



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

PERSONNEL (B) DEPARTMENT ::: DISPUR ::: GUWAHATI-6

NOTIFICATION

The 19th December, 2022

No.ABP.48/2009/84 .- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to make the following rules for regulating the reservation of posts in Grade-I and Grade-II in the State Services for Ex-servicemen, namely :-

Short title and commencement 1. (1) These rules may be called the Assam Ex-servicemen (Reservation of Posts in Grade-I and Grade-II in State Services) Rules, 2022.

(2) It shall come into force on the date of its publication in the Official Gazette.

Application 2. These rules shall apply to all State Services and Posts borne in Grade I and Grade II :

Provided that these rules shall not be applicable in those cases in which the vacancies have been already assessed and sent for advertisement as per the existing provisions.

Definitions 3. In these rules, unless there is anything repugnant in the subject or context,-

(1) "Armed Forces of the Union" means the Naval, Military and Air Forces of the Union.

- (2) “Ex-servicemen” means a person,-
- (i) who had served in any rank (whether as a combatant or as 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 request or being relieved by the employer after earning his or her pension; or
 - (b) who had 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 had been released from such service as a result of reduction in establishment; or
 - (ii) who had 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;
 - (vi) Ex-recruits boarded out or relieved on medical ground and granted medical disability pension.
- (3) “Reserved vacancies” means vacancies occurred during current year against the posts for being filled up by Ex-servicemen. It also includes the vacancy to be filled up against the percentage referred in rule 4 to meet the adequate representation of the Ex-servicemen.

- Reservation of vacancies 4. (1) Two percent of the posts in each of the categories of Grade-I and Grade-II shall be reserved for being filled up by Ex-servicemen irrespective of the mode of recruitment whether it is a direct recruitment or a promotional upliftment which are otherwise entry level post in Direct Recruitment :

Provided that if in any year any vacancy reserved for Ex-servicemen is not filled up due to non-availability of eligible Ex-servicemen category candidate, the unfilled vacancies shall not be carried forward to the next year and such vacancies shall be filled up usually by candidates other than Ex-servicemen:

Provided further that the Appointing Authority shall take steps to maintain two percent reservation for Ex-Servicemen in the subsequent years through the available future vacancies.

- (2) Out of the two percent reservation referred in sub-rule (1) above, in appointment of Grade-I and Grade-II posts in respect of Ex-Servicemen, if any ex-servicemen belonging to the Scheduled Castes or Scheduled Tribes or Other Backward Classes or More Other Backward Classes is selected, his selection shall also be counted against the overall quota of reservation that shall be provided for the Scheduled Castes or Scheduled Tribes or Other Backward Classes including More Other Backward Classes in accordance with the orders as are issued in this behalf by the State Government from time to time.

- Exemption from Reservation 5. If any Department in the State Government considers it necessary to exempt any establishment or any cadre or cadres in Grade-I and Grade-II posts from the provisions of reservation for Ex-Servicemen, the Department shall refer the matter to Personnel (B) Department for concurrence giving full justification for the proposal.

- Special provision regarding age limits 6. The maximum age limit for entry into Government services for Grade-I and Grade-II posts in respect of Ex-servicemen shall be relaxed upto 50(fifty) years for un-reserved category:

Provided that the upper age limit in respect of Ex-servicemen who belongs to Other Backward Classes or More Other Backward Classes shall be relaxed by three years over their general age limit of 50(fifty) years i.e. up to 53 (fifty three) years.

Provided that the upper age limit in respect of Ex-servicemen who belongs to the Scheduled Caste or Scheduled Tribes shall be relaxed by a further age relaxation of five years over their general age limit of 50 (fifty) years i.e. upto 55 (fifty-five) years.

Amendment of
Recruitment
Rules

7. All rules regulating the recruitment of persons to Grade-I and Grade -II posts and services under the State Government shall be subject to the provision of these rules and shall be construed accordingly.

Interpretation

8. If any question arises relating to the interpretation of these Rules, the decision of the Government in Personnel Department shall be final.

NIRAJ VERMA,
Principal Secretary to the Government of Assam,
Personnel Department.