

**THE AZAD JAMMU AND KASHMIR (CIVIL SERVICES)  
DELEGATION OF ADMINISTRATIVE POWERS RULES, 2011**

“Muzaffarabad”  
Dated: 13<sup>th</sup> May, 2011

**NOTIFICATION:**

No. S&GAD/A-4(119)/2008 Part-III. In exercise of the powers conferred under Section 58 of the Azad Jammu and Kashmir Interim Constitution Act, 1974, the President is pleased to make the following Rules, namely:-

1. **Short Title and Commencement:-** (1) These rules may be called the Azad Jammu and Kashmir (Civil Services) Delegation of Administrative Powers Rules, 2011.
  - (2) They shall come into force at once.
2. **Definitions:-** (1) In these Rules, unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them, that is to say:-
  - (i) **“Administrative Secretary”** means a Secretary defined as such under rule 2(1)(xxi) of the Azad Government of the State of Jammu and Kashmir Rules of Business 1985;
  - (ii) **“Chief Secretary”** means a Chief Secretary defined as such under rule 2(1)(vii) of the Azad Government of the State of Jammu and Kashmir Rules of Business, 1985;
  - (iii) **“Controlling Officer”** includes an officer, other than authorities specifically mentioned in clause (i) & (ii) above, who by virtue of holding an office has been designated as Administrative Head or In-charge of a Section, Office or Sub-office established in the Department, Attached Department, District or Divisional Office made responsible for efficient discharge of the functions in distinct

sphere under any Statute or who may otherwise be declared as Controlling Officer by the Administrative Secretary;

- (iv) **“Divisional Commissioner”** means an officer who is designated and appointed as Divisional Commissioner by the Government; and
- (v) **“Government”** means the Azad Government of the State of Jammu and Kashmir.

3. **Delegation of Powers:-** The powers specified in column 2 of the Schedule I to these rules, shall to the extent mentioned in column 4 thereof, be exercised by the authorities specified in column 3 of the said Schedule.
4. **Repeal:-** The Azad Jammu and Kashmir (Civil Services) Delegation of Powers Rules, 1994 are hereby repealed.

**Sd/--**  
Additional Secretary Services  
(Regulations)

SCHEDULE I

**AJK (CIVIL SERVICES) DELEGATION OF  
ADMINISTRATIVE POWERS RULES, 2011**  
(ISSUED VIDE NOTIFICATION NO. S&GAD/A-4(119)/2008 PART-III  
DATED 13.05.2011)

1	2	3	4
Sr. #	Nature of Functions	Authorities To Whom Powers Delegated	Extent of Powers
1.	<u>Administrative Approval in case of:-</u>		
	(a) Abolition of Posts	(i) Chief Secretary	(i) BS-19 & above, subject to substantially justified and valid reasons recorded in writing.
		(ii) Administrative Secretary	(ii) Up to BS-18
	(b) Acquisition of land for Public purpose in pursuance of budgetary provision or under approved scheme /project.	Administrative Secretary	Full Powers.
	(c) Creation/ Re-designation/ Annual Renewal /Change of Nomenclature of Posts in accordance with concurrence of Finance Department.	(i) Chief Secretary (ii) Administrative Secretary	(i) Post up to BS-18 (ii) Post up to BS-16
	(d) Initiation of disciplinary proceedings under relevant law against subordinate officers/staff.	(i) Chief Secretary (ii) Administrative Secretary (iii) Appointing Authority	(i) BS-18/19 (ii) Bs 12 to 17 (iii) Up to BS-11
	(e) Procurement of Services	Administrative Secretary	Full Powers.
	(f) Purchase of Durable Goods/Machinery & Equipment.	(i) Administrative Secretary	i) Full Powers subject to fund allocated in Budgetary Head.
		(ii) Head of an Attached Deptt./Additional Secretary/ Divisional Commissioner/DIG Police/Controlling Officer BS-19	(ii) Up to Rs.250,000/- subject to the condition above.

