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163501/32/APC

November 2016

विशेष कार्य पदाधिकारी  
केंद्रीय चयन पर्षद (सिपाही भर्ती) का कार्यालय, पटना

बिहार राज्य की सेवाओं में भर्ती के उद्देश्य से भूतपूर्व सैनिक की मान्यता के संबंध में

Sir,

1. Please reference to your office letter No 1059/के.च.प. and 1060/के.च.प. both dated 21 November 2016.

2. It is intimated that Central and several State Governments in the country have a specific reservation for ex-servicemen in government jobs but Bihar does not have any laid down reservation quota for ex-Servicemen in government jobs. Moreover, enrolment of Ex-Servicemen is being carried out on direction of concerned department of Bihar Govt.

3. Following are the basic documents of an Ex-Servicemen :-

- (a) Discharge Book (Issued by respective Records Offices).
- ✓ (b) Pension Payment Order (PPO) issued by Principal Controller of Defence Accounts (PCDA).
- (c) Identity Card issued by respective Zila Sainik Kalyan Karyalaya (District Soldier Welfare Office).

4. However, definition of Ex-Servicemen downloaded from web site of "Directorate General Resettlement, Department of Ex-Servicemen (Ministry of Defence)" is enclosed herewith for your reference. Rajya Sainik Kalyan Nideshalya, Patna can also be approached for the same.

(YP Tora)  
Colonel  
Administrative Commandant  
For Station Commander

Encls : 04 pages.

Copy to :-

Rajya Sainik Kalyan Nideshalya  
Officer's Flat 39/84, New Punaichak  
PO - Lala Bahadur Shashtrinagar, Patna-23

for info wrt CSBC, Patna letter quoted above pl.

## DEFINITION OF EX-SERVICEMEN

Those who were released between 01 Jul 66 and 30 Jun 68 (both days inclusive) - Any person who has served in any rank (whether as a combatant or not) in the Armed Forces of the Union, has been released there from otherwise than by way of dismissal or discharge on account of misconduct or inefficiency

(Authority : Min of Home Affairs Notification No F.14/26/64-Estt(D)  
dated 11 Oct 1966)

Those who were released between 01 Jul 68 and 30 Jun 71 (both days inclusive) - Any person who has served in any rank (whether as a combatant or not) in the Armed Forces of the Union for a continuous period of not less than six months and released there from otherwise than by way of dismissal or discharge on account of misconduct or inefficiency

(Authority : Min of Home Affairs Notification No 14/11/68-Estt(D)/Estt -C)  
dated 13 Feb 69)

Those who were released between 01 Jul 71 and 30 Jun 74(both days inclusive) - Any person who has served in any rank (whether as a combatant or not) in the Armed Forces of the Union and has been released there from otherwise than by way of dismissal or discharge on account of misconduct or inefficiency

(Authority : Cabinet Secretariat, Department of Personnel Notification  
No 13/3/71-Ests(C) dated 14 Oct 71)

Those who were released between 01 Jul 74 and 30 Jun 79(both days inclusive) - ESM means a person who has served in any rank(whether as a combatant or non -combatant) in the Armed forces of the Union, for a continuous period of not less than six months after attestation and has been released there from otherwise than by way of dismissal or discharge on account of misconduct or inefficiency.

(Authority : Cabinet Secretariat, Department . of Personnel & Administrative  
Reforms Notification No 13/24/73-Estt(C) dated 26 Oct 74)



**Those who were released between 01 Jul 79 and 30 Jun 87 (both days inclusive)** - Any person who has served in any rank (whether as combatant or not) in the armed forces of the Union for a continuous period of not less than six months after attestation if discharged for reasons other than at their own request or by way or dismissal or discharge on account of misconduct or inefficiency and not less than five years service if discharged at own request.

(Authority : Department . of Personnel & Administrative Reforms Notification No 39016/10/79-Estt(C) dated 15 Dec 79)

**Those who were released on or after 01 Jul 87** - Any person who has served in any rank (whether as combatant or not) in the armed forces of the Union and was released/retired with any kind of pension from Defence Budget or released on completion of specific terms of engagement with gratuity otherwise than at his own request or by way of dismissal or discharge on account of misconduct or inefficiency.

(Authority : DOP&T OM No 36034/5/85-Estt(SCT) dated 14 Apr 87)

**Personnel of Territorial Army** - Who are pension holders for continuous embodied service, persons with disability attributable to military service and gallantry award winners retired on or after 15 Nov-86.

