

(IV) अराजपत्रित कर्मचारियों एवं ऐसे पदाधिकारियों जिनकी नियुक्ति सरकार द्वारा नहीं होती है, के सम्बन्ध में समीक्षा सम्बन्धित नियुक्ति प्राधिकारी अपने द्वारा गठित ऐसे पदाधिकारियों की समिति की सहायता से, जिन्हें वे उपर्युक्त समझें, करेंगे और सुसंगत मामलों में स्वयं आदेश देकर इन कर्मचारियों/पदाधिकारियों को सरकारी सेवा से निवृत्त कर सकेंगे। नियुक्ति प्राधिकारी के आदेश के पुनर्विलोकन के लिए सम्बन्धित व्यक्ति अपना अभिवेदन अनिवार्य सेवा निवृत्ति के आदेश निर्गत होने की तिथि से एक महीने के अन्दर नियुक्ति प्राधिकारी के ठीक ऊपर के प्राधिकारी (next higher authority) को दे सकते हैं और उस अभिवेदन पर ऊपर के प्राधिकारी द्वारा दिया गया आदेश अन्तिम आदेश होगा। इस आदेश के विरुद्ध विभागाध्यक्ष या सरकार के समक्ष कोई अपील अनुमान्य नहीं होगी। उदाहरणार्थ जिला दण्डाधिकारी कई श्रेणियों के अराजपत्रित कर्मचारियों के नियुक्ति प्राधिकारी हैं। वे ऐसे कर्मचारियों की समीक्षा के लिए जो समिति गठित करेंगे उन्में वे स्वयं, अपर समाहर्ता एवं जिला विकास पदाधिकारी रहेंगे। उसी प्रकार अधीक्षण अभियन्ता जिन अराजपत्रित कर्मचारियों के नियुक्ति प्राधिकारी हैं, उन कर्मचारियों के लिए जो समिति गठित की जायगी उसमें उनके (अधीक्षण अभियन्ता के) अतिरिक्त दो ऐसे पदाधिकारी रहेंगे जो कार्यपालक अभियन्ता की पंक्ति के नीचे के न हों। ऐसे दो पदाधिकारियों का मनोनयन अधीक्षण अभियन्ता स्वयं करेंगे। पुनः उसी प्रकार उद्योग उप निदेशक जिन अराजपत्रित कर्मचारियों के नियुक्ति प्राधिकारी हैं उन कर्मचारियों के लिए जो समीक्षा समिति गठित की जायगी उसमें उनके (उप निदेशक के) अतिरिक्त, जिला विकास पदाधिकारी एवं एक जिला उद्योग पदाधिकारी रहेंगे। जिला उद्योग पदाधिकारी का मनोनयन उद्योग उप निदेशक करेंगे। जिला दण्डाधिकारी द्वारा पारित आदेश के पुनर्विलोकन के लिए प्रमण्डलीय आयुक्त को, अधीक्षण अभियन्ता द्वारा पारित आदेश के पुनर्विलोकन के लिए, यथा स्थिति, उप/अपर/मुख्य अभियन्ता को तथा उद्योग उप निदेशक द्वारा पारित आदेश के पुनर्विलोकन के लिए यथा स्थिति, संयुक्त/अपर उद्योग निदेशक को सम्बन्धित व्यक्ति अपना अभिवेदन दे सकेंगे। ऐसी ही व्यवस्था अन्य मामलों में भी की जायगी।”

२ — मार्ग-दर्शन एवं अनुपालन के लिए सभी अधीनस्थ नियुक्ति प्राधिकारियों को इससे कृपया अवगत करा दिया जाय।

३ — कृपया इसकी प्राप्ति स्वीकार की जाय।

(सी० आर० वैकटरामन)

सरकार के सचिव।

Part V—Concessions to Ex-servicemen.

Government of Bihar,
Appointment Department.

Resolution No. III/RI-602/66 A-14631.

Patna-15, the 7th/Asvina, 1889. (s),
29th September, 1967.

Subject :— Rehabilitation of Emergency Commissioned and Short Service Regular Commissioned Officers after their release from the Armed Forces.

Whereas a large number of persons had joined the Army Short Service Commission and Emergency Commission during the Emergency created by the Chinese aggression and Pakistani attack, many of them of the age group 23 to 26 would on completion of their Commission, revert from Military Service and it would be necessary to provide these youngmen with suitable employment. These youngmen have forgone their chance of employment in civil posts by taking up Military Service during the period of "Emergency" and therefore, all attempts should be made to see that they are properly rehabilitated on completion of their Military Service.

2. The term "Military Service" has been used to mean enrolled or Commissioned Service in any of the three wings of the Indian Armed Forces including as a Warrent Officer rendered by any person during the "Emergency" created by the Chinese aggression and Pakistani Conflict.

3. The State Government have accordingly decided that reservations for the released Emergency Commissioned/Short Service Commissioned Officers shall be made in the following State Services and Posts to the extent indicated below :—

- (a) (i) Bihar Civil Service (Executive and Judicial Branch) and all other non-technical State Service Class II senior namely-Education Service, Co-operative Service, Labour Service, Finance Service and similar services and posts (non-technical). 20%
- (ii) Bihar Police Service. 30%
- (iii) Other non-technical services including Class II Junior Posts. 30%
- (b) (i) If sufficient number of qualified candidates are not available, the unfilled vacancies may be treated as unreserved and filled from the general candidates in the usual manner, but a corresponding number of vacancies shall be carried forward to the next year.
- (ii) There should be reservation in favour of candidates belonging to the Scheduled Castes and the Scheduled Tribes to the extent not exceeding $12\frac{1}{2}$ percent and 10 percent respectively of the number of vacancies reserved for the released Emergency Commissioned / Short Service Commissioned Officers, provided that the total number of vacancies reserved for the Emergency Commissioned Officers, Short Service Commissioned Officers, Scheduled Castes, Scheduled Tribes and brought forward reserved vacancies in any year, shall not exceed 45% of the total number of vacancies to be filled in that year.
- (iii) If the no. of deserving candidates is more than the number of reserved vacancies, the names of those who are not appointed will be kept in the waiting list for filling reserved vacancies out of the quota for the next year.
- (iv) No reserved vacancy shall be carried forward for a period more than four years.

4. Regarding seniority and pay of those candidates who are appointed against the reserved vacancies, the State Government have decided that the same should be determined on the assumption that they entered service/post at the first opportunity they had after joining the pre-commission training. The initial pay and seniority shall be fixed on the following principles :—

- (a) A candidate appointed to a service/post recruitment to which is normally made by competitive examination shall be treated as belonging to the year in which he would have been appointed to that service/post at his first attempt after the date of joining military service/training.
- (b) A candidate appointed to a service/post recruitment to which normally is made otherwise than by competitive examination shall be treated as belonging to the year in which he would have been appointed on attaining the minimum age of entry into service/post concerned or on the date of his joining military service, whichever is later.
- (c) Seniority inter se of such persons allotted to a particular year shall be determined according to the merit list prepared by the Bihar Public Service Commission.
- (d) All such candidates shall rank below the successful competition candidates of the year in which they are allotted.
- (e) The particular date on which a candidate should be deemed to have been appointed to the service/post concerned shall be decided by the Administrative Department.

5. For appointment to various State Services and posts against the reserved vacancies a limited competitive examination will be held by the Bihar Public Service Commission concurrently with the combined competitive examination. The eligible candidates will be required to take only following three subjects in the written examination having full marks and minimum qualifying marks as indicated against each :—

Subject	Full marks	Minimum qualifying marks	
		General Candidates	Scheduled Caste and Scheduled Tribe candidates
1. General English	150	43%	35%
2. General Knowledge	150	40%	35%
3. General Science	150	40%	35%

The standard of the questions and marking would be the same as in the combined competitive examination.

The candidates who qualify at the written examination will be called for Viva Voce test (150 marks) and the performance in the Army will also be given some weight (50 marks for record of military service.)

6. The candidates who are qualified educationally, will be eligible to avail the same number of chances for appearing at the limited examination which they would have availed in the competitive examination had they not joined the military service reckoning from the date of joining the pre-commission training.

Order:— Ordered that copies of the resolution be published in the official gazette for general information. Ordered also that a copy of the resolution be forwarded to the Secretary, Bihar Public Service Commission, Registrar, High Court of Judicature at Patna, the Accountant General Bihar and all departments of Government for information and necessary action.

By order of the Governor of Bihar,

Sd/—K. A. Ramasubrahmaniam.
Special Secretary to Government.

Memo No. III/R1-602/66A—14631 Patna-15, the 7th Asvina, 1889 (S)

*Consulted Copy forwarded to *Finance Department for information
U/O and communication to Accountant General, Bihar, Ranchi

By order of the Governor of Bihar

Sd/-B. K. Dubey,
Deputy Secretary to Government.

Memo No. III/R I-602/66 A-14631 Patna-15, the 7th Asvina, 1889 (S)
29th September, 1967

Copy forwarded to :—

ALL DEPARTMENTS OF GOVERNMENT
Registrar, High Court of Judicature at Patna

For information,

2. The number of reserved vacancies in respect of services/posts under them may kindly be communicated to the Secretary, Bihar Public Service Commission immediately.

By order of the Governor of Bihar,

Sd/-B. K. Dubey
Deputy Secretary to Government

Memo No. III/RI-602/56A—14631 Patna—15, the 7th Asvina, 89
29th September, 1968.

Copy forwarded to Secretary, Bihar Public Service Commission for information with the request that steps may kindly be taken to hold the limited examination concurrently with the combined competitive examination to be held in December, 1967—January, 1968.

By order of the Governor of Bihar,

Sd/-B. K. Dubey
Deputy Secretary to Government

Government of Bihar
Appointment Department

Memo No. III/RT-602/68 pt Ni 707 Patna-15, the 25th Pausa, 1889, 15th January, 1968.

To

All Department of Government.

Subject :— Rahabilitation of Emergency Commissioned and Short Service Regular Commissioned Officers after their release from the Armed Forces.

The undersigned is directed to refer to Appointment Department Resolution No. III/R 1-602/66A-14631 dated 29th september, 1967 (copy enclosed) and to request that the public undertakings and autonomous corporations under your control may be requested to extend similar concession in respect of released Short Service Regular Commissioned and Emergency Commissioned Officers for being appointed in non-technical posts of equivalent rank under them.

Appointment Department may be informed of the action taken in this regard so that the Government of India, who are pressing for the same may also be informed.

Sd./—B. K. Singh,
Deputy Secretary to Government.

ज्ञात संख्या ३/ ब्यार०-१-६०६/६७ नि०—६०१

बिहार सरकार
कार्मिक विभाग

प्रेषक :

श्री श्रीधर वासुदेव सोहोनी,
प्रमुख सचिव ।

सेवा में,

सभी प्रमंडलीय आयुक्त
सभी जिला पदाधिकारी
सभी अनुमंडल पदाधिकारी
सभी विभागाध्यक्ष
सरकार के सभी सचिव

पटना १५, दिनांक २३ पौष, १८८९(५), १३ जनवरी, १९६८ ।

विषय :— सैनिक जवान के परिवारों को संरक्षण और राहत ।

महोदय,

भारत सरकार के रक्षा मंत्रालय ने सूचित किया है कि सेवा मुख्यालयों से जो रिपोर्ट मिली है उसके अनुसार अग्र-अंत (फारवर्ड एरिया) में सैनिक जवानों को ऐसा महसूस हो रहा है कि राज्यों में उनके और उनके परिवारों की देखभाल

अच्छी तरह नहीं हो पाती जिसके चलते उनके मनोबल पर बुरा प्रभाव पड़ता है, कारण वे अपने परिवारों के भोजन तथा अन्य आवश्यकताओं के लिए त्रितित रह जाते हैं।

अतः मेरा अनुरोध है कि कृपया आप यह सुनिश्चित कर लें कि सैन्य कर्मचारियों के परिवार के सदस्यों की समुचित आवश्यकताएं और हितों पर सभी स्तरों पर सहानुभूति पूर्वक ध्यान दिया जाता है।

विश्वासभाजन,
ह०—श्रीधर सोहोनी,
मुख्य सचिव।

बिहार सरकार
नियुक्ति विभाग

आप सं० ३/आर० १-१०१/६८ नि० ४१२०।

पटना-१३, दिनांक ७ चैत्र, १९९०(स), २७ मार्च, १९९८।

सेवा में,

सरकार के सभी विभाग

सभी विभागाध्यक्ष

विषय :— राज्य सरकार के अन्तर्गत असेैनिक पदों पर नियुक्ति के लिये एन० सी० सी० के पूर्ण कालीन (whole time) कैडेट इन्स्ट्रक्टरों की आयु-सीमा में छूट।

निदेशानुसार अधोहस्ताक्षरी को यह कहना है कि राज्य सरकार ने निर्णय किया है कि १ली जनवरी १९६३ तथा उसके बाद से नेशनल कैडेट कोर में भरती हुए पूर्ण कालीन (whole time) कैडेट इन्स्ट्रक्टरों (Cadet Instructor) को एन० सी० सी० से मुक्त किये जाने पर, राज्य सरकार की असेैनिक सेवाओं या पदों पर नियुक्ति के लिये विहित आयु-सीमा की गणना उनकी वास्तविक उम्र में से एन० सी० सी० में की गई पूर्ण कालीन सेवा अवधि को घटा कर की जायगी और यदि इस प्रकार से निकली हुई उम्र किसी खास सेवा या पद के लिये निर्धारित अधिकतम आयु-सीमा से तीन वर्षों से अधिक नहीं होती है तो वैसे व्यक्ति उक्त सेवाओं या पदों पर नियुक्ति के लिये निर्धारित अधिकतम आयु-सीमा की शर्तों को पूरा करते हुए माने जायेंगे।

(वसन्त कुमार द्वे)

उप सचिव।

सिद्ध २६/३

चीपनीय

सं० नि० ५१११

बिहार सरकार,

नियुक्ति विभाग।

प्रेषक,

श्री बसन्त कुमार दूबे,

उप सचिव।

सेवा में,

अवर सचिव, भारत सरकार गृह मन्त्रालय,

नयी दिल्ली - १।

पटना-१५, दिनांक ३१ चैत्र, १९९०

२० अप्रैल, १९६८

विषयः—

सैन्य सेवा मुक्त अल्प सेवा कमीशन / आपतकालीन सेवा कमीशन पदाधिकारियों का पुनर्वास—
Reserve Liability.

महोदय,

आपका उपर्युक्त विषयक पत्र संख्या ३१/१/६३-स्थ (बी) दिनांक ८ मार्च, १९६८ के प्रसंग में निदेशानुसार मुझे कहना है कि राज्य सरकार ने ऐसा कोई आदेश नहीं निर्गत किया है जिससे सेना मुक्त पदाधिकारियों को सुरक्षित पदों में नियुक्त होने के पहले "Non Reserve Liability Certificate देना पड़े।

विश्वासभाजन

(बसन्त कुमार दूबे)

उप सचिव।

ज्ञाप संख्या नि० ५१११.....पटना—१५, दिनांक ३१ चैत्र, १९९०

२० अप्रैल, १९६८

प्रतिलिपि भारत सरकार के गृह मन्त्रालय के पत्र की प्रतिलिपि के साथ सभी विभाग / विभागाध्यक्ष को सूचनाार्थ प्रेषित।

२— सभी अधीनस्थ नियुक्ति प्राधिकारियों को भारत सरकार की अनुशंसा के अनुसार कार्रवाई करने के लिए निदेश देने की कृपा करें।

बिहार राज्यपाल के आदेश से,

(बसन्त कुमार दूबे)

उप सचिव।

पान्थे १६-४/

No. 31 / 1 / 68- Ests (B)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS.

