

**GOVERNMENT OF RAJASTHAN  
DEPARTMENT OF PERSONNEL (A-II)**

No.F.5(51)DOP/A-II/88

Jaipur, dated 31<sup>st</sup> Dec 1996

**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 recruitment of the dependants of deceased Government servants on compassionate grounds, namely :-

**THE RAJASTHAN COMPASSIONATE APPOINTMENT OF DEPENDANTS  
OF DECEASED GOVERNMENT SERVANTS RULES, 1996**

**1. Short title and commencement** :- (i) These rules may be called the Rajasthan Compassionate Appointment of Dependants of Deceased Government servants Rules, 1996.

(ii) They shall come into force from the date of their publication in the Rajasthan Rajpatra.

**2. Definitions** :- In these rules unless the context other- wise requires :-

(a) "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;

\* (b) "Deceased Government Servant" means a person who was employed in connection with the Affairs of the State including a member of All India Services of Rajasthan State Cadre and whose pay was dabitable to the consolidated fund of the State and who died while in service and, who was,-

(i) Permanent, or

+“(ii) holding a post temporarily after appointment on regular basis including period of probation as probationer-trainee.”

\*@Substituted for "Deceased Government servant means a person who was employed in connection with the affairs of the State including a member of All India Services of Rajasthan State Cadre and whose pay was dabitable to the consolidated fund of the State and who died while in service and, who was:-

(i) permanent, or

(ii) holding a post temporarily after appointment on regular basis and had put in at least three years continuous service including period of probation as probationer trainee.” vide Notification No. F.7(2)DOP/A-II/2005 Dated 26-4-2011

@Substituted for "Deceased Government servant" means a person who was employed in connection with the affairs of the State including a member of All India Services of Rajasthan State Cadre and whose pay was dabitable to the consolidated fund of the State and who died while in service and who was:-

(i) Permanent, or

(ii) holding a post temporarily after appointment on regular basis, or

(iii) appointed against a regular vacancy on urgent/temporary appointment and had put in one year's continuous service as such; vide Notification No.F.7(2)DOP/A-II/2005 dated 13-6-2008

+Substituted for "sub-clause (ii) holding a post temporarily after appointment on regular basis and had put in at least one year continuous service as probationer trainee.” vide Notification No. F.5(51)DOP/A-2/88 Pt. Dated 25-4-2012

&(c) "Dependent" means, -

- (i) Spouse, or
- (ii) Son including son legally adopted by the deceased Government servant during his/her life time, or
- (iii) unmarried/widowed /divorced daughter including daughter legally adopted by the deceased Government servant during his/her life time, or
- (iv) married daughter, if no other dependent of the deceased Government servant mentioned in clause (ii) and (iii) above is available, or
- (v) mother, father, unmarried brother or unmarried sister in case of unmarried deceased Government servant,

who was wholly dependent on the deceased Government servant at the time of his/ her death.

(d) "Government" means the Government of Rajasthan;

(e) "Head of the Department/Office" means the Head of the Department/Office in which the deceased Government servant was serving at the of his/her death;

(f) "State" means the State of Rajasthan.

**3. Interpretation :-** Unless the context otherwise requires, the Rajasthan General clauses Act, 1995 (Rajasthan Act 8 of 1955) shall apply for the interpretation of these Rules as is applies for the interpretation of a Rajasthan Act.

**4. Scope :-** These Rules shall govern appointment of dependants of deceases Government servants on compassionate grounds and they shall not confer any right to a particular post.

**@ 5. Appointment subject to certain conditions :-** (1) When a Government servant dies while in service one of his/her dependents may be considered for appointment in Government service subject to the condition that employment under these rules shall not be admissible in cases where the spouse or at least one of the sons, unmarried daughters, adopted son/adopted unmarried daughter of the deceased Government servant is already employed on regular basis under the central/any State Government or Statutory Board, Organisation/Corporation owned or controlled wholly or partially by the Central/any State Government \**“at the time of death of the Government servant or at the time of appointment of the dependant.”*

Provided that this condition shall not apply where the widow seeks employment for herself.

