

GOVERNMENT OF GUJARAT

GENERAL ADMINISTRATION DEPARTMENT

Notification

Sachivalaya, Gandhinagar, dated the 4th March, 1975/13 Phalguna, 1896.

No. G.S./75-6-RES-1075/1060-G.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India read with the order of the President of India issued under the Ministry of Home Affairs Order No. GSR-35-E, dated the 9th February, 1974, the Governor of Gujarat hereby makes the following rules for regulating the reservation of vacancies in the Gujarat Civil Services and posts, Class III and Class IV, for ex-servicemen, namely:—

1. *Short title, commencement and period of operation.*—(1) These Rules may be called the Gujarat Civil Services (Reservation of vacancies for ex-servicemen in Class III and Class IV posts and service) Rules, 1975.

(2) They shall be deemed to have come into force on the 1st January, 1975.

(3) They shall remain in force upto 30th June, 1979.

2. *Definitions.*—In these rules, unless the context otherwise requires:

(a) "Armed forces of the Union" means the Naval, Military or Air Forces of the Union;

(b) "Disabled ex-servicemen" means an Ex-Servicemen who while serving in the Armed Forces of the Union was disabled in operations against the enemy or in disturbed areas;

(c) "Ex-serviceman" means a person who has served in any rank (whether as combatant or as non-combatant), in the Armed Forces of the Union, including the Armed Forces of the former Indian States but excluding the Assam Rifles, Defence Security Corps, General Reserve Engineering Force, Jammu and Kashmir Militia, Lok Sahayak Sena and Territorial Army, for a continuous period of not less than six months after attestation, and

(i) has been released otherwise than by way of dismissal or discharge on account of misconduct or inefficiency, or has been transferred to the reserve pending such release, or

(ii) has to serve for not more than six months for completing the period of service requisite for becoming entitled to be released or transferred to the reserve as aforesaid.

(d) "Reserved Vacancies" means vacancies reserved under rule 4 for being filled by ex-servicemen.

4. Reservation of Vacancies.—(1) Ten percent of the vacancies in each of the categories of Class III posts and of such posts in each Class III service and Twenty percent of the vacancies in each of the categories of Class IV posts and of such posts in each Class IV service including permanent vacancies filled initially on a temporary basis and temporary vacancies which are likely to be made permanent and/or are likely to continue for three months and more, to be filled in by direct recruitment in any year shall be reserved for being filled by ex-servicemen:

Provided the percentage of reservation so specified for ex-servicemen in a category of posts 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 reservations 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 percent 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.

(2) Out of the vacancies reserved for being filled by ex-servicemen, vacancies shall be reserved for candidates belonging to the Scheduled Castes and Scheduled Tribes in accordance with orders as are issued in this behalf by the Government from time to time:

Provided that if any ex-servicemen belonging to a Scheduled Caste or Scheduled Tribe is selected, his selection shall be counted against the overall quota of reservations that shall be provided for Scheduled Castes or Scheduled Tribes in accordance with the orders issued by the Government from time to time.

5. *Special Provision regarding age limit.*—For appointment to reserved vacancies every ex-serviceman who has put in not less than six months continuous service in the Armed Forces of the Union shall be allowed to deduct the period of such service from his actual age and if the resultant age does not exceed the minimum age limit prescribed for the post/service for which he seeks appointment by more than three years, he shall be deemed to satisfy the condition regarding age limit.

6. *Special provision regarding educational qualifications.*—(1) For appointment to any reserved vacancies in the Class IV posts of Peon, Daftry, Jamadar and Record Sorter every ex-serviceman, who has put in not less than three years service in the Armed Forces of the Union shall be exempted from the prescribed educational qualifications.

Explanation.—In computing for the purpose of this sub-rule the period of service which a person has put in, in the Armed Forces of the Union, any period during which he served in a Civil Department of the Government of India shall be included.

(2) For appointment to any reserved vacancy in the Class IV posts other than those referred to in sub-rule (1) the appointing authority may at its discretion relax the minimum educational qualifications, if any prescribed in respect of such posts in favour of ex-servicemen who are otherwise eligible for appointment to such posts.

7. *Amendment of Recruitment Rules.*—All rules regulating the recruitment of persons to Class III and Class IV posts and services under the Government of Gujarat shall be subject to the provisions of these rules and shall be construed accordingly.

