

No. 133/XXXVI(3)/2009/14(1)/2009

Dated Dehradun, March 16, 2009

NOTIFICATION

Miscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttarakhand [The Uttar Pradesh Public Service (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993] (Amendment) Bill, 2009 (Uttarakhand Adhiniyam Sankhya 03 of 2009) :-

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on March 07, 2009.

THE UTTARAKHAND [THE UTTAR PRADESH PUBLIC SERVICE (RESERVATION FOR PHYSICALLY HANDICAPPED, DEPENDENTS OF FREEDOM FIGHTERS AND EX-SERVICEMEN) ACT, 1993] (AMENDMENT) ACT, 2009

(ACT No. 03 OF 2009)

For further to amend the Public Service (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993 (Adaptation and Modification Order, 2002).

AN

ACT

Be it enacted in the Sixtieth Year of Republic of India :-

1. (1) This Act may be called the Uttarakhand [The Uttar Pradesh Public Service (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993] (Amendment) Act, 2009.

Short title and Commencement

(2) It shall come into force at once.

2. In the Uttar Pradesh Public Service (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993 (Adaptation and Modification Order, 2002) hereinafter referred to as the principal Act, wherever the word "Ex-servicemen" is used the word "Purva Sainik" shall be read.

Purva Sainik shall be read in place of Ex-Servicemen

3. In the principal Act for the existing Clause (c) of section 2 the following clauses shall be substituted namely :-

Substitutions of Clause (c) or section 2

"(c) '**Purva Sainik**' means domicile of Uttarakhand who has served the Indian Army, Navy or Airforce as fighter or non-fighter and who has--

- (1) retired from such service after earning their pension; or
- (2) who has been released from such service on medical grounds as required for military service or has been released under such circumstances beyond his control and who has been given medical or other eligibility pension; or
- (3) who has been released on account on resignation in establishment of such service and not on his own request; or
- (4) who has been released from such service after completing a specific period but has not on his own request, or has not been terminated or removed from service because of misconduct or inefficiency and who has been paid gratuity, and including following categories of Territorial Army personnel are also:--

(i) Those receiving pension for continuous organized service;

(ii) Medically unfit due to military service;

(iii) Those who received bravery award."

Substitutions of
Clause (e) of
section 2

4. For clause (e) of section 2 of the Principal Act, for the existing clause shall be substituted as follows; namely :--

"(e) 'Physically handicapped person' means domicile of Uttarakhand suffering from the following :--

- (i) Blindness or low vision;
- (ii) Hearing impairment;
- (iii) Locomotor disability or cerebral palsy;"

Substitutions of
sub-section (1)
of section 3

5. For sub-section (1) of section 3 in the principal Act, the following sub-section shall be substituted; namely:--

"(1) In the procedure for direct recruitment the reservation shall be as follows :--

- (i) In public services posts 2% of the vacancies for dependents of freedom fighters and 5% of the vacancies for Ex-Servicemen;
- (ii) In public services & posts as may be notified through notification by State Government, 1% of the vacancies for each suffering from the following :--

- (a) Blindness or low vision;
- (b) Hearing impairment;
- (c) Locomotor disability or cerebral palsy."

By Order,

RAM DATT PALIWAL,
Secretary.