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&Substituted for "Dependent" means a spouse, son, unmarried or widowed daughter,<sup>%</sup>"adopted son/adopted unmarried daughter" legally adopted by the deceased Government servant during his/her life time and who were wholly dependent on the deceased Government servant at the time of his/her death" vide Notification No. F.5(51)DOP/A-2/88 Dated 28-10-2021

<sup>%</sup>Substituted for "adopted son/daughter" vide Notification No. F.5(51)DOP/A-2/88 Dated 19-4-1999

@Substituted for "5. Appointment subject to certain conditions:- When a Government servant dies while in service one of his/her dependants may be considered for appointment in Government service subject to the condition that employment under these rules shall not be admissible in cases where the spouse or at least one of the sons, unmarried daughters, adopted son/daughter of the deceased Government Servant is already employed on regular basis under the Central/State Government or Statutory Board, Organisation/Corporation owned or controlled wholly or partially by the Central/State Government at the time of death of the Government servant.

Provided that this condition shall not apply where the widow seeks employment for herself." vide Notification No. F.5(51)DOP/A-2/88 Dated. 19-4-1999

\*Substituted for "at the time of death of the Government servant" vide Notification No. F.5(51)DOP/A-2/88 Dated. 8-4-2015

# (2) Appointment under these rules shall be given on the condition that the person appointed on compassionate ground shall maintain properly the other family members who were dependant on the deceased Government Servant and on furnishing an undertaking in writing that he/she shall maintain properly the other family members who were dependant on the deceased Government Servant. If subsequently, at any time, it is proved that such dependant family members are being neglected or are not being maintained properly by him, the appointment may be terminated by the Appointing Authority after providing an opportunity to the compassionate appointee by way of issue of show cause notice asking him to explain why his services should not be terminated.

**6. Selection of posts :-** (1) The dependents may be considered for appointment to a post carrying <sup>Ω</sup>“Level-1 to Level-9 in Pay Matrix” & meant for being filled up by Direct Recruitment in the Subordinate Services/Ministerial Services/Class IV Service, 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 Government servant.

<sup>§</sup>“Provided that in case of a Government servant who is killed while performing his official duties, his/her dependent may also be considered for appointment to a post carrying <sup>β</sup>“Level-10 to Level 11 in Pay Matrix” and meant for being filled up by direct recruitment, subject to fulfillment of the educational qualifications and other service conditions prescribed under the relevant Service Rules and with the concurrence of the Department of Personnel and the Rajasthan Public Service Commission if the post falls within the purview of the Commission.”

(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 under any circumstances.

<sup>^</sup>Provided that in cases where a dependent to whom appointment is offered does not join for any reason whatsoever, another dependent who is otherwise eligible for appointment under these rules may be considered for compassionate appointment, if he applies within ninety days from the date on which the earlier appointment order was received by the appointee.

# Added vide Notification No. F.5(51)DOP/A-2/88 Dated. 27-2-2001

<sup>Ω</sup> Substituted for “Grade Pay No. 1 to 10 (Rs. 1300/- to 2800/-)” vide Notification No. F.5(51)DOP/A-2/88 Dated 3-7-2019

<sup>μ</sup>\* Substituted for “1 to 9A” vide Notification No. F.5(51)DOP/A-2/88 Pt. Dated 25-04-2012

\* Substituted for “1 to 9” vide Notification No. F.5(51)DOP/A-2/88 Dated 20-1-2000

<sup>β</sup>% Substituted for “Grade pay No. 11 to 12 (Rs. 3200/- to 3600/-)” vide Notification No. F.5(51)DOP/A-II/88 Dated 3-7-2019

% Substituted for “Pay Scale No. 10 to 11” vide Notification No. F.5(51)DOP/A-2/88 Pt. Dated. 25-04-2012

<sup>§</sup> Added vide Notification No. F.5(51)DOP/A-2/88 Dated 2-8-2001

<sup>^</sup> Added vide Notification No. F.5(51)DOP/A-2/88 Pt Dated 25-04-2012

**7. Qualifications :-** (1) The dependent should possess the qualifications prescribed for the post under the concerned service rules at the time of appointment.

(2) While being considered for appointment to Class IV service, the requirement of educational qualification for the post shall be dispensed with.

