

**THE AJ&K SECRETARIAT (SECTION OFFICERS)
SERVICE RULES, 1978**

“Muzaffarabad”

Dated: 25th July, 1978

No. S&GAD/16440-500/78. In exercise of the powers conferred by Section 23 of the Azad Jammu and Kashmir Civil Servants Act, 1976, the Government is pleased to make the following rules regulating recruitment to the Azad Jammu and Kashmir Secretariat (Section Officers) Service and prescribing conditions of service for the persons appointed thereto namely:-

**THE AZAD JAMMU & KASHMIR SECRETARIAT
(SECTION OFFICERS) SERVICE RULES, 1978.**

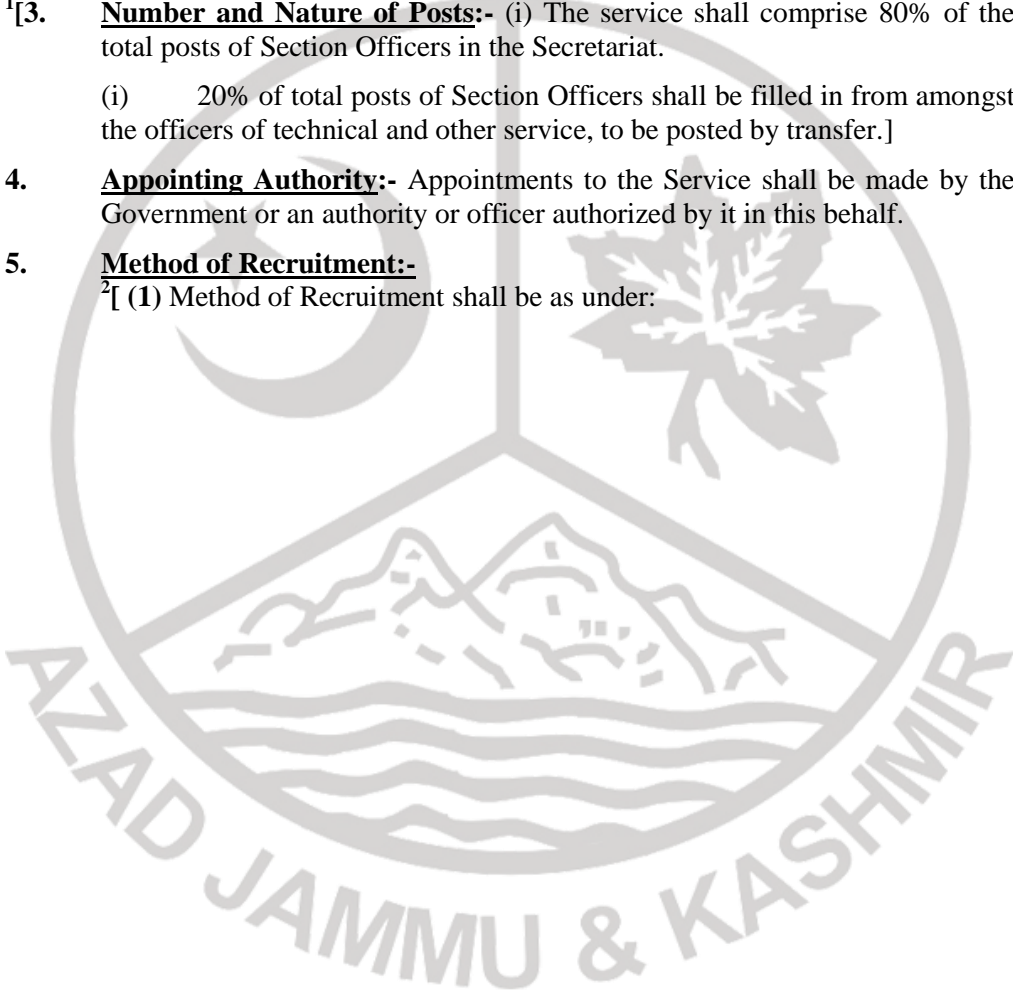
PART – I: GENERAL

1. **Short Title, Commencement and Application:-**
 - (1) These rules may be called the Azad Jammu and Kashmir Civil Secretariat (Section Officers) Service Rules, 1978.
 - (2) They shall come into force at once.
2. **Definitions:-** In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say:-
 - (a) **“Appointing Authority”** means the authority specified in rule 4;
 - (b) **“Commission”** means the Azad Jammu and Kashmir Public Service Commission;
 - (c) **“Government”** means the Azad Government of the State of Jammu and Kashmir;
 - (d) **“Initial Recruitment”** means appointment made otherwise than by promotion or transfer from another Service/Department/Post;
 - (e) **“President”** means the President of Azad Jammu and Kashmir;
 - (f) **“Recognised University”** means any University incorporated by law in Pakistan including Jamia Islamia Bahawalpur or any other University (which may be) declared by Government in consultation with the Commission to be a recognized University for the purposes of these rules;

- (g) **“Secretariat”** means the Azad Jammu and Kashmir Government Secretariat; and
- (h) **“Service”** means the Azad Jammu and Kashmir Secretariat (Section Officers) Service.