**The AJ&K (Civil Services) Delegation of Administrative Powers Rules, 2011**

		(iii) Controlling Officer at District Level.	(iii) up to Rs.150,000/- subject to condition above.
	(g) Purchase of Motor Vehicle	Administrative Secretary	Full powers subject to funds allocated in Budgetary Head.
	(h) Purchase of Stationery/ Periodicals/Newspapers	(i) Administrative Secretary (ii) Head of an Attached Deptt./ Additional Secretary/ Divisional Commissioner/DIG Police/Controlling Officer BS-19	(i) Full Powers. (ii) Upto Rs. 100,000/-
	(i) Re-imburement of Hospital Charges	Secretary Health.	Full Powers against budgetary allocation
	(j) Striking out name of a Government Servant from strength in case of in service death.	(i) Secretary S&GAD (ii) Administrative Secretary Concerned	(i) BS-19 and above (ii) Upto BS-18
	(k) Payment of Death Compensation and waiver of advances.	Administrative Secretary	Full Powers subject to concurrence and provision of funds by the Finance Department.
2.	<b><u>Appointment:-</u></b> (a) To make appointment against a duly approved and vacant post in a substantive or officiating capacity in the Civil Secretariat on the recommendations of Public Service Commission or appropriate Selection Board/Committee in the prescribed manner.	Chief Secretary	BS-17 & 18.
	<sup>1</sup> (b) [****]		
	(c) To assign additional charge to the senior most eligible and suitable officer/official against temporary vacant post.	Appointing Authority	Full Powers.

<sup>1</sup> Omitted vide Notification No. S&GAD/R/A-4(119)/2008, Part-III dated 27.03.2012.

**The AJ&K (Civil Services) Delegation of Administrative Powers Rules, 2011**

3.	<b>Headquarter:-</b> To determine and declare Headquarter of a civil/ Government Servant.	(i) Administrative Secretary (ii) Head of an Attached Deptt./ Additional Secretary/ Divisional Commissioner/DIG Police/Controlling Officer BS-18/19	(i) Full Powers (ii) Up to B-16
4.	<b>Honorarium &amp; Fee/ Remuneration:-</b> (a) To Sanction Honorarium Upto two months only in justified cases to compensate the performance beyond normal working hours & during holidays with the Concurrence of Finance Department.	Administrative Secretary	Full Powers
	(b) To sanction undertaking of a work for which a fee is offered.	(i) Administrative Secretary (ii) Head of an Attached Deptt./ Additional Secretary/ Divisional Commissioner/ DIG Police/ Controlling Officer BS-18/19	(i) Full Powers (ii) Upto Rs.2,000/-
	(c) To permit a Government Servant to undertake the writing of books and to receive royalties thereto.	Administrative Secretary	Full Powers.
5.	<b>Implementation of Judgment/ Satisfaction of Court Decree.</b>	Administrative Secretary with concurrence of Finance Department in matter, wherein public finance is involved for due execution of the Judgment/Decree.	Full powers where the Judgment/Decree acquired finality in case of not filing appeal in consultation with Law Department.
6.	<b>Increment:-</b> (a) To allow counting of period spent as extraordinary leave for increments provided leave was obtained on account of illness or any other cause beyond the control of Civil/ Government Servant.	Administrative Secretary	Full powers in consultation of Finance Department.
	(b) To declare that the service in a lower grade or post shall not count for increment when the degraded Government/ Civil Servant is reinstated.	Administrative Secretary	Full powers.

**The AJ&K (Civil Services) Delegation of Administrative Powers Rules, 2011**

7.	<b>Leave:-</b> (a) To count former service of a Government/Civil Servant for leave in whole or in part.	Administrative Secretary	Full powers
	(b) To permit a Government Servant to accept other employment during leave preparatory to retirement.	Administrative Secretary	Full powers.
	(c) To sanction:- (i) all kinds of leave except Study Leave & LPR	(i) Chief Secretary, in favour of Secretaries and Divisional Commissioners.	(i) Full powers.
		(ii) Administrative Secretary in favour of all subordinate officers/staff working in the department.	(ii) Full Powers.
		(iii) Head of an Attached Department/ Additional Secretary/ Divisional Commissioner/ DIG Police/ Controlling Officer BS-19	(iii) BS-12 to 16
		(iv) District Controlling Officer/ Officer BS-17/18	(iv) Up to BS-11
	(ii) Study Leave	(i) Chief Secretary	(i) Full powers in respect of officers BS-17 & above.
		(ii) Administrative Secretary	(ii) In all other cases.
	(iii) Leave preparatory to retirement (LPR)	(i) Secretary S&GAD	(i) In case of Head of Attached Departments.
		(ii) Administrative Secretary	(ii) In all other cases.
(iv) Casual leave	Immediate officer not below the rank of BS-16	Full Powers.	
8.	<b>Lien:-</b> To retain or transfer or suspend a lien of Civil/Government Servants.	(i) Chief Secretary.	In respect of:- (i) Administrative Secretary and Head of an Attached Department.
		(ii) Administrative Secretary	(ii) Other officers except those mentioned above.



