

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
SERVICES & GENERAL ADMINISTRATION DEPARTMENT
(REGULATIONS)**

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**“Muzaffarabad”
Dated: August 21, 2019**

NOTIFICATION:

No.S&GAD-4(126)2014/P-IV: In exercise of the powers conferred under Section 23 of the Azad Jammu & Kashmir Civil Servants Act, 1976, the Azad Govt. of the State of Jammu & Kashmir is pleased to make the following Rules namely:-

1. Short Title and Commencement. (1) These rules may be called “**the Azad Jammu & Kashmir Section Officers, Assistant Commissioners & Assistant Superintendents of Police (Probation, Training, Examination & Seniority) Rules, 2019**”.

(2) These Rules shall be applicable to the persons appointed through initial recruitment on the basis of competitive examination and on the recommendations of the Azad Jammu & Kashmir Public Service Commission to the posts of Section Officers, Assistant Commissioners and Assistant Superintendents of Police, in accordance with Rules already framed to regulate these distinct service cadres/groups.

(3) These Rules shall come into force at once.

2. Definitions. In these rules, unless there is anything repugnant in the subject or context:-

(i) “**Appointing Authority**” means the authority made competent to make appointment to the posts of Section Officers, Assistant Commissioners and Assistant Superintendents of Police under the Azad Jammu & Kashmir Civil Servants Act, 1976, the Azad Jammu & Kashmir Civil Servants (Appointment & Conditions of Service) Rules, 1977 and any special rules made applicable to these service cadres/groups;

(ii) “**Commission**” means and includes the Azad Jammu & Kashmir Public Service Commission in case of initial recruitment and the Federal Public Service Commission in case of Final Passing Out Examination for the purpose of these rules;

(iii) “**Examination**” includes any exercise which from time to time is approved or imposed or adopted by the Government which is intended to evaluate or test performance of the probationer in the field of his training during the training programme being mandatory to continue or confirm in the relevant service cadre/group;

- (iv) **“Final Passing Out Examination”** means the Final Passing Out Examination to be hereinafter referred as FPOE which shall be conducted by the Federal Public Service Commission after conclusion of specialized training;
- (v) **“Government”** means the Azad Government of the State of Jammu & Kashmir;
- (vi) **“Training Institution”** shall include Civil Services Academy, Lahore; Secretariat Training Institute (STI), Islamabad; Pakistan Administrative Service (PAS) Campus, Lahore; National Police Academy (NPA), Islamabad for the purpose of training of probationers under these Rules;
- (vii) **“Head of training institution”** means the head of a training institution or place where probationers (Section Officers, Assistant Commissioners & Assistant Superintendents of Police) are imparted mandatory training programme;
- (viii) **“Initial training”** means the training prior to specialized training undertaken by the probationers (Section Officers, Assistant Commissioners & Assistant Superintendents of Police) at a training institution or place that the Government may specify;
- (ix) **“Probationer”** means a person who has been selected by and appointed on the recommendations of Azad Jammu & Kashmir Public Service Commission in the service cadre/group including Section Officers, Assistant Commissioners & Assistant Superintendents of Police as per rules respectively;
- (x) **“Specialized Training”** means training subsequent to the initial training undertaken by the probationers (Section Officers, Assistant Commissioners & Assistant Superintendents of Police) at a training institution or place that the Government may specify.

3. **Training Programmes and Examination.** (1) Every probationer, immediate on appointment, shall undergo training at such training institutions as per schedule approved therefor and also appear in such examination as may be prescribed under the rules in the manner hereinafter specified.

(2) In case any probationer fails in undergoing prescribed training or qualifying prescribed examination shall render his appointment liable to termination without notice:

Provided that Appointing Authority may, on the recommendations of Special Medical Board set up by the Govt. and in

consultation with Federal Public Service Commission, allow deferment of training and examination, whatever the case may be, if so justified on the basis of compelling medical grounds only.

(3) A probationer shall have to qualify every examination to the satisfaction of the head of the training institution where he is undergoing training.

(4) In addition to 900 marks prescribed for competitive examination by the Azad Jammu & Kashmir Public Service Commission, 500 marks shall be allocated for initial training programme i.e. Common Training Programme (CTP), 600 marks for specialized training programme (STP) and 1000 marks for the Final Passing Out Examination (FPOE).

(5) Every probationer shall be required to qualify the Final Passing Out Examination to be conducted by the Federal Public Service Commission on completion of specialized training programme by the training institutions:

Provided that the conditions & criteria prescribed from time to time by the FPSC or the training institutions for conducting and regulating the FPOE shall prevail and be followed accordingly.

