

GOVERNMENT OF JAMMU AND KASHMIR
DEPARTMENT

Notification

SRO – In exercise of the powers conferred by the proviso to section 124 of the constitution of Jammu and Kashmir, the Governor hereby makes the following rules, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Jammu and Kashmir _____ (Gazetted) Service Recruitment Rules, _____.

(2) They shall come into force from the date of their publication in the Government Gazette.

2. *Definitions.*—In these rules, unless the context otherwise requires :—

- (a) "State" means the Jammu and Kashmir State ;
- (b) "Government" means the Government of Jammu and Kashmir;
- (c) "Administrative Department" means the Department of the Government in the Civil Secretariat holding the Administrative charge of the service ;
- (d) "Head of the Department" means the Major Head of the Department holding the administrative control of the organization ;
- (e) "Rules" means the Jammu and Kashmir _____ (Gazetted) Service Recruitment Rules ;
- (f) "Cadre" means the cadre of the service ;
- (g) "Post" means a permanent post carrying a definite time scale sanctioned by the competent authority ;
- (h) "Commission" means the Jammu and Kashmir Public Service Commission ;
- (i) "Member of the Service" means a person appointed to a post in the Service under the provisions of these rules ;
- (j) "Schedule" means the schedule (s) annexed to these rules ;
- (k) "Service" means the Jammu and Kashmir _____ (Gazetted) Service ;

- (l) Words and expressions used in these rules but not defined; shall have the same meaning as are assigned to them in the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rule, 1956/ Jammu and Kashmir Civil Services Regulations.

3. *Constitution of Service*. — (1) From the date of commencement of these rules there shall be constituted the "Jammu and Kashmir _____ (Gazetted) Service".

2. The Government may, at the commencement of these rules, appoint to the service any person who at the commencement of these rules is holding in a substantive capacity any post included in the cadre of the service :

Provided that for the purposes of initial constitution of Service, the person holding any post in a substantive capacity to which he was appointed by the competent authority under rules included in the cadre of the service in its sanctioned scale of pay shall be deemed to have been appointed to the service under these rules if he/she is fully qualified to hold the post under these rules unless he/she opts otherwise within 15 days from the commencement of these rules.

Explanation :- The word holding means a person holding a post included in the cadre of the Jammu and Kashmir(Gazetted) Service in it's sanctioned scale of pay on regular basis under orders of the competent authority and will not cover the persons holding a post on ex-cadre/deputation basis or on ad hoc basis or in a stop-gap arrangement".

4. *Strength and Composition of the Service*. — (1) The authorized permanent and temporary strength of the cadre and the nature of the posts included therein shall be determined by the Government, from time to time and shall at the initial constitution of the service under these rules, be such as specified in the Schedule-I annexed to these rules :

Provided that the Government may create temporary posts in the cadre or the service for specified period or purpose as may be considered necessary from time to time.

(2) The Government shall, at the interval of every five years or at such other intervals as may be necessary, re-examine the strength and composition of the cadre of the Service and make such alterations therein as it deems fit.

5. *Qualification and Method of Recruitment.*— (1) No person shall be eligible for appointment or promotion to any post in any class, category or grade in the service unless he/she possesses the qualifications as laid down in the Schedule-II and fulfills other requirement of recruitment as provided in the rules and orders for the time being in force.

(2) First appointments to a service or class may be made :—

(a) by promotion or by transfer from another service or class ; or

(b) by direct recruitment , or

(c) partly by (a) and partly by (b) in the ratio and in manner as mentioned against each post in Schedule-II.

(i) Provided that all the posts under direct recruitment shall be filled through J&K Public Service Commission as per the rules/orders of the Government issued for the purpose.

(ii) Provided further all posts to be filled by promotion/ transfer shall be filled through departmental promotion committee/ Jammu and Kashmir Public Service Commission, unless any post/category of posts is exempted from the purview of the Public Service Commission in terms of J&K Public Service Commission (Limitation Functions) Regulations, 1957 by the Government by specific order.

(iii) The departments shall refer vacancies in the direct/promotion quota to Public Service Commission and Departmental Promotion Committees, as per SRO-166 dated 14-06-2005.

6. *Probation.*— (1) Persons appointed to the service, either by direct recruitment or by promotion shall be "on probation for two years and their confirmation for class or category shall be made under the provisions of Jammu and Kashmir Civil Services (Classification Control and Appeal) Rules, 1956.

(2) The pay of a person appointed to the service under these rules shall be regularized as per the provisions of J&K Civil Service Regulations or General Rules as issued from time to time.

7. *Reservation in appointments* — While making appointments either by promotion or by direct recruitment reservation shall be made in accordance with the rules and orders issued from time to time for members of Scheduled Caste/Scheduled Tribes/ Backward Classes or any other category or Class of permanent residents of State under the provisions of Jammu and Kashmir Reservation Act, 2004.

8. *Training and Departmental Examinations* — Persons appointed to the service by competitive examination shall be required to undergo such training from time to time during the course of probation and to pass during the period of probation or trial such departmental examination as the Government may prescribe :

Provided that the Government may exempt persons from such training or departmental examination either wholly or partly, who have passed a departmental examination or undergone training declared by Government to be equivalent to a departmental examination or training prescribed under these rules.

9. *Eligibility of Government Services for Direct Recruitment* — A person already in the Government service may apply through proper channel for direct recruitment to a vacant post in any particular class or category in the service if he/she possesses the educational and other qualifications prescribed for recruitment to such class or category of post. The upper age limit of such Government servants shall be as provided in the general rules :

Provided that in the case of a post which requires a higher degree of specialization and or experience, the Government may prescribe higher age limit.

10. *Maintenance of seniority lists*.—Seniority of the members of the service shall be regulated under the Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956. The Administrative Department shall maintain an up-to-date and final seniority list of members of the service.

11. *Residuary matters*.—In regard to matters not specifically covered by these Rules, the members of the service shall be governed by rules/regulations and orders applicable to the state civil service in general.

12. *Interpretation*.—If any question arises relating to the interpretation of these rules the matter shall be referred to the Administrative Department whose decision thereon shall be final and binding.

13. *Repeal and savings*.—(1) All rules corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed.

(2) Notwithstanding such repeal, any appointment order made or action taken under the provisions of the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

By order of the Governor.

Secretary to Government,
_____ Department.

SCHEDULE—1

S. No.	Designation of the post	Scale	No. of posts
1	2	3	4

SCHEDULE—II

Class	Category	Grade	Designation	Minimum qualification for direct recruitment	Method of recruitment
1	2	3	4	5	6