

# **The M.P. Ex-Servicemen (Reservation of Vacancies in the State Civil Services and Posts Class III and Class IV) Rules, 1985**

MADHYA PRADESH

India

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### **Rule**

### **THE-M-P-EX-SERVICEMEN-RESERVATION-OF-VACANCIES-IN-THE-S of 1985**

- Published on 2 November 1985
- Commenced on 2 November 1985
- [This is the version of this document from 2 November 1985.]
- [Note: The original publication document is not available and this content could not be verified.]

The M.P. Ex-Servicemen (Reservation of Vacancies in the State Civil Services and Posts Class III and Class IV) Rules, 1985Published vide Notification F. No C/3-17-83-3-1, dated the 2-11-1985, M.P. Rajpatra, Part 4 (Gazette), dated 21-2-1986 at page 35In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Madhya Pradesh hereby makes the following rules for regulating the reservation of vacancies in the State Civil Services and Posts Class III and Class IV for ex-servicemen, namely:-

#### **1. Short title and commencement.**

(1)These rules may be called the Madhya Pradesh Ex-servicemen (Reservation of Vacancies in the State Civil Services and Posts Class III and Class IV) Rules, 1985.(2)They shall be deemed to have come into force on the second day of March, 1975.

#### **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 and includes the Armed Forces of the Former Indian States;(b)"Disabled Ex-serviceman" means the Ex-serviceman who while serving the Armed Forces of the Union or Joint Armed Forces of Former Indian States 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 a combatant or non-combatant) in the Armed Forces of the Union including the Joint Armed Forces of the former Indian States, for a continuous period of not less than six months and-(i)has been released, otherwise than at his own request or by way of dismissal or discharge on account of the 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,(iii)has been released at his own request after completing five years service in the Armed Forces of the Union.(d)"reserved vacancies" means vacancies reserved under Rule 4 for being filled by ex-serviceman.

### **3. Application.**

- These rules shall apply to all the State Civil Services and posts, Class III and Class IV.

### **4. Reservation of vacancies.**

(1)Nine per cent of the vacancies in each of the categories of Class III posts and of such posts in each Class III service, and fourteen per cent 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 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 by direct recruitment in any year shall be reserved for being filled by ex-servicemen :Provided that the percentage of reservation specified herein 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 reservation for Scheduled Castes and Scheduled Tribes) and for any other categories taken together falls short or 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.(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 such orders as are issued in this behalf by the State Government from time to time :Provided that if any ex-servicemen belonging to the Scheduled Castes or Scheduled Tribes is selected, his selection shall be counted against the overall quota of reservations that shall be provided for the Scheduled Castes or Scheduled Tribes in accordance with the orders issued by the State Government from time to time.(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 :-(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 State Government.

## **5. Special provision regarding age limit.**

- For appointment to any vacancy in State Civil Services and Posts Class III and Class IV whether reserved or not under these rules every ex-servicemen 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. If the resultant age does not exceed the maximum age limit prescribed for the post or service for which he seeks appointment by more than three years, he shall be deemed to satisfy the condition regarding age limit.

## **6. Special provisions regarding educational qualification.**

(1) For appointment to any reserved vacancy in Class IV posts of Peon, Daftari, Jamadar and Record-sorter, every ex-serviceman, who has put in not less than three years service in Armed Forces of the Union shall be exempted from the maximum educational qualification, if any, prescribed in respect of such posts. (2) For appointment to any reserved vacancy in Class III posts, the appointing authority may, at its discretion relax the minimum educational qualifications, where such qualification prescribed is a pass in the Middle School Examination or any lower examination, in favour of ex-serviceman who have put in at least 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. (2A) [ For appointment to any reserved vacancy in Class III posts, a matriculate ex-servicemen (which term includes an ex-servicemen, 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 15 years of 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 as 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. (2B) For appointment to any reserved vacancy in Class III and Class IV, where the prescribed minimum educational qualification is matriculation, the appointing authority may, at his discretion, relax the minimum educational qualifications in favour of an ex-serviceman who has passed the Indian Army Class I Examination or equivalent examination in the Navy or the Air Force, and who has put in at least 15 years of 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.] [Inserted by Notification dated 24-2-1987, published in M.P. Rajpatra, Part IV (Ga), dated 13-3-1987.] (3) For appointment to any reserved vacancy in Class III posts, to be filled partly by direct recruitment and partly by promotion or transfer, where the minimum educational or technical qualification prescribed for appointment by direct recruitment is higher than that prescribed for promotees or transferees, an ex-servicemen shall be deemed to satisfy the prescribed educational or technical qualification if he, - (i) satisfies 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 promotees or transferees. Explanation. - For the purposes of this rule, in computing the period of three years service, there shall be added any period of service which an ex-servicemen has rendered while

serving in a corresponding post or posts in a civil department, or a public sector undertaking or an autonomous organisation, whether under the Central Government or any State Government, or in a Nationalised Bank to the period of service rendered in the Armed Forces of the Union.

**6A. [ Lower standard for selection. [Inserted by Notification No. F-1(A)-14-82-C-XI, dated 5-1-1988, published in M.P Rajpatra, Part IV (Ga), dated 20-1-1988.]**

- In the case of direct recruitment, if sufficient number of candidates belonging to the ex-servicemen are not available, basis of the general standard to fill all the vacancies reserved for them, candidates belonging to the category of ex-servicemen may be selected under relaxed standard of selection to make up the deficiency in the reserved quota subject to condition that such relaxation will not affect the level of performance by such candidates.]

**7. Amendment of recruitment rules.**

- All rules regulating the recruitment of persons of Class III and Class IV posts and services under the State Government shall be subject to the provisions of these rules and shall be construed accordingly.

**8. Interpretation.**

- If any question arises as the interpretation of these rules, the question shall be decided by the State Government and the decision of the State Government thereon shall be final.