

RAJASTHAN FIGHTERS OF DEMOCRACY HONOUR ACT, 2024

RAJASTHAN GAZETTE Extraordinary Published by Authority 726, #1947- 3iFT16, 2025 Chaitra 26, Wednesday, Saka 1947- April 16, 2025 "TJT-4F) 15, 2025 9 2025 qrcā Ü, 2024 (2025 9) 9 3i-a, 2025 qrcā \$) Gi 25 1975 1971 (1971 26) (BR@7), 1971 æita•r, 1973 (1974 2) 1. a17, (1) 2024 I (45) 7 t, (Ü) 1973 (1974 2) (T) 1971 415 16, 2025 3--TT7T 4 F) (EO 25 1975 21 1977 (3) 3irq-raÄ5Tff æ:rva--TT 107, 116 151 (ED æfiUT" 5 (3) "Rfra:rr 5 a-r3-T t (\$) 1971 (1971 26) 3 qra•aT.- qrcā qrcā Faa (iii) 3*rqār, 3--TTJT 4 F) 16. 2025 416 OTT I (4) av 3irq-raÄ5Tff gRur.- (1) æitra-yr q-ra•aT 3Tq-ra•a-r (3) (2) qrcā ait 9. art 417 16, 2025 3--TT7T 4 F) atra 3-traæ-3-traæ AR, 10. (1) (45) qrcā qrcā AV, 11. (1) «RT, Qfiv, av t, 12. Q*.- (1) t qaa•T, Qfiv, 3--TTJT 4 F) 16. 2025 418 13. (1) 2008 iv 3RA-re-rrv•r, 12 @-aRT, 2008 (2) *fiat, LAW (LEGISLATIVE DRAFTING) DEPARTMENT (GROUP-11) NOTIFICATION Jaipur, April 15, 2025 No. F. 2(14)Vidhi/2/2024.- In pursuance of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English language of the Rajasthan Loktantra Ke Senaniyon Ka Samman Adhiniyam, 2024 (2025 Ka Adhiniyam Sankhyank 9): (Authorised English Translation) THE RAJASTHAN FIGHTERS OF DEMOCRACY HONOUR ACT, 2024 (Act No. 9 of 2025) (Received the assent of the Governor on the 9th day of April, 2025) Act to provide for honour money, medical assistance and free transport facility to the fighters of democracy, who were detained in jails or police stations for social and political activities under the provisions of the Maintenance of Internal Security Act, 1971 (Central Act No. 26 of 1971) (repealed), Defence of India Rules, 1971 (repealed) and Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974) (repealed) during the emergency period from 25th June, 1975 to 21st March, 1977, and for matters connected therewith or incidental thereto. Be it enacted by the Rajasthan State Legislature in the Seventy-fifth Year of the Republic of India, as follows: 1. Short title, extent and commencement.- (1) This Act may be called the Rajasthan Fighters of Democracy Honour Act, 2024. (2) It extends to the whole of the State of Rajasthan. (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint. 419 16, 2025 3--TT7T 4 F) 2. Definitions.- In this Act, unless the subject or context otherwise requires,- (a) "Committee" means committee constituted under section 7; (b) "Cr.P.C." means Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974) (repealed); (c) "D.I.R" means the Defence of India Rules, 1971 (repealed); (d) "emergency period" means the period commencing from 25th June, 1975 to 21st March, 1977; (e) "fighters of democracy" means persons having domicile of Rajasthan and who actively fought to protect the democracy during emergency period and who were detained at any time during this emergency period, on political or social ground in jail or in police station under MISA/DIR/ sections 107, 116 and 151 of the Cr. P.C. for participating in such activities; (f) "free transport facility" means free travel passes to Fighters of democracy in the buses of the Rajasthan State Road Transport Corporation as provided under section 5; (g) "honour money" means the honour money awarded as honour to the fighters of democracy as provided under section 5; (h) "medical assistance" means medical assistance in the form of cash/ direct benefit transfer payable to the fighters of democracy as provided under section 5; (i) "MISA" means the Maintenance of Internal Security Act, 1971 (Central Act No. 26 of 1971) (repealed)

3. Eligibility to get honour money, medical assistance and free transport facility.- Following shall be eligible to get honour money, medical assistance and free transport facility for their lifetime:- (i) fighters of democracy; and (ii) spouses of deceased fighters of democracy; Exception: Spouses of fighters of democracy shall not be entitled to get free transport facility

4. Ineligibility to get honour money, medical assistance and free transport facility.- Following shall be ineligible to get honour money, medical assistance and free transport facility:- (i) a person who, during emergency period, had been detained in jail or police station for reasons other than the political or social reasons; (ii) a person who has produced false information or certificate or details in respect of establishing his/her right to receive honour money, medical assistance and free transport facility; (iii) fighter of democracy who has been in jail for less than thirty days; or 3--TTJT 4 F) 16. 2025 420 (iv) fighter of democracy who has been in jail for at least thirty days after attaining adulthood but has been released from jail after apologizing

