

Frequently Asked Questions (FAQs) on the policy of reservation to Ex-servicemen

Q.1 What is the policy of reservation for ex-servicemen?

Ans.: The policy of reservation for ex-servicemen is governed by the Ex-servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979. These rules apply to all the Central Civil Services and Posts, Group 'C' and Group 'D' and the posts of the level of Assistant Commandant in all para-military forces.

Q.2 What is the percentage of reservation provided to the ex-servicemen?

Ans. Ten per cent of the vacancies in the posts of the level of Assistant Commandant in all para-military forces, ten per cent of the vacancies in each of the categories of Group 'C' and of such posts in Group 'C' services, 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 are reserved for ex-servicemen;

Provided the percentage of reservation so specified for ex-servicemen in a category of post shall be increased or decreased in any one recruitment year to the extent to which the total number of vacancies reserved for ex-servicemen, Scheduled Castes and Scheduled Tribes (including the carried forward reservation for Scheduled Castes and Scheduled Tribes) and for any other categories taken together, falls short or is in excess, as the case may be, of fifty per cent of the vacancies in that category of posts filled in that year;

Provided further that in case of an increase in the reservation for the ex-servicemen under the preceding proviso, the additional vacancies so made available for them shall be utilised first for the appointment of disabled ex-servicemen and if any such vacancies still remain unfilled thereafter the same shall then be made available to other ex-servicemen.

Q.3 What is vertical reservation and what is horizontal reservation?

Ans. Reservation for backward classes of citizens (SCs, STs and OBCs) is called vertical reservation and the reservation for ex-servicemen is called horizontal reservation. Horizontal reservation cuts across vertical reservation (in what is called inter-locking reservation) and persons selected against the quota for persons with disabilities have to be placed in the appropriate category viz. SC/ST/OBC/General candidates depending upon the category to which they belong in the roster meant for reservation of SCs/STs/OBCs. To illustrate, if in

a given year there are two vacancies reserved for the ex-servicemen and out of two ex-servicemen appointed, one belongs to a Scheduled Caste and the other to general category then the disabled SC candidate shall be adjusted against the SC point in the reservation roster and the general candidate against unreserved point in the relevant reservation roster. In case none of the vacancies falls on point reserved for the SCs, the ex-serviceman belonging to SC shall be adjusted in future against the next available vacancy reserved for SCs.

Since the ex-servicemen have to be placed in the appropriate category viz. SC/ST/OBC/ General in the roster meant for reservation of SCs/STs/OBCs, the application form for the post should require the candidates applying under the quota reserved for ex-servicemen to indicate whether they belong to SC/ST/OBC or General category.

Q.4 What is the definition of Ex-serviceman?

Ans.: The Ex-serviceman (Re-employment in Central Civil Services and Posts) Rules, 1979 as modified by the Gazette Notification dated 27th October, 1986, defines ex-serviceman as a person who has served in any rank whether as combatant or non-combatant in a Regular Army, Navy and Air Force of the Indian Union and

- (i) Who retired from such service after earning his/her pension; or
- (ii) Who has been released from such service on medical grounds attributable to military service or circumstances beyond his control and awarded medical or other disability pension; or
- (iii) Who has been released, otherwise than on his own request, from such service as a result of reduction in establishment; or
- (iv) Who has been released from such service after completing the specific period of engagements, otherewise 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 of the following categories, namely:
 - (i) Pension holders for continuous embodied service
 - (ii) Persons with disability attributable to military service; and
 - (iii) Gallantry award winners.

As per the clarification issued in the Notification No.36034/5/85-Estt.(SCT) dated 27.3.1987 any person who has been released upto 30th June, 1987 –

- (a) At his own request after completing 5 years' service in the Armed Forces of the Union; or

(b) After serving for a continuous period of six months after attestation, otherwise than at his own request or by way of dismissal or discharge on account of mis-conduct or inefficiency or has been transferred to the reserve pending such release;

shall also deemed to be an ex-serviceman.

Q.5 What are the relaxations/concessions available to the ex-servicemen?

Ans.: For appointment to vacancies in any 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.

The upper age limit shall be relaxed by the length of military service increased by three years in the case of ex-servicemen and commissioner officers including ECOs/SSCOs for appointment to any vacancy in Group A and Group B services/posts filled by direct recruitment otherwise than on the results of an open All India Competitive Examination held by the UPSC.

For appointment to any vacancy in Group A and Group B services/posts filled by direct recruitment on the results of an All India Competitive Examination held by UPSC the ex-servicemen and Commissioned Officers including ECOs/SSCOs who have rendered at least 5 years military service and have been released, (1) on completion of assignment (including those whose assignment is due to be completed within 1 year) otherwise than by way of dismissal or discharge on account of misconduct or inefficiency, or (2) 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.

Relaxation in Educational Qualification- For appointment to any reserved vacancy in Group 'C' posts, the appointing authority may, at its discretion, relax the minimum educational qualification, where such qualification prescribed is a pass in the Middle School Education or nay lower examination, in favour of ex-servicemen who have put in atleast three years service in the Armed Forces of the Union and who are otherwise considered fit and suitable for appointment to such posts, in view of their experience and other qualifications.

For appointment to any reserved vacancy in Group 'C' posts, to be filled partly by direct recruitment and partly by promotion or transfer where the minimum qualification or technical qualification prescribed for appointment by direct recruitment is higher than that prescribed for promotes or transferees, an

ex-servicemen shall be deemed to satisfy the prescribed education or technical qualification if he;

- (i) satisfied the educational or technical qualification prescribed for direct recruitment to the post from which promotion or transfer to the post in question is allowed, and
- (ii) has identical experience of work in a similar discipline and for the same number of years in the Armed Forces of the Union, as prescribed for promotes or transferees.

Q.6 Is the benefit of reservation available to the ex-serviceman, who has already joined a civil appointment?

Ans. An ex-serviceman who has already secured employment under the Central Government in Groups C and D will be permitted the benefit of age relaxation as prescribed for ex-servicemen for securing another employment in a higher grade or cadre in Group C and D under the Central Government. However, such candidate will not be eligible for the benefit of reservation for ex-servicemen in Central Government jobs.

Q.7 Can a vacancy reserved for ex-serviceman be filled by general candidate?

Ans. No vacancy reserved for ex-servicemen in a post to be filled otherwise than on the results of an open competitive examination shall be filled by the appointing authority by any general candidate, until and unless the said authority ;

- (i) has obtained a "Non-availability Certificate" from the employment exchange (where a requisition is placed on an employment exchange);
- (ii) has verified the non-availability of a suitable candidate by reference to the Director General Resettlement and recorded a certificate to that effect ; and
- (iii) has obtained approval of the Central Government.

In case of number of posts reserved for ex-servicemen is not filled by candidates who are ex-servicemen the number of posts not so filled can be added to the number of post falling to the share of ex-servicemen in the next year. However, addition will be subject to adjustments with the reservation available for the other categories in accordance with the general policy of the Government and also subject to the upper ceiling and 50% of the total vacancies being reserved.