To

The Chief Secretaries of all the State Government.

NEW DELHI—1 8 th March, 1868.
17 th phalguna, 1889

SUBJECT: Rehabilitation of the Emergency Commissioned. Short Service Regulation Officers recruited after 1st November, 1962, after their release from the Armed-Reserve Liability—Emergency Commissioned Officers.

Sir,

I am directed to this Ministry's letter No. 31 / 1 / 65—Ests (B) dated 26 th February, 1966, requesting that a certain percentage of permanent vacancies in the State Services/ posts, Class I and II (non—technical) may be reserved for Emergency Commissioned and Short Service Regular Commissioned Officers recruited during the emergency and who are later released,

2. In accordance with Army Instruction stipulating the terms and conditions for grant of Emergency Commissions in the Army, Emergency Commissioned Officers who are not granted permanent Commissions and are released from service have the option to accept a reserve liability on a voluntary basis for a period of five years from the date of release or upto the age of 40 years, whichever is earlier. Government of India do not require that the Emergency Commissioned Officers who wish to be considered for the reserved vacancies of the Central Government should obtain a 'non-reserve liability certificate' for being eligible for appointment to the reserved vacancies. Instances have come to the notice of the Government of India where the State Governments have insisted that 'non-reserve liability certificate' should be obtained by the Emergency Commissioned Officers before their appointments. It is not desirable to terminate the reserve-liability of Emergency Commissioned Officers. The State Governments may not insist on the condition of production of a 'non-reserve liability certificate' from this category of officers as otherwise it would be impossible to rehabilitate the Emergency Commissioned Officers in the State Government services. They may please also issue similar instruction to public sector undertakings and local bodies under them. Action taken in the matter may please be intimated to this Ministry.

Yours faithfully,
Sd/-HARISH CHANDRA
UNDER SECRETARY TO THE GOVERNMENT OF INDIA

Pandey/

नियुक्ति विभाग

संकल्प

३ मई, १९६८।

विषय :— सशस्त्र सेना से विमुक्त होने पर इमरजेन्सी कमीशण्ड और शार्ट सर्विस रेगुलर कमीशण्ड पदाधिकारियों का पुनर्वास।

सं० ५८२९—राज्य सरकार ने नियुक्ति विभाग के संकल्प संख्या ३-आर १-६०२-६६-ए०-१४६३१, तारीख २९ सितम्बर, १९६७ में विमुक्त इमरजेन्सी कमीशण्ड शार्ट सर्विस कमीशण्ड पदाधिकारियों के लिए राज्य सेवाओं में स्थान सुरक्षित किया था, लेकिन २३ से २६ तक के आयु-वर्ग के बहुत से नन-कमीशण्ड और अन्य कोटि के सैनिक पदाधिकारी उक्त संकल्प के दायरे में नहीं आ सके। उनकी सैनिक सेवा पूरी होने पर उन्हें भी पुनर्वासित कराया जा सके, इस उद्देश्य से राज्य सरकार ने अब यह निर्णय किया है कि जिन विमुक्त नन-कमीशण्ड और अन्य कोटियों के सैनिक पदाधिकारियों ने चीनी आक्रमण और पाकिस्तानी संघर्ष से उत्पन्न 'आपात-कालीन स्थिति' में सेना को अपनी सक्रिय सेवा प्रदान की थी, वे भी उपर्युक्त संकल्प में विनिर्दिष्ट बंधेजों और शर्तों पर राज्य-सेवाओं में बिहार असैनिक सेवा (न्याय-शाखा) को छोड़कर, सुरक्षित रिक्तियों में नियुक्ति के पात्र होंगे।

आदेश— आदेश दिया जाता है कि इस संकल्प की प्रतियां सामान्य जानकारी के लिए सरकारी गजट में प्रकाशित कराई जायें। यह भी आदेश दिया जाता है कि संकल्प की प्रतियां सचिव, बिहार लोक सेवा आयोग, महालेखापाल, बिहार और सरकार के सभी विभागों को सूचना और आवश्यक कार्रवाई के लिए भेज दी जाएं।

बिहार-राज्यपाल के आदेश से,
बसन्त कुमार द्वे,
उप-सचिव।

बिहार गजट (असाधारण), ८ मई, १९६८
APPOINTMENT DEPARTMENT,

RESOLUTION.

The 3rd May, 1268.

Subject :— Rehabilitation of Emergency Commissioned and Short Service Regular Commissioned Officers after their release from the Armed Forces.

No. 5829— Whereas the State Government were pleased to make reservation in State Service for the released Emergency Commissioned/Short Service Commissioned Officers in Appointment Department Resolution no. III/RI-609/66-A—14631, dated the 22th September, 1967 a large number of non-commissioned and other category of Arms Officers within the age group 23 to 26 were left out from the purview of the said resolution. In order that they may also be rehabilitation on their completion of the military service, State Government have now decided that the non-commissioned and other category of released Army Officers who rendered active service in the Army, during the "Emergency" created by the Chinese aggression and Pakistani conflict will also be eligible for appointment against the reserved vacancies in the State service except Bihar Civil Service (Judicial Branch) on the same terms and conditions as laid down in the aforesaid Resolution.

Order :— Ordered that copies of the resolution be published in the official gazette for general information. Ordered also that the copy of the resolution be forwarded to the Secretary, Bihar Public Service Commission, the Accountant-General, Bihar and all Departments of Government for information and necessary action.

By order of the Governor of Bihar.
B. K. Dubey,
Deputy Secretary to Government.

श्री सुरेन्द्रनाथ चटर्जी, अधीक्षक, सचिवालय, मुद्रणालय, बिहार, गुलजारबाग, पटना-६ द्वारा
मुद्रित तथा श्री राम प्रसाद सिन्हा, अधीक्षक, सरकारी लेखन-सामग्री भण्डार एवं प्रकाशन,
गुलजारबाग, पटना-७ द्वारा प्रकाशित।

बिहार (अ० गजट)—३८५—लार्डनो—१९०९—५००—ठा० दु० सिंह

बिहार सरकार

नियुक्ति विभाग।

संकल्प संख्या ——— / नि० ७३६९

पटना-१५, दिनांक ८ ज्येष्ठ, १९६८ (स)

२९ मई, १९६८।

विषय :— सशस्त्र सेना से विमुक्त होने पर इमरजेन्सी कमीशनड और शार्ट सर्विस रेगुलर कमीशनड पदाधिकारियों का पुनर्वास।

राज्य सरकार ने नियुक्ति विभाग के संकल्प संख्या-५८२९ दिनांक ३ मई, १९६८ में यह निर्णय किया था कि विमुक्त इमरजेन्सी कमीशनड और शार्ट सर्विस रेगुलर कमीशनड पदाधिकारियों के लिए राज्य सरकार की सेवाओं में जो रिक्तियां सुरक्षित की गई हैं उनमें बिहार असैनिक सेवा (न्याय-शाखा) को छोड़कर सभी सेवाओं में नन कमीशनड एवं अन्य कोटियों के सैनिक पदाधिकारी, विहित शर्तों पर नियुक्त होने के पात्र होंगे।

राज्य सरकार ने अब यह निर्णय किया है कि नन कमीशनड एवं अन्य कोटि के सैनिक पदाधिकारी विहित शर्तों पर बिहार असैनिक सेवा (न्याय शाखा) की सुरक्षित रिक्तियों में भी नियुक्त होने के पात्र होंगे।

आदेश :— आदेश दिया जाता है कि इस संकल्प की प्रतियां सर्व साधारण की जानकारी के लिए सरकारी गजट में प्रकाशित कराई जाय। यह भी आदेश दिया जाता है कि संकल्प की प्रतियां सचिव, बिहार लोक सेवा आयोग, महालेखापाल, निबंधक, उच्च न्यायालय, पटना, सरकार के सभी विभागों तथा जन-सम्पर्क निदेशक को सूचना और आवश्यक कार्रवाई के लिए भेज दी जाय।

बिहार राज्यपाल के आदेश से,
(बसन्त कुमार द्वे)
उप सचिव।

हरि ना० २९/

Memo No, III / RI-602 / 68 (Pt) 10468

Government of Bihar
Appointment Department.

PATNA- 15, the 25 July- 1968,

To

All Departments of Government.

Subject:— Rehabilitation of Emergency Commissioned and Short Service Commissioned Officers after their release from Armed Forces,

The undersigned is directed to refer to Appointment Department Memo no. III/ RI-602 / 68A, pt-707 dated 15.1.1968 (copy enclosed) in which all Departments of Government were advised to request the Public undertakings and autonomous corporations concerned with those DePartments, to extend certain concessions in favour of released Short Service Regular Commissioned and Emergency Commissioned officers for being appointed in non-technical posts under them.

2. I am request you further that in public Sectors Undertakings where products are sold through agents, the cases of deserving released Army Officers may be considered sympathetically for appointment as such agents.

3. Government have further decided that the local Bodies and Municipalities may also be requested to give similar concessions to released Emergency Commissioned and short Service Regular Commissioned Officers in Appointment to posts under them.

(K. A. Ramasubramaniam)
Secretary to Government.

Memo No. III/RI-602/66.—12136 Patna-15, the 4/26 Bhadra, 1890 August, 1968

To

Government of Bihar,
Appointment Department.

All Departments of Government,
All Heads of Departments.

Subject :—Grant of concession to State Government Servants who rendered Military Service during the Emergency created by the Chinese aggression and Pakistani conflict.

The undersigned is directed to say that besides the concessions granted in favour of Government servants who had opted for "Military Service" during the last "Emergency" as communicated in Shri S. C. Mishra's circular letter no PGW-303 dated 20th March, 1963 and Shri G. Prasad's Memo No. P. G. W.—109 dated 7th March, 1964, the following further concessions are also granted to all categories of Government servants who rendered military Service during the said emergency :—

- (i) If confirmation or promotion may be dependent on the passing of any departmental examination or any particular test, the persons concerned would not be confirmed or promoted during their absence from the Civil posts but posts of suitable seniority would be kept vacant for them and when they rejoin their civil posts, they would be allowed to appear at such examinations or tests on as many occasions as they would have been entitled to, had they not opted for military service, and on their passing the examination or test, in the first chance they would be deemed to have passed out on the due date and would be confirmed or promoted with retrospective effect. If they, however, pass in the 2nd or 3rd chance, their date of confirmation or promotion would be extended correspondingly from the due date of such promotion or confirmation.
- (ii) If in any case, promotion be dependent on passing of a written test and inter-se seniority of such promotions be in accordance with the marks obtained by them in the said test and not in accordance with their respective seniority in the lower cadre then, if the Government servant returning from military service, passes the test in the first chance available to him, he would be deemed to have passed on the due date but his position will be at the bottom of the list of successful candidates of that batch.
- (iii) The above decisions may kindly be communicated to all Subordinate Appointing authorities with the request to give them effect immediately.
- (iv) Receipt of this memo may kindly be acknowledged.

By order of the Governor Bihar,
(B. K. Dubey)
Deputy Secretary to Government.

ANNEXURE-II

Government of Bihar,
Appointment Department.

Memo No. A-912

Patna-15, the 20th January, 1969.

To

All Departments of Government.

All Heads of Departments,

Sub:-

Reservation of vacancies from ex-servicemen in Class III and Class IV posts under the State Government,

The undersigned is directed to say that the problem of rehabilitation of a large number of ex-servicemen in the Country who have not been able to resettle themselves in Civil life has been engaging the attention of the Govt. of India. The Govt. of India have decided to accord the following concessions to ex-servicemen for purpose of their employment in Civil posts under them:-

(i)

Reservation of Civil posts under the Central Govt.

20% of Permanent vacancies in Class IV posts and 10% of permanent vacancies in the Class III posts at the centre are reserved for the ex-servicemen in the first instance for a period of two years subject to the condition that in any recruitment years the total number of vacancies reserved for ex-servicemen, Scheduled castes and Scheduled Tribes taken together does not exceed 45% of the vacancies to be filled up in that year.

(ii)

The ex-servicemen will get age concession of 3 years in addition to the period of service rendered by them in Defence Services.

(iii)

For posts of Daftary, Jamadar and Records Sorters (under the state Government they are called Record Supplier) the demobilised ex-servicemen are exempted from the prescribed educational qualifications provided they have put in 3 years military service before demobilisation,

2.

The State Government have decided to grant similar concessions to the ex-servicemen for appointment to Class III and Class IV posts under them with the modification that the reservation will be a continuous process.

3.

All appointing authorities may kindly be directed to give immediate effect to the above decision of the State Government.

4.

High Court has been requested to issue similar instruction in regard to Class III and Class IV posts under them,

5.

Director of public Relations in requested to give wide publication in the Press,

By order of the Governor of Bihar

Sd/- B. k. Dubey.
Deputy Secretary to Government,

Government of Bihar
Appointment Department

Resolution No. III/R 1-602/66A 8441

Patna-15, the 27th Jyaistha, 1891, 17th June, 1969.

Subject :— Rehabilitation of Emergency Commissioned and Short Service Regular Commissioned officers after their release from the Armed Forces.

Whereas subject for the limited competitive examination have been prescribed in paragraph 5 of Resolution No. III/R 1-602/66A dated the 29th September, 1967 there is no paper for examination in Hindi. The State Govt. have decided that in addition to the three subjects enumerated in para 5 of the said Resolution there shall be a subject in Hindi written in Devnagri script known as 'General Hindi' in the syllabus of the said examination carrying 150 marks. The minimum qualifying marks and the standard of questions and marking will be the same as of other subject,

Order :— Ordered that a copy of the Resolution be published in the official gazette for general information, Ordered also that a copy of the Resolution be forwarded to the Secretary, Bihar Public Service Commission, Registrar, High Court of Judicature at Patna, the Accountant General, Bihar and all departments of Govt. for information and necessary action.

By order of the Governor of Bihar,

Sd/—B. K. Dubey

Deputy Secretary to Government.

Nemo No. III/R 1-602A 8441, Patna-15, the 27th Jyaistha, 1891, 17th June, 1969.

Copy forwarded to the Secretary, Bihar Public Service Commission, Patna/Registrar, High Court, Patna/the Accountant General, Bihar/all Departments of Govt. for information and necessary action.

2. The revised Syllabus will come into force from the next examination.

(Para 2 for P. S. C. only).

(B. K. Dubey)

Deputy Secretary to Government.

Gupta/

No. III/R 1-608/65A-8778

Government of Bihar
Appointment Department

Dated 21th June, 1969

From

Shri B. K. Dubey,
Deputy Secretary to Government.

To

The Secretary to Government
Public Works Department
River Valley Project Department
Irrigation Department
Housing Department
Electricity Department
Community Development Department
Public Health Engineering Department
Department of Industries and Technical Education
Department of Mines and Geology
Health Department.

Subject :— Reservation in Class I and Class II engineering and medical services for graduate engineers and doctors who took up military service during the emergency and who are later released.

Sir,

The State Government have issued instructions from time to time regarding special facilities to be provided to those persons who had enrolled themselves in the Armed Forces during the last period of 'Emergency', in the matter of absorption in State services and posts. These instructions are contained in two circulars, one of the 12th July 1967 (copy enclosed) relating to Engineers and Doctors and the other dated the 29th September, 1967 (copy enclosed) relating to non-technical personnel.

2. In both these circulars two sets of instructions have been issued, one relating to facilities to be provided to those in service officers who had offered to take up Short Service Commission during the period of Emergency and the other concerning open market recruits to the Armed Forces. This order is concerned with the Doctors and Engineers who were directly recruited to the Armed Forces from the open market.

