancies in Group 'D' posts, including permanent vacancies filled initially on a temporary basis and temporary vacancies which are likely to be made permanent or are likely to continue for three months and more, to be filled by direct recruitment in any year shall be reserved for being filled by ex-servicemen.”

(b) for sub-rule(2), the following sub-rule shall be substituted, namely:-

“(2) The Scheduled Castes, the Scheduled Tribes and the Other Backward Class candidates selected against the vacancies reserved for ex-servicemen shall be adjusted against vacancies reserved for Scheduled Castes, Scheduled Tribes and Other Backward Classes, respectively:

Provided that if a the Scheduled Caste or the Scheduled Tribe or the Other Backward Class ex-servicemen is selected against the vacancy reserved for ex-servicemen and vacancy reserved for the Scheduled Castes or the Scheduled Tribes or the Other Backward Classes, as the case may be, is not available to adjust such ex-serviceman, he shall be adjusted in future against the next available vacancy reserved for the Scheduled Castes or the Scheduled Tribes or the Other Backward Classes, as the case may be."

(c) after sub-rule (3), the following proviso shall be substituted, namely:-

"Provided that in case of recruitment to the vacancy reserved for Ex-servicemen in the Central Para Military Forces, the reserved vacancy remained unfilled due to non-availability of eligible or qualified candidates, the same shall be filled by candidates from non-ex-servicemen category".

(4) for rule 5, the following rule shall be substituted, namely:-

"(5) (a) For appointment to vacancies in Group B(Non-Gazetted), Group C or Group D posts in Central Government, an ex-serviceman shall be allowed to deduct the period of actual military service from his actual age and if the resultant age does not exceed the maximum age limit prescribed for the post for which he is seeking appointment by more than three

years, he shall be deemed to satisfy the condition regarding age limit.

- (b) For appointment to any vacancy in Group A and Group B services or posts filled by direct recruitment otherwise than on the results of an Open All India Competitive Examination, the upper age limit shall be relaxed by the length of military service increased by three years in the case of ex-servicemen and commissioned officers including Emergency Commissioned Officers or Short Service Commissioned Officers.
- (c) For appointment to any vacancy in Group A and Group B services or posts filled by direct recruitment on the results of an All India Competitive Examination, the ex-servicemen and Commissioned Officers including Emergency commissioned Officers or Short Service Commissioned Officers who have rendered atleast five years military services and have been released - ,
 - (i) on completion of assignment (including those whose assignment is due to be completed within one year) otherwise than by way of dismissal or discharge on account of misconduct or inefficiency; or

(ii) on account of physical disability attributable to military service or on invalidment, shall be allowed maximum relaxation of five years in the upper age limit.

[File No.36034/1/06-Estt(SCT)]

Manoj Joshi

(Manoj Joshi)

Joint Secretary to the Government of India

Note:- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1530, dated the 15th December, 1979 and subsequently amended by G.S.R. 973 dated 27th October, 1986, and was last amended by notification No. G.S.R. 333(E), dated 27th March, 1986.