PART-II: RECRUITMENT

- ¹[3. **Number and Nature of Posts:-** (i) The service shall comprise 80% of the total posts of Section Officers in the Secretariat.
- (i) 20% of total posts of Section Officers shall be filled in from amongst the officers of technical and other service, to be posted by transfer.]
4. **Appointing Authority:-** Appointments to the Service shall be made by the Government or an authority or officer authorized by it in this behalf.
5. **Method of Recruitment:-**
²[(1) Method of Recruitment shall be as under:



1 Substituted vide Notification No. S&GAD/R/A-4(126)/96 Part-II Dated 29.10.1996.

2 Substituted vide Notification No. S&GAD/R/A-4(126)09, P-III dated 27.05.2013

The AJ&K Secretariat (Section Officers) Service Rules, 1978

S.#	Name of the Department	Functional Unit	Name of the Post	Appointing Authority	Minimum Qualification for Appointment By		Method of Recruitment	Age for Initial Recruitment		Examination, Training and other conditions required for confirmation/promotion
					Initial Recruitment	Promotion		Min	Max	
1	2	3	4	5	6	7	8	9	10	11
1-	S&GAD	Administration	Section Officer (B-17)		Graduate from a recognized University	-	(1) 45% by initial recruitment on the recommendations of the AJ&K Public Service Commission based on the result of combined competitive examination having qualification as per col.No.6. (2) 45% to be filled by promotion on the basis of seniority-cum-fitness from amongst the Superintendents and Private Secretaries of the Azad Jammu and Kashmir Secretariat (Ministerial) Service, ³ [.....], in the ratio of 22.5 each. (3) 05% by selection on merit from amongst the civil servants holding respective posts on regular basis in BS-9 to BS-16 with Master's degree or Bachelor's Degree (4 year) or LL.B from a recognized University, serving in Civil Secretariat under the Government of AJ&K and having the following experience: (a) For officials in (BS-09 to BS-16) = 6 years; (4) 05% by transfer on tenure basis from officer BS-17 of Technical Departments. Note: a) The selection against the quota of 5% (at Sr. No. 3 above) shall be made by the AJ&K Public Service Commission. b) The word "Technical Department" under serial No. 4 shall include Agriculture/ Animal Husbandry, PWD, Health, Electricity and any other department whose officers possess a technical and professional degree.	21	35	Prescribed Departmental Examination. Note: Those promoted against 45% quota or selected on merit against 5% quota would also undergo comprehensive post-induction training.

(2) Vacancies to be filled by initial recruitment shall be filled in accordance with quota fixed by the Government from time to time.

³. Omitted vide notification No. S&GAD/R/A-4(126)09, P-III dated 01.11.2013.

6. **Age:-** No person shall be appointed to the service by initial recruitment who is less than twenty one years or more than [thirty five]* years of age:

Provided that in the case of persons whose services under Government have been terminated for want of vacancy, the period of service already rendered by them shall, for the purpose of the upper age limit under this rule, be excluded from their age.

7. **Qualifications:-** (1) No person shall be appointed to the service by initial recruitment unless he is a graduate of a recognised University.

(2) No person, not already in Government service, shall be appointed to the service unless he produces a certificate of character from the Principal Academic Officer of the Academic Institution last attended, and also certificates of character from two other responsible persons, not being his relatives, who are well acquainted with his character and antecedents.

PART-III: CONDITIONS OF SERVICE

8. **Probation:-** (1) Members of the service appointed against substantive vacancies shall remain on probation for a period of two years, if appointed by initial recruitment, and for a period of one year, if appointed otherwise.

Explanation: Officiating service and any period of service spent on deputation to a corresponding or a higher post may be allowed to count towards the period of probation.

(2) If the work or conduct of a member of the service during the period of probation has, in the opinion of the appointing authority, not been satisfactory, the appointing authority may, notwithstanding that the period of probation has not expired, dispense with his services, if he has been appointed by initial recruitment, and if he has been appointed otherwise, revert him to his former post, or if there be no such post, dispense with his services.