3. It was earlier decided that 50% of the permanent vacancies in Medical and Engineering Services will be reserved for the aforesaid Engineers and Doctors after their release from the Armed Forces. In effect, however, this has meant that the ex-army men of the Engineering and Medical Corps are not being absorbed in civil posts because very few vacancies, if at all, occur in permanent cadres and by and large, recruitments are made on temporary basis for which there is no reservation at all. The question has been reviewed by Government and it has been decided that as in other non-technical services and posts, in the Engineering and Medical Services also, 30 percent of the vacancies, both permanent and temporary instead of permanent vacancies only, should be reserved for those Engineers and Doctors who had joined the Armed Forces from the open market during the last emergency and thereafter released.

4. For these reserved vacancies, those graduate Engineers and Doctors of the Armed Forces of the Union who were commissioned on or after the 1st November 1962, and who are released according to a phased programme or on the expiry of the tenure of their service or who are invalided on medical grounds owing to disability attributable to or aggravated by military service, will be eligible. The expression 'release' (with its grammatical variations) means actual release, after a spell of service from the Armed Forces of the Union and does not mean release during or at the end of training, or during or at the end of Short Service Commission granted to cover periods of such training prior to being taken in actual service, nor does it cover officers released on account of misconduct or inefficiency or at their own request. Engineers and Doctors employed under the State Governments or Government owned Industrial Undertakings who are required to serve the Armed Forces under the Compulsory Liability Scheme, are not eligible for these reserved vacancies. Officers belonging to the Volunteer Reserve Forces of the Armed Forces are also not eligible.

5. Out of the vacancies so reserved, 12 and half percent and 10 percent respectively shall be reserved for the Scheduled Castes and Scheduled Tribes Engineers and Doctors released from the Armed Forces in the above manner provided that the total number of vacancies reserved for the Emergency Commissioned Officers, Short Service Commissioned Officers, Scheduled Caste, Scheduled Tribes and brought forward reserved vacancies in any year, shall not exceed 45 percent of the total number of vacancies to be filled in that year,

6. If the number of deserving candidates is more than the reserved vacancies, the names of those who are not appointed will be kept in the waiting list for filling reserved vacancies out of the quota for the next year. No reserved vacancy shall be carried forward for a period more than four years.

7. Suitability of Engineers and Doctors released from the Armed Forces who wish to be considered against the reserved vacancies will be assessed by the Bihar Public Service Commission on the basis of their military records and a written examination consisting of "General Hindi" written in Devnagri script carrying 150 marks with 40% as the minimum qualifying marks for general candidates and 35% for the Scheduled Casts and Scheduled Tribe candidates. The standard of questions and marking would be the same as in the combined competitive examination. These will be supplemented by a suitable technical viva voce test which would be so designed as to test their practical knowledge and understanding of the particular fields where they are likely to be employed.

The Engineers and Doctors who are released from the Armed Forces on account of their low medical category due to the disability incurred in the forward areas while on duty and consequently made ineligible for grant of permanent commission in the Armed Forces, should notwithstanding their disability, be considered as eligible for the reserved vacancies in relaxation of medical standards, if the candidate suffers from disability caused during active service and the employing department is satisfied that he will be able to perform the basic duties of the service/post for which he is to be considered.

8. Seniority and pay of these candidates who are appointed against the reserved vacancies will be determined in the following manner :—

- (a) A candidate shall be treated as belonging to the year in which he would have been appointed on attaining the minimum age of entry into service / post concerned or on the date of his joining military service which ever is later.
- (b) All such candidates shall rank below the non-service recruits of the year in which they are allotted.
- (c) The particular date on which a candidate should be deemed to have been appointed to the service / post concerned shall be decided by the Administrative Department.

9. Seniority of Emergency Commissioned / Short Service Commissioned officers appointed temporarily will be fixed according to the formula contained in the preceding Paragraph and they will be made permanent in their own term according to their position in the seniority list as and when permanent vacancies.

10. Orders contained in Appointment Department letter no. 9653 dated the 12th July, 1967 may be deemed to have been modified to the above extent.

Yours faithfully;

Sd/- B. K. Dubey

Deputy Secretary to Government.

Memo No. III / RI-602 / 65A-8772 patna- 15, the 21st June, 1969.

Copy forwarded to the Secretary, Bihar public Service Commission / All Departments of Government / The Accountant General, Bihar, Ranchi for information and necessary action.

Sd/- B. K. Dubey

Deputy Secretary to Government.

No. Ni-9653/

Government of Bihar
Appointment Department

From

Shri K. K. Srivastava,
Secretary to Government.

To

The Secretary to Government.
Public works Department
Irrigation Department
Electricity Department
Public Health Engineering Department
Rivar Valley projects Department.
Housing Department
Community Development Department
Department of Industries and Mines
Health Department,

Patna, the 21st Asadha, 1889
12th July, 1967.

Subject:-

Grant of concession to Engineers and Doctors, who rendered Military Service during the Emergency created by the Chinese aggression and Pakistani conflict.

Sir,

The State Government have been considering to grant concessions in the matter of Civil Employment to doctors and engineers who opted for or joined Emergency or Short Service Commission before the introduction of the Compulsory Liability Scheme in January, 1965, according to which engineers and doctors serving under the State Government are liable for deputation to military service for four years before they reach the age of 40 years and 45 years respectively or before completion of 10 years of service. Such persons can be divided into two categories:-

- (i) Persons who are already in the State services and have joined the 'Military Service' on deputation and would come back after release from Army; and
- (ii) Persons Who have joined the 'military service' from the open market and are being released from 'military service' after completing Short Service Commission.

2. The term 'military service' has been used to mean enrolled or Commissioned Service in any of the three wings of the Indian Armed forces including service as a warrant Officer rendered by any person during the present emergency created by the Chinese aggression and Pakistani conflict.

3. For persons of the first category, the Government have decided to grant the following concessions:-

- (a) Permanent Government Servants opting for military service shall hold a lien on their civil posts.
- (b) (i) Temporary Government Servants cannot have lien but depending upon the existence of the post at the time of their demobilisation, they would be allowed to return back to their civil posts,
- (ii) If the holder of a temporary post under the State Government in Class I and Class II of State Engineering or Medical Services, opts for Military service and returns on release from that service to the same department which he had left, he shall be appointed substantively against a permanent post to be made available for him retrospectively from the date he had relinquished charge of the temporary civil post and that he shall get all the consequential benefits provided his conduct and service in the Military service was satisfactory. If adequate number of permanent posts are available for these in service optens at any particular time, the temporary posts held by them shall be converted into permanent posts and such posts shall be adjusted, against Permanent Vacancies occurring in future. This concession was adopted to those who opted for military service before the compulsory liability scheme on 8th January, 1965 and not to those who opted for military service after 8th January, 1965.
- (c) During their absence from civil posts they would be entitled to proforma promotion and confirmation and the military service would count for seniority increment etc. in their civil employment.
- (d) They would be entitled to civil employment of pay whichever would be greater, during their military service.
- (e) The permanent employees would continue to enjoy leave in accordance with the rules applicable to their civil posts but the temporary employees would be governed by military leave rules.
- (f) The period spent on transit for joining military service and return to the civil post would be treated as having been spent on duty and depending upon the needs of each case, would be treated as on transit or special casual leave would be granted.

- (g) In confirmation or promotion may be dependent on the passing of any department examination or any particular test, the persons concerned would not be confirmed or promoted during their absence from the civil post but posts of suitable seniority would be kept vacant for them and when they rejoin their civil posts, they would be allowed to appear at such examinations or tests on as many occasions as they would have been entitled to, had they not opted for military service, and on their passing the examination or test, in the first chance, they would be deemed to have passed out on the due date and would be confirmed or promoted with retrospective effect. If they, however, pass in the 2nd or 3rd chance, their date of confirmation or promotion would be extended correspondingly from the due date of such promotion or confirmation.
- (h) If in any case, promotion be dependent on passing of a written test and interse seniority of such promotees be in accordance with the marks obtained by them in the said test and in accordance with their respective seniority in the lower cadre then, if an engineer or a doctor returning from military service, passes the test in the first chance available to him, he would be deemed to have passed on the due date but his position will be at the bottom of the list of successful candidates of that batch.

4. In respect of persons of the Second Category namely the Engineers and Doctors who joined Emergency Commission and Short Service Commission directly and are thereafter release from Military Service, the State Government have been pleased to grant the following concessions :—

- (i) 50% of the permanent vacancies which occur as a result of retiring and other casualties from the permanent cadre of Class I and Class II State Engineering and Medical Services, should be Reserved for the Ex-Army personnel having to their credit satisfactory Military Service and who are found physically fit at the time of consideration against reserved vacancies according to the rules applicable to the particular service. Until further order, reserved vacancies if remaining unfilled would be filled by others (other than ex-military service personnel) only on a temporary basis.
- (ii) For the purpose of fixation of pay and seniority, such a candidate shall be deemed to have been appointed to the civil post on the date on which he joined Military service provided that no officer will get advantage in matter of seniority and pay fixation for the period of military service rendered by him before 1st November, 1962, of course, the service rendered after 1st November, 1962 will count in the manner indicated above.

5. The Department concerned are requested to give effect to the above decisions immediately. They should report to the Bihar Public Service Commission the number of posts reserved in accordance with the above decision for the Doctors and Engineers released from the Army with the request to advertise the same and recommend the names of suitable candidates to the respective departments.

Yours faithfully,

Sd./— K. K. Srivastava,
Secretary to Government.

Government of Bihar,

Appointment Department.

Resolution No. III/RI-602/66 A-14631.

Patna-15, the 7th/Asvina, 1889. (s),
29th September, 1967.

Subject :— Rehabilitation of Emergency Commissioned and Short Service Regular Commissioned Officers after their release from the Armed Force.

Whereas a large number of persons had joined the Army Short Service Commission and Emergency Commission during the Emergency created by the Chinese aggression and Pakistani attack, many

of them of the age group 23 to 26 would on completion of their commission, revert from Military Service and it would be necessary to provide these youngmen with suitable employment. These youngmen have forgone their chance of employment in civil posts by taking up Military Service during the period of 'Emergency' and therefore, all attempts should be made to see that they are properly rehabilitated on completion of their Military Service.

2. The term 'Military Service' has been used to mean enrolled or Commissioned Service in any of the three wings of the Indian Armed Forces including as a Warrant Officer rendered by any person during the "Emergency" created by the Chinese aggression and Pakistani conflict.

3. The State Government have accordingly decided that reservation for the released Emergency Commissioned / Short Service Commissioned Officers shall be made in the following State services and posts to the extent indicated below :—

- | | | | |
|---------|---|---|-----|
| (a) (i) | Bihar Civil Service (Executive and Judicial Branch) and all other non-technical State Service Class II senior namely, Education Service, Co-operative Service, Labour Service, Finance Service and similar services and posts (non-technical) | — | 20% |
| (ii) | Bihar police Service | — | 30% |
| (iii) | Other non-technical services including Class II Junior posts | — | 30% |

(b) (i) If sufficient number of qualified candidates are not available, the unfilled vacancies may be treated as unreserved and filled from the general candidates in the usual manner, but a corresponding number of vacancies shall be carried forward to the next year.

(ii) There should be reservation in favour of candidates belonging to the Scheduled Castes and the Scheduled Tribes to the extent not exceeding $12\frac{1}{2}$ percent and 10 percent respectively of the number of vacancies reserved for the released Emergency Commissioned / Short Service Commissioned Officers, provided that the total number of vacancies reserved for the Emergency Commissioned Officers, Short Service Commissioned Officers, Scheduled Castes, Scheduled Tribes and brought forward reserved vacancies in any year, shall not exceed 25% of the total number of vacancies to be filled in that year.

(iii) If the number of deserving candidates, is more than the number of reserved vacancies, the names of those who are not appointed will be kept in the waiting list for filling reserved vacancies out of the quota for the next year.

(iv) No reserved vacancy shall be carried forward for a period more than four years.

4. Regarding seniority and pay of those candidates who are appointed against the reserved vacancies, the State Government have decided that the same should be determined on the assumption that they entered service/post at the first opportunity they had after joining the pre-commission training. The initial pay and seniority shall be fixed on the following principles :—

- A candidate appointed to service/post recruitment to which is normally made by competitive examination shall be treated belonging to the year in which he would have been appointed to that service/post at his first attempt after the date of joining military service/training.
- A candidate appointed to a service/post recruitment to which normally is made otherwise than by competitive examination shall be treated as belonging to the year in which he would have been appointed on attaining the minimum age of entry into service/post concerned or on the date of his joining military service, whichever is later.
- Seniority interse of such persons allotted to a particular year shall be determined according to the merit list prepared by the Bihar Public Service Commission.
- All such candidates shall rank below the successful competition candidates of the year in which they are allotted.

(e) The particular date on which candidate should be deemed to have been appointed to the service / post concerned shall be decided by the Administrative Department,

5, For appointment to various State Services and posts against the reserved vacancies a limited competitive examination will be held by the Bihar public Service Commission concurrently with the combined competitive examination. The eligible candidates will be required to take only following three subjects in the written examination having full marks and minimum qualifying marks as indicated against each:—

Subject.	Full Marks.	Minimum qualifying Marks	
		General (vi) Candidates,	Scheduled Cast & Scheduled Tribe candidates,
1. General English	150	40%	36%
2. General knowledge	150	40%	35%
3. General Science	150	40%	35%

The standard of the questions and marking would be the same as in the combined competitive examination,

The candidates who qualify at the written examination will be called for viva voce test (150 marks) and the performance in the Army will also be given some weight (50 marks for record of military service).

6. The candidates who are qualified educationally, will be eligible to all the same number of chances for appearing at the limited examination which they would have availed in the combined competitive examination had they not joined the military service reckoning from the date of joining the pre-commission training.

Order:—

Ordered that copies of the resolution be published in the official gazette for general information, Ordered also that a copy of the resolution be forwarded to the Secretary, Bihar public Service Commission, Registrar, High Court of Judicature at Patna, the Accountant General Bihar and all Departments of Government for information and necessary action.

By order of the Government of Bihar,
Sd/—K. A. Ramasubrahmaniam,
Special secretary to Government.

Memo No, III / RI-602 / 66A-14631 Patna-15, the 7th Asvina, 1889 (S)

Consulted U / S

29th September, 1967.

Copy forwarded to * Finance Department for information and communication to Accountant General, Bihar Ranchi.

By order of the Governor of Bihar,

Sd /—B. K. Dubey,
Deputy Secretary to Government.

Memo No.—RI-602 / 66A-14631 Patna-15, the 7th Asvina, 1889 (S)

29th September, 1967.

CoPy forwarded to:—All Department of Government / Registrar, High Court of Judicature at patna for information.

2. The number of reserved vacancies in respect of services / posts under them may kindly be communicated to the Secretary, Bihar Public Service Commission immediately.

By order of the Governor of Bihar

Sd / -B. K. Dubey
Deputy Secretary to Government.

Memo No. III/RI-602/66A-14631 patna-15, the 7th Asvina, 1889 (S)
29th September, 1967.

Copy forwarded to the Secretary, Bihar Public Service Commission for information with the request that steps may kindly be taken to hold the limited examination concurrently with the combined competitive examination to be held in December, 1967 January, 1968.

By order of the Government of Bihar

Sd /- B. K. Dubey
Deputy Secretary to Government.

Government of Bihar
Appointment Department
NOTIFICATION

Patna-15, the 25 Pausa, 1891
15 January 1970.