By order and in the name of the Governor of Gujarat,
H.D. JOKHAKER, Under Secretary to Government

To, The Secretary to the Governor, Ahmedabad.

The Personal Secretary to Adviser(H)/Adviser(K).

*The Secretary, Gujarat Legislature Secretariat, Gandhinagar.

*The Secretary, Gujarat Vigilance Commission, Ahmedabad.

*The Secretary, Gujarat Public Service Commission, Ahmedabad.

*The Secretary, Gujarat Panchayat Services Selection Board, Ahmedabad.

*The Registrar, Gujarat High Court, Ahmedabad.

All Secretariat Departments (20 copies).

All Heads of Departments and Heads of Offices.

The Secretary, State Sailors' Soldiers' and Airmen's Board, Ahmedabad (20 copies).

The Secretaries District Sailors' Soldiers' and Airmen's Boards.

All Branches in General Administration Department.

The Manager, Government Central Press, Gandhinagar with a request to print these rules in Gujarat Government Gazette and to send copies to all concerned from Sr. No. 8 to 11 above direct and to send 200 copies to the General Administration Department.

GOVERNMENT OF GUJARAT
GENERAL ADMINISTRATION DEPARTMENT

Corrigendum No. RES-1175-1060-G.

Sachivalaya, Gandhinagar, 6th May, 1975/16th Vaishakh, 1897.

Corrigendum

The word "maximum" should be substituted for the word "minimum" in the fifth line of rule 5 of the Gujarat Civil Services (Reservation of vacancies for ex-servicemen in Class III and IV posts and services) Rules, 1975 published under the Government Notification, General Administration Department No. GS/75-6-RES-1075/1060-G, dated the 4th March, 1975.

By order and in the name of the Governor of Gujarat,

M. J. SHISHOO,

Under Secretary to the Government of Gujarat,
General Administration Department.

To,

The Secretary to the Governor, Ahmedabad.

The Personal Secretary to Advisor (H)/Advisor (K).

*The Secretary Gujarat Legislature Secretariat, Gandhinagar.

*The Secretary, Gujarat Vigilance Commission, Ahmedabad.

*The Secretary, Gujarat Public Service Commission, Ahmedabad.

*The Secretary, Gujarat Panchayat Service Selection Board, Ahmedabad.

*The Registrar, Gujarat High Court, Ahmedabad.

All Secretariat Departments (20 copies).

All Heads of Departments and Heads of Offices.

The Secretary State Sailors' Soldiers' and Airmen's Board, Ahmedabad (20 copies).

The Secretaries, District Sailors' Soldiers' and Airmen's Board.

All Branches in the General Administration Department.

*By letter.

NOTIFICATION
General Administration Department
Sachivalaya, Gandhinagar
Dated the 22 - 8 - 1994

CONSTITUTION
OF INDIA

No. GS-94-(54)-RES-1085-3433-G.2 : In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Gujarat hereby makes the following rules further to amend the Gujarat Civil Services (Reservation of vacancies for ex-servicemen in Class III and Class IV posts and service) Rules, 1975, namely :-

1. (1) These rules may be called the Gujarat Civil Services (Reservation of vacancies for ex-servicemen in Class III and Class IV posts and service) (Amendment) Rules, 1994.

(2) They shall be deemed to have come into force on the 1st July, 1987 :

PROVIDED that the rights or benefits accrued or acquired by any person prior to the publication of these rules in the Official Gazette shall not be affected adversely.

2. In the Gujarat Civil Services (Reservation of Vacancies for ex-servicemen in Class III and Class IV posts and service) Rules, 1975, in rule-2, for clause (C) the following shall be substituted, namely :-

(C) "An ex-servicemen" means a person, 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 but does not include a person who has served in the Defence Security Corps, the General Reserve Engineering Force, the Lok Sahayak Sena and the Para Military Forces; and

- (i) who has retired from such service after earning his 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 otherwise 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 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 of the following categories, namely :--
 - (a) Pension holders for continuous embodied service.
 - (b) persons with disability attributable to military service; and
 - (c) gallantry award winners.

Explanation I: The persons servicing in the armed.

Forces of the Union, who on retirement from service, would come under the category of 'ex-servicemen' may be permitted to apply for re-employment one year before the completion of the specified terms of engagement and avail themselves of all concessions available to ex-servicemen but shall not be permitted to leave the uniform until they complete the specified term of engagement in the Armed forces of the Union."