(3) Before a dependent is appointed, the Appointing Authority shall satisfy itself that he/she is otherwise fit for appointment in Government service looking to his/her character and physical fitness and fulfillment of other general conditions prescribed in the concerned service rules.

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

Provided that :-

(i) there shall be no upper age limit for a widow.

(ii) the upper age limit shall be relaxed by five years in period or up to 40 years of age, whichever is less, for others.

(iii) 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 dependant in case he/she becomes overage during that period.

**9 Procedural requirement etc.-** The procedural requirement for selection such as,-

(i) computer qualification shall not be insisted upon at the time of appointment. The dependants of the deceased Government Servant shall have to possess any of the computer qualification as prescribed in the relevant rules within the period of probation, failing which his/her probation shall be deemed to be extended, unless the appointing authority terminates his/her services finding the performance wholly unsatisfactory;

(ii) training or departmental examination or typing on computer shall not be insisted upon at the time of appointment. The dependants shall however, be required to clear such training or departmental examination or typing test on computer in any one language, either in English or in Hindi, within a period of three years, unless the period is relaxed by Department of Personnel, for entitlement for confirmation, failing which his/her appointment shall be liable to be terminated. No annual grade increments will be allowed until he/she acquires such qualification. On acquiring such qualification, annual grade increments shall be allowed notionally from the date of appointment but no arrears shall be paid:

Provided that the widow appointed under the provisions of these rules shall be exempted from having computer qualification and passing the typing test on computer.

Provided further that the persons with disabilities appointed under the provisions of these rules shall be exempted from passing the typing test on computer.

**Note:** For the purpose of this rule the Director, Bhasha Vibhag shall conduct typing test on computer every year irrespective of the number of candidates.”

<sup>μ\*</sup> 9. Substituted for “**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 initial appointment. The dependants shall however, be required to clear such training or departmental examination or typing test on computer in any one language either in English or in Hindi within a period of 3 years for entitlement for confirmation failing which his/her appointment shall be liable to be terminated. No annual grade increments will be allowed until he/she acquires such qualifications. On acquiring such qualifications annual grade increment shall be allowed notionally from the date of appointment but no arrears shall be paid:

Provided that the widow appointed under the provisions of these rules shall be exempted from passing the typing test on computer.

**Note:-**For the purpose of this rule the Director, Bhasha Vibhag shall conduct typing test on computer every year irrespective of the number of candidates.” vide No. F.3(1)DOP/A-II/2013 Dated 02.01.2017

10. **Procedure:** - (1) On the death of a Government servant the surviving spouse shall apply for appointment for self or for any other dependant.

(2) Where the deceased Government servant is not survived by a spouse the application shall be made by one of the dependants of the deceased Government servant and other dependants shall have to give their consent for his/her candidature.

Provided that if more than one of the dependants seek employment, the Head of Department shall select one, keeping in view the overall interest and welfare of the entire family, particularly the minor members.

£(3) Such application shall be made to the Head of the Office/Department in the Performa attached as Annexure-A to these rules, within a period of 90 days from the date of death of the Government servant. The applicant shall submit an affidavit in support of monthly income (from all sources) of all the family members mentioned in Column No.7 of part-I of the application:

Provided that in an exceptional case where the State Government in the Department of Personnel is satisfied that the operation of provisions of this sub-rules causes financial hardship to the family of the deceased Government servant and considers it necessary or expedient to relax the provisions of this sub-rule in a particular case, it may relax the provisions of this sub-rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

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\*<sup>®</sup>Substituted for “9. Procedural Requirement etc. :- (1) The procedural requirement for selection such as training or departmental examination or typing test shall not be insisted upon at the initial appointment. The dependent shall however, be required to clear such training or departmental examination or typing test, within a period of 3 years for entitlement for confirmation failing which his/her appointment shall be liable to be terminated. No annual grade 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 shall be paid:

Provided that the widow appointed under the provisions of these rules shall be exempted from passing the typing test.