No. G. S. R. III/RI-602/69A ११० ७३० In exercise of the powers conferred by the provision to article 309 of the constitution of India, the Governor of Bihar is pleased to make the following rules to regulate the conditions of service of persons appointed to Civil posts and services after rendering war-Service in world-war II, namely :-

1. Short title and commencement :- (1) These rules may be called the war Service Recruits (Pay, Pension and Seniority) Rules 1969.

(2) These rules shall be deemed to have come into force with effect from the 8th November, 1946.

2. Definitions :- In these rules, unless there is anything repugnant in the subject or context-

(1) "war Service" means—

- (a) service of any kind in a unit and formation liable for service overseas or in an operational area
- (b) service in India under military, munition or stores authorities with a liability to serve overseas or in an operational area;
- (c) all other service involving subjection to naval, military or air force law;
- (d) a period of training with a military unit or formation involving liability to serve overseas or in an operational area;
- (e) service in any Civil Defence Organisation specified in this behalf by the Central or the State Government : and
- (f) (k) any service connected with the prosecution of the war which a person is required to undertake by a competent authority under the provisions of any law for the time being in force; and

(ii) such other service as may hereafter be notified as War Service for the purpose of this rule and also includes-

the whole time service in the following organisations, namely :-

- (a) Civil Pioneer Force,

- (b) Provincial Civil Labour Unit (Field Service) and (Home Service) and Civil Imported Labour,
 (c) the undermentioned units of the Civil Defence, namely :
 (i) Wardens' Service;
 (ii) Fire Prevention Services;
 (iii) Rescue Services;
 (iv) Messenger Services;
 (v) Casualty Service;
 (vi) Smoke screen Service;
 (vii) Anti Gas Service;
 (viii) Depot Service;
 (ix) Instructors' Service;
 (x) Control and Report Service;
 (xi) Auxiliary Service;
 (xii) Mortuary Service; and
 (d) the I. N. A. candidates except for the purpose of recruitment to the police force.

Note (1) Only whole time service of any of the kinds specified above rendered after the 3rd September, 1939 shall be recognised as 'War Service'.

Note (2) Service rendered by person holding emergency commissions in Forces of Indian States shall count as 'War Service'.

3. Gradation, pay and pension and other conditions of service of War Service recruits :-

- (1) (i) A 'War Service' recruit to a State Service or post shall be treated as a recruit of the year following the year in which he joined War Service or the year after he attained the minimum age for recruitment to that service, whichever is later. He shall be graded below the non-War service candidates of the year of which he is considered a recruit; and

(ii) all 'War Service' recruits of a particular year shall be graded inter se for purpose of seniority according to their age.

- (2) (i) A 'War Service' recruit to a State Service or post shall draw pay in the time scale of the State Service or post to which he is recruited depending upon the year of which he is considered a recruit; and

(ii) a 'War Service' recruit to a State Service or post shall count towards his civil pension the completed year of approved War-Service after the 3rd September of the year of which he is considered to be a recruit up to a maximum of five years.

4. The concession mentioned in rule 3 shall be granted to a candidate

(a) who must not have attained the maximum age prescribed for the service or post to which he is appointed on the 1st January 1946. For the purpose of satisfying the maximum age limit, candidate shall be allowed the option to deduct, in whole or in part, and subject to a maximum of five years, the period of war service (including in the case a candidate who has been invalidated, the period from the date he has been invalidated to the 1st January, 1946), rendered by him after attaining the minimum age for recruitment to the particular service or post; or

(b) who has rendered continuous war-service till the end of the war, i. e. 31st December, 1945.

5. Any dispute about the interpretation of these rules regarding the determination of the nature and length of 'War-Service' seniority, fixation of pay of any other matter shall be decided by the State Government whose decision shall be final.

(file No. III/R1-609/69A). By order of the Governor of Bihar,

(V. Narayan)

Secretary to Government

Memo No. III/R1-602/69A-फ० ७३० Patna-15, the 25 Pausa, 1891

15 January, 1970.

Copy forwarded to :—

All Departments of Govt.

All Heads of Departments

Accountant General, Bihar, Hinoo, Ranchi

for information and necessary action.

Secretary to Government.

संख्या-३ / आर १-६०१ / ७० नि० ८०८०

बिहार सरकार

नियुक्ति विभाग

प्रैसक,

श्री बसन्त कुमार द्वे,
उप सचिव।

सेवा में,

सरकार के सभी विभाग के सचिव

पटना—१५, दिनांक २६ वैशाख, १९९२ (स)
१६ मई, १९७०।

विषय: -- संकट कालीन स्थिति में सैन्य सेवा में भाग लेने वाले स्नातक चिकित्सकों तथा अभियंताओं के लिये राज्य के स्वास्थ्य एवं अभियंत्रण सेवाओं के श्रेणी-१ श्रेणी-२ में सुरक्षण।

महोदय,

आप का ध्यान उपर्युक्त विषयक नियुक्ति विभाग के परिपत्र संख्या- ३ / आर १-६०२ / ६५ नि०-८७७२ दिनांक २१ जून, १९६९ की ओर आकृष्ट करते हुए मुझे कहना है कि विगत "इमरजेन्सी" की स्थिति में जिन व्यक्तियों ने सेनाओं में अग्नी भर्ती कराई थी उनके लिये राज्य सेवाओं एवं पदों पर नियुक्ति के लिये विशेष सुविधाएं देने के सम्बन्ध में राज्य सरकार ने समय-समय पर अनुदेश निर्गत किये हैं। ये अनुदेश दो परिपत्रों में सम्मिलित हैं। एक परिपत्र चिकित्सकों और अभियंताओं के लिये और दूसरा परिपत्र अतकनीकी सेवाओं के लिये है।

२. अतकनीकी सेवाओं में भर्ती होने के लिये एक सीमित परीक्षा रखी गई है और यह उपबन्धित है कि सैन्य सेवा से विमुक्त पदाधिकारी इस परीक्षा में उतनी ही बार बैठ सकते हैं जितनी बार वे संयुक्त प्रतियोगिता परीक्षा में बैठ सकते हैं यदि वे सैन्य सेवा में नहीं गये होते। लेकिन ऐसा उपबन्ध चिकित्सकों एवं अभियंताओं के लिये निर्गत परिपत्रों में नहीं है। फलस्वरूप कई वर्षों तक सैन्य सेवा में लगे रहने के कारण उनकी उम्र सरकारी सेवा के लिए निर्धारित उच्चतर आयु सीमा से अधिक हो गया है। अतः यदि उन्हें भी अतकनीकी व्यक्तियों की तरह उम्र में छूट नहीं हो जायेगी तो उनके लिये सरकारी सेवा में नियुक्त होना असंभव हो जायगा।

३. अतः सरकार ने निर्णय किया है कि सैन्य सेवा से विमुक्त चिकित्सकों एवं अभियंताओं को सरकारी सेवा में सुरक्षित पदों के विरुद्ध भरती होने के लिए उनकी उच्चतर उम्र की गणना उनकी यथार्थ उम्र से सैन्य सेवा की अवधि सैन्य सेवा की अवधि (Pre commission Training) (को छोड़कर) को घटाकर निर्धारित किया जायगा।

विश्वासभाजन,

उप सचिव।

आप संख्या-३ / आर १-६०१ / ७० नि० ८०८० पटना-१५, दिनांक २६ वैशाख, १९९२ (स)
१६ मई, १९७०।

प्रति-सचिव, बिहार लोक सेवा आयोग / महालेखापाल, बिहार को सूचना एवं आवश्यक कार्रवाई के लिये प्रेषित।

हरि ना० १५

उप सचिव।

नियुक्ति विभाग

अधिसूचनाएं

१० मार्च १९९२ (श०) / ३० जनवरी १९७१

जी० एस० आर० ९—भारत-संविधान के अनुच्छेद ३०९ के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बिहार-राज्यपाल नियुक्ति विभाग की अधिसूचना सं० जी० एस० आर० ३ / आर, १-६०२ / ६९ए—७३० दिनांक १५ जनवरी १९७० का अतिक्रमण करते हुए द्वितीय विश्व युद्ध में “युद्ध सेवा” करने के बाद सिविल पदों पर और सेवाओं में नियुक्त व्यक्तियों की सेवा शर्तों की विनियमित करने के लिये निम्नलिखित नियमावली बनाते हैं:—

१। संक्षिप्त नाम और प्रारम्भ—(१) यह नियमावली युद्ध सेवा रंगरूट (वेतन, पेंशन और खरीयता) नियमावली वार सविस रिक्रूट्म (वे, पेंशन और सीनियरिटी) रूल्स], १९७१ कही जा सकेगी।

(२) यह नियमावली ८ नवम्बर १९४६ से प्रवृत्त हुई समझी जायगा।

२। परिभाषाएं—जबतक कोई बात, विषय या संदर्भ के विरुद्ध न हो, इस नियमावली में:—

(i) “युद्ध-सेवा (वार सविस)” से अभिप्रेत है—

(क) किसी ऐसी यूनिट या विरचना (फार्मेशन) में किसी प्रकार की सेवा, जो यूनिट या विरचना समुद्र पार या किसी सांघ्राभिक क्षेत्र में सेवा के लिये बाध्य हो;

(ख) भारत में सेना, गोला-बारूद (म्यूनीशन) या भंडार (स्टोर्स) प्राधिकारियों के अधीन सेवा जिसके साथ समुद्र पार या किसी सांघ्राभिक क्षेत्र में सेवा करने की बाध्यता हो;

(ग) ऐसी सभी अन्य सेवाएँ, जो नौसेना, सेना या वायु सेना विधि के अधीन हो;

(घ) समुद्र पार या सांघ्राभिक क्षेत्र में सेवा करने की बाध्यतावाली किसी सेना-यूनिट या विरचना (फार्मेशन) में प्रशिक्षण की अवधि;

(च) युद्ध-काल से सम्बन्धित कोई ऐसी सेवा जिसे करने के लिये किसी व्यक्ति से, सक्षम प्राधिकारी द्वारा तत्समय प्रवृत्त किसी विधि के उपबन्धों के अधीन, अपेक्षा की जाए; और

(ii) ऐसी अन्य सेवा जो इसके बाद, इस नियम के प्रयोजनार्थ, युद्ध-सेवा के रूप में अधिसूचित की जाय, और इसके अन्तर्गत निम्नलिखित संगठनों में की गई पूर्णकालिक सेवा भी है:—

(क) सिविल श्रमिक बल (सिविल पायनियर फोर्स),

(ख) प्रांतीय सिविल श्रम इकाई (प्रोविंशियल सिविल लेबर यूनिट) (क्षेत्र सेवा) और (गृह-सेवा) तथा सिविल आयात श्रम (सिविल इम्पोर्टेड लेबर);

(ग) सिविल प्रतिरक्षा (सिविल डिफेंस) की अधोनिहित यूनिटें :—

- (i) संरक्षक सेवा (वार्डेंस सर्विस);
 - (ii) अग्नि-निवारण सेवा (फायर प्रिवेंशन सर्विस);
 - (iii) बचाव सेवा (स्क्यू सर्विस);
 - (iv) संदेशवाहक सेवा (मेसेंजर सर्विस);
 - (v) हुताहुत सेवा (कैंजुअल्टी सर्विस);
 - (vi) धूमावरण सेवा (स्मोक स्क्रीन सर्विस);
 - (vii) गैस निरोध सेवा (एन्टी-गैस सर्विस);
 - (viii) डिपो सेवा (डिपो सर्विस);
 - (ix) बसक-सेवा (इंस्ट्रक्टर्स सर्विस);
 - (x) नियंत्रण एवं रिपोर्ट सेवा (कंट्रोल ऐण्ड रिपोर्ट सर्विस);
 - (xi) सहायक सेवा (आक्जिलियरी सर्विस);
 - (vii) शव-गृह सेवा (माचुअरी सर्विस); और
- (घ) पुलिस-बल (पुलिस फोर्स) में भर्ती के प्रयोजनों को छोड़ आजाद हिन्द फौज (आई० एन० ए०) के उम्मीदवार ।

टिप्पणी : -

(१) ३ सितम्बर १९३९ के बाद की गई ऊपर विनिर्दिष्ट प्रकार की सेवाओं में केवल पूर्णकालिक सेवा को ही 'युद्ध-सेवा' (वार सर्विस) के रूप में मान्यता दी जाएगी ।

(२) देशी राज्यों (इंडियन स्टेट्स) के सेवा-बल (फोर्स) में अपाती समाप्ति (इमरजेंसी कमीशन) धारण करने वाले व्यक्ति द्वारा की गई सेवा 'युद्ध-सेवा' के रूप में गिनी जाएगी ।

३। युद्ध-सेवा रंगरूटों (वार सर्विस रिक्रूट्स) का पदक्रम प्रोडेशन, वेतन और पेंशन तथा अन्य भर्तियों—(१) (i) राज्य सेवा में या पद पर लिया गया 'युद्ध-सेवा', रंगरूट, जिस वर्ष उसने युद्ध-सेवा आरम्भ की थी उसके, या जब उसने उस सेवा में भर्ती के लिये न्यूनतम उम्र प्राप्त की हो उसके सत्तर-वर्ती वर्ष का, जो भी बाद में पड़े, रंगरूट समझा जायगा । वह जिन वर्ष का रंगरूट समझा जाए, उस वर्ष के गैर-युद्ध सेवा उम्मीदवारों के नीचे पदक्रमित किया जाएगा, और

(ii) किसी खास वर्ष में भर्ती किये गये सभी युद्ध सेवा रंगरूट, पारस्परिक बरीयता के प्रयोजनार्थ अपनी उम्र के अनुसार पदक्रमित किए जायेंगे ।

(२) (i) किसी राज्य सेवा में या पद पर लिया 'युद्ध-सेवा' रंगरूट उस राज्य सेवा या पद के कालमान में वेतन लेगा जिस सेवा में या पद पर उसकी भर्ती की जाए और यह उस वर्ष पर निर्भर करेगा जिसका वह रंगरूट समझा जाए और

(ii) किसी राज्य सेवा में या पद पर लिया 'युद्ध-सेवा' रंगरूट अपनी सिविल पेंशन की गणना करने में, जिस वर्ष का रंगरूट वह समझा जाए उसके ३ सितम्बर के बाद की अनुमोदित युद्ध सेवा के, अधिक से अधिक पांच पूरे वर्ष शामिल करेगा ।

४। नियम ३ में उल्लिखित रियायत उस उम्मीदवार को दी जाएगी—

(क) जिसने १ जनवरी १९४४ को, जिस सेवा में या पद पर वह नियुक्त किया जाए उसके लिये विहित अधिकतम उम्र प्राप्त न की हो, अधिकतम उम्र सीमा के प्रयोजनार्थ, उम्मीदवार को यह विवक्ष्य होगा कि वह उसमें से उस विशेष सेवा में या पद पर भर्ती

के लिए न्यूनतम छत्र प्राप्त करने के बाद, की गई युद्ध सेवा की अवधि को (जिसके अन्तर्गत, ऐसे उम्मीदवार की दशा में जो असमर्थ हो गया हो, उसके असमर्थ करार दिये जाने की तारीख से लेकर १ जनवरी १९४६ तक की अवधि है), पूर्णतः या अंशतः, पर अधिक से अधिक पांच वर्ष तक, घटा दें, और

(ख) जिसने युद्ध की समाप्ति, अर्थात् ३१ दिसम्बर १९४५ तक लगातार युद्ध-सेवा की हो।

५। "युद्ध सेवा" के स्वरूप और अवधि तथा वरीयता अवधारण और वेतन निर्धारण, या अन्य किसी बात के लिये इन नियमावली के निर्वाचन के सम्बन्ध में विवाद का विनिश्चय राज्य सरकार करेगी जिसका विनिश्चय अन्तिम होगा।

[३ / आर १-६०१ / ७१—१९०१-नि०]

बिहार-राज्यपाल के आदेश से,
वसन्त कुमार दूबे,
सरकार के उप-सचिव।

१० माघ १९९२ (श०) ३० जनवरी १९७१

जी० एस० आर० १०—जी० एस० आर० ९, दिनांक ३० जनवरी १९७१ का अंग्रेजी में निम्नलिखित अनुवाद बिहार-राज्यपाल के प्राधिकार से इसके द्वारा प्रकाशित किया जाता है जो भारत संविधान के अनुच्छेद ३४८ के खण्ड (३) के अधीन अंग्रेजी भाषा में उसका प्राधिकृत पाठ समझा जायगा।

बिहार-राज्यपाल के आदेश से,
वसन्त कुमार दूबे,
सरकार के उप-सचिव।

The 10th Magha 1892 (S) 30th January 1971

No. G. S. R. 9.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of Appointment Department notification no. 730-A, dated 15th January 1970, the Governor of Bihar is pleased to make the following rules to regulate the conditions of service of persons appointed to civil posts and services after rendering War Service in World War II, namely :—

1. Short title and commencement.—(1) These rules may be called the War Service Recruits (Pay, Pension and Seniority) Rules, 1971.