(6) The maximum of 1000 marks allocated for Final Passing Out Examination shall be distributed among the subjects as approved by the Federal Public Service Commission or the Federal Government.

(7) If any probationer fails in qualifying any subject or subjects prescribed for the Final Passing out Examination, he shall be allowed two more chances to appear in the examination to be held subsequently in such subject or subjects by the Federal Public Service Commission.

4. Effect of Unsatisfactory Completion of Training Programme. (1) If performance or conduct of a probationer during training programmes is marked as unsatisfactory by the head of the training institution concerned, the Government may require such probationer to repeat training as it may deem necessary or expedient.

(2) In case any probationer is prevented by sickness or any other adequate cause from completing a training programme to the satisfaction of the head of the training institution, the Government may require him to undergo such further training as it deems fit.

5. Probationer missing the Final Passing Out Examination. If a probationer is prevented by ill health from taking (in full or in part) Final Passing Out Examination, the Government in consultation with Federal Public Service Commission may arrange for him to be examined specially:

Provided that, if the probationer fails to appear in the Final Passing Out Examination as arranged for him specially, he shall render his appointment liable to termination without notice.

6. Probationer failing to qualify the Final Passing Out Examination. (1) A probationer who does not qualify Final Passing Out Examination shall face the following consequences:-

- a) withholding of one annual increment in case he fails in the first attempt until he qualifies such examination;
- b) be relegated in seniority to the bottom of his batch if he fails in the second attempt; and
- c) be discharged from the service under clause (a) of sub section 3 of section 5 of the Azad Jammu & Kashmir Civil Servants Act, 1976 in case he fails in the third attempt.

(2) Absence from the Final Passing Out Examination, without permission of the Government shall be deemed to be a failure in qualifying the examination.

7. Seniority. (1) The inter-se seniority of the probationers in their service cadre/group shall be determined by the appointing authority after their successful completion of training programme and passing of Final Passing Out Examination in the manner as prescribed as under Rule 6 above to be conducted by the Federal Public Service Commission.

(2) For the purpose of determining the inter-se seniority of the probationers who commence their training with initial training programme, the marks obtained by a probationer in the competitive examination of the Commission shall be added to the marks obtained by him in the initial training programme, specialized training programme and the marks obtained by qualifying the Final Passing Out Examination in his first attempt:

Provided that the criteria for the time being prescribed for determining inter-se seniority shall be updated in accordance with the conditions from time to time adopted or imposed by the Establishment Division, Govt. of Pakistan.

8. Probation. The probationary period shall be prescribed initially for the period of two years or for such period as the Government may extend for his successful completion of prescribed training programmes/examination.

9. Bond. A probationer shall, before the commencement of the training, execute a Bond with a surety to refund in the event of his failing to complete his training or resigning from his service during the period of training or within three years thereafter, all such amounts paid to him or spent in connection with his training.

10. Penalty. A probationer who fails to comply with the provisions of these rules or to obey any order which he may receive from the appointing authority, or from the head of institution or who neglects his probationary studies, or is guilty of misconduct as unbecoming of an officer shall be liable for removal from service or to such other action as the appointing authority may direct or approve in the public interest:

Provided that a probationer shall be given an opportunity to show cause before his removal from service in compliance with the provision of these rules and the Azad Jammu & Kashmir Civil Servants (Appointment and Conditions of Service) Rules, 1977.

11. Over-riding effect. (1) The provisions of these Rules in addition to the Azad Jammu & Kashmir Civil Servants (Appointment and Conditions of Service) Rules, 1977 shall be having effect notwithstanding anything contained in any other rule or rules for the time being in force with regard to dealing with the matters of training including examination and determination of inter-se seniority of probationary Civil Servants as Section Officers, Assistant Commissioners and Assistant Superintendents of Police while in strict application of these rules.

(2) With regard to conducting FPOE, the method and criteria prescribed by the Federal Public Service Commission shall be applicable to the probationers and shall stand adopted if changes are made from time to time by the FPSC.

(Ambreen Asghar)
Section Officer S&GAD
(Regulations)

Copy to:

- 1) Secretary to the President, Azad Jammu & Kashmir.
- 2) Secretary to the Prime Minister, Azad Govt. of the State of Jammu and Kashmir.
- 3) Chief Secretary, GoAJ&K.
- 4) Additional Chief Secretary (General)/Chairman Rules Committee.
- 5) Secretary, S&GAD.
- 6) Special Secretary, S&GAD.
- 7) Secretary, AJK Public Service Commission.
- 8) Accountant General, Azad Jammu & Kashmir.
- 9) Controller, Govt. Printing Press: For publication in the official Gazette.
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