



Note :

In the first phase these regulations have been drafted for RVPN by a Committee consisting of Officers from all Power Sector Companies of Rajasthan. After finalization these will be modified for RVUN & other Companies also.

Any Comment/ Suggestions may be sent up to 22nd December, 2008 to Jt. Director (P&A), RVUN, Jaipur, otherwise these Draft Rules will be treated as Final Rules and accordingly finalized for all the five Power Sector Companies of Rajasthan.

**THE RVPN COMPASSIONATE APPOINTMENT OF Dependents OF
DECEASED GOVERNMENT SERVANTS RULES, 2001**

(Amended upto 31.10.2008)

Rajasthan Rajya Vidyut Prasaran Nigam Limited

PREFACE

In view of a number of amendments issued since last publication of THE RVPN COMPASSIONATE APPOINTMENT OF DEPENDANTS OF DECEASED GOVERNMENT SERVANTS RULES, 2001 and also after introduction of Rajasthan Power Sector Reforms Act, 1999 (Act No. 23 of 1999) read with Rajasthan Power Sector Transfer Scheme, 2000 read with Electricity Act, 2003, it was felt that an updated edition of above Regulation should be made available incorporating all the amendments and Board/Nigam's decision on the subject issued upto 31.10.2008.

Every possible care has been taken to avoid errors and omissions, however if any errors or omissions are detected in this update, which have inadvertently remained, the same may please be brought to the notice of the Assistant Secretary (GAD), RVPNL, Jaipur. For the matters involving legal and financial implications a reference to the original Circulars/Orders/Instructions should, invariably, be made.

Suggestions, if any, for improvement to make the update more useful would be appreciated.

Jaipur.
Date:

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO. RVPN/AS/GAB/F.(RECTT.)/D. 2627

JAIPUR,DT. 10.09.2001

ORDER

In the meeting of Co-ordination Committee of CMDs held on dt. 16.12.2000 it was decided to adopt the Rules of Rajasthan Compassionate Appointment of Dependents of deceased Government Servants, 1996, issued vide Notification No. F.5(51)/DOP/All(88) dated 31.12.1996 & 19.4.1999 (copies enclosed). In addition to above, the following conditions will regulate appointment of dependent of deceased employee.

1. Company may take decision, from time to time, for making fresh appointments in any category or categories of posts. This would automatically apply to appointment of dependent of deceased employee.
2. In the case of appointment of widows of the deceased, employee or female dependent of deceased employee, the general decision of abolishing posts of Class-IV, LDC etc. automatically on its falling vacant may be relaxed. They may be appointed against this post if they fulfill other requirements.
3. The office order No. 823 dt. 23.8.95 and No. 1462 dated 17.10.1996 (copies enclosed) or erstwhile RSEB will be followed for giving appointment to male dependent of deceased employee on the post of Helper. Appointment to male/ female dependent of the deceased employee in any other category will be as per decision taken in this regard.
4. Widows of the deceased or female dependent of deceased employee would not be considered for appointment as Helper in view of the special nature of the job.

It has been decided to allow annuity benefit to the wife/dependent of deceased, who are eligible for preferential appointment, but do not wish to take up the preferential appointment subject to conditions mentioned (a) to (c) below. (Inserted vide order No. 540 dated 23.05.02 (F&R-57)). In the rest of cases where widow/ dependent is

not eligible for appointment, annuity may be allowed subject to the following conditions:-

- a. till the remarriage of widow
- b. till the Son/Daughter of the deceased attains the age of majority
- c. till death of widow/ date of superannuation age of deceased whichever is earlier.

This order is being issued in supersession to all previous order except order No. 823 dt. 23.8.95 & 1462 dt. 17.10.96.

Sd/-
(B.L.GUPTA)
Secretary (Admn.)

(Words "permanently disabled" in this order deleted vide order No. 1280 dated 17.12.04 F&R-252).

Annuity benefit is allowed to the Wife/dependent of deceased employees who were eligible for appointment at the time of adoption of Government rules but did not wish to take up the appointment on compassionate grounds for the intervening period (10-09-2001 to 22-05-2002) i.e. from the date of adoption of Government rules to the date of re-allowing the Annuity benefit. (Allowed vide order No. 425 dated 6.6.05 (F&R-274).

GOVERNMENT OF RAJASTHAN
DEPARTMENT OF PERSONNEL (A-III)

NO.R.S(51)/DOP/A-II/88

JAIPUR,DATED 31ST Dec.1996

NOTIFICATION

In exercised 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 dependents of deceased Government servants on compassionate grounds, namely:-

**THE RVPN COMPASSIONATE APPOINTMENT OF DEPENDANTS OF DECEASED
GOVERNMENT SERVANTS RULES, 2001**

(Substituted vide order No. 1280 dated 17.12.04 F&R-252)

1 Short Title and Commencement:

- (i) These rules may be called the **RVPN Compassionate Appointment of Dependants of Deceased Government Servants Rules, 2001. (Substituted vide order No. 1280 dated 17.12.04 F&R-252)**
- (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 employee in connection with the affairs of the State including a member of All India Services of Rajasthan State Cadre and whose pay was debit able 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 years continuous service as such;
- c) "Dependent" means a spouse, son unmarried or widowed daughter adopted son/daughter legally adopted by the deceased Government servant during his/ her life time and who were wholly dependant on the deceased Government servant at the time of his/ her death;
- d) "Government" means the Government of Rajasthan;
- e) "Head of the Department/Officer" means the Head of the Department/ Office in which the deceased Government servant was serving at the time of his/ her death;
- f) "State" means the State of Rajasthan.