(2) These rules shall be deemed to have come into force with effect from the 8th November, 1946.

2. Definitions.—In these rules, unless there is anything repugnant in the subject or context—

(i) "War Service" means—

- (a) service of any kind in a unit and formation liable for service overseas or in an operational area;
 - (b) service in India under military, munition or stores authorities with a liability to serve overseas or in an operational area;
 - (c) all other service involving subjection to naval, military or air force law;
 - (d) a period of training with a military unit or formation involving liability to serve overseas or in an operational area;
 - (e) service in any Civil Defence Organisation specified in this behalf by the Central or the State Government; and
 - (f) any service connected with the prosecution of the war which a person is required to undertake by a competent authority under the provisions of any law for the time being in force; and
- (ii) such other service as may hereafter be notified as War Service for the purpose of this rule and also includes the whole-time service in the following organisations, namely : -
- (a) Civil Pioneer Force,
 - (b) Provincial Civil Labour Unit (Field Service) and (Home Service) and Civil Imported Labour,
- (c) the undermentioned units of the Civil Defence, namely :-
- (i) Wardens' Service;
 - (ii) Fire Prevention Service;
 - (iii) Rescue Service;
 - (iv) Messenger Service;
 - (v) Casualty Service;
 - (vi) Smoke Screen Service;
 - (vii) Anti-Gas Service;
 - (viii) Depot Service;
 - (ix) Instructors' Service;
 - (x) Control and Report Service;
 - (xi) Auxiliary Service
 - (xii) Mortuary Service; and
- (d) the I. N. A. candidates except for the purpose of recruitment to the police force.

Note.--(1) Only whole-time service of any of the kinds specified above rendered after the 3rd September, 1939 shall be recognised as 'War Service'.

(2) Service rendered by person holding emergency Commissions in Force of Indian States shall count as 'War Service'.

3. Gradation, pay and pension and other conditions of service of War Service recruits.--

(1) (i) A 'War Service' recruit to a State Service or post shall be treated as a recruit of the year following the year in which he joined War Service or the year after he attained the minimum age for recruitment to that service, whichever is later. He shall be graded below the non-War service candidates of the year of which he is considered a recruit; and

(ii) all War Service recruits of a particular year shall be graded interse for purpose of seniority according to their age.

(2) (i) A 'War Service' recruit to a State Service or post shall draw pay in the time-scale of the State Service or post to which he is recruited depending upon the year of which he is considered a recruit; and

(ii) A 'War Service' recruit to a State Service or post shall count towards his civil pension the completed year of approved War Service after the 3rd September of the year of which he is considered to be a recruit up to a maximum of five years.

4. The concession mentioned in rule 3 shall be granted to a candidate—

(a) who must not have attained the maximum age prescribed for the service or post to which he is appointed on the 1st January 1946. For the purpose of satisfying the maximum age-limit, candidate shall be allowed the option to deduct, in whole or in part and subject to a maximum of five years, the Period of war service (including in the case a candidate who has been invalidated the period from the date he has been invalidated to the 1st January, 1946), rendered by him after attaining the minimum age for recruitment to the particular service or post; and

(b) who has rendered continuous war service till the end of the war, i. e. 31st December, 1945.

5. Any dispute about the interpretation of these rules regarding the determination of the nature and length of 'War Service' seniority, fixation of pay or any other matter shall be decided by the State Government whose decision shall be final.

(III/R1-601/71-A.—1901)

By order of the Governor of Bihar,

B. K. DUBEY,

Deputy Secretary to Government.

बिहार सरकार

नियुक्ति विभाग ।

संकल्प

संख्या-१ / वार १-६०२ / ७० नि० २६८२ पटना—१५, दिनांक २२ मार्च, १९४२ (५)

११ फरवरी, १९७१ ।

विषय:—

सैन्य सेवा से विमुक्त रिमाउन्ट एवं वेटेरिनरी कोर के इमरजेंसी कमीशनड तथा शार्ट सर्विस कमीशनड पदाधिकारियों के लिये बिहार पशुपालन सेवा में सुरक्षण ।

राज्य सरकार ने निर्णय किया है कि जिस प्रकार राज्य की विभिन्न सेवाओं में सैन्य सेवा से विमुक्त पदाधिकारियों के लिये संरक्षण की व्यवस्था की जा चुकी है, उसी प्रकार बिहार पशुपालन सेवा के श्रेणी- १ एवं श्रेणी-२ (सिनियर) में होनेवाली स्थायी रिक्तियों के २५ प्रतिशत पद "रिमाउन्ट एवं वेटेरिनरी कोर" के उन पदाधिकारियों के लिये जिन्हें इन पदों पर नियुक्ति के लिये बांझित योग्यताएं हों, सुरक्षित किए जाएं । सरकार ने यह भी निर्णय किया है कि यह सुरक्षण सीधी भर्ती द्वारा भरी जानेवाली रिक्तियों के लिए ही लागू होगा और यदि किसी वर्ष सुरक्षित रिक्तियों के लिये सैन्य सेवा से विमुक्त पदाधिकारी पर्याप्त संख्या—में नहीं मिलेंगे तो बची हुई रिक्तियां अन्य उम्मीदवारों से भरी जाएंगी ।

आदेश — आदेश दिया जाता है कि इस संकल्प की प्रति बिहार राजपत्र में जन-साधारण के सूचनायें प्रकाशित की जाय ।

२—यह भी आदेश दिया जाता है कि इस संकल्प की प्रति, सचिव, बिहार लोक सेवा आयोग महालेखापाल, बिहार / सरकार के सभी विभाग / सभी विभागाध्यक्ष एवं सभी जिला पदाधिकारियों को सूचना एवं अवश्य कार्रवाई के लिये अग्रसारित की जाय ।

बिहार के राज्यपाल के आदेश से

(वसन्त कुमार द्वे)

उप सचिव ।

संख्या—३ / आर १-६०२ / ७० नि० २६८३ पटना—१५, दिनांक २२ मार्च, १९९२ (स) -
११ फरवरी, १९७१ ।

प्रतिलिपि—सचिव, बिहार लोक सेवा आयोग / महालेखापाल, बिहार, सरकार के सभी विभाग / सभी विभागाध्यक्ष / सभी जिला पदाधिकारी को सूचना एवं अवश्य कार्रवाई के लिये अग्रसारित ।

(वसन्त कुमार द्वे,)

उप सचिव ।

आप संख्या—३ / आर १-६०२ / ७० नि० २६८३ पटना—१५, दिनांक २२ मार्च, १९९२ (स)
११ फरवरी, १९७१ ।

प्रतिलिपि—अधीक्षक सचिवलय मुद्रणालय, गुनजारबाग को सूचना एवं आवश्यक कार्रवाई के लिये अग्रसारित ।

२—अनुरोध है कि इस संकल्प को बिहार राजपत्र के असाधारण अंक में प्रकाशित किया जाय तथा उसकी ५०० प्रतियाँ निम्नलिखित विभाग को भेज दी जाय ।

उप सचिव ।

हरि ना० १०

संख्या—३/आर १-६०५/७१ नि० १२४१०

बिहार सरकार

नियुक्ति विभाग

प्रेषक,

श्री वसन्त कुमार दूबे,
सरकार के उप सचिव ।

सेवा में,

सभी विभागों के सचिव
सभी विभागाध्यक्ष

पटना-१५, दिनांक २२ जुलाई, १९७१ / ३१ अगस्त, १९९३ (स) ।

विषय :— भूतपूर्व सैनिकों का अर्सेनिक सेवा में पुनर्नियोजन सम्बन्धी प्रणाली ।

महोदय,

निदेशानुसार उपर्युक्त विषयक भारत सरकार प्रतिरक्षा मंत्रालय के डाइरेक्टर जनरल रीसेटलमेंट न्यू दिल्ली के पत्रांक १७६१/रेस—३ दिनांक ४-९-७० की प्रति-अनुलग्नक संहित भेजते हुए मुझे अनुरोध करना है कि भारत सरकार के निर्णय के अनुसार इस विषय में यथोचित कार्रवाई करने की कृपा की जाय तथा सभी अधीनस्थ नियुक्ति पदाधीकारियों को इस निर्णय से अविलम्ब अवगत करा दिया जाय ।

विश्वासभाजन,

(वसन्त कुमार दूबे)

सरकार के उप सचिव ।

ज्ञाप संख्या—३/आर १-६०५/७१ नि० १२४१०, पटना-१५, दिनांक २२ जुलाई, १९७१ ।

प्रतिलिपि—डाइरेक्टर जनरल रीसेटलमेंट प्रतिरक्षा मंत्रालय, भारत सरकार, जिन्द हाउस, लीटन रोड, न्यू दिल्ली-१ को उनके पत्रांक १७६१/ रेस-३, दिनांक ४-९-७० के प्रसंग में सूचनार्थ अग्रसारित ।

अंसारी—२१/२२२

वसन्त कुमार दूबे
सरकार के उप सचिव ।

Government of Bihar
Ministry of Defence
Dte. Gen. Resettlement
Jind House, Lytton Road
New Delhi-1.
The 4th Sep., '70.

No. 1761 / RES-3

To
The Secretary,
Bihar State S. S. & A. Board,
Patna.

Subject :— Rehabilitation of Ex-Servicemen in Civil Life-Reservists.

Sir,

I am directed to forward herewith a copy of Ministry of Home Affairs OM No. 13/13/70, Ests (C) dated the 24th July, 1970 on the above subject and to request you to kindly ensure that these orders are strictly complied with by all Departments/Attached / Sub-ordinate Offices of the Central Government functioning in your jurisdiction.

2. I am also to request you kindly to impress upon your State Government to issue similar instructions on the subject to all their departments and the State Public Sector Undertakings for compliance. A copy of the instructions, issued by your State Government, may be forwarded to this Dte. General.

Yours faithfully,
Sd/—T. N. K. Nair,
Lt. Col.

For Director General Resettlement.

No. 13 / 13 / 70- Ests (C)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS.

New Delhi-1, the 24th July, 1970

OFFICE MEMORANDUM

Subject :— Rehabilitation of Ex-Servicemen in Civil Life-Reservists.

The undersigned is directed to say that it has been brought to the notice of this Ministry that certain recruiting authorities have insisted that reservists should seek pre-mature discharge from reserve liability before they are offered appointment under them or are declared permanent. It may be pointed out that a person who has rendered a minimum of three years service with the colours, may be seconded to a reserve. Reserve liability is essential to entitle such persons to Army pensions, the minimum qualifying service for the grant of the same being 15 years taking their colour and reserve service together. Therefore, their pre-mature discharge from reserve service is not beneficial to them and is also not in the interests of State as it would result in the depletion of the Army Reserve. It is, therefore, considered that Ministries/Departments etc. should not insist on the reservists seeking pre-mature discharge from reserve service before considering them for either for initial appointment or confirmation.

2. Ministries/Departments etc. are also requested to bring these instructions to the notice of the public sector undertakings with which they are concerned. Department of Banking may also please inform the Nationalised Banks on the lines in para 1 above.

Sd/—T. R. Prasad
Under Secretary to the Govt. of India,

ज्ञाप संख्या ३ / आर १-६०१ / ७२-नि०—१३०५

बिहार सरकार,
नियुक्ति विभाग।

सेवा में,

सरकार के सभी विभाग
सभी विभागाध्यक्ष
सभी जिला पदाधिकारी

पटना-१५, दिनांक ५ माघ, १८९३ (स) २५ जनवरी, १९७२।

विषय :—

युद्ध में वीरगति प्राप्त सैनिकों के परिवार के सदस्यों को राज्य सरकार के अधीन तृतीय एवं चतुर्थ श्रेणी के पदों पर नियुक्ति के सम्बन्ध में दी जाने वाली सुविधा।

निदेशानुसार अधोहस्ताक्षरी को कहना है कि भारत सरकार ने वीरगति प्राप्त सैनिकों के परिवारों के सदस्यों को श्रेणी ३ एवं श्रेणी ४ के पदों पर नियुक्ति की सुविधा प्रदान करने का निर्णय लिया है। केन्द्रीय सरकार द्वारा निर्गत आदेश में (मंत्रिमंडल सचिवालय) कार्मिक विभाग का कार्यालय ज्ञापन संख्या १३/३४/७१-इस्ट (सी, दिनांक २५ दिसम्बर, १९७१ (प्रति संलग्न) व्यवस्था है कि वीरगति प्राप्त सैनिकों के प्रत्येक परिवार के दो सदस्यों तक को सीधी भर्ती द्वारा भरे जाने वाले श्रेणी ३ एवं ४ के पदों पर नियुक्त किया जायगा और इसके लिए उन सदस्यों को नियोजनालय में अपने नाम अंकित कराने की अनिवार्यता नहीं रहेगी। नियुक्ति में यह सुविधा वीरगति प्राप्त सैनिक की विधवा पत्नी के अतिरिक्त उनके पुत्र, पुत्रियों तथा निकट के सम्बन्धियों को भी प्राप्त रहेगी जो उस सैनिक परिवार के भरण-पोषण का दायित्व लेने को राजी हैं। वीरगति प्राप्त सैनिकों के परिवार के सदस्यों को छटनीग्रस्त कर्मचारियों एवं सैन्य सेवा से विमुक्त पंगु सैनिकों के ठीक बाद नियुक्ति में प्राथमिकता दी जायगी।