**The AJ&K (Civil Services) Delegation of Administrative Powers Rules, 2011**

		(iii) Head of an Attached Deptt/ Additional Secretary/ Divisional Commissioner/ DIG Police/ Controlling Officer BS-18/19	(ii) Officials Upto BS-15
9.	<b>Pay and Allowances:-</b> To fix pay and allowance of a Civil/Government Servant reduced in rank as penalty upto maximum of the pay of the lower posts.	Administrative Secretary	Full powers
10.	<b>Pension/Retirement:-</b> (a) Leave encashment as pensionary benefit.	(i) Chief Secretary	(i) BS-19 and above
		(ii) Administrative Secretary	(ii) Posts BS 12-18
		(iii) Head of an Attached Deptt/ Additional Secretary/ Divisional Commissioner/ DIG Police/ Controlling Officer BS-18-19	(iii) Posts Upto BS-11
	(b) Provisional withholding of pension subject to clearance of Government liabilities.	Administrative Secretary in respect of all subordinate Officers/Officials.	Full powers.
	(c) Subject to existing law powers to make an order for retirement of Civil/ Government Servant and sanction all type of pension admissible under rules.	(i) Chief Secretary	(i) In respect of Civil/ Government Servant holding posts of Administrative Secretary/ Head of an Attached Department/Officers of BS-19 and above/ Head of Government owned Corporations/ Autonomous/ semi Autonomous bodies.
		(ii) Administrative Secretary	(ii) Officers upto BS-18
(iii) Head of an Attached Dept./ Additional Secretary/ Divisional Commissioner/ DIG Police/ Controlling Officer BS 18-19.		(iii) Officials upto BS-15	
<b>Explanation:</b> Respective appointing authorities of employees of AJK Supreme Court/High Court/Shariat Court shall be competent to sanction pension/retirement, etc.			

**The AJ&K (Civil Services) Delegation of Administrative Powers Rules, 2011**

11.	<b>Seniority:</b> Subject to statutory provisions, powers to determine cadre wise (interim & final) inter-se Seniority of Civil/Government Servants.	Appointing Authority	Full powers
12.	<b>Posting/Transfer:-</b> To make posting/transfer of Civil/Government Servant as per statutory provision and in consonance with policy of the Government issued from time to time.	(i) Chief Secretary (ii) Administrative Secretary (iii) Appointing Authority	(i) BS-18 in the Civil Secretariat (ii) BS-16-[***]* (iii) Upto BS-15
13.	<b>Traveling/Daily Allowance:-</b> (a) Advance TA/DA  (b) Power to sanction travelling allowance in cases where a suspended Government Servant is required by the suspending authority to make a journey for the purpose of attending a departmental inquiry.  (c) To sanction Travelling Allowance for Civil Government Servant summoned by the court in respect of any civil or criminal proceedings in connection with official duties.  (d) To grant Travelling Allowance to person not in Government service for attending Commissions of inquiry and performing obligatory functions in an honorary capacity.	(i) Chief Secretary in respect of Administrative Secretary. (ii) Administrative Secretary in respect of journey to be undertaken by subordinate officers/staff serving in the department.  (i) Administrative Secretary (ii) Head of an Attached Dept. / Additional Secretary/ Divisional Commissioner/ DIG Police/ Controlling Officer BS-19  Controlling Officers  Administrative Secretary	(i) Full powers. (ii) Full powers.  (i) Full powers (ii) Upto BS-17  Full Powers.  Full powers against Budgetary Head.

\* Omitted vide Notification No. S&GAD/R/A-4(119) 2008, Part-III, dated 27.03.2012.



14.	Powers to allot transport under the transport Policy:-  (a) Within Secretariat;  (b) For the Attached Department.	(i) Secretary S&GAD  (ii) Administrative Secretary	(i) Full powers subject to entitlement and availability of vehicle.  (ii) Full powers subject to entitlement and availability of vehicle.
-----	---	--	---

