

GOVERNMENT OF RAJASTHAN
DEPARTMENT OF PERSONNEL
(A-Gr.II)

No. F. 5(1)DOP/A-II/ 18 pt.

Jaipur, dated : 9.9.2022

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan hereby makes the following rules regulating the appointment of dependents of deceased defence personnel (battle casualties), namely:-

1. Short title, commencement and application.- (1) These rules may be called the Rajasthan Appointment of Dependents of Deceased (Martyred) Armed Forces Personnel Rules, 2022.

(2) These rules shall apply to dependents of deceased (Martyred) Armed Force Personnel who are bonafide residents of the State of Rajasthan.

(3) They shall come into force with immediate effect.

2. Scope.- Notwithstanding anything contained in any Service Rules regulating the recruitment of persons in various services of the State or in the rules that may be framed hereinafter, the dependent of a deceased (Battle Casualty) Armed Forces Personnel during the period from 15-08-1947 to 31-12-1971 and who was a bonafide resident of the State shall be eligible for appointment to the posts specified in various Service Rules and they shall not confer any right to a particular post.

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

- (i) **“Appointing Authority”** means the Government of Rajasthan and includes any other officer to whom powers have been delegated by the Government through a Special or General order to exercise the powers and functions of the Appointing Authority under the relevant Service Rules, if any;
- (ii) **“Armed Forces Personnel”** means the personnel of Army, Navy and Air Force of the Union;
- (iii) **“Board”** means the Rajasthan Staff Selection Board;

(iv) **"Dependents"** means,-

- (a) Spouse, or
- (b) Son/adopted son, or
- (c) Daughter/adopted daughter, or
- (d) Grandson/adopted grandson, or
- (e) Grand daughter/ adopted grand daughter ,or
- (f) Daughter's son/ adopted daughter's son, or
- (g) Daughter's daughter/ adopted daughter's daughter, or
- (h) Brother or sister/ brother's son/ brother's daughter, sister's son/ sister's daughter in case of unmarried deceased Armed Force Personnel.

Note:-Adoption means legally adopted son/daughter under the Hindu Adoption and Maintenance Act, 1956. For dependents of personnel belonging to other than Hindu religion, case will be referred to Department of Personnel (A-II) for necessary clarification.

(v) **"Government"** means the Government of Rajasthan.

(vi) **"State"** means the State of Rajasthan; and

(vii) **"Bonafide Resident"** means a person who possesses Bonafide Resident Certificate issued by the Competent Authority.

4. Appointment subject to certain conditions.- An Armed Forces Personnel (Army, Navy, Air Force) who has died in war or any Defence Operation including counter insurgency and counter terrorists operations during the period from 15-08-1947 to 31-12-1971 while in service and declared a Battle Casualty by the authorized office of Armed Forces Headquarters, one of the dependents of such Armed Forces Personnel may be considered for appointment in Government Service.

5. Selection of posts.- (1) The dependents may be considered for appointment to a post upto level in pay matrix L-10 and meant for being filled up by direct recruitment in the Subordinate Services, Ministerial Services or Class IV Services, as the case may be, according to his/her educational qualification and



fulfillment of other service conditions irrespective of the rank and status of the deceased.

(2) Once an appointment has been made on any post under these rules, the benefit intended under these rules shall be deemed to have been availed and the case shall not be re-opened for appointment to any other post in any circumstances.

6. Qualifications.- (1) The dependents should possess the qualifications prescribed for the post under the concerned service rules at the time of appointment.

(2) While considering for an appointment, the requirement of educational qualifications for that particular post shall be essential.

(3) Before a dependent is appointed, Appointing Authority shall satisfy himself / herself that such dependent is otherwise fit for the Government Service with regards to his/her character, physical fitness and fulfillment of other general conditions prescribed in the concerned service rules.

7. Age.- The dependents should be within the age limit prescribed for the post under the service rules concerned at time of appointment:

Provided that the crucial date for calculating age shall be the date of receipt of application for appointment. The time spent in arranging a suitable post shall not disqualify the dependents in case he/she becomes overage during that period.

