

**THE AJ&K GOVERNMENT SERVANTS
(CONDUCT) RULES, 1981**

“Muzaffarabad”

Dated: 11th May, 1981

NOTIFICATION:

No. S&GAD/SO-I/388/81. In exercise of the powers conferred by Section 23 of the Azad Jammu and Kashmir Civil Servants Act, 1976, the Azad Government of the State of Jammu and Kashmir is pleased to make the following Rules, namely:-

**THE AZAD JAMMU AND KASHMIR GOVERNMENT SERVANTS
(CONDUCT RULES) 1981.**

1. **Short Title and Commencement:**- (i) These Rules may be called the Azad Jammu and Kashmir Government Servants (Conduct) Rules, 1981.
(ii) They shall come into force at once.
2. **Extent of Application:**- These Rules shall apply to all persons, whether on duty or on leave, within or outside Azad Jammu and Kashmir, serving in connection with the affairs of the Government, including the employees of the Government deputed to serve under the Federal Government of Pakistan or a Provincial Government of any Province of Pakistan or with a Statutory Corporation or with a non-Government employer, but excluding-
 - (a) Members of an All-Pakistan Service or a Provincial Service of any Province of Pakistan serving in connection with the Affairs of the Government.
 - (b) Employees of the Federal or a Provincial Government of Pakistan or other authority deputed temporarily to serve under the Azad Government of the State of Jammu and Kashmir.
 - (c) Holders of such posts in connection with the affairs of the Government, as the Government may, by a notification in the official Gazette, specify in this behalf.
3. **Definitions:**- (1) In these rules, unless there is anything repugnant in the subject or context-
 - (a) **“Government”** means the Azad Government of the State of Jammu and Kashmir;
 - (b) **“Government Servant”** means a person to whom these rules apply; and
 - (c) **“Member of a Government Servant’s Family”** includes-

- (i) his wife, children and step children, parents, sisters and minor brothers, residing with and wholly dependent upon the Government Servant; and
- (ii) any other relative of the Government Servant or his wife, when residing with and wholly dependent upon him;

But does not include a wife legally separated from the Government Servant, or a child or step-child who is no longer in any way dependent upon him, or of whose custody the Government Servant has been deprived by law.

- (2) Reference to a wife in clause (c) sub-rule (1) shall be construed as reference to the husband where the Government servant is a woman.

4. **Repeal of Pervious Conduct Rules:-** The following rules, in so far as they applied to the persons to whom these rules apply are hereby repealed but such repeal shall not affect anything duly done or suffered under those rules:-

- (i) Government Servant Conduct Rules sanctioned under Council Order No. 91-C of 1945 dated 30th January, 1945 as contained in K.S.R. Vol: II.
- (ii) The Azad Jammu and Kashmir Government Servants Conduct Rules, 1972.

5. **Gifts:-** (1) Save as otherwise provided in this rule, no Government servant shall, except with the previous sanction of Government, accept, or permit any member of his family to accept, from any person any gift the receipt of which will place him under any form of official obligation to the donor. If the offer of a gift cannot be refused without giving under offence, it may be accepted and delivered to Government for decision as to its disposal.

(2) If any question arises whether receipt of a gift places a Government servants under any form of official obligation to the donor, the decision of Government thereon shall be final.

(3) If any gift, is offered by the head or representative of a foreign state, the Government servant concerned should attempt to avoid acceptance of such a gift, if he can do so without giving offence. If, however, he cannot do so he shall accept the gift and shall report this receipt to Government for orders as to its disposal.

6. **Acceptance of Foreign Awards:-** No Government servant shall except with the approval of the President accept a foreign award, title or decoration.

Explanation: For the purposes of this rule, the expression “approval of the President” means prior approval in ordinary cases and ex-post facto approval

in special cases where sufficient time is not available for obtaining prior approval.