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

4. **Scope:** These Rules shall govern appointment of dependants of deceased 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 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, Organization/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;

(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 dependent on the deceased Government servant and on furnishing an undertaking in writing that he/she shall maintain properly the other family members who were dependent on the deceased Government servant. If subsequently, at any time, it is proved that such dependent family**

members are being neglected or are not being maintained properly by him, the appointment may be terminated by the Appointment 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.

(Existing provision numbered as sub-rule (1) and new sub-rule (2) inserted vide GoR order dated 17.02.2001, and adopted vide Nigam order No. 1380 dated 19.12.02 (F&R-94)

6. **Selection of Posts :**

(1) The dependant may be considered for appointment to a post carrying pay scale No. 1 to 9 & 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.

(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.

7 **Qualifications:**

(1) The dependant should possess the qualification 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 dependant 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 upto 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 dependent in case he/ she becomes overage during the period.

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 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.

10. **Procedure:**

- (1) On the death of a Government servant the surviving spouse shall apply for appointment for self or for anyother 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 selects 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 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 deceased RVPN/Government employee/servant. The applicant shall submit an affidavit in support of monthly income (from all sources) of all the family members mentioned in Column Number 7 of the application.

Provided that in an exceptional case where ~~Board of Directors~~ Chairman and Managing Director, RVPN, are satisfied that the operation of provisions of this sub-rule causes financial hardship to the family of the deceased RVPN employee 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. (Rule 10.3 substituted vide order No. 710 dated 22.07.03 (F&R-141) (Words "Chairman and Managing Director" substituted vide order No. 122 dated 16.02.2005 (F&R-258).

Additional provisions for the cases of compassionate appointment wherein the widow has either expired or is reluctant in taking appointment and the eldest son/unmarried daughter is minor:

1. In the cases wherein widow of deceased employee is alive and eligible for preferential appointment but reluctant in taking appointment, she shall be allowed to nominate any one of her sons/unmarried daughters for preferential appointment. In case the nomination is of a minor, intimation to this effect would have to be given by the widow to the Nigam within 90 days from the date of death of the employee. The formal application for appointment may be submitted after attaining age of 18 years by the dependant. (Condition No. 1 substituted vide order No. 444 dated 21.04.06 (F&R-313).
2. In the cases wherein spouse has also passed away before or after the death of employee and the eldest son/unmarried daughter has not attained the age of 18 years, the said eldest dependant may submit his/her application after attaining the age of 18 years.
3. The cases already returned by the Nigams on the grounds of minority may also be covered under the above provisions.

(Additional provisions inserted vide order No. 872 dated 13.08.2004 (F&R-227)

(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.

(5) 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.

(6) 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.

(7) In cases of death of members of the services having State Cadres like All India Services, Rajasthan Administrative Service, Rajasthan Secretariat 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 under 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 Departments:** The Department of Personnel (A-II) 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.

13. **Removal of doubts:** If any doubt arises relating to the application interpretation and scope of these Rules, it shall be referred to the Government in the Department of Personnel (1-II) whose decision thereon shall be final.

14. **Power to remove difficulties:** The **Board of Directors** may for the purpose of removing any difficulty (of the 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 of expedient in the interest of fair dealing or in the Public Interest. **(Words substituted vide order No. 426 dated 6.6.05 (F&R-273)).**

15. **Repeal and savings:** The existing 'Rajasthan Recruitment Dependants of Government Servants Dying while in Service Rules, 1975' and any order issued thereunder are hereby repealed.

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

By Order and in the name of the Government,

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

RAJASTHAN STATE ELECTRICITY BOARD
(Recruitment Section)

No. RSEB/AS/Recdt./F.407/D.823

Jaipur, Dt. 23.8.1995

ORDER

The matter of giving preferential appointment to the dependant of deceased employees who expired while in service was considered in the meeting of whole time members held on 4/11.95, wherein it was decided that: -

