

RECRUITMENT

RULE

**Government of Jammu and Kashmir
Labour, Stationery and Printing Department**

**Notification
Srinagar, the 25th May, 1988**

SRO 168:- In exercise of the powers conferred by the provision to section 124 of the Constitution of Jammu and Kashmir, the Governor hereby makes the following rules, namely:-

01) Short title and commencement:-

- a) These may be called the Jammu and Kashmir Labour (Subordinate) Service Recruitment Rules, 1987.

02) Definition:-

In these rules, unless the context otherwise requires:-

- a) Head of the Department means the Major Head of Department holding the administrative charge of the service;
- b) 'Cadre' means the cadre of the service;
- c) 'Member of the service' means a person appointed to a post in the service under the provisions of these rules;
- d) 'Schedule' means the schedule annexed to these rules;
- e) 'Service' means the Jammu and Kashmir Labour (Subordinate) Service;
- f) Words and expressions used in these rules but not defined shall have the same meaning as assigned to them in the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956.

03) Constitution of Service:-

- a) From the date of Commencement of these rules there shall be constituted the Jammu and Kashmir Labour Subordinate Service.
- b) The Head of the Department may at the commencement of these rules, appoint to the service any person who at the commencement of these rules is holding any post in its sanctioned scale of pay included in the cadre of the service. Provided that for the purpose of initial Constitution of the service, the person holding any such post 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 is fully qualified to hold the post.

04) Strength and composition of the Service:-

- a) The service shall comprise of such classes, categories and grades of posts as are indicated in Schedule 'I'.
- b) The authorized permanent and temporary strength of the cadre and the nature of the posts included therein shall be determined by the Government from time to time and shall at the initial constitution of the service under these rules, be such as specified in Schedule 'I' annexed to these rules.
Provided that the Government may create temporary posts in the cadre of the service for specified period as may be considered necessary from time to time.
- c) The Government shall at the interval of every three year of at such other intervals as may be necessary, reexamine the strength and composition of the cadre of the service and make such alternations therein as it deems fit.
Provided that nothing in this sub-rule shall be deemed to effect the power of the Government to alter the strength and composition of the cadre at any time.

05) Qualification and Method of Recruitment:-

- a) No person shall be eligible for appointment or promotion to any post in any class, category or grade in the service unless the possesses the qualifications as laid down in schedule II and fulfils other requirements of recruitment as provided in the rules and orders for the time being in force.
- b) Appointment to the Service shall be made:-
 - i) by direct recruitment (which shall include appointment by transfer).
 - ii) by promotion and
 - III) partly by direct recruitment and partly by promotion; in the ration and in the manner as indicated against each post in the Schedule.

06) Probation:-

- a) Persons appointed to the service either by direct recruitment or by promotion shall be on probation or trial for two years.
- b) If it appears at any time during or at the end of the period of probation or of trial that an official has not made sufficient use of his opportunities or if he has otherwise failed to give satisfaction and has not passed the prescribed departmental examination or training, if any, if directly recruited, be discharged from the service and if appointed by promotion be reverted to the post in which he holds a lien.
- c) The Government may in the case of any person extend the period of probation or trial up to the maximum period of four years.

EXPALANATION:- Appointment on probation will be made against substantive vacancies only. All other appointments will be on trial. Provided that any period of officiating appointment, shall be reckoned as period spent on probation when a person appointed on trial is given regular appointment to the service.

- c) A candidate appointed to the service by competitive examination, shall draw pay at the maximum of the time scale during the first year and at the second stage of that scale during the remaining period of probation/trial as the case may be.
- d) Where the period of probation/trial as the case may be is extended beyond two years for reasons not directly attributable to a probationer he shall be allowed to draw the second and third increments after the expiry of 2nd and 3rd year of the probation/trial.

Provided that where a person has immediately before such appointment, holding a post under the Govt. in a substantive capacity and was drawing therein pay equal to or more than the minimum of the time scale, his initial pay at the time of this appointment to the service shall be regulated under Art 77(a)(ii) read with Art.67 (a)(ii) of the Jammu and Kashmir Civil Service Regulations.

- e) In respect of a person, who immediately before such appointment held a post under the Government in an officiating capacity and draw his presumptive pay equal to or higher than the minimum of the time scale, his initial pay at the time of appointment to the service shall be regulated under Art.77(a)(ii) of the Jammu and Kashmir Civil Service Regulations treating this presumptive pay as substantive pay for purpose of such fixation alone. He shall not however, get the benefit of Art 67(a)(ii) either at the time of initial fixation or subsequently.
- f) In case the persons who are appointed under these rules otherwise by competitive examination, their fixation of pay shall be regulated under the normal rules relating to such fixation from time to time.

07) Training and Departmental Examination:-

Persons appointed to the service by competitive examination may be required to undergo such training from time to time during the course of service and to pass during the period of probation or trial such departmental examination as the Government may prescribe.

Provided that the Government may exempt, either wholly or partly from such training or departmental examination persons who have passed a Departmental examination or undergone training declared by Government to be equivalent to a Departmental Examination or training, if any, prescribed under these rules.

08) Eligibility of Government Servants for direct Recruitment:-

A person already in the Government service may apply through proper channel for direct recruitment to a vacant post in any particular class or category in the service if he possesses the educational and other qualifications prescribed for recruitment to such class or category of posts. The upper age limit of such persons shall be as provide in the general rules.

Provided that in case of post which requires a higher degree of specialization and or experience the Government may prescribe a higher age limit.

09) Maintenance of Seniority Lists:-

Seniority of the member of the service shall be regulated under the Jammu and Kashmir Civil Services (Classification Control and Appeal) Rules, 1956. The Head of Department shall maintain an up to date and final seniority list of the service.