7. **Public Demonstration in Honour of Government Servants:-** No Government servant shall encourage meetings to be held in his honour or presentation of address of which the main purpose is to praise him.
8. **Gift to Medical Officers:-** Subject to the departmental rules in this behalf, a medical officer may accept any gift of moderate value offered in good faith by any person or body of persons in recognition of his professional services.
9. **Subscriptions:-** No Government servant shall, except with the previous sanction of the Government, ask for or accept or in any way participate in the raising of any subscription or other pecuniary assistance in pursuance of any object whatsoever.
10. **Lending and Borrowing:-** No Government servant shall lend money to, or borrow money from, or place himself under any pecuniary obligation to, any person within the local limits of his authority or any person with whom he has any official dealings:
 - Provided that a Government servant may-
 - (i) deal in the ordinary course of business with a joint stock company, bank or a firm of standing or the House Building Finance Corporation;
 - (ii) accept a purely temporary loan of small amount, free of interest, from a personal friend or the operation of a credit account with a bonafide tradesman.
 - (2) When a Government servant is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has otherwise placed himself under a pecuniary obligation will be subject to his official authority, or will reside, possess immovable property, or carry on business within the local limits of such authority, the Government servant shall forthwith declare the circumstances, when he is a Gazetted Officer, to Government through the usual channel, and where he is a non-gazetted Government servant, to the head of his office.
 - (3) This rule, in so far as it may be construed to relate to loans given to or taken from Cooperative Societies registered under the Co-operative Societies Act, 1925 or under any law for the time being in force relating to the registration of Co-operative Societies, by the Government servants, shall be subject to any general or special restrictions or relaxations made or permitted by the Government.

11. **Buying and Selling of Valuable Property: Movable and Immovable:-** (1) Save in the case of a transaction conducted in good faith with a regular dealer, a Government servant who intends to transact any purchase, sale or disposal by other means of movable or immovable property exceeding in value of ¹[Rs.25000/- (Twenty Five thousand Rupees)] with a person residing, possessing immovable property or carrying on business within the station, district or other local limits for which such Government servant is appointed, shall declare his intention to the Head of the Department or the Secretary to the Government, as the case may be. When the Government servant concerned is himself the Head of the Department or Secretary to the Government, he shall declare his intention to the Government through the Secretary of the Department or Chief Secretary. Any such declaration shall state fully the circumstances, the price offered or demanded and, in the case of disposal otherwise than by sale, the method of disposal. Thereafter such Government servant shall act in accordance with such orders as may be passed by the Government:

Provided that all transactions with a person who is an official subordinate of the Government servant should be reported to the next higher authority.

Explanation: In this sub-rule, the term “property” includes agricultural or urban land, bonds, shares and securities but does not include a plot purchased for building a house from a Co-operative Housing Society or a Government Housing Scheme, or bonds; shares of securities purchased from the approved security market, a semi-Government institution or through public offer by a company.

- (2) Notwithstanding anything contained in sub-rule (1), a Government servant who is about to quit the station, district or other local limits for which he has been appointed may, without reference to any authority, dispose of any of his movable property by circulating lists of it generally or by causing it to be sold by public auction.
12. **Construction of Building etc:-** No Government servant shall construct a building, whether intended to be used for residential or commercial purpose, except with the previous sanction of the Government obtained upon an application made in this behalf disclosing the source from which the cost of such construction shall be met.
13. **Declaration of Property:-** (1) Every Government servant shall at the time of entering Government service make a declaration to Government, through the usual channel, of all immovable and movable properties including shares,

¹ Figure 5,000/- substituted by the figure 25,000/- vide Notification No. S&GAD/R/A-4(97)/91 dated 02.09.1991.

certificates, securities, insurance, policies, cash and jewellery having a total value of ²[Rs.500,000/- (Five Hundred thousand Rupees)] or more belonging to or held by him or by a member of his family individually or collectively and such declaration shall --