5. Sanction of honour money, medical assistance and free transport facility to the fighters of democracy.- (1) The honour money, medical assistance and free transport facility to be provided to the fighters of democracy shall be such as may be prescribed. (2) The medical assistance shall not be available to such fighters of democracy who himself or his/her Spouse is employed under State Government/Central Government or Central/State public sector undertakings or are getting medical assistance from other source. (3) The fighters of democracy shall also be provided Identity Cards by the concerned District Magistrate. (4) The fighters of democracy who have been sanctioned honour money under this Act shall be honorably invited by the concerned District Magistrate on the national festivals

6. Manner of submitting application.- (1) Fighters of democracy shall apply in such application form as may be prescribed along with certificate of detention in the jail or in police station for political or social reason. In case of detention in jail a certificate of Superintendent of Jail and in case of police station, certificate of Superintendent of Police shall be compulsorily attached and presented to the concerned District Magistrate. (2) If the applicant is not able to get the certificate from concerned Superintendent of Jail/Superintendent of Police due to physical or financial difficulties, then on the basis of his request and affidavit, the District Magistrate may direct the concerned Superintendent of Jail/Superintendent of Police to produce the official records /certificate regarding imprisonment of the applicant. (3) In such cases where the official records related to detention in Jail/Police Station are not available, the applicant's own affidavit shall be accepted. A certificate given by any two prisoners who were detained with him/her for political or social reason, mentioning the period of the applicant's imprisonment, shall also be submitted along with the application. The certificate so obtained shall be required to be certified by any former/present representative of the Lok Sabha/Rajasthan Legislative Assembly from the concerned district. (4) The applicant shall have to submit an affidavit to the effect that he/she is not receiving pension/honour money from any other State/District due to his/her imprisonment during emergency period for political or social reason under MISA/DIR/Cr.P. C

7. Power and process of sanction of honour money, medical assistance and free transport facility.- (1) To scrutinize applications received for sanction of honour money, medical assistance and free transport facility at district level, and to recommend about eligibility or ineligibility of applicant a committee shall be constituted as may be prescribed. (2) The sanction or rejection order of honour money, medical assistance and free transport facility shall be issued by the concerned District Magistrate on the basis of Committee's recommendation. 16, 2025 3--TT7T 4 F) (3) The State Government, if it deems necessary, may make enquiry regarding any application

8. In case of death of fighters of democracy.- (1) In case of death of a fighter of democracy, his/her spouse shall get the honour money and medical assistance. (2) On the death of a fighter of democracy receiving honour money, medical assistance and free transport facility, his/her spouse shall have to apply within ninety days from the date of death. In such case spouse of deceased fighter of democracy shall be entitled to get only honour money and medical assistance from the date of death of fighter of democracy. (3) With every such application, documentary evidence shall have to be attached as may be prescribed

9. Representation.- Any concerned person aggrieved by the order issued by the District Magistrate on the basis of recommendations of the Committee, may submit his representation to the State Government within thirty days from the date of order in such form as may be prescribed. The State Government shall consider and decide the representation on merit basis within forty five days from the date of receipt of representation and decision of the State Government shall be final and binding on concerned person

10. Cancellation of order of honour money, medical assistance and free transport facility.- (1) The order of sanction of honour money, medical assistance and free transport facility under this Act may be withheld or cancelled on the following grounds: (a) participation in any crime of moral turpitude or anti-national activity; (b) receiving the honour money, medical assistance and free transport facility despite any ineligibility under this Act; (c) submission of false information /affidavit. (2) On the basis of grounds mentioned in sub-section (1) or any relevant complaint or representation made or suo moto information received, the Committee after giving reasonable opportunity of hearing may enquire the case of concerned person whose honour money, medical assistance and free transport facility has been sanctioned. After recommendation of the Committee, the right to cancel order of sanction shall vest with the District Magistrate. The concerned person aggrieved by this order may submit his representation that may be

disposed of as per provisions of section 9. (3) If any person receives honour money on the basis of false documents, such money shall be recoverable as arrears of land revenue

11. Power to make rules.- (1) The State Government may, by notification, make rules for carrying out the purposes of this Act. (2) All rules made under this Act shall be laid, as soon as may be after they are so made, before the House of the State Legislature, while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which they are so laid, or of the session immediately following, the House of the State Legislature makes any modifications in any of such rules, or resolves that any such rule should not be made, such rules shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder. (3) Every rule made under this Act shall be published by the State Government in the Official Gazette

12. Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by notification in the Official Gazette, make such provisions, not inconsistent with this Act, as it deems necessary or expedient for removing the difficulty: Provided that no order under this section shall be made after expiry of two years from the date of the commencement of this Act. (2) Every notification issued under this section shall, as soon as may be after it is issued, be laid before the House of the State Legislature

13. Repeal and savings.- (1) The Rajasthan Lok Tantra Senani Samman Nidhi Rules, 2008, which were published in Rajasthan Gazette, Part IV(C), Extraordinary, dated 12th September, 2008 are hereby repealed. (2) Notwithstanding the repeal of the said rules, anything done or action taken under the said rules, shall be deemed to have been done or taken under the corresponding provisions of this Act. Principal Secretary to the Government.