1. (i) Non matriculate to male dependant of the deceased employee be considered to be appointed only as Helper-II and not Class-IV.
(ii) In view of the hard duties involved including climbing on electric poles etc. non matriculate dependant ladies may not be given appointment on preferential basis and in lieu thereof they should be allowed annuity benefit only.
2. Persons possessing qualification of LDC may be considered to be appointed on some equivalent job like consumer complaint clerk, but ladies possessing above qualifications be considered for the post of LDC. Such of the widows, who obtain these qualifications subsequently, can also be considered for the post of LDC etc.
3. There need not be any restriction for maximum age limit for preferential appointment. However the maximum age limit in such cases may be relaxed by appointing authority/Secretary where standard age proof i.e. school leaving certificate or Secondary/ Higher Secondary Certificate is available. Where authentic proof is not available the matter may be put up for approval of the Chairman.
4. In future, while making possessing of officials, appointed on preferential basis, they should not be posted at the following places: -
 - (i) Places where O&M Circles of RSEB are headquartered.
 - (ii) In Circle/ Offices, where staff has already become surplus due to computerization of billing.
 - (iii) At revenue divisional headquarters i.e. Jaipur, Jodhpur, Udaipur, Ajmer, Bikaner and Kota.
 - (iv) At district Headquarters i.e. Alwar, Bharatpur and Jhunjhunu.

By Order,

Sd/-
(G.L.SHARMA)
Joint Secretary (Admn.)

RAJASTHAN STATE ELECTRICITY BOARD
(Recruitment Section)

No. RSEB/Rectt./F.407/D.1462

Jaipur, Dt. 17.10.96

ORDER

According to the provisions of order No RSEB/AS/Rectt/ F.407/ D.823 dated 23.8.1995, the persons possessing qualification of high school or above are being appointed on preferential basis to the post of LDC or any other equivalent post. Looking to the post of LDC or any other equivalent post Looking to the large number of persons already working in clerical side, the matter was reconsidered by the W.T.M.'s in their meeting held on 19.8.1996 and it was decided that: -

- a) The persons (Male) possessing qualification of high school and above but below Graduation be appointed as Helper-I and posted at 33 KV Sub-station and line works etc. Only Graduate persons (Male) be appointed as C.C.C.(Consumer Complaint Clerk).
- b) The persons (Female) possessing qualification of high school and above will continue to be appointed as LDC.

By Order,

Sd/-
(Usha Sharma)
Secretary

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO. RVPN/AS/F&R/F. /D.117

JAIPUR,DT. 30.1.2002

ORDER

The Board of Directors, RVPN in its 30th meeting held on 7.1.2002 has been pleased to give the appointment to the dependants of deceased employees on the post JEN-I/II having qualification of degree/ diploma in electrical, mechanical and other branch in Rajasthan Rajya Vidyut Prasaran Nigam Ltd.

This is also in continuation of this office order No. RVPN/AS/GAD/File (Rectt.)/D.2627 dated 10.9.2001.

By Order,

Sd/-
(B.L.GUPTA)
Secretary (Admn.)

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F. /D.239

JAIPUR,DT. 20.2.2002

ORDER

The Board of Directors, in the 30th meeting, held on 7.1.2002, considered and decided that the widows of deceased employees of Rajasthan Rajya Vidyut Prasaran Nigam Ltd., who are having Graduation qualification, may be given appointment to the post of LDC on preferential basis, even if they had passed the Secondary School Examination " without English" by relaxing the relevant provisions under the Rajasthan Compassionate Appointment of Dependents of Deceased Government Servants Rules, 1996 adopted by RVPNL as well as the RSEB Ministerial Staff Regulations, 1962, with the condition that they shall be required to pass the "English" subject of the level of Secondary School Examination conducted by the Board of Secondary Education, Rajasthan or equivalent thereto, within a period of 3 years from the date of such appointment.

By Order,

Sd/-
(B.L.GUPTA)
Secretary (Admn.)

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

No. RVPN/AS/GAD/F&R/F.10/D.43

JAIPUR,DT. 24.9.2003.

Sub:- Condonation of delay in the cases pending for preferential Appointment of the dependents of deceased employees.

The Board of Directors, in its 66th meeting held on 9.9.2003, has decided that 90 days for applying for preferential appointment under the Rajasthan Compassionate Appointment of Dependents of Deceased Government Servants Rules, 1996 be counted from the date of adoption of these rules by the respective Companies in cases where death of employee had occurred before adoption of such rules. In all other cases, the period of 90 days be counted from the date of death of an employee.

Further the preferential appointment be also considered in cases where the widow of deceased employee is willing to fore-go her annuity.

Sd/-
(SHRI RAM CHORDIA)
Secretary (Admn.)

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F.10/D. 469

JAIPUR, DT. 13.06.2007

ORDER

Sub:- Relaxation in the mode of recruitment for appointment on preferential basis on the post of JEN-II.

The Board of Directors, RVPN, in its 133rd meeting held on 30th May, 2007, has decided that appointment on compassionate grounds to the dependents of deceased employees as Junior Engineer-II will be given as per existing rules, subject to a condition that, the incumbent provided such appointment as Junior Engineer-II will not be eligible for any further promotion unless and until he/she acquires AMIE qualification within 7 years of his/her appointment as Junior Engineer-II (Probationer Trainee).

This order is in continuation to this office order No. RVPN/AS/GAD/F./D. 117 dated 30.01.02 (F&R-43).

By Order,

Sd/-
(Veerendra Singh Bankawat)
Secretary (Admn.)