- (a) State the district within which the property is situated;
 - (b) Show separately individual items of jewellery exceeding [Rs.500,000/- (Five Hundred Thousand Rupees)] in value; and
 - (c) give such further information as the Government may, by general or special order, require.
- (2) Every Government servant shall submit to Government, through usual channel, annual return of assets in the month of December showing any increase or decrease of property as shown in the declaration under sub-rule (1) or, as the case may be, the last annual return.
14. **Disclosure of Assets, Immovable, Movable and Liquid:-** A Government servant shall, as and when he is so required by the Government by a general or special order, furnish information as to his assets disclosing liquid assets and all other properties immovable and movable, including share, certificates, insurance policies, cash, jewellery.
15. **Speculation and Investment:-** (1) No Government servant shall speculate in investments. For the purpose of this sub-rule, the habitual purchase and sale of securities of notoriously fluctuating value shall be deemed to be speculation in investments.
- (2) No Government servant shall make, or permit any member of his family to make, any investment likely to embarrass or influence him in the discharge of his official duties.
 - (3) No Government servant shall make any investment the value of which is likely to be affected by some event of which information is available to him as a Government servant and is not equally available to the general public.
 - (4) If any question arises whether a security or an investment is of the nature referred to in any of the foregoing sub-rules, the decision of the Government thereon shall be final.

² Figures 10,000/- Substituted by the figure 50,000/- vide Notification No. S&GAD/JS/97/2476-2576/85 dated 30.11.1985. and figure 50,000/- substituted by the figure 500,000/- vide Notification No. S&GAD/R/A-4(67) 2011, P-III dated 05.03.2013.

16. **Promotion and Management of Companies etc:-** No Government servant shall, except with the previous sanction of the Government, take part in the promotion, registration or management of any book or company:

Provided that a Government servant may, subject to the provisions of any general or special order of the Government, take part in the promotion, registration or management of a Co-operative Society registered under the Co-operative Societies Act, 1925 or under any similar law.

17. **Private Trade, Employment or Work:-** (1) No Government servant shall, except with the previous sanction of the Government, engage in any trade or undertake, any employment or work, other than his official duties:

Provided that he may without such sanction, undertake honorary work of a religious, social or charitable nature or occasional work of a literary or artistic character, subject to the condition that his official duties do not thereby suffer and that the occupation or undertaking does not conflict or is not inconsistent with his position or obligation as a Government servant; but he shall not undertake or shall discontinue such work if so directed by the Government. A Government servant who has any doubt about the propriety of undertaking any particular work should refer the matter for the orders of the Government:

Provided further that a non-gazetted Government servant may with previous sanction, undertake a small enterprise which absorbs family labour and where he does so shall file details of the enterprise along with the declaration of assets.

(2) Notwithstanding anything contained in sub-rule (1), no Government servant shall associate himself with any private trust, foundation or similar other institution which is not sponsored by the Government.

(3) This rule does not apply to sports activities and memberships of recreation clubs.

- ³[17-A A Civil Servant, with the prior permission of the Government may be a member of a Scientific or Cultural Society, the scope of which is limited to Literary, Educational and Cultural activities, subject to the condition that his official duties do not suffer.]

18. **Subletting of Residential Accommodation Allotted by Government:-** No Government servant shall, except with the prior permission of the Government, sublet residential accommodation or any portion thereof allotted to him by Government.

³ Added vide Notification No. S&GAD/A-4 (319)/94 dated 08.08.1995.