२। इसी आधार पर राज्य सरकार ने भी राज्य के वीरगति प्राप्त सैनिकों के परिवार के पुनर्वासन के लिए निर्णय लिया है कि इस राज्य के वीरगति प्राप्त सैनिकों के प्रत्येक परिवार के दो सदस्यों तक को श्रेणी ३ एवं ४ के पदों पर सीधी भरती द्वारा नियुक्तियों में वही सुविधा एवं प्राथमिकता दी जायगी जो भारत सरकार ने दी है, बशर्ते कि ऐसे व्यक्ति वीरगति प्राप्त सैनिक के परिवार का भरण-पोषण करने की जिम्मेदारी अपने ऊपर लें। उपर्युक्त सुविधा के उद्देश्य से वीरगति प्राप्त सैनिक के परिवार में उसकी विधवा पत्नी के अतिरिक्त पुत्र, पुत्रियां तथा निकट के सम्बन्धी जैसे, चाचा, चचेरा भाई, मामा, ममेरा भाई सदस्य माने जायेंगे। नियुक्ति विभाग द्वारा निर्गत सरकारी आदेश संख्या ८१६७-नि०, दिनांक २१ जून, १९६६ के अनुसार राज्य सरकार के अधीन नियुक्ति के लिए उम्मीदवारों को नियोजनालय में नामांकन कराना आवश्यक है, किन्तु वीरगति प्राप्त सैनिकों के परिवार के सदस्यों को इस आदेश से मुक्ति दी जाती है।

३। मंत्रिमंडल सचिवालय द्वारा निर्गत आदेश संख्या ४८७२, दिनांक २५ सितम्बर १९६७ में छटनीग्रस्त कर्मचारियों के लिए नियुक्तियों में प्राथमिकता दी गयी है। अतः इस कोटि के व्यक्तियों के ठीक बाद उद्युक्त परिवारों के सदस्यों को नियुक्ति में प्राथमिकता दी जायगी।

४। निबन्धक, उच्च न्यायालय से अनुरोध है कि वे भी अपने अधीनस्थ वर्ग ३ एवं ४ के पदों पर नियुक्ति हेतु इसी आशय का परिपत्र निर्गत करने की कृपा करें।

५। सरकार ने यह भी निर्णय लिया है कि सभी सम्बन्धित विभाग अपने अधीनस्थ सार्वजनिक प्रतिष्ठान, स्वायत्त-शासी निकाय एवं स्थानीय संस्थाओं तथा नगरपालिकाओं से युद्ध में वीरगति प्राप्त सैनिकों के परिवार के सदस्यों को उद्युक्त सुविधायें प्रदान करने के निमित्त अपेक्षित आदेश निर्गत करने के लिए अनुरोध करें

सचिबदानन्द सिन्हा,

सरकार के उप-सचिव।

ज्ञाप संख्या ३ आर १-६०१-७२ नि०—१३०५।

पटना—१५, दिनांक ५ माघ, १८९३ (स) २५ जनवरी, १९७२।

प्रतिलिपि—निबन्धक, उच्च न्यायालय, पटना को सूचना एवं आवश्यक कार्रवाई के लिए प्रेषित।

सचिबदानन्द सिन्हा,

सरकार के उप-सचिव।

No. 13/34/71-Ests. (C)
GOVERNMENT OF INDIA
Cabinet Secretariat
(Department of Personnel.)

New Delhi, dated the 25th December, 1971.

OFFICE MEMORANDUM.

SUBJECT:— Members of families of Defence Services personnel killed in action—concessions for appointment to Class III and IV posts.

As the Ministry of Defence, ect., atc aware. powers have been delegated to Ministries / Departments / authorities declared as Head of Department under S. R. 2 (10) to appoint, without reference to the Employment Exchange, a son / daughter / near relation of a Government servant who dies in harness, in the 24th circumstances referred to in M. H. A. O. M. No. 71 / 88 / 58-CS (C), dated the 24th October, 1958, O. M. No. 14 / 14 / 66:Estt. D), dated the 8th August, 1966 and O. M. No. 14 / 21 / 67:Estt. (D), dated the 1st January, 1968.

2 The question of providing relief to members of families of Defence Services personnel killed in action has now been considered. As the members of the families of such deceased Defence Services personnel are in need of immediate rehabilitation, it has been decided that upto two members each of the family of Defence Services personnel killed in action may be appointed, without registration at the Employment Exchange to Class III / IV posts filled by direct recruitment at the Employment concession, the members of the families of such deceased Defence Services personnel would include, besides his widow his sons / daughters / near relations who agree to support his (the deceased's) family.

For giving effect to the concesssion mentioned in paragraph 2. cases of such of the eligible dependents of the deceased Defence Services personnel, who are not absorbed in civilian posts under the Ministry of Defence, shall be referred by the Directorate of Resettlement of that Ministry to the Special Cell of the Directorate General of Employment and Training and the latter shall arrange for their absorption in Class III or IV posts, as the case may be in / under other Ministries Departments, under Priority II (A) i. e. immediately below the retrenched Government employees and disabled ex-servicemen who are included in priority I' vide this Department letter no. 14 / 21 / 71-Estt. (D) dated the 25th December 1971

S. KRISHNAN

Deputy Secretary to the Government of India.

To

ALL UNION TERRITORY GOVERNMENT ADMINISTRATIONS.

S. KRISHNAN.

Deputy Secretary to the Government of India.

बिहार सरकार
नियुक्ति विभाग ।

ज्ञाप संख्या ३/ आर० १-६०४/७२ नि०—७५७६

पटना-१५, दिनांक ४ वैशाख, १९९४ (स),
२४ अप्रैल, १९७२ ।

सेवा में,

सरकार के सचिव, लोक निर्माण विभाग,
सिचाई विभाग, विद्युत विभाग, लोक स्वास्थ्य अभियन्तण विभाग,
नदी घाटी योजना विभाग, आवास विभाग, सामुदायिक विकास विभाग,
उद्योग विभाग, खनन विभाग, स्वास्थ्य विभाग ।

विषय :— विगत संकटकालीन स्थिति में सैन्य सेवा में कार्य करनेवाले चिकित्सकों एवं अभियन्ताओं को रियायतें ।

निदेशानुसार मुझे कहना है कि चीनी आक्रमण एवं पाकिस्तान के साथ संघर्ष से उत्पन्न संकट की स्थिति में भारतीय सशस्त्र सेना के तीनों अंगों में से किसी में जो चिकित्सक एवं अभियन्ता स्वेच्छा से भर्ती हुए उन्हें सरकारी आदेश संख्या-नि० ९६५३ दिनांक १२ जुलाई, १९६७ (प्रतिलिपि संलग्न) के द्वारा राज्य सेवाओं में नियुक्ति में कई तरह की रियायतें दी गई हैं । इस प्रकार के चिकित्सकों एवं अभियन्ताओं को निर्देशित आदेश में दो श्रेणियों में विभक्त किया गया था । एक वे जो सैन्य सेवा में सीधी भर्ती द्वारा गये और सेवा की अवधि पूरी करने के बाद राज्य सेवाओं में नियुक्त हुए । दूसरे वे, जो राज्य सरकार की सेवाओं में थे और स्वेच्छा से सेना में गये और वहाँ से विमुक्त होने पर फिर राज्य सेवाओं में लौट आये । दूसरी श्रेणी के व्यक्तियों के लिए प्रतिबन्ध था कि स्थायीकरण का लाभ केवल उन्हें अनुमान्य होगा जो सैन्य सेवा में ८ जनवरी, १९६५ के पहले गये । इसका कारण था कि ८ जनवरी, १९६५ से अनिवार्य सैन्य सेवा योजना (Compulsory Liability Scheme) लागू हो गई थी जिसके अनुसार राज्य सेवाओं में नियुक्त अभियन्ताओं एवं चिकित्सकों को कुल मिलाकर ४ वर्षों के लिए सैन्य सेवा में अनिवार्य रूप से काम करना है ।

२ :— कुछ पदाधिकारियों ने सरकार के समक्ष अभिवेदन दिया है कि वे स्वेच्छा से सेना में गये और यद्यपि अनिवार्य सैन्य सेवा योजना उनपर लागू नहीं होती, फिर भी उन्हें अन्य सेवारत चिकित्सकों की भांति स्थायीकरण का लाभ नहीं मिला मात्र इस कारण कि वे ८ जनवरी, १९६५ के बाद सैन्य सेवा में गये थे । उनके अभिवेदन पर सावधानीपूर्वक विचार करने के बाद पाया गया कि जिन व्यक्तियों की नियुक्ति राज्य सेवा में ८ जनवरी, १९६५ के पहले हुई, उनपर अनिवार्य सैन्य सेवा योजना लागू नहीं होती । और जब अनिवार्य सैन्य सेवा योजना वैसे व्यक्तियों पर लागू नहीं होती तो उन्हें अन्य सेवारत चिकित्सकों की भांति स्थायीकरण की सुविधा से वंचित नहीं किया जाना चाहिए ।

३ :— अतएव राज्य सरकार ने निर्णय लिया है कि जिन चिकित्सकों एवं अभियन्ताओं पर अनिवार्य सेवा योजना लागू नहीं होती थी (अर्थात् जिनकी नियुक्ति राज्य सेवा में ८ जनवरी, १९६५ के पहले हुई थी) फिर भी, यदि वे स्वेच्छा से सैन्य सेवा में गये हों तो वे भी सरकारी आदेश संख्या—नि०-९३५३ दिनांक १२ जुलाई, १९६७ में सन्निहित उन सभी सुविधाओं के पात्र होंगे जो अन्य सेवारत चिकित्सकों एवं अभियन्ताओं को अनुमान्य हैं भले ही वे सैन्य सेवा में ८ जनवरी, १९६५ के बाद ही गये हों ।

(सचिवदानन्द सिन्हा)

सरकार के उप सचिव ।

ज्ञाप संख्या-३ / आर० १-६०४ / ७१ नि० ७५७६ पटना-१५, दिनांक ४ वैशाख, १९९४ (स)

२४ अप्रैल, १९७२ ।

प्रतिलिपि—उप सचिव के गार्ड फाईल के लिये ।

(सचिवदानन्द सिन्हा)

सरकार के उप सचिव ।

ज्ञा। संख्या-३/आर १-६०२/७२ नि०-७७२१

बिहार सरकार
नियुक्ति विभाग।

सेवा में,

सरकार के सभी विभाग
सभी विभागाध्यक्ष।

पटना-१५, दिनांक ६ बैशाख १९९४/२६ अप्रैल, १९७२।

विषय—आपत्कालीन कमीशन प्राप्त अधिकारियों को, जिन्हें वर्तमान आपत्काल में विशेष अल्पकालीन सेवा कमीशन प्रदान किया गया है, सिविल पदों पर लियन रखने और सैन्य सेवा में होने से असैनिक पद पर अनुपस्थिति के दौरान उनकी वरिष्ठता, स्थायीकरण तथा पदोन्नति का विनियमन।

निदेशानुसार श्री एस० सी० मिश्रा के पत्र संख्या-ए एस० ए १०५७/६३-पी० जी० डब्लू—३०३, दिनांक २० मार्च, १९६३, श्री जी० प्रसाद के परिपत्र संख्या ए० एस० ए २-२०५७/६३-पी० जी०—१०९, दिनांक ७, मार्च १९६४ तथा नियुक्ति विभाग के ज्ञाप संख्या ३/आर १-६०२ ६६-नि०—१२१३६, दिनांक २६ अगस्त, १९६८ (प्रति संलग्न) की ओर आपका ध्यान आकृष्ट किया जाता है जिनमें असैनिक सरकारी कर्मचारियों का लियन रखने तथा सैन्य सेवा में होने से असैनिक पद पर अनुपस्थिति के दौरान उनकी वरिष्ठता, स्थायीकरण तथा पदोन्नति के विनियमन के सम्बन्ध में अनुदेश जारी किये गए थे। उपर्युक्त सुविधाएँ उन असैनिक सरकारी कर्मचारियों को दी गई थी, जो विगत चीनी तथा पाकिस्तानी आक्रमण से उत्पन्न संकटकालीन स्थिति में सशस्त्र सेनाओं में भर्ती हुए थे।

२. भारत सरकार ने निर्णय लिया है कि वर्तमान आपत्काल में ३५ वर्ष से कम आयु के विमुक्त आपत्कालीन कमीशन प्राप्त अधिकारियों (Released Emergency Commissioned Officers) को दो वर्ष के लिए विशेष आपत्कालीन सेवा कमीशन (Special Short Service Commission) प्रदान किया जाय। इनमें से कुछ विमुक्त पदाधिकारी राज्य सरकार के सिविल पदों पर तथा सार्वजनिक प्रतिष्ठान, स्वायत्तशासी निकाय एवं स्थानीय संस्थाओं तथा नगरपालिकाओं के अन्तर्गत असैनिक पदों पर नियुक्त हैं। सशस्त्र सेनाओं के पुनः कमीशन प्रदान किये जाने के फलस्वरूप सैन्य सेवा में होने से उनकी अनुपस्थिति के दौरान सिविल पदों पर उनके हितों को सुरक्षित रखने के उद्देश्य से यहां विनिश्चय किया गया है कि उपर्युक्त कंडिका १ में उल्लिखित सरकारी परिपत्रों में सन्निहित अनुदेश उन विमुक्त आपत्कालीन कमीशन प्राप्त अधिकारियों पर भी लागू रहेगा जो राज्य सरकार के अधीन सिविल पदों पर काम कर रहे हैं तथा जिन्हें वर्तमान आपत्काल में सशस्त्र सेवाओं में विशेष अल्पकालीन सेवा कमीशन प्रदान किया जायगा। इन अधिकारियों की अल्पकालीन सेवा कमीशन की अवधि सिविल पदों पर वेतनवृद्धि के सम्बन्ध में भी जोड़ी जायगी।

३. सरकार के सभी विभागों से अनुरोध है कि वे अपने अधीनस्थ सार्वजनिक प्रतिष्ठान, स्वायत्तशासी निकाय एवं स्थानीय संस्थाएँ तथा नगरपालिकाओं को सरकारी निर्णय से अवगत कराते हुए समुचित निर्देश दें ताकि वे भी अपने अधीन उन विमुक्त आपत्कालीन कमीशन प्राप्त अधिकारियों को समान सुरक्षा प्रदान कर सकें, जो विशेष अल्पकालीन सेवा कमीशन योजना के अन्तर्गत अब पुनः सशस्त्र सेना में शामिल हों।

बिहार राज्यपाल के आदेश से,
सचिवदानन्द सिन्हा,
सरकार के उप-सचिव।

ज्ञाप संख्या ३/आर १-६०२/७२ नि०—७७२१

पटना-१५, दिनांक ६ बैशाख, १९९४/२६ अप्रैल, १९७२।

प्रतिलिपि, उप-सचिव के गार्ड-फाईल के लिए।

सचिवदानन्द सिन्हा,
सरकार के उप-सचिव।

७० पी० एण्ड ए०

Memo. No. III/R 1-602/68 Ni—12136

GOVERNMENT OF BIHAR
APPOINTMENT DEPARTMENT

To

ALL DEPARTMENTS GOVERNMENT
ALL HEADS OF DEPARTMENTS.

Patna-15, the 4th Bhadra, 1890/28th August, 1968.

Subject :— Grant of concession to State Government Servants who rendered Military Service during the Emergency created by the Chinese aggression and Pakistani conflict.

The undersigned is directed to say that besides the concessions granted in favour of Government Servants who had opted for "Military Service" during the Last "Emergency" as communicated in Shri S. C. Mishra's circular letter No. P. G. W.—303, dated the 29th March, 1963 and Shri G. Prasad's Memo No. P. G. W.—109, dated the 7th March, 1964, the following further concessions are also granted to all categories of Government Servants who rendered Military service during the said emergency :—

- (i) If confirmation or promotion may be depended on the passing of any departmental examination or any particular test, the persons concerned would not be confirmed or promoted during their absence from the Civil posts but posts of suitable seniority would be kept vacant for them and when they rejoin their civil posts, they would be allowed to appear at such examinations or tests on as many occasions as they would have been entitled to had they not opted for military service, and on their passing the examination or test, in the first chance they would be deemed to have passed out on the due date and would be confirmed or promoted with retrospective effect. If they, however pass in the 2nd or 3rd chance their date of confirmation or promotion would be extended correspondingly from the due date of such promotion or confirmation.
- (ii) If in any case, promotion be dependent on passing of a written test and interse seniority of such promotions be in accordance with the marks obtained by them in the said test and not in accordance with their respective seniority in the lower cadre then, if the Government servant returning from military service, passes the test in the first chance available to him, he would be deemed to have passed on the due date but his position will be at the bottom of the list of successful candidates of that batch.
- (iii) The above decisions may kindly be communicated to all subordinate appointing authorities with the request to give them effect immediately.
- (iv) Receipt of this memorandum may kindly be acknowledged.