(Authority : DOP&T OM No 36034/5/85-Estt(SCT) dated 14 Apr 87)

**Personnel of Army Postal Service** - Personnel of Army Postal Service , who are a part of regular Army and retire from such service (that is directly from APS without reversion to P&T Department) with a pension or who have been released from such service on medical grounds attributable to military service or circumstances beyond their control and awarded medical or other disability pension shall come within the definition of ex-servicemen

(Authority : Min of Defence OM No 9(52)/88/D)(Res) dated 19 Jul 89)

Note : As per Govt. of India, Min of Def/Department of ESW OM No 1(9)/2010/D(Res-I) dated 20/21 Jul 2011, personnel who were on deputation in APS for more than six months prior to 14 Apr 87 would also be considered as ex-servicemen with all consequential benefits.

**Recruits** - Who are boarded out/released on medical grounds and granted medical/disability pension. However, the operation of the OM has been kept in abeyance for issuance of notification by DOP&T.

(Authority : Min of Def/Department of ESW OM No 12/1/2005/D(Res) dated 01 Feb 2006)

Those who were released on or after 10 Oct 2012 \*\*

An ex-servicemen 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 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 on medical grounds attributable to or aggravated by military service or circumstances 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 14<sup>th</sup> April, 1987; or

(v) Ex-recruits boarded out or relieved on medical ground and granted medical disability pension **irrespective of the date of boarding out/release.**\*\*\*



**\*\* Authority:** DOP&T office Memo No.36034/1/2006-Estt(Res) dated 04 Oct 2012 and this order came into force from the date it is published in the Gazette of India vide G.S.R 757(E) dated 10<sup>th</sup> Oct 2012.)

**\*\*\* Authority –** Ministry of Defence, Department of Ex-servicemen Welfare D(Res I) OM dated 07<sup>th</sup> July 2014 ex-recruits have been granted ESM Status irrespective of the date of boarding out/release.

**Note :** The eligibility of the person to the status of ex-servicemen will be governed by the definition in vogue at the time of his discharge and will not be affected by the changes in the definition subsequent to the discharge.

## CHAPTER -2

### DEFINITION OF EX-SERVICEMEN

1. The eligibility of the retired Defence personnel to the status of Ex-Servicemen is governed by the definition as laid down by Department of Personnel and Training. The definition has undergone changes from time to time. The following is the broad categorisation:
- (a) **Those released before 01 Jul 68.** Any person who had served in any rank (whether as Combatant or not) in the Armed Forces of the Union and released from there other than by way of dismissal or discharge on account of misconduct or inefficiency.
  - (b) **Those released on or after 01 Jul 68 but before 01 Jul 79.** Any person who had served in any rank (whether as a Combatant or not) in the Armed Forces of the Union for a continuous period of not less than six months after attestation and released from there other than by way of dismissal or discharge on account of misconduct or inefficiency.
  - (c) **Those released on or after 01 Jul 79 but before 01 Jul 87.** An "Ex-Serviceman" means a person, who has served in any rank (whether as a 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, 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 at his own request or 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; or
    - (iii) has been released at his own request, after completing five years service in the Armed Forces of the Union;
  - (d) **Those released on or after 01 Jul 87.** "An 'Ex-Serviceman' 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 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, otherwise than at his own request or by way of dismissal or discharge or account of misconduct or inefficiency, and has been given a gratuity, and includes personnel of the Territorial Army of the following categories, namely :-
      - (aa) Pension holders for continuous embodied service
      - (ab) Persons with disability attributable to military service'; and
      - (ac) Gallantry award winners."



After careful consideration the Government has accepted the above definition recommended by the High Level Committee. However, it may be observed that in the new suggested definition certain categories of personnel which have served in the Armed Forces of the Union have been excluded for consideration as ex-Servicemen, whereas certain additional categories of Territorial Army Personnel have been added in the revised definition. The Notification containing the revised definition was issued on 27 Oct 1986 and published in the official Gazette on 15<sup>th</sup> Nov 1986. The Notification gives effect to the new definition from the date of its publication, but since some of the categories were excluded without adequate publicity, the effect of the earlier notification of 27 Oct 1986 has been stayed by issuing another Notification dated 27 Mar 87 in which the date of effect has been indicated as 1.7.87. The net effect is that the following two categories of personnel, who were included in the pre-revised definition of 'Ex-Servicemen' will now cease to be treated as Ex-Servicemen w.e.f. 1.7.87 as will be seen from the following provision, namely,

-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 also be deemed to be an Ex-Servicemen for the purpose of this clause."

The Territorial Army personnel will however be treated as Ex-Servicemen w.e.f. 15.11.86.

#### ARMED FORCES

Armed Forces of the Union means the Army, Navy and Air Force of the Indian Union including Armed Forces of the former Indian States but excludes the persons who have served in Defence Security Corps, General Reserve Engineering Force, Lok Sahayak Sena and Para Military Forces (PMF).