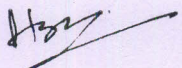


Government of Jammu and Kashmir
Civil Secretariat, Home Department

NOTIFICATION
Jammu, the December, 16th 2011

SRO-370 In exercise of the powers conferred by the proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor in consultation with the Public Service Commission hereby makes the following rules namely :-

1. **Short title and commencement** :- (1). These rules may be called the Jammu and Kashmir Defence Labour Procurement (Gazetted) Service Recruitment Rules, 2011:
 - (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. **"Administrative Department"** means the Department of the Government in the Civil Secretariat holding the administrative charge of the service;
 - b. **"Cadre"** means the cadre of the service;
 - c. **"Commission"** means the Jammu and Kashmir Public Service Commission;
 - d. **"Government"** means the Government of Jammu and Kashmir.
 - e. **"Head of the Department"** means the Major Head of the Department holding the Administrative control of the organization;
 - f. **"Member of the Service"** means a person appointed to a post in the service under the provision of these rules;
 - g. **"Post"** means a permanent post carrying a definite time scale sanctioned by the Competent Authority;
 - h. **"Rules"** means the Jammu and Kashmir Defence Labour Procurement (Gazetted) Service Recruitment Rules, 2011;
 - i. **"Schedule"** means the schedule(s) annexed to these rules;
 - j. **"Service"** means the Jammu and Kashmir Defence Labour Procurement (Gazetted) Service;
 - k. **"State"** means the State of Jammu and Kashmir;
 - l. Words and expressions used in these rules but not defined, shall have the same meaning as assigned to them respectively in the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 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 Defence Labour Procurement (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 purpose of initial constitution of Service, the person holding any post in a substantive capacity to which he/she 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 words person "holding" any post means a person holding a post included in the cadre of the Jammu and Kashmir Defence Labour Procurement (Gazetted) Service in its sanctioned scale of pay in a substantive capacity under orders of the competent authority and will not cover the persons holding a post on ex-cadre/deputation basis or on adhoc basis or on a stopgap 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.

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

- (2). The Government may 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 requirements of recruitment as provided in the rules and orders for the time being in force.

- Hsc* (2). First appointment to a post in the service may be made:-
(a). by direct recruitment, or;

- (b) by promotion; 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;
 - ii. Provided further that all posts to be filled by promotion 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 of Functions) Regulations, 1957 by the Government by specific order;
 - iii. The department shall refer vacancies in the direct / promotion quota to J&K Public Service Commission and Departmental Promotion Committees as per SRO-166 dated: 14.06.2005 as amended from time to time.

6. **Probation:** (I). Persons appointed to the service either by direct recruitment or by promotion shall be "on probation for two years".

- (II) The pay of a person appointed to the service under these rules shall be regulated as per the provisions of Jammu and Kashmir Civil Services 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 Castes/ Scheduled Tribes/ Backward classes or any other category or class of permanent residents of State under the provisions of Jammu & Kashmir Reservation Act, 2004 and the J&K Reservation Rules, 2005.

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 examination(s) as the Government may prescribe;

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

9. **Eligibility of Government Servants 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 servant 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 upto 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) The Jammu and Kashmir Defence Labour Procurement (Gazetted) Service Recruitment Rules, 1979 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

Sd/-

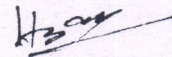
Principal Secretary to Government
Home Department

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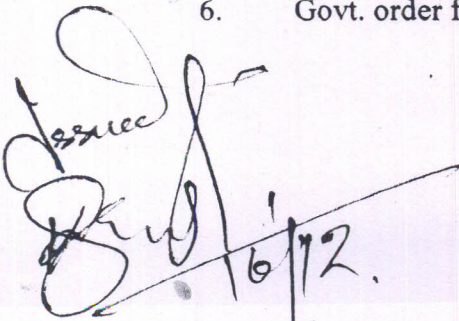
Dated: 16.12.2011

Copy to :-

1. Commissioner Secretary to Government, Law Justice and Parliamentary Affairs Department (w.7.sc)
2. Commissioner /Secretary to Government, General Admn. Department.
3. Director Defence Labour Procurement J&K Jammu
4. Pvt. Secretary to Principal Secretary, Home Department.
5. PA to Special Secretary to Government, Home Department
6. Govt. order file/ Stock File



Additional Secretary to Government,
Home Department



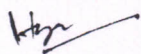
SCHEDULE – I to Notification SRO 370 dated 16-12-2011

<u>S.No</u>	<u>Designation of the post</u>	<u>Pay Band/Scale</u>	<u>Grade pay</u>	<u>No. of posts</u>
1	Director	Rs. 15600-39100	7600	01
2	Deputy Director	Rs. 15600-39100	6600	01
3	Labour Procurement Officer	Rs. 9300-34800	4800	07

[Signature]

Sd/-
Principal Secretary to Government
Home Department

Class	Category	Pay Band/ Scale	Grade Pay	Designation	Qualification for Direct Recruitment	Method of Recruitment
I		15600-39100	7600	Director Defence Labour Procurement		By promotion from Class II with 03 years experience as such or By deputation from KAS.
II		15600-39100	6600	Deputy Director Defence Labour Procurement		By promotion from Class III from amongst those who are at least Graduates with 03 years experience as such.
III		9300-34800	4800	Labour Procurement Officer	Graduation from any recognized University, Additional weightage shall be given for post-Graduation/PG Diploma in Labour Relations/Labour Laws/Personnel Management/ Human Resource Management	(a) 50% by Direct Recruitment. (b) 50% By promotion from Assistant Labour Procurement Officers/Section Officer of the Defence Labour Procurement Department having 05 years experience as such.



Sd/-

Principal Secretary to Government
Home Department