By order of the Governor of Bihar,
B. K. Dubey,
Deputy Secretary to Government.

No. A/Sal-1057/63-PGW-109.

GOVERNMENT OF BIHAR.

POLITICAL (GENERAL & TRANSPORT) DEPARTMENT
(GENERAL BRANCH)

From

Shri GIRJA PRASAD.

UNDER-SECRETARY TO GOVERNMENT.

To

ALL SECRETARIES TO GOVERNMENT.
ALL HEADS OF DEPARTMENTS.

Patna, the 7th March, 1964

Subject -Terms and conditions of service of Civil Government servants who take military service during the present emergency.

Sir,

In continuation of this department letter no. A/Sal-1057/63-PGW-303, dated the 20th March, 1963 on the above subject, I am directed to say that the question of granting further concessions to Government servants who take up military service during the present emergency in order to safeguard their interest has been examined and the decisions reached are as follows :—

Lien.—A doubt has been raised as to whether the benefit of the next below rule envisaged in paragraph 3 of the Ministry of Home Affairs letter no. F 35/1/62 Estts. (B) of 4th December, 1962 circulated with this Department letter no. A/Sal-1057 PGW-303, dated the 20th March 1963 is admissible to temporary Government servants who are permitted to take up military service during the present emergency. It has been decided that the aforesaid order should also be applicable to temporary Government servants permitted to take up military service during the present emergency.

Treatment of transit period—The period between the date of the release of Government servants from posts and services under the State Government and the date on which they report themselves for training/duty to the military authorities shall be treated as duty in their civil posts, for which they be entitled to civil rates of pay and allowances.

2. The transit period will not be treated as duty if the Government servant avails himself of leave during the period and he will be entitled to draw only the civil leaves salary for this period. The transit period shall not in any case exceed the joining time admissible under the rules applicable to the Government servant concerned.

3. The disbursement of pay and allowances to the persons concerned for such periods shall be made by the Defence authorities, and necessary debits in respect thereof will be raised subsequently against the civil departments concerned.

4 Similarly at the time of release of the Government servant concerned from military service, the period from the date of their release and the date on which they report back for duty in their parent Departments shall be treated as duty in civil post to which they may be appointed as such reversion and they will be allowed to draw pay and allowances of those posts during that period.

Procedure for safeguarding the interests of approved candidates.

It has been decided that in order to safeguard the interests of the candidates who are selected for appointments to posts/services under the State Government either by interview on the results of

competitive examinations, but who take up military service during the present emergency before joining their civil appointments, the following steps should be taken :—

- (i) It is not necessary to make formal appointment of such candidates during their absence on military service. The posts related whether temporary or permanent, may be filled as a stop-gap arrangement until the return of such candidates from military service and the position made clear to the temporary appointments.
 - (ii) On return from military service the candidates originally selected may be appointed to the related posts, to which they would have been appointed, had they not proceeded on military service, provided they are physically fit as required under rules. Such candidates should be required to undergo such training and or to pass such departmental examination as may have been prescribed in the rules governing appointment to and confirmation in the related posts.
 - (iii) In the case of candidates selected for appointments to temporary civil posts their appointments after their return from military service would be subject to the conditions that those posts are still in existence and their military service is approved.
 - (iv) After such candidates are appointed to the civil posts/services for which they were selected before they took up military service, their seniority interse will be determined in the order of their original selection to the posts/services concerned.
 - (v) In appointment to the civil posts, the pay of such a candidate should be fixed on the basis of the date on which he would have been appointed to the post if he had not taken up military service. In respect of candidate selected for appointment on the results of a competitive examination; such date would be date on which the majority of the candidates offered appointment on the results of that examination joined service. Where a candidate was selected on the basis of interview the administrative authorities concerned would themselves decide the date on which the candidate would have been appointed, had he not taken up military service.
- Steps may also be taken to ensure that employees of the local bodies under the State Government get similar terms and conditions.

Yours faithfully,

GIRIJA PRASAD,

Under-Secretary to Government.

MEMO No. 109.

Copy forwarded to all District Officers for information.

GIRIJA PRASAD,

Under-Secretary to Government.

MEMO No. 109.

Patna-15, the 7th March, 1964.

Copy forwarded to Finance* Department for communication to Accountant-General, Bihar, for information.

*Consulted

U./O.

GIRIJA PRASAD,

Under-Secretary to Government.

No. A / Sal-1057 / 63-P. G. W.—303

GOVERNMENT OF BIHAR
Political (General & Transport) Department
(General Branch)

From

SRI S. C. MISHRA.
SECRETARY TO GOVERNMENT.

To

ALL SECRETARIES TO GOVERNMENT.
ALL HEADS OF DEPARTMENTS

Patna, the 20th March, 1968.

SUBJECT:— Terms and conditions of service of Civil Government Services who take-up-Military who take up Military service during the present emergency.

Sir,

I am directed to enclose copies of the originally noted memoranda which the

1. Office Memorandum no. F, 35/- 1-62-Estts (B), dated the 4th December 1962 regarding lien
2. Office memorandum no. F, 33 / 1-62—Estts (B), dated the 4th December 1962 regarding pay while in Military service.
3. Office memorandum no. F. 35 / 1/- 62-Estts (B), dated the 4th December 1962 regarding leave conditions.
4. Office memorandum no. F. 36 / 1 / 62 —Estts (B), dated the 4th December 1962 regarding term in matters of provident Fund.
5. Office memorandum no. F, 35 / 8 / 63—Estts (B), dated the 28th January 1962 regarding period spent on interviews, medical examination, etc,

Government of India have issued on the above subject and to say that the State Government have decided that the same terms and conditions as laid down in these memoranda will also apply mutatis mutandis to the Civil Government servants under their employ who take up Military service during the Present emergency.

2. Steps may also be taken to ensure that employees of the local bodies under the State Government get similar terms and conditions.

Yours faithfully,
S. C. MISHRA,
 Secretary to Government.

Memo No. A / Sal-1057 / 62-PGW-303.

Patna, the 20th March 1963.

Copy with copies of the enclosure forwarded to all District Officers for information,

S. C. MISHRA.

Secretary to Government.

Memo No, 303

Patna, the 20th March 1963.

*Consulted Copy, with copies of the enclosure, forwarded to the *Finance Department for Un-officially. communication to the Accountant-General, Bihar.

S. C. MISHRA,

Secretary to Government.

७० पी० एच० ए०

No. C. F. 35 / 1 / 62 -Estts (B)

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS.

New Delhi-1, the 4th December, 1962.

OFFICE MEMORANDUM.

SUBJECT:— Lien of civil Government servants who are permitted to take up military service during the present emergency.

The undersigned is directed to say that it has been decided that all permanent civil Government servants, who are permitted to take up military service during the present emergency, should be allowed to retain lien on their civil posts during the period of their absence on military service to enable them to return to their civil posts on release from military service.

2. Under the Fundamental Rules a lien on the post temporarily held by a civil Government servant cannot be granted. It has been decided that temporary civil Government servants who are permitted to take up military service should if they so apply, be permitted to return to their civil posts on release from military service, provided those posts are still in existence at that time and the services rendered as 'approved' military service.

It has further been decided in consultation with the Ministry of Finance that in the case of civil Government servants who are permitted to take up military service during the present emergency, the period of their military service shall be treated as service outside the ordinary lien for the purpose of the proviso to F. R. 30 (1), as a result of which they will be entitled to proforma promotion in their present department under the next below rule and also to seniority in higher posts to which they would otherwise have been entitled, if they had not proceeded on military service.

4. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, those orders have been issued after consultation with the Comptroller and Auditor General of India.

B. D. JAYAL,

Deputy Secretary to Government of India.

To

*1. All Ministries to the Government of India, ect., / all Union Territories / all Zonal Councils / all attached and Subordinate Officers of the

*With usual number of spare ministry of Home Affairs including Union public Service Commission copies.

spare copies will follow.

Copy to all sections of Ministry of Home Affairs.

No. F. 35/1/62—Estts(B),

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

New Delhi-11, the 4th December, 1962.

OFFICE MEMORANDUM

Subject—Leave condition of Civil Government servants who are permitted to take up military service during the present emergency.

The undersigned is directed to say that it has been decided in consultation with the Ministry of Finance and the Ministry of Defence that permanent civil Government servants who are permitted to take up military service during the present emergency, shall be allowed to earn leave during military service according to the civil leave rules applicable to them before their transfer to military service.

The amount of leave actually taken by such persons, while in military service, shall be deducted from their civil leave accounts. Any case of excess consumption of leave during Military service shall be condoned but if the leave taken during military service is less than the leave earned during that service according to the civil leave rules the balance will be credited to their civil leave accounts.

2. Temporary civil Government servants will, during military service be governed by the Military leave rules in all respects.

3. In all cases, the leave salary will be paid by the Defence authorities and no leave salary contribution shall be demanded by the Civil Departments from the Ministry of Defence.

4. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor-General of India.

B. D. JAYAL,

Deputy Secretary to the Government of India.

To

*With usual number of spare copies.

*All Ministries of the Government of India etc./all Union Territories/all Zonal Councils/all attached/Subordinate Offices of the Ministry of Home Affairs, including U. P. S. C.

Spare copies will follow.

.Copy to all Sections of the Ministry of Home Affairs.

No. F. 35/1/62-Estts (B)
Government of Bihar
Ministry of Home Affairs

New Delhi-11, the 4th December, 1962/13th Agrahayana, 1884

OFFICE MEMORANDUM

Subject :— Pay of Civil Government servants who are permitted to take up military service during the present emergency.

The undersigned is directed to any that it has been decided in consultation with the Ministry of Finance and the Ministry of Defence that Civil Government servants who are permitted to take up Military Service during the present emergency, shall be entitled to draw during Military service the civil rates of pay and allowances which would have been admissible to them from time to time, if they had not proceeded on military service, or the military rates of pay and allowances, whichever are higher. In the case of civil Government servants who take up military service as J. C. O./Other Ranks, the civil rates of pay and allowances which would have been admissible to them from time to time shall however, be reduced by Rs. 25 per month on account of free rations.

2. It has also been decided that where the civil rates of pay and allowances are admissible the difference between those rates and the military rates will be paid by the Defence authorities and a debit thereof will subsequently be raised against the Civil Department concerned.

3. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor General of India.

B. D. JAYAL,

Deputy Secretary to Government of India.

IMMEDIATE

No. F. 35/3/63—Estts (B).
Government of India,
Ministry of Home Affairs.

New Delhi-11, the 28th January, 1963

OFFICE MEMORANDUM

Subject :— Treatment of the period spent by civil Government servants on interviews, medical Examination with their joining military service during the present emergency.

It has been decided that in case of Civil Government Servants who are permitted to take up military service during the present emergency, the period of absence from duty occasioned by their interview, medical examination etc., in connection with their joining military service should be treated as special casual leave. This concession would however, be admissible only in those cases where it may not be possible for the Government servants concerned to attend to their duties after the interviews, medical examination, etc. If a Government servant withdraws his candidature subsequently, he would not be entitled to any special casual leave. The Ministry of Finance, etc., are requested to extend these orders, if they have no objection, to the corporations and public undertakings under them. Copies of the orders issued may please be sent to this Ministry.

2. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these have been issued after consultation with the Comptroller and Auditor-General of India.

Yours faithfully,

B. D. JAYAL,

Deputy Secretary to the Government of India.

No. F. 35/1/62-Estts (B)
Government of India,
Ministry of Home Affairs.

New Delhi-11, the 14th December, 1967.
Office Memorandum

Subject :— Terms in the matter of provident Fund of Civil Government servants who take up military Service during the present emergency.

The undersigned is directed to say that it has been decided that civil Government servants who take up military service during the present emergency shall, while so employed and subject to the conditions stated below, retain their right or liability, as the case may be, of subscribing in accordance with the rules of the Fund concerned to any Provident Fund of which he is a member.

2. While in military service, subscriptions, to the Provident Funds and the Government contribution towards the account of a subscriber to the Contributory Provident Fund (India) will be calculated on the basis of the Government servants emoluments (as defined in the rules of the different funds concerned). The Government contribution, where payable towards the Provident Fund Account of a subscriber during the period of military service will form a charge against the Defence service estimates. Those estimates will however be entitled to a refund of the whole amount charged thereto on this account, or of a proportion thereof, as the case may be in any individual case in which the whole of the Government contribution with interest thereon or a fraction thereof is withheld under rule 26 of the Contributory Provident Fund Rules (India).

3. The above orders do not apply to :...

- (i) Persons in Railway Service who take up military services;
- (ii) Persons in other civil employ on contract who are so transferred to military service during the currency of their contracts; and
- (iii) Persons borne on the reserve of the Indian Forces who are called up for service in those Forces.

4. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor-General of India.

B. S. JAYAL
Deputy Secretary to the Government of India.

To

* With usual number of
spare copies

* Spare copies will
follow.

* All Ministries of the Government of India etc.

* All Union Territories/All Zonal Councils.

