

GOVERNMENT OF JAMMU AND KASHMIR
SOCIAL WELFARE DEPARTMENT

NOTIFICATION

SRINAGAR, THE 11th September, 2007.

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SRO In exercise of the powers conferred by the proviso 124 of the constitution of Jammu and Kashmir, the Governor hereby makes the following rules, namely:-

1. *Short title and commencements.*- (1) These rules may be called the Jammu and Kashmir Social Welfare (Gazetted) Service Recruitment Rules, 2007.

(2) These rules 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 Department;
- (f) "Member of the Service" means a person appointed on substantive basis by the Competent Authority against any post of the Service under the provisions of these rules;
- (g) "Post" means a permanent post included in the cadre of the service carrying a sanctioned scale of pay;
- (h) "Rules" means the Jammu and Kashmir Social Welfare (Gazetted) Service Recruitment Rules, 2007;
- (i) "Schedule" means the schedule annexed to these rules;
- (j) "Service" means the Jammu and Kashmir Social Welfare (Gazetted) Service;
- (k) "State" means the State of Jammu and Kashmir.
- (i) Words and expressions used in these rules but not defined; shall have the same meaning as are assigned to them in Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rule, 1956/ Jammu and Kashmir Civil Service Regulations, 1956.

3. *Constitution of Service.*- (1) The "Jammu and Kashmir Social Welfare (Gazetted) Service." Shall be deemed to have been constituted from the date of commencement of these rules.

(2) The Government may, after the commencement of these rules, deem any person to have been appointed as a member of the service who after such commencement is appointed in a

substantive capacity by the Competent Authority under these rules against any post included in the cadre of the service:

Provided that for the purposes of initial constitution of Service, the person holding any post in a substantive capacity to which he/she was appointed by the competent authority on regular basis under the Jammu and Kashmir Social Welfare (Gazetted) Service Recruitment Rules, 1970 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 word "holding" means a person holding a post included in the cadre of the Service in its sanctioned scale of pay on regular basis under orders of the competent authority and shall not cover the persons holding a post on ex-cadre/deputation basis or on Adhoc basis or as a stop-gap arrangement or in any other similar capacity.

4. *Strength and Composition of the Service.*- (1) The authorized strength of the cadre and nature of the posts included in the service shall be reflected by the Government, from time to time in schedule -I annexed to these rules;

(2) The Government shall, at the interval of every five years or at such other intervals as may be necessary, examine the cadre strength of the service and make necessary alterations in schedule -I, if required, as per the existing cadre strength of the service at that point of time.

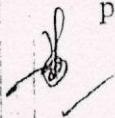
5. *Qualification and Method of Recruitment.*- (1) No person shall be eligible for appointment by direct recruitment or by promotion against a post of the service unless he/she possesses the minimum qualifications prescribed under schedule -II and fulfills other requirements of appointment as provided in the rules and orders for the time being in force.

(2) The appointment to a post included in the cadre of the service shall be made:-

(a) by direct recruitment.

(b) by promotion.

(c) partly by direct recruitment and partly by promotion as per proportion prescribed under Schedule -II of these rules.



(3)

(197)

Provided that all the posts shall be filled through the Jammu and Kashmir Public Service Commission/Departmental Promotion Committee as per the rules/orders of the Government issued for the purpose unless any post/category of posts is exempted from the purview of the Commission under the Jammu and Kashmir Public Service Commission (Limitation of Functions) Regulations, 1957 by the Government by specific order;

Provided also that the department shall refer vacancies in the direct/promotion quota to Public Service Commission and Departmental promotion Committees as the case may be as per notification SRO-166 dated 14.06.2005.

6. *Probation.*- (1) A Person appointed against any post of the service, either by direct recruitment or by promotion, shall be on probation for an initial terms of two years and the same shall be regulated under the provisions of Jammu and Kashmir Civil Services (Classification Control and Appeal) Rules, 1956.

(2) The pay of a person appointed to the service under these rules shall be regulated as per the provisions of J&K Civil Service Regulations, 1956.

7. *Reservation in appointments.*- While making appointment against any post of the service either by promotion or by direct recruitment reservation shall be made for members of Scheduled Caste, Scheduled Tribe and Backward Classes of permanent residents of the State under the provisions of Jammu and Kashmir Reservation Act, 2004 and the Rules made thereunder.

8. *Training and Departmental Examinations.*- A Person appointed against any post of the service shall be required to undergo such training from time to time during the period of probation and to pass during this period such departmental examination as the Government may prescribe.

Provided that a person appointed by promotion shall have to qualify the departmental examination as shall be prescribed by the Government in addition to successful completion of the departmental examination prescribed for the direct recruits of the service.

9. *Eligibility of Government Servants for Direct Recruitment.*- A person already in the Government service may apply through proper channel for direct recruitment against a vacant post of the service if he/she possesses the educational and other qualifications prescribed for appointment to such post. The upper age limit of such Government servants shall be as provided in the general rules:

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 at the end of every calendar year prepare an up-to-date final seniority list of every class/category of the members of the service.

11. Selection Grade:- There shall be a selection grade of Rs.9000-14100 and 25% of the posts reflected in Schedule - I of these Rules shall be placed in the said grade in terms of Government Order No. 767-GAD of 1992 dated 10.08.1992.

12. Residuary matters.- With 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.

13. Interpretation.- If any question of interpretation of these rules arises the matter shall be referred to the Administrative Department whose interpretation after obtaining the opinion of the Law Department shall be final and binding.

14. Repeal and savings.- (1) The Jammu and Kashmir Social Welfare (Gazetted) Service Recruitment Rules, 1970 are hereby repealed.

(2) Notwithstanding such repeal, any appointment order made on substantive basis by the Competent Authority or any 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.

O/c

Jammu
Secretary to Government,
Social Welfare Department

Dated:- 11 -09- 2007.

NO: SWB/Gaz/RR/96.

Copy to the:-

1. Principal Secretary & Secretary to Government, General Administration Department.
2. Principal Secretary & Secretary to Government, Administrative Reforms & Inspection Department.
3. Commr/ Secretary to Government, Law Department (w. 8 s.c).
4. Secretary, Public Service Commission, J&K, Srinagar.
5. Director, Social Welfare, Kashmir/Jammu.
6. General Manager, Government Press, Srinagar for publication in the Government Gazette.
7. Stock file.

SCHEDULE-I

S.No.	Designation of the Post of Service	Sanctioned scale of pay	No. of Posts
1	2	3	4
1	District Social Welfare Officer	7500-12000	14 ²
2	Assistant Director, Social Welfare Department	7500-12000	4
3	Child Development Project Officer	7500-12000	140

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SCHEDULE-II

Class	Category	Designation of post of the service	Sanctioned scale of pay	Minimum qualification for direct recruitment	Method of recruitment
1)	(2)	(3)	(4)	(5)	(6)
	A	District Social Welfare Officer	7500-12000	Graduate	i/ 50% by direct recruitment through combined Competitive Services Examination. ii/ 50% by promotion from amongst members of Class-I of Schedule - II and Schedule - VI of the feeding service i.e. the Jammu and Kashmir Social Welfare (Subordinate) Service having Graduation as Educational Qualification with atleast five years service in the cadre
	B	Assistant Director Social Welfare			
	C	Child Dev. Project Officer			

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