**Note** :- For the purpose of this rule the Director, Bhasha Vibhag shall conduct typing test every year irrespective of the number of candidates.” vide Notification No. F.5(51)DOP/A-2/88pt. Dated. 14.06.2013

®Substituted for “Procedural Requirement etc :- (1) The Procedural requirement for selection such as training or departmental examination or typing test shall not be insisted upon at the initial appointment. The dependant shall however, be required to clear such training or departmental examination or typing test, within a period of 3 years for entitlement for confirmation failing which his/her appointment shall be liable to be terminated. No annual grade 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 the head of the Department shall conduct such test every year irrespective of the number of candidates.” vide Notification No. F.5(51)DOP/A-II/88 Pt. Dated 7.09-2009

£%Substituted for “Such application shall be made in the Performa attached as Annexure – ‘A’ to the Head of the Office/Department within a period of three months from the date of death of the Government servant. The applicant shall submit an affidavit in support of monthly income (from all sources) of the entire family members mentioned in Column No.7 of the prescribed application. Provided that where the spouse does not seek appointment for herself/himself and even the eldest of remaining dependants has not attained the age of 18 years (intimation to this effect to be given in writing within three months of the death of the Government servant), the above period of limitation shall run from the date of attaining the age of 18 years by such eldest dependant.” vide Notification No.F.5 No. F.5(51)DOP/A-2/88 Dated. 11-9-2002

%Substituted for “Such application shall be made in the proforma attached as annexure ‘A’ to the Head of the Department within a period of 45 days from the date of death of the deceased Government servant. The applicant shall submit an affidavit in support of monthly income (from all sources) mentioned of the entire family members in Column Number 7 of the prescribed application.” vide Notification No. F.5(51)DOP/A-II/88 Dated. 19.04.1999

(4) In cases of All India Services, Rajasthan Administrative Service, Rajasthan Accounts Service, Rajasthan Legal State and Subordinate Service and the Rajasthan Economics & Statistical Service etc. Where officers are posted in different departments of Government, the application shall be made to the Administrative Department controlling that service through the Head of Department/ Head of Office where the deceased Government servant was posted at the time of his/her death.

<sup>@</sup>(5) It shall be the responsibility of the Head of the Department/Head of the Office, as the case may be, to give appointment to the dependants as far as possible in his own department.

<sup>#</sup>(6) In case suitable post is not vacant but some post in lower scale is available immediately, such lower post can be offered to the applicant on first come first serve basis and the applicant shall have the option either to wait for the post applied for or to accept the lower available post. In case the applicant accepts the lower available post, he/she shall lose his/her claim for higher post applied for and his/her claim will not be kept on waiting list. Provided that if there is no vacant post available in the department in which the deceased Government servant was working then the matter shall be referred to DOP immediately duly supported by cogent reasons and DOP shall provide appointment in some other department.

(7) In cases of death of members of the services having State cadre like All India Services, Rajasthan Administrative Service, Rajasthan Secretarial Service, controlled by Department of Personnel, the application shall lie to the Secretary, Department of Personnel and it shall be the responsibility of Department of Personnel to arrange for a suitable post.

**11. Over-riding effect :-** These rules and any order issued there shall have effect notwithstanding anything to the contrary contained in any rules regulations or orders in force at the commencement of these Rules.

**12. Nodal Department :-** The Department of Personnel (A-2) will function as the nodal department for purpose of administering these Rules and it may make any general or special order as it may consider necessary or expedient for proper implementation of these Rules.

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<sup>@</sup> Substitute for "It shall be the responsibility of the Administrative Department to give appointment to the dependant in his own department and the responsibility shall in no case be shifted to other departments." vide Notification No. F.5(51)DOP/A-2/88 Dated. 19-4-1999

<sup>#</sup>Substitute for "In cases suitable post is not vacant, the application shall be kept on waiting list for providing employment on first come first serve basis. If some post in lower scale is available, immediately such lower post can be offered to the applicant and the applicant shall have the option either to wait for the post applied for or to accept the lower available post. In case the applicant accepts the lower available post, he shall lose his claim for higher post applied for and his name will not be kept on waiting list. Provided that in case no post is available for appointment within 2 years from the date of submission of application, the matter shall be referred to the Department of Personnel for appointment in Other department." vide Notification No. F.5(51)DOP/A-2/88 Dated 19-4-1999

**13. Removal of doubts :-** If any doubts arises relating to the application, interpretation and scope of these Rules, it shall be referred to the Government in the Department of Personnel (A-2) whose decision thereon shall be final.