बि० स० शा० मु० (पी० एण्ड) ७०-१,०००-५-३-१९७३-न० प्रसाद ।

बिहार सरकार,
कामिक विभाग।

ज्ञाप संख्या—३/आर० १-६०१/७२ का० १२८८४/ पटना—१५, दिनांक २४ आषाढ़, १८९४ (स)
१५ जुलाई, १९७२।

सेवा में,

सरकार के सभी विभाग
सभी विभागाध्यक्ष
सभी जिला पदाधिकारी

विषय:— युद्ध में वीरमति प्राप्त सैनिकों के परिवार के सदस्यों को राज्य सरकार के अधीन तृतीय एवं चतुर्थ श्रेणी के पदों पर नियुक्ति के सम्बन्ध में दी जानेवाली सुविधा।

निदेशानुसार उपर्युक्त विषयक नियुक्ति विभाग के पत्र संख्या-३/आर० १-६०१/७२ नि० १३०५ दिनांक २५-१-७२ के क्रम में अधोहस्ताक्षरी को कहना है कि विधान सभा एवं विधान परिषद के अधीन वर्ग ३ एवं ५ के पदों पर नियुक्ति में भी उपर्युक्त नियुक्ति विभाग के परिपत्र में सन्निहित आदेश लागू होंगे।

(केशव मोहन ठाकुर)

उप सचिव।

ज्ञाप संख्या-३/आर० १-६०१/७२ का० १२८८४/ पटना—१५, दिनांक २४ आषाढ़, १८९४ (स)
१५ जुलाई, १९७२।

प्रतिलिपि—सचिव विधान सभा/विधान परिषद् को उनके पत्रांक १/स्था०-प्र७/७२-१२०५ दिनांक २९-३-७२ वि० प० स्था—२२२/७२-२१२३ (२) दिनांक २६-४-७२ के निदेश में सूचनार्थ अवसारीत।

(केशव मोहन ठाकुर)

उप सचिव।

बिहार सरकार,
कामिक विभाग।

नाप संख्या—३-१-६०१ / ७२ का० १७२६२ / पटना—१५, दिनांक ३ भाद्र, १८९४ (स)
१४ सितम्बर, १९७२

मेधा में,

सभी सरकारी विभाग,
सभी विभागाध्यक्ष।

विषय:—

राज्य सरकार, राज्य सरकारी क्षेत्र उपक्रम, स्थानीय निकाय और अन्य स्वशासी संस्थाओं के अधीन सिविल नियोजन में प्रतिरक्षा सेवा के विकलांग कर्मचारियों का पुनर्नियोजन।

निदेशानुसार अधोहस्ताक्षरी को कहना है कि शत्रु के विरुद्ध या उपद्रवग्रस्त क्षेत्रों में की गयी कार्रवाइयों में विकलांग हुए प्रतिरक्षा सेवा के कर्मचारियों के पुनर्नियोजन की समस्या पर भारत सरकार का ध्यान आकृष्ट होता रहा है। अतएव उसने उचित विचार विमर्श के बाद यह विनिश्चय किया है कि ऐसे भूतपूर्व सैनिकों को अपने अधीन सिविल पदों पर नियोजित करने के प्रयोजनार्थ कुछ रियायतें दी जायें। तदनुसार बिहार के विकलांग हुए भूतपूर्व सैनिकों के पुनर्नियोजन के लिये राज्य सरकार ने भी यह विनिश्चय किया है कि सरकार, राज्य सरकारी क्षेत्र उपक्रम, स्थानीय निकायों और अन्य स्वशासी संस्थाओं के अधीन सिविल पदों पर ऐसे व्यक्तियों के नियोजन के लिये निम्नलिखित रियायतें दी जायें:—

(१). श्रेणी १ और श्रेणी २ के पदों पर नियुक्तियों में प्राप्ति:—

प्रतिरक्षा सेवा के विकलांग कर्मचारी, जिन्हें विहित योग्यतायें और अनुभव हो और जिनकी उम्र ४५ वर्ष (अनुसूचित जातियों / अनुसूचित जनजातियों के विकलांग कर्मचारियों की दशा में ५० वर्ष, से अधिक न हो, श्रेणी १ और श्रेणी २ के पदों पर नियुक्ति के लिये प्रथम प्राप्ति के हकदार होंगे, वस्तुतः कि भर्ती लोक सेवा आयोग द्वारा साक्षात्कार के आधार पर की जाय और वे पद के उपयुक्त पाये जायें।

उपयुक्त प्रयोजन के निमित्त सरकारी विभागों के लिये यह आवश्यक होगा कि पदों को भरने सम्बन्धी अधापेक्षाओं की प्रतियां उस आयोग के पास जहां उक्त व्यक्तियों को साक्षात्कार करना हो, भेजने के साथ ही साथ महानिदेशक, पुनर्नियोजन प्रतिरक्षा मंत्रालय, भारत सरकार के पास भी भेजें।

(२) नियुक्ति के लिये प्रतियोगिता परीक्षा में बैठने के अवसर दिये जायें:—

यदि श्रेणी, १, २ और ३ के पदों पर नियुक्तियों लोक सेवा आयोग द्वारा संचालित या आयोग से भिन्न निकायों द्वारा ली गयी प्रतियोगिता परीक्षा के परिणाम के आधार पर की जाय, तो प्रतिरक्षा सेवा के विकलांग कर्मचारियों को बतते कि वे शैक्षिक रूप से योग्य हों, उतने से अधिक अवसर न दिये जायेंगे बल्कि कि एक खास उम्र सीमा के भीतर वाले हरेक सामान्य उम्मीदवार को अधिक से अधिक दिये जाते हैं।

(३) श्रेणी ३ और श्रेणी ४ के पदों पर हुई रिक्तियों का आरक्षण:—

स्थायी रिक्तियां सहित श्रेणी ३ के पदों की दस प्रतिशत रिक्तियां और श्रेणी ४ के पदों की २० प्रतिशत रिक्तियां, जो प्रतिवर्ष सीधी भर्ती द्वारा भरी जाती हो, भूतपूर्व सैनिकों और विकलांग भूतपूर्व सैनिकों के लिये आरक्षित रहती हैं, बतते कि हरेक भर्ती वर्ष में भूतपूर्व सैनिकों, अनुसूचित जातियों /

अनुसूचित जनजातियों (अनुसूचित जातियों और अनुसूचित जनजातियों के लिये अग्रणीत आरक्षणों सहित) तथा हरेक अन्य कोटि के लिये आरक्षित रिक्तियों की संख्या कुल मिला कर उस वर्ष भरी जाने वाली रिक्तियों के ४५ प्रतिशत से अधिक न हो।

इन आरक्षित रिक्तियों को भरने में सबसे पहले विकलांग भूतपूर्व सैनिकों को और उसके ठीक बाद युद्ध में मारे गये प्रतिरक्षा सेवाओं के कर्मचारियों के हरेक परिवार के दो सदस्यों को प्राथता दी जायगी।

(४) अधिकतम उम्र सीमा को शिथिल करना:—

प्रतिरक्षा सेवाओं में भूतपूर्व सैनिकों द्वारा की गयी सेवा की अवधि के अलावा विकलांग भूतपूर्व सैनिकों को अधिक से अधिक तीन वर्षों तक उम्र में रियायत दी जायगी।

उम्र सम्बन्धी रियायत का दावा करने के प्रयोजनार्थ ऐसे दावे के समर्थन में केवल महा-निदेशक पुनर्नियोजन प्रतिरक्षा मंत्रालय से प्राप्त प्रमाण पत्र को ही लेख्यात्मक साक्ष्य के रूप में स्वीकार किया जायगा।

(५) विहित शैक्षिक योग्यताओं को शिथिल करना:—

थपरासी, दफ्तरी, जमादार और अभिलेख आपूरक (रेकार्ड सप्लायर के) पदों के लिये प्रतिरक्षा सेवाओं के विकलांग कर्मचारियों को विहित शैक्षिक योग्यताओं में छूट दी गयी है, बशर्त कि वे सशस्त्र बल (फोर्स) से अलग होने के पहले तीन वर्षों तक सेवा में रहे हों।

(६) स्वास्थ्य स्तर (मेडिकल स्टैण्डर्ड)।

विकलांग भूतपूर्व सैनिकों को श्रेणी १ से ४ के पदों पर नियोजन के प्रयोजनार्थ प्रतिरक्षा सेवाओं के सैन्य वियोजन चिकित्सा बोर्ड (डिमोबिलाइजेशन मेडिकल बोर्ड) द्वारा दिया गया स्वस्थता प्रमाण पत्र, सामान्यतः, पर्याप्त समझा जायगा। किन्तु आपवादिक परिस्थितियों में, यदि सैन्य वियोजन के बाद किसी व्यक्ति को शारीरिक क्षमता में घट-बढ़ हो जाये, तो नियुक्ति प्राधिकारी, समुचित सिविल चिकित्सा बोर्ड से, नये सिरे से उसकी स्वास्थ्य परीक्षा की अपेक्षा कर सकेगा, और यदि विकलांग कर्मचारी पद के कर्तव्यों के निर्वहन के लिये योग्य पाये जायें तो उन्हें स्वास्थ्य की दृष्टि से योग्य समझा जायगा।

(२) सभी नियुक्ति प्राधिकारी को कृपया यह निदेश दे दिया जाय कि वे राज्य सरकार के उपर्युक्त विनिश्चय को तुरन्त अंजाम दें और यह सुनिश्चित करें कि उसका ठीक से अनुपालन हो रहा है।

(३) उच्च न्यायालय और राज्य विधान मण्डल सचिवालय से अलग से अनुरोध किया गया है कि वे अपने अधीनस्थ श्रेणी ३ और श्रेणी ४ के पदों के सम्बन्ध में ऐसे ही अनुदेश निर्गत करें।

(४) सरकारी विभागों को यह निदेश दिया जाता है कि वे राज्य सरकारी क्षेत्र उपक्रमों, स्थानीय निकायों और अन्य स्वशासी संस्थाओं के द्वारा जिनसे वे सम्बद्ध हों, इन विनिश्चयों को तुरन्त अंजाम दिलाने के लिये कार्रवाई करें। उन्हें निर्गत अनुदेशों की एक प्रति अभिलेख के लिये, कृपया, नियुक्ति विभाग को भेज दी जाय।

(५) जन सम्पर्क निदेशक से अनुरोध है कि वे प्रेस और रेडियो के जरिये सरकार के इन विनिश्चयों का व्यापक प्रचार करें।

बिहार राज्यपाल के आदेश से

(सचिवदानन्द सिन्हा)

सरकार के उप सचिव

ज्ञाप संख्या-३/आर १-६०३/७२ का० १७२६२/पटना-१५, दिनांक २३ भाद्र, १८९४ (स)
१४ सितम्बर, १९७२।

प्रतिलिपि—सचिव, बिहार लोक सेवा आयोग को जानकारी के लिये भेजी जाती है।

(सच्चिदानन्द सिन्हा)
सरकार के उप सचिव।

ज्ञाप संख्या-३/आर १-६०३/७२ का० १७२६२/पटना-१५, दिनांक २३ भाद्र १८९४ (स)
१४ सितम्बर, १९७२।

* गैर सरकारी तौर
पर परामर्शित

प्रतिलिपि—दो प्रतियों में वित्त विभाग * को जानकारी तथा महासेवापाल, बिहार के पास भेजने के
लिए अग्रसारित की जाती है।

(सच्चिदानन्द सिन्हा)
सरकार के उप सचिव।

संख्या ३ / आर—६०३ / ७३—७८५०-का०

कार्यक विभाग

संकल्प

२२ मई १९७३

विषय —

बिहार सीमित प्रतियोगिता (नियुक्ति आपातक आयुक्त / अल्प सेवा आयुक्त तथा आयुक्त और अन्य
कोटिगत पदाधिकारी) परीक्षा में सम्मिलित होने के लिये पात्रता।

सैन्य सेवा से लौटने पर उसके पुनर्वास की समस्या को ध्यान में रखते हुए राजकीय संकल्प सं० १४३३१
दिनांक २१ सितम्बर १९६७ (प्रति संलग्न) के द्वारा व्यवस्था की गई थी कि राजकीय सेवाओं में वर्ग १ और २ के पदों
पर इसकी नियुक्ति के लिये लोक-सेवा आयोग सीमित प्रतियोगिता परीक्षा का आयोजन करेगा और ऐसे आवेदकों
को जो सैन्य में जाने के पूर्व असैनिक पदों पर नियुक्ति के योग्य थे उन्हें सीमित प्रतियोगिता परीक्षा में उतनी ही बार
बैठने का अवसर प्राप्त रहेगा जितनी बार कि वे संयुक्त प्रतियोगिता परीक्षा में बैठते यदि वे सैन्य सेवा में
शामिल नहीं हुए होते।

२। वर्तमान राजकीय आदेश से उन आवेदकों की समस्या का सामाधान नहीं होता है जो सैन्य सेवा
या सैन्य सेवा पूर्व प्रशिक्षण में जाने के पहले शैक्षिक योग्यता तो रखते हैं पर असैनिक पद पर नियुक्ति के लिये उनकी
उम्र विहित आयु से कम रही हो अथवा विहित उम्र के होते हुए भी शैक्षिक योग्यता नहीं रखते हैं, या शैक्षिक योग्यता
और निम्नतम आयु दोनों की दृष्टि से संयुक्त प्रतियोगिता परीक्षा में बैठने के लिये सक्षम नहीं रहे हों।

३। राज्य सरकार ने निर्णय लिया है कि सैन्य सेवा के दौरान यदि ऐसे आवेदकों में से किसी ने असैनिक पद पर नियुक्ति के लिए निर्धारित निम्नतम आयु प्राप्त कर ली हो और बिहित आयु-सीमा के अन्दर शैक्षिक योग्यता भी, किन्तु सैन्य सेवा में योगदान के चलते संयुक्त प्रतियोगिता परीक्षा में बैठने का अवसर खो दिया हो तो ऐसे आवेदकों को भी सीमित प्रतियोगिता परीक्षा में बैठने का उतना ही अवसर प्राप्त रहेगा जितना कि उन्हें मिलता यदि वे सैन्य सेवा में नहीं गये रहते।

आदेश— आदेश दिया जाता है कि इस संकल्प की प्रति "बिहार राजपत्र में जन साधारण को सूचना के प्रकाशित की जाय।

२। यह भी आदेश दिया जाता है कि इस संकल्प की प्रति सचिव, बिहार लोक-सेवा आयोग / महासेवाकार, बिहार / सरकार के सभी विभागाध्यक्ष, सभी जिला पदाधिकारियों को सूचनाएं एवं आवश्यक कार्रवाई हेतु अप्रसारित की जाय।

बिहार-राज्यपाल के आदेश से,

सचिवदानन्द सिन्हा

सरकार के उप-सचिव।

बिहार सरकार
कामिक विभाग

ज्ञाप संख्या-३/आर १-६०३/७ का० १०१६९

पटना—१५, दिनांक २ जुलाई १९७३

सेवा में,

सरकार के सभी विभाग
सभी विभागाध्यक्ष।

विषय :—राज्य सरकार राज्य सरकारी क्षेत्र उपक्रम, स्थानीय निकाय और अन्य स्वशासी संस्थाओं के अधीन नियोजन में प्रतिरक्षा सेवा के विकलांग कर्मचारियों का पुर्नियोजन।

निदेशानुसार उपर्युक्त विषयक कामिक विभाग के परिपत्र संख्या-३/आर ६०३/७२-१७२६२ दिनांक १४ सितम्बर, १९७२ के क्रम में अधोहस्ताक्षरी को कहना है कि श्रेणी-३ एवं ४ के पदों पर नियुक्ति में विकलांग सैनिकों को और अधिक सुविधा देने के उद्देश्य से राज्य सरकार ने निर्णय लिया है कि अब से उक्त श्रेणियों के पदों पर नियुक्ति के प्रयोजनार्थ विकलांग सैनिकों को नियोजनालय में अपने नाम अंकित कराना आवश्यक नहीं होगा। राज्य सरकार ने यह भी निर्णय लिया है कि सीधी भर्ती द्वारा भरी जानेवाली रिक्तियों की सूचना नियोजनालय को भेजने के साथ-साथ सचिव, राज्य सैनिक पर्वद को भी दी जानी चाहिए ताकि वे विकलांग सैनिकों को इसकी जानकारी करा सकें।

२—आवेदन करने पर जो विकलांग सैनिक नियुक्ति के लिए नहीं चुने जा सकें उनके सम्बन्ध में सम्बद्ध विभाग/कार्यालय को उनके नहीं चुने जाने के कारण की सूचना सचिव, राज्य सैनिक पर्वद तथा श्रम एवं नियोजन विभाग को देना आवश्यक होगा।

३—सचिव, राज्य सैनिक पर्वद समय-समय पर विकलांग सैनिकों की सूची श्रम एवं नियोजन विभाग को भेजेंगे ताकि उक्त विभाग विकलांग सैनिकों को गैर सरकारी प्रतिष्ठानों में भी नियोजित कराने की दिशा में आवश्यक कार्रवाई कर सके।

४—राज्य सरकारी क्षेत्र, उपक्रमों, स्थानीय निकायों एवं अन्य स्वशासी संस्थाओं को सम्बद्ध विभागों द्वारा उपर्युक्त आदेश का अनुदेश निर्गत किया जाय और इसकी सूचना कामिक विभाग को दी जाय।

(सचिवदानन्द सिन्हा)

सरकार के उप-सचिव।