8. Order of preference.- The order of preference for appointment under these rules shall be as under,-

- (i) if widow of Shaheed (Martyr of Armed Forces) is alive then any one of the dependents, as defined in clause (iv) of rule 3, nominated by the widow ;
- (ii) if widow of Shaheed (Martyr of Armed Forces) is not alive, then son /adopted son, daughter/ adopted daughter and if son/adopted son, and daughter/adopted daughter are not eligible, then one of the dependents as defined in clause (iv) of rule 3, nominated by Parent of Shaheed (Martyr) and if Parent of Shaheed (Martyr) are not alive, then one of the

dependents as defined in clause (iv) of rule 3, nominated by the senior most dependent, as per seniority of age, of the shaheed (Martyr);


- (iii) if Shaheed (Deceased Personnel of Armed Forces) was unmarried, any dependent as specified in sub-clause (h) of clause (iv) of rule 3, nominated by parents, if parent are not alive, then eldest brother/ sister of shaheed as per seniority of age and if brother or sister is not eligible, brother's son/brother's daughter or sister's son/ sister's daughter as per seniority of age.

9. Procedural requirement etc.- The procedural requirement for selection, such as training or departmental examination or typing on computer, shall not be insisted upon at the time of initial appointment. The dependents shall, however, be required to clear such training or departmental examination or typing on computer within a period of two years from the date of appointment for confirmation, failing which his/her appointment shall be liable to be terminated. No annual increments will be allowed until he/she acquires such qualifications. On acquiring such qualifications, annual grade increments shall be allowed notionally from the date of appointment but no arrears will be paid.

Note: For the purpose of this rule, such test shall be conducted by the committee empowered under notification/circular issued in this regard by the Competent Authority.

10. Procedure.- (1) The application shall be made by one of the dependents of the deceased Armed Forces Personnel in the order of preference as specified in rule 8 above.

(2) If the applicant is son/ daughter of Shaheed (Martyr of Armed Forces), he / she shall submit an application for the appointment to the Zila Sainik Kalyan Adhikari duly verified by the competent designated office of Armed Forces Headquarters to which the deceased (Martyr) belonged at the time of death. If the applicant is a dependent other than son/ daughter, he/ she shall submit an application for the



appointment to the Zila Sainik Kalyan Adhikari along with a Dependent Certificate ('Varis' Certificate) issued by Sub Divisional Magistrate /Tehsildar.

(3) The application shall contain the following information, namely:-

- (a) Name and designation of deceased (Battle Casualty) Armed Forces Personnel;
- (b) Unit in which he/she was serving prior to death; and
- (c) Battle Casualty Certificate issued by the competent office of the concerned Armed Forces.

(4) The application of such dependent shall be forwarded to the District Collector concerned for suitable appointment according to the qualifications possessed by the applicant. In the event of non-availability of vacancy in the district concerned, the application shall be sent to the Divisional Commissioner who shall arrange appointment in any of the District under his jurisdiction. If vacant post is not available under the jurisdiction of the Divisional Commissioner, then the application shall be referred by the Divisional Commissioner to Department of Personnel (A-II) for providing appointment.

(5) In case vacancy of a suitable post as per the qualification of the applicant is not available, the department concerned or authority shall forward the case to the Department of Personnel (A-II) for necessary action.

11. Repeal and Saving.- The Rajasthan Appointment of Dependents of Deceased Defence Personnel Rules, 2018 and all orders issued in relation to matters covered by these rules and in force immediately before the commencement of these rules are hereby repealed :

Provided that any action taken under the rules and orders so repealed shall be deemed to have been taken under the provisions of these rules.

12. Nodal Department.- The Department of Personnel in consultation with Sainik Kalyan Vibhag, Government of Rajasthan will function as the Nodal Department for the purpose of administrating these rules and it may make any

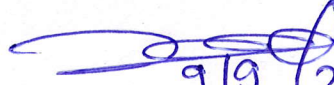


general or special order as it may consider necessary or expedient for proper implementation of these rules.

13. Removal of doubts.- If any doubt arises relating to the application and scope of these rules, it shall be referred to the Department of Personnel (A-II) whose decision thereon shall be final.

14. Power to remove difficulties.- If any difficulty arises in implementation of these rules, the State Government may, by order, make such provisions as may appear to it to be necessary for removing such difficulty.

By Order and in the name of the Governor,



9/9/2022

(Ram Niwas Mehta)

Joint Secretary to the Government.

52/2022