**14. Power to remove difficulties :-** The State Government may for the purpose of removing any difficulty (of existence of which it shall be the sole judge) in the implementation of any provision of these Rules, make any general or special order as it may consider necessary or expedient in the interest of fair dealing or in the Public interest.

**15. Repeal and Saving :-** The existing Rajasthan Recruitment of Dependents of Government Servants Dying while in Service Rules, 1975 and any order issued there under are hereby repealed;

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

By order and in the name of the Governor

Sd/-  
(Suraj Mal Kerwal)  
Deputy Secretary to the Government

## आवेदन-पत्र का प्रारूप

### भाग-1

1. मृतक राज्य कर्मचारी का नाम व पद
2. निधन की दिनांक एवं स्थान (मृत्यु प्रमाण-पत्र संलग्न करें)
3. विभाग का नाम जिसमें वह मृत्यु के समय कार्यरत था
4. मृत्यु के समय धारित पद तथा उसका वेतनमान
5. नियुक्ति का प्रकार : (स्थायी/ अस्थायी)
6. राजकीय सेवा में प्रथम नियुक्ति का दिनांक
7. मृतक कर्मचारी के परिवार के सदस्यों का विवरण:—  
(केवल परिवार के सदस्यों के ही नाम लिखे जायें)

क्र.सं.	नाम	मृतक से संबंध	जन्म दिनांक एवं आयु	शैक्षणिक योग्यता	विवाहित / अविवाहित	मासिक आय * रूपये
1.						
2.						
3.						
4.						
5.						

\*नियम 10(3) में यथा वर्णित शपथ-पत्र संलग्न करें।

### भाग -2

राजकीय सेवा में नियुक्ति हेतु आवेदन करने वाले आश्रित का विवरण -

आवेदक की  
फोटो

1. नाम
2. आयु एवं जन्मतिथि
3. शैक्षणिक योग्यता (प्रमाण-पत्र संलग्न करें)
4. मृतक राज्य कर्मचारी से संबंध
5. आवेदित पद का नाम व वेतनमान

स्थायी पता:—

आवेदक के हस्ताक्षर



### भाग -3

#### यदि आवेदक विधवा स्वयं नहीं है तो विधवा/अन्य आश्रितों की सहमति

मैंने आवेदन के भाग (1) व (2) में उल्लिखित सूचना पढ़ ली हैं। भली प्रकार सुन ली हैं। आवेदक को नौकरी दिये जाने हेतु मेरी/अन्य आश्रितों की सहमति हैं। जिसके समर्थन में मेरा/अन्य आश्रितों का घोषणा पत्र संलग्न हैं।

विधवा के हस्ताक्षर

- साक्ष्य : 1.  
2.

### भाग -4

#### विभागाध्यक्ष का प्रमाण-पत्र

प्रमाणित किया जाता है कि :-

- (1) आवेदन पत्र विभाग में दिनांक ..... को प्राप्त हुआ है जो कि डायरी संख्या ..... दिनांक ..... पद दर्ज हैं।
- (2) आवेदन पत्र में अंकित सूचनायें मृतक कर्मचारी के सेवा अभिलेख के अनुसार सही हैं। नियमों के अनुसार आवेदक आवेदित पद ..... नियुक्ति का पात्र हैं।

हस्ताक्षर विभागाध्यक्ष  
(मय कार्यालय सील)

### भाग - 5

#### विभागाध्यक्ष का प्रमाण-पत्र यदि आवेदन पत्र अन्य विभाग को भेजा जाना है

प्रमाणित किया जाता है कि -

- (1) आवेदक आवेदित पद पर नियुक्ति का पात्र है किन्तु यह पद ..... विभाग में नहीं हैं। अतः आवेदन पत्र ..... को अग्रपिप्त किया जा रहा है।
- (2) मृतक कर्मचारी के नियम के पश्चात् आज तक उसके स्थान पर किसी भी आश्रित को किसी भी पद पर नियुक्ति नहीं दी गई हैं।

हस्ताक्षर विभागाध्यक्ष  
(मय कार्यालय सील)