

No. 36034/5/85-Estt (SCT)  
Government of India  
Ministry of Personnel Public Grievances & Pensions  
Department of Personnel & Training

New Delhi, Dated 14 Apr 87

OFFICE MEMORANDUM

Sub :- Recommendation No. 15.2 of the High Level Committee on the problems of ex-Servicemen Revision of the definition of 'ex-Servicemen' in the ex-Servicemen (Re-employment in Central Civil Services and Posts) Rules 1979.

The undersigned is directed to say that the High Level Committee on the problems of ex-Servicemen recommended the following definition of the term "ex-Servicemen".

"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 and

- (i) who retired from such service after earning his/her pension; or
- (i) 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
- (i) who has been released, otherwise than on his own request from such service as a result of reduction in establishment; or
- (i) 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 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."

2. After careful consideration the Government have 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 15th Nov 1986. The Notification given 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 (copy enclosed) 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 proviso, 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
- (a) 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.”
3. The Territorial Army personnel will however be treated as ex-Servicemen w.e.f. 15.11.86.
4. Ministry of Finance etc are, therefore, requested to bring the contents of this Office Memorandum to the notice of all the appointing authorities under their administrative control and ensure that there is no laxity on the part of the authorities implementing the above instructions.

Sd/-  
(BATA K DEY)  
Director (JCA)

To

All Ministries/Departments of the Government of India