Explanation II : The territorial Army personnel shall be treated as Ex-servicemen with effect from the 15th November, 1986.

PROVIDED that personnel who are discharged due to misconduct or inefficiency with the following remarks in their discharge certificate shall not be considered as an ex-serviceman :

- (a) deserter
- (b) tried by Summary Court Martial or, General Court Martial
- (c) Services no longer required
- (d) undesirable
- (e) Unlike to be an efficient soldier.

(v)

For the period commencing the 15th Day of November, 1986 and ending with the 30th Day of June, 1987, any person who has been released;

- (a) at his own request after completing Five 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 be deemed to be ex-servicemen for the purpose of this clause.

By order and in the name of the Governor of Gujarat.

B.K.Parmar.

Joint Secretary to Government

To,
The Secretary to Governor,
The Principal Secretary to the Chief Minister,
The Personal Secretary to all Ministers/Ministors of State/Parliamentary Secretaries,
*The Secretary, Gujarat Public Service Commission, Ahmedabad.
*The Secretary to the Leader of Opposition Party, Gandhinagar.
*The Secretary, Gujarat Legislative Secretariat, Gandhinagar.
*The Secretary, Gujarat Vigilance Commission, Gandhinagar.
*The Secretary, Gujarat Civil Services Tribunal, Gandhinagar.
*The Registrar, Gujarat, High Court, Ahmedabad-9
*The Secretary, Gujarat Panchayat Services Selection Board, Gandhinagar.
*The Secretary, Gujarat Staff Selection Board, Gandhinagar.
All Secretariat Departments,
All Branches and all Officers of the General Administration Department,
The Accountant General, Ahmedabad-Rajkot.
The Pay and Accounts Officer, Ahmedabad/Gandhinagar
The Manager, Government Central Press, Gandhinagar
with a request to publish this Notification in the Government Gazette immediately and to furnish 100 copies of it to this Department.
All Heads of Departments/All Collectors.
By letter.

NOTIFICATION
General Administration Department,
Government of Gujarat
Sachivalaya, Gandhinagar.
Dated the 22nd January, 2018.

Constitution of India No. GS/2018-(2)-RES-1085-3433-G2: In exercise of the powers conferred by the proviso to article 309 of the Constitution of India read with the order of the President of India issued under the Ministry of Home Affairs' Order No. GSR-35-E, dated the 9th February, 1974, the Governor of Gujarat hereby makes the following rules for regulating the recruitment of Ex-Servicemen in the Gujarat state civil services and posts, namely :-

1. Short title, commencement and period of operation :- These Rules may be called the Gujarat Ex-Servicemen (Recruitment to State Civil Services and Posts) Rules, 2018.
2. Definitions :- In these rules, unless the context otherwise requires :-
 - (a) "Armed Forces of the Union" means the Naval, Military or Air Forces of the Union;
 - (b) "Disabled Ex-Serviceman" means an Ex-Serviceman who while serving in the Armed Forces of the Union was disabled in operations against the enemy or in disturbed areas;
 - (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.

(d) "Reserved Vacancies" means vacancies reserved under rule 4 for being filled by Ex-Servicemen.

Application :- These rules shall apply to all the Gujarat State Civil Services and Posts.

4. Reservation of Vacancies :-

- (1) One percent of the vacancies in Class I and Class II posts, ten percent of the vacancies in Class III posts and twenty percent of the vacancies in Class IV posts, including permanent vacancies filled initially on a temporary basis and temporary vacancies which are likely to be made permanent and/or are likely to continue for three months and more, to be filled in by direct recruitment in any year shall be reserved for being filled by Ex-Servicemen :

Provided that the percentage of reservation so specified for Ex-Servicemen in a category of posts 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 casts and scheduled tribes (including the carried forward reservations for scheduled casts and scheduled tribes) and for any other categories taken together falls short or is in excess, as the case may be, of fifty percent 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.

- (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 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.

- (3) 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 has obtained a 'Non-availability Certificate' from the Employment Exchange (Where a requisition is placed on an Employment Exchange) or the Director, Sainik Welfare, Gujarat.

5. Special provision regarding age limit :-

- (a) For appointment to any vacancy in class III and class IV posts in the Gujarat 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 Class I and Class II services or posts filled by direct recruitment, the upper age limit shall be relaxed by the length of military service increased by three years in the case of Ex-Serviceman and Commissioned Officers including Emergency Commissioned Officers or Short Service Commissioned Officers who have rendered at least 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.