(3) On completion of the period of probation of a member of the service, the appointing authority may, subject to the provisions of sub-rule (4), either confirm him in his appointment, or if his work or conduct has, in the opinion of the appointing authority, not been satisfactory-

- (a) In case he has been appointed by initial recruitment, dispense with his service; or

* Upper age limit relaxed upto 40 years vide notification No. Admin/A-4(49)/2014 dated 13.08.2014 up till 31.07.2016.

- (b) In case he has been appointed otherwise, revert him to his former post, and if there be no such post, dispense with his services; or
- (c) Extend the period of his probation by a period not exceeding two years in all, and during or on the expiry of such period pass such orders as it could have passed during or on the expiry of the initial probationary period.

Explanation-I: If no orders have been made by the day following the completion of the initial probationary period, the period of probation shall be deemed to have been extended.

Explanation-II: If no orders have been made by the day on which the maximum period of probation expires, the probationer shall be deemed to have been confirmed in his appointment from the date on which the period of probation was last extended or may be deemed to have been so extended.

(4) No person shall be confirmed in the service unless he successfully completes such training and passes such departmental examinations as may be prescribed by the Government from time to time.

(5) If a member of the service fails to complete successfully any training or pass any departmental examination prescribed under sub-rule (4), within such period or in such number of attempts as may be prescribed by Government, the appointing authority may-

- (a) In case he has been appointed by initial recruitment dispense with his services; or
- (b) In case he has been appointed otherwise, revert him to his former post, and if there be no such post, dispense with his services.

9. **Seniority:-** (1) The seniority inter se of the members of the service in the various grades thereof shall be determined-

(a) in the case of members appointed by initial recruitment, in accordance with the order of merit assigned by the Commission;

Provided that a person selected for appointment to the service in an earlier selection will rank senior to a person selected in a later selection; and

(b) in the case of members appointed otherwise, with reference to the dates of their continuous appointment therein; provided that if the date of continuous appointment in respect of two or more officers is the same the older officer, if not junior to the younger officer or officers in the next below grade, shall rank senior to the younger officer or officers.

Explanation-I: If a junior officer in a lower grade is promoted to higher grade temporarily in the public interest even though continuing later permanently in the higher grade, it would not adversely affect the interest of the seniors in the fixation of his seniority in that grade.

Explanation-II: If a junior officer in a lower grade is promoted to higher grade by superseding a senior officer and subsequently that officer is also promoted, the officer promoted first shall rank senior to the officer promoted subsequently.

(2) The seniority of the members of the service appointed by initial recruitment vis-a-vis those appointed otherwise shall be determined:

- (a) In case both the officers appointed by initial recruitment and those appointed otherwise have been appointed against substantive vacancies or both have been appointed against temporary vacancies, with reference to the date of appointment to such vacancy in the case of an officer appointed by initial recruitment and to the date of continuous appointment against such vacancy in the case of an officer appointed otherwise, provided that if the two dates are the same the officer appointed otherwise shall rank senior to the officer appointed by initial recruitment;
- (b) In case the officer appointed by initial recruitment has been appointed against a substantive vacancy and the officer appointed otherwise has been appointed against a temporary vacancy, the officer appointed by initial recruitment shall rank senior to the officer appointed otherwise; and
- (c) In case the officer appointed otherwise is appointed against a substantive vacancy and the officer appointed by initial recruitment is appointed against a temporary vacancy, the officer appointed otherwise shall rank senior to the officer appointed by initial recruitment.

10. **Liability to Transfer:-** Members of the service shall be liable:-
- (a) To transfer anywhere in Azad Jammu and Kashmir; and
 - (b) To serve in any department of Government, any local authority/ or other statutory body set up or established by Government.
11. **General Rules:-** In matters not expressly provided for in these rules, members of the service shall be governed by such rules as have been or may hereafter framed by Government and made applicable to them.
12. **Relaxation:-** Any of these rules may for reasons to be recorded in writing, be relaxed in individual cases, if Government is satisfied that a strict application of the rule would cause undue hardship to the individual concerned:
- Provided that whenever such relaxation involves a question on which consultation with the Commission is mandatory, the Commission shall be consulted before the relaxation is made.
13. **Delegation:-** Government may delegate all or any of the powers under these rules to any officer subordinate to it.
14. **Powers of President to Safeguard Rights of Government Servants:-** Whenever in the application of these rules, the terms and conditions of service of any person serving in connection with the affairs of the Azad Government of the State of Jammu and Kashmir as guaranteed by any law for the time being in force, are likely to be adversely affected, the President of Azad Jammu and Kashmir shall make appropriate orders to safeguard the constitutional and legal rights of such member.

Sd/--
(Khalil Ahmed Qureshi)
Secretary Services