

Government of Jammu and Kashmir
General Administration Department
Civil Secretariat, Srinagar

NOTIFICATION

Srinagar the 20th October, 2021

S.O.- 361 In exercise of the powers conferred by proviso to Article 309 of the Constitution, the Government of Jammu and Kashmir hereby makes the following rules; namely:-

1. Short title and commencement.- (1) These rules may be called the Jammu and Kashmir Ex-servicemen (Re-employment in Public Services and Posts) Rules, 2021.

(2) These rules shall come into force from the date of their notification in the Official Gazette.

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

(a) "Armed Forces" means the naval, military and air forces of the Union;

(b) "disabled ex-serviceman" means an ex-serviceman, who while serving in the Armed Forces was disabled in operations, against the enemy or in disturbed areas;

(c) "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:

Provided that Short Service Commissioned Officers released from service after completing initial terms of engagement otherwise than by way of dismissal or discharge on account of misconduct or inefficiency and have been given gratuity shall be eligible to the status of ex-servicemen.

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 formore 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.

Explanation I: An ex-serviceman shall be required to produce a certificate in form XIV duly signed by the competent authority as provided in rule 18 of the Jammu and Kashmir Reservation Rules, 2005.

Explanation II: An ex-serviceman on joining any post after having availed Horizontal Reservation, cannot avail of the benefit of reservation as Ex-Serviceman for any subsequent employment.

- (d) "Government" means the Government of Jammu and Kashmir;
- (e) "post" means a permanent post in the pay level, duly sanctioned by the competent authority;
- (f) "reserved vacancies" means vacancies reserved under clause (d) of rule 4 of the Jammu and Kashmir Reservation Rules, 2005;
- (g) "Rules" means the Jammu and Kashmir Re-employment of Ex-servicemen in Public Services and Posts Rules, 2021.

(2) Words and expressions used in these rules but not defined shall have the same meaning as assigned to them respectively in the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956 and the Jammu and Kashmir Civil Services Regulations, 1956.

3. **Application of the rules.**-Notwithstanding anything to the contrary contained in the recruitment rules of any service in force, these rules shall apply to the direct recruitment posts borne on all the subordinate services under the Government, which carry the pay of and upto Level 6E (35900-113500).
4. **Special provision regarding age limit.**- Notwithstanding anything contained in any other law for the time being in force, every ex-serviceman having served in the Armed Forces shall be allowed to deduct the period of such service from his actual age for the purpose of appointment against any vacancy, whether reserved or not under these rules, and 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.
5. **Special provision regarding educational qualification.**-(1) For appointment to any reserved vacancy, a matriculate ex-serviceman (which term includes an ex-serviceman, who has obtained the Indian

Army Special Certificate of Education or the corresponding certificate in the Navy or Air Force); who has put in not less than 15 years of service in the armed Force 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.

(2) For appointment to any reserved vacancy 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-serviceman shall be deemed to satisfy the prescribed educational or technical qualification if he,-

- a) 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
- b) 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.

(3) For appointment to any reserved vacancy, where the prescribed minimum educational qualification is matriculation, the appointing authority may, at his discretion relax the minimum educational qualification 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 and is otherwise considered fit to hold the post, in view

of his experience and other qualification.

6. **Relaxation of Standard.**-In case 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 of ex-servicemen may be selected under the 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.
7. **Special provision regarding relaxation in Physical Endurance Tests.**-(1) In respect of the posts for which a candidate has to qualify Physical Endurance Tests, wherever such tests are prescribed, an ex-serviceman shall be required to qualify such tests as per the following relaxed standards:

Age	Male		Female	
	Race 1600 Mtrs.	Push ups	Race 1000 Mtrs.	Shot put (4 Kgs.)
Upto 30 years	6 ½ Minutes	20	6 ½ Minutes	14 ½ Feet
Above 30 to 40 years	7 ½ Minutes	16	7 ½ Minutes	12 ½ Feet
Above 40 years	8 ½ Minutes	12	8 ½ Minutes	10 ½ Feet

Explanation I: For the purpose of this rule, the age of the Ex-serviceman shall be his actual age.

Explanation II: All Ex-Servicemen shall be required to pass the written tests and fulfill the prescribed physical standards apart from meeting the medical standards prescribed for direct recruits.

8. **Power to relax.**-Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules:

Provided that while exercising such powers, the Government shall ensure that the discretion is exercised bonafide and is duly notified for information of general public.

9. **Power to remove difficulties.**-If any difficulty arises in giving effect to the provisions and interpretation of these rules, the Government in the General Administration Department may issue such instructions, not inconsistent with the provisions of these rules, which appear to it to be necessary or expedient for the purpose of removing the difficulty and for the purpose of giving effect to these rules.
10. **Repeal and Savings (1).**- All existing rules and orders in force immediately before the commencement of these rules relating to matters covered by these rules are hereby repealed.
- (2) Notwithstanding such repeal, any appointment, order made or action taken under the provisions of the rules/orders so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

By order of the Government of Jammu and Kashmir.

Sd/-
(Manoj Kumar Dwivedi) IAS
Commissioner/Secretary to Government
General Administration Department

No.GAD-MTGORBIV/142/2021-09-GAD

Dated:20.10.2021

Copy to:

1. Financial Commissioner (Additional Chief Secretary), Finance Department.
2. Financial Commissioner (Additional Chief Secretary), Health and Medical Education Department. J&K.
3. Director General of Police, J&K.
4. All Principal Secretaries to the Government.
5. Principal Secretary to the Lieutenant Governor.
6. All Commissioners/Secretaries to the Government.
7. Chief Electoral Officer, J&K.
8. Director General, J&K IMPARD.
9. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
10. Divisional Commissioner, Kashmir/Jammu.
11. All Heads of Departments/Managing Directors.

12. All Deputy Commissioners.
13. Director Information, J&K.
14. Director, Archives, Archaeology and Museums, J&K.
15. Chairperson, J&K Special Tribunal.
16. Secretary, J&K Public Service Commission/SSB/BOPEE.
17. General Manager, Government Press, Srinagar.
18. Private Secretary to the Lieutenant Governor.
19. Private Secretary to the Chief Secretary.
20. Private Secretary to Advisor (F)/(B) to the Lieutenant Governor.
21. Private Secretary to Commissioner/Secretary to the Government, GAD.
22. In-charge website, GAD.
23. Government Order file/Stock file.


(Dr. Shabir Hussain Keen) JKAS
Additional Secretary to Government
General Administration Department