6. Special provision regarding educational qualification :-

- (1) For appointment to any reserved vacancies in the Class IV posts of peon, Daftry, Jamadar and Record Sorter every Ex-Serviceman, who has put in not less than three years' service in the Armed Forces of the Union shall be exempted from the prescribed educational qualification.

Explanation :- In computing, for the purpose of this sub-rule, the period of service which a person has put in, in the Armed Forces of the Union any period during which he served in a Civil Department of the Government of India shall be included.

- (2) For appointment to any reserved vacancy in the Class IV posts other than those referred to in sub-rule (1) the appointing authority may at its discretion relax the minimum educational qualifications, if any prescribed in respect of such posts in favour of Ex-Servicemen who are otherwise eligible for appointment to such posts.

- (3) For appointment to any reserved vacancies in class III posts, a matriculate Ex-Servicemen (which term includes an Ex-Serviceman, who has obtained the Indian Army Special Certificate of Education or the corresponding certificate in the Navy or the Air force), who has put in not less than fifteen years' service in the Armed Forces of the Union may be considered eligible for appointment to the posts for which the essential educational qualification prescribed is graduation and where -

- (a) work experience of technical or professional nature is not essential; or
- (b) though non-technical professional work experience is prescribed essential yet the appointing authority is satisfied that the Ex-Serviceman is expected to perform the duties of

the post by undergoing on the job training for a short duration.

- (4) For appointment to any reserved vacancies in Class III and Class IV posts, where the prescribed minimum educational qualification is matriculation, the appointing authority may, at his discretion, relax the minimum educational qualifications in favour of Ex-Serviceman who has passed the Indian Army Class I examination or its equivalent examination in the Navy or the Air Force, and who has put in at least fifteen years' service in the Armed Forces of the Union and is otherwise considered fit to hold the post, in view of his experience and other qualifications.
7. Lower standard for selection :- In the case of direct recruitment, if sufficient number of candidates belonging to the Ex-Servicemen are not available on the basis of general standard to fill all the vacancies reserved for them, candidates belonging to the category Ex-Servicemen may be selected under a relaxed standard of selection to make up the deficiency in the reserved quota subject to the condition that such relaxation will not affect the level of performance by such candidates.
8. Amendment of Recruitment Rules :- All rules regulating the recruitment of persons to Class I to Class IV posts and services under the Government of Gujarat shall be subject to the provisions of these rules and shall be construed accordingly.
9. Interpretation :- If any question arises as to the interpretation of these rules, the question shall be referred to the Government in the General Administration Department for decision.

By order and in the name of the Governor of Gujarat,

J. P. Trivedi

(Jwalant Trivedi)

Joint Secretary to Government of Gujarat

To,

- The Principal Secretary to the Hon. Governor, Raj Bhavan, Gandhinagar.
- The Principal Secretary to the Chief Minister.

- The Principal Secretary to the Deputy Chief Minister.
- The Personal Secretaries to all Ministers/Ministers of State.
- The Personal Secretary to the Leader of Opposition Party, Gujarat Legislative Assembly, Gandhinagar.
- ❖ The Secretary, Gujarat Legislative Assembly, Gandhinagar.
- ❖ The Secretary, Gujarat Public Service Commission, Gandhinagar.
- ❖ The Secretary, Gujarat Vigilance Commission, Gandhinagar.
- ❖ The Secretary, State Information Commission, Gandhinagar.
- ❖ The Registrar, Gujarat High Court, Sola, Ahmedabad.
- ❖ The Secretary, Gujarat Civil Service Tribunal, Gandhinagar.
- ❖ The Secretary, Gujarat Subordinate Services Selection Board, Gandhinagar.
- ❖ The Secretary, Gujarat Panchayat Service Selection Board, Near Himalaya Mall, Ahmedabad.
- All Departments of Secretariate(with a request to give necessary instructions to their Head of Departments / Head of Offices.)
- The Manager, Government Central Press, Gandhinagar - with a request to publish this enclosed Notification in Part-IV-A, Gujarat Government Gazette and send 200(Two Hundred) copies to this department.
- The Legislative and Parliamentary Affairs Department - with a request to publish Gujarati translation of Notification and provide 100(Hundred) copies to this department.
- All officers and all branches of General Administration Department.
- The Select File.
- ❖ By Letter