19. **Government Servant not to Live Beyond his Means etc:-** No Government servant shall live beyond his means or indulge in ostentation on occasions of marriage or other ceremonies.
20. **Insolvency and Habitual Indebtedness:-** (1) A Government servant shall avoid habitual indebtedness. If a Government servant is adjudged or declared insolvent or if the whole of that portion of his salary which is liable to attachment is frequently attached for debt has been continuously so attached for a period of two years, or is attached for a sum which, in ordinary circumstances, he cannot repay within a period of two years, he shall be presumed to have contravened this rule unless he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control and has not proceeded from extravagant or dissipated habits.
- (2) A Government servant who applies to be or is adjudged or declared insolvent shall forthwith reports his insolvency to the Head of the Office or Department or to the Secretary of the Administrative Department, as the case may be, in which he is employed.
21. **Unauthorised Communication of Official Documents or Information:-** No Government servant shall, except in accordance with any special or general order of the Government, communicate directly or indirectly any official information or the contents of any official document to a Government servant not authorized to receive it, or to a non-official person, or to the Press.
22. **Approach to Members of the Assemblies etc:-** No Government servant shall, directly or indirectly, approach any member of the Assembly or any other non-official person to intervene on his behalf in any matter.
23. **Management etc. of Newspapers or Periodicals:-** No Government servant shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication.
24. **Submission of Literary, Artistic or Scientific Articles etc:-** Where a Government servant submits the draft of a literary, artistic or scientific article or book for obtaining previous sanction for its publication, he shall be informed within three months of his doing so whether he has or has not such sanction; and, if no communication is issued to him within that period, he shall be entitled to presume that the sanction asked for has been granted.
25. **Radio Broadcast and Communications to the Press:-** No Government servant shall, except with the previous sanction of the Government or any other authority empowered by it in this behalf or in the bonafide discharge of his duties, participate in a radio broadcast or television programme or contribute any article or write any other person to any newspaper or periodical:

Provided that such sanction shall generally be granted if such broadcast or television programme or such contribution or letter is not, or may not be considered likely to jeopardize the integrity of the Government servant, the security of Azad Jammu and Kashmir or friendly relations with foreign states, or to offend public order, decency or morality, or to amount to contempt of Court, defamation or incitement to an offence:

Provided further that no such sanction shall be required if such broadcast or such contribution or letter is of a purely literary, artistic or scientific character.

⁴[25-A. **Government Servant not to Express Views Against Ideology of Pakistan:-** No Government Servant shall express views detrimental to the ideology or integrity of Pakistan.]

⁵[25-B. **Government Servants not to Express Views Against Ideology of State's Accession to Pakistan:-** No Government Servant shall express views by any means detrimental to the Ideology of State's Accession to Pakistan.]

26. **Publication of Information and Public Speeches Capable of Embarrassing Government:-** No Government servant shall, in any document published or in any public utterance or television programme or radio broadcast delivered by him, make any statement of fact or opinion which is capable of embarrassing the Government;

Provided that technical staff (both gazetted and non-gazetted) may publish research papers on technical subjects, if such papers do not express views on political issues or on Government policy and do not include any information of classified nature.

27. **Evidence Before Committees:-** (1) No Government servant shall give evidence before a public committee except with the previous sanction of the Government.

(2) No Government servant giving such evidence shall criticise the policy or decisions of the Government.

(3) This rule shall not apply to evidence given before statutory committees which have power to compel attendance and the giving of answers, nor to evidence given in judicial inquiries.

28. **Taking Part in Politics and Elections:-** (1) No Government servant shall take part in, subscribe in aid of or assist in any way, any political movement in Azad Jammu and Kashmir or Pakistan or relating to the affairs of Azad Jammu and Kashmir or Pakistan.

⁴ Inserted vide Notification No. S&GAD/SO-1/388/81 dated 03.06.1981.

⁵ Inserted vide Notification No. S&GAD/JS/97/621-740/86 dated 25.02.1986.

(2) No Government servant shall permit any person dependent on him for maintenance or under his care or control to take part in, or in any way assist, any movement or activity which is or tends directly, or indirectly to be, subversive of the Government as by law established in Azad Jammu and Kashmir or in Pakistan.

(3) No Government servant shall canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative body, whether in Azad Jammu and Kashmir or Pakistan or elsewhere:

Provided that a Government servant who is qualified to vote at such election may exercise his right to vote; but if he does so, he shall give no indication of the manner in which he proposes to vote or has voted.

(4) No Government servant shall allow any member of his family dependent on him to indulge in any political activity, including forming a political association and being its member, or to act in a manner in which he himself is not permitted by sub-rule (3) to act.

(5) No Government servant can be a member of non-official party-organization or take part in any non-official functions or processions/meetings contrary to these rules.

(6) A Government servant who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purpose of sub-rule (3) to have taken part in an election to such body.

(7) The provisions of sub-rules (3) and (6) shall, so far as may be, apply to elections to local authorities or bodies, save in respect of Government servants required or permitted by or under any law or order of the Government, for the time being in force, to be candidates at such elections.

