

Government of Jammu and Kashmir
Home Department
Civil Secretariat, Jammu

Subject: Compassionate appointment case of Mr. Virender Singh S/o Late Sh. Charan Dev Singh, Ex-Head Assistant, Zila Sainik Welfare Office, Udhampur under SRO-43 of 1994.

Government Order No: 44 -Home of 2022

Dated: 21 .02.2022

1. Whereas, Shri Charan Dev Singh, serving as Head Assistant, Zila Sainik Welfare Office, Udhampur died in harness on 13.01.2019; and
2. Whereas, the Home Department vide communication No.355-Estt/CDSingh/DSW/2020/101-03 dated 22.04.2020 of Director, Saniak Welfare, J&K received the case of Mr. Virender Singh S/o Late Shri Charan Singh for consideration under SRO-43 of 1994; and
3. Whereas, Shri Virender Singh filed an OA No./61/26/2020 before the Central Administrative Tribunal, Jammu, which was disposed of on 29-10-2020 with the direction to decide the application preferred by the applicant by passing a reasoned and speaking order and communicate the decision within a period of one month from the date of receipt of the certified copy of the order; and
4. Whereas, Rule 5(1) and 2 of J&K Sainik Welfare (Subordinate) Service Recruitment Rules, 2019 notified vide SRO-59 of 2019 dated 18.06.2019 reads as under:

1) No person shall be eligible for appointment or promotion on any post in the service unless he possesses the requisite qualification as indicated in Schedule-II and is permanent resident of the State besides fulfilling other requirements of the recruitment as provided in the rules for the time being in force.

2) No direct recruitment/appointment of any person against any vacancy in the service shall be made unless he is an Ex-servicemen and permanent resident of the State; and

put

5. Whereas, under the existing Non-Gazetted Service Recruitment Rules of the department issued vide SRO-59 of 2019 dated 18.01.2019, as quoted above, only ex-servicemen are employed in the department and no civilian can be appointed; and
6. Whereas, the matter of compassionate appointment case of Mr. Virender Singh was referred to the General Administration Department for consideration for

appointment in other departments in terms of Rule 4 of SRO-43 of 1994 but it has turned down the proposal; and

7. Whereas, reference was also made to the policy formulated by the Kendriya Sainik Board (KSB), the apex body at the Central Government level, for resettlement and welfare of ex-Servicemen and their families. Even the Rashtriya Sainik Board Policy mentions compassionate appointment for NOKs and war widows of the deceased Army personnel who are killed in action only; there is no whisper anywhere in the policy regarding compassionate appointment of NOK of an employee who dies in harness in Sainik Welfare Board.
8. Now therefore, in compliance to Hon'ble Court Order passed in OA No./61/26/2020 on 29-10-2020, the claim of the petitioner for his compassionate appointment, having been examined and duly considered as brought out above, is found to be devoid of merit, and, hence rejected.

By order of the Government of Jammu & Kashmir.

Sd/-

**(Shaleen Kabra) IAS
Principal Secretary to the Government
Home Department**

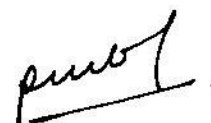
No:- Home/SRO-43/ 86/2019/CC No.3625

Dated:- 27/02.2022

Copy to the:-

1. Principal Secretary to the Hon'ble Lieutenant Governor.
2. Principal Secretary to the Government, General Administration Department.
3. Director, Sainik Welfare Department, J&K, Jammu.
4. Director, Archives, Archeology and Museums, J&K, Jammu.
5. Private Secretary to Principal Secretary to the Government, Home Department.
6. Mr. Virender Singh S/o Late Sh. Charan Dev Singh, Ex-Head Assistant, Zila Sainik Welfare Office, Udhampur.
7. I/C Web site, Home Department.
8. Government Order file/Stock file.

**Copy also to the Additional Secretary (JKL), Ministry of Home Affairs,
Government of India.**



**(Parveen Kumar) JKAS
Additional Secretary to the Government,
Home Department.**