(8) If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Government thereon shall be final.

29. **Propagation of Sectarian Creeds, etc:-** No Government servant shall propagate such sectarian creed or take part in such sectarian controversies or indulge in such sectarian partiality and favoritism as are likely to affect his integrity in the discharge of his duties or to embarrass the administration or create feelings of discontent or displeasure amongst the Government servants in particular and amongst the people in general.

30. **Vindication by Government Servants of their Public Acts or Character:-**
(1) A Government servant may not, without the previous sanction of the Government, have recourse to any Court or Press for the vindication of his

public acts or character from defamatory attacks. When Government grants sanction to a Government servant to have recourse to a Court, Government will ordinarily bear the cost of the proceedings, but may leave the Government servant to institute them at his own expense. In the later case, if he obtain a decision in his favour, Government may re-imburse him to the extent of the whole or any part of the cost.

(2) Nothing in this rule limits or otherwise affects the right of a Government servant to vindicate his private acts or character.

31. **Nepotism, Favoritism and Victimization, etc:-** No Government servant shall indulge in regionalism, parochialism, nepotism, favoritism, victimization, or willful abuse of office.

32. **Membership of Service Association:-** No Government servant shall be a member, representative or officer of any association representing or purporting to represent Government servants or any class of Government servants, unless such association satisfies the following conditions, namely:-

(a) The association has been sanctioned by the Government and membership of the association and its office bearers shall be confined to a distinct class of Government servants and shall be open to all Government servants of that class.

(b) The association shall not be in any way connected with, or affiliated to, any association which does not, or any federation of associations which do not, satisfy condition (a) above.

(c) The association shall not be in any way connected with any political party or organization, or engage in any Political activity.

(d) The association shall not;

(i) issue or maintain any periodical publication except in accordance with any general or special order of the Government; and

(ii) except with the previous sanction of Government, publish any representation on behalf of its members, whether in the press or otherwise;

(e) The association shall not, in respect of any election to a legislative body, or to a local authority or body, whether in Azad Jammu and Kashmir or elsewhere;

(i) pay or contribute towards, any expenses incurred in connection with his candidature by a candidate for such election;

(ii) by any means support the candidature of any person for such election; or

(iii) undertake or assist in the registration of electors, or the selection of a candidate for such election;

(f) The association shall not;

(i) maintain or contribute towards the maintenance of, any member of a legislative body, or of any member of a local authority or body, whether in Azad Jammu and Kashmir or elsewhere; or

(ii) pay or contribute towards, the expenses of any trade union which has constituted a fund under the Trade Union Act.

⁶[(g)-----]

33. **Use of Political or Other Influence:-** No Government servant shall bring or attempt to bring political or other outside influence, directly or indirectly, to bear on the Government or any Government servant in support of any claim arising in connection with his employment as such.
34. **Approaching Foreign Missions and Aid Giving Agencies:-** No Government servant shall approach, directly or indirectly, a foreign mission in Azad Jammu and Kashmir or Pakistan or any foreign aid giving agency in Azad Jammu and Kashmir or Pakistan or abroad to secure for himself invitations to visit a foreign country or to elicit offers of training facilities aboard.
35. **Delegation of Powers:-** Government may, by general or special order, delegate to any officer or authority subordinate to it all or any of its powers under these rules and may, by such order prescribe the channel through which reports shall be made to the Government and the Officers receipt by whom of such reports shall be regarded as receipts of the reports by the Government within the meaning of these rules.
36. **Rules Not to be in Derogation of Any Law, etc:-** Nothing in these rules shall derogate from the provisions of any law, or of any order of any competent authority, for the time being in force, relating to the conduct of the Government servants.

Sd/--

(Sardar Aftab Ahmed Khan)

Secretary Services

⁶ New clause (g) added vide Notification No. S&GAD/R/A-4 (97)/92 P-II dated 30.10.1994 has been withdrawn vide Notification No. S&GAD/R/A-4(97)/92 Part-II dated 24.07.1996.