10) Residuary Matters:-

In regard to matters not specifically covered by these rules, the members of the service shall be governed by the rules, regulations and orders applicable to the State Civil Services in general.

11) Interpretation:-

If any question arises relating to the interpretation of these rules, the matter shall be referred to the Government whose decision thereon shall be final and binding.

12) Repeal and Savings:-

- a) All rules corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed.
- b) Notwithstanding such repeal any appointment order made or 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.

(Swami Raj Sharma)
Secretary to Government

No: 117/Lab/c/

Dated: -5-1988

Copy of the above forwarded to the:-

1. Secretary to Government Law Department (w.5.s.c)
2. Secretary to Government General Department (ARI)
3. Labour Commissioner Srinagar.
4. Deputy Labour Commissioner Jammu/Srinagar.
5. General Manager Government Press, Srinagar for publication in the Government Gazette. He is requested to furnish this Department 50 printed copies of the notification for record.
6. Stock file.

SCHEDULE-I

Refer to Rule 4 of the Jammu and Kashmir Labour (Sub-ordinate) Service Rules.

S.No.	Designation	Pay scale	No. of posts permanent	Temporary	Total
I-Executive					
01	Labour Officer	825-1240	20	5	25
02	Labour Inspector	600-925	17	03	20
03	Medical Assistant	475-850	13	-	13
04	Assistant Labour Welfare Officer	475-850	5	-	5
05	Caretaker	475-850	3	4	7
06	Supervisor	410-700	15	-	15
07	Driver	475-850	1	-	1
08	Biolerman	410-700	2	-	2
II-Ministerial					
01	Section Officer	825-1240	1	-	1
02	Senior Stenographer	825-1240	1	-	1
03	Head Assistant	600-925	3	-	3
04	Junior Stenographer	600-925	1	4	5
05	Senior Assistant	475-850	12	7	19
06	Steno-Typist	475-850	-	2	2
07	Junior Assistant	410-700	21	3	24
08	Jamadar	390-500	1	-	1
09	Orderlies /Chowkidars	345-460	68	18	86

Secretary to Government

SCHEDULE-II

Class	Category	Designation of the post	Grade	Minimum qualification for direct recruitment	Method of recruitment
Executive					
I		Labour Officer	825-1240	Degree with Economics or Sociology or Commerce or Law or Diploma in Social work/ Labour Welfare/ Personnel Management/Industrial Psychology of a recognized University or institute.	i) 50 % by direct recruitment ii) 50 % by promotion from Class II Executive and Class II category "A" Ministerial having not less than three years service in that class and have passed the prescribed Departmental Examination.
II		Labour Inspector	600-925	Essential Degree in Arts or its equivalent qualification from any recognized University. Desirabilities Degree in Economics or Commerce or sociology or its equivalent qualification of any recognized university.	(i)25 % by direct recruitment. (ii) by promotion from Class IV 20 % from class V 20 % and Class III Category 'A' (Ministerial) 35 % having not less than three years service in that class and who have passed the prescribed Departmental Examination.
	B	Medical Assistant	475-850	--	To be drawn from the Health Department
IV		Assistant Labour Welfare Officer	475-850	--	100% by promotion from Class VI (Executive and Class IV (Ministerial) from amongst persons having not less than three years service in that class.
V		Care Taker	475-850	Inter/Higher Secondary (Elective/PUC Examination or its equivalent qualification University or Board of Examination	i) 25% by direct recruitment ii)75% by promotion from Class IV (Executive) and Class-IV (Ministerial) amongst persons having not less than three years service in that class.
VI		Supervisor	410-700	Matriculation or its equivalent examination of an recognized university of Board of Examination	i) 75% by direct recruitment ii) 25% by promotion from Class V & VI(Ministerial) having passed matriculatin examination and having not less than three years in that class.

VII		Driver	475-850	Having 5 years plain and Hill License and should be middle pass as per the qualification prescribed by the State Motor Garages.	100% by direct recruitment
VIII		Boilerman	410-700	Middle Pass having 'B' or 'C' Class Certificate of Competency granted	i) 75% by direct recruitment ii) 25% by promotion from class V and VI (Ministerial) amongst persons having C-Class certificate of competency granted under rules framed under Boiler Act.
Ministerial					
I	A	Section Officer	825-1240	--	By promotion from Class-II Category 'A' from amongst persons having not less than five years service in that class
	B	Senior Stenographer	825-1240	--	i) 75% by direct recruitment having a speed of 80 and 40 words per minute in Shorthand and Type Writing respectively ii) 25% by promotion from Class-III Category 'B' having atleast five years service as such
II	A	Head Assistant	600-925	--	100% by promotion from Class-III Category 'A' having atleast five years service in that class and having passed Secretariat Assistant Examination.
	B	Junior Stenographer	600-925	Inter/Higher Secondary (Elective/PUC Examination or its equivalent qualification University or Board of Examination	100% by direct recruitment
III	A	Senior Assistant	475-850	--	100% by promotion from Class-IV amongst persons having not less than three years service in that class. Preference being given to those having passed the Secretariat Assistant Examination.
	B	Steno Typist	475-850	Inter/Higher Secondary (Elective/PUC Examination or its equivalent qualification University or Board of Examination	75% by direct recruitment. 25% by promotion from Class-IV from amongst persons having atleast three years service in that class as typist or on that basis of a test

					in Shorthand and Type speed which should be 60 and 30 words per minute respectively.
IV		Junior Assistant	410-700	Matriculation or its equivalent qualification of any recognized University or Board of Examination	i) 75% by direct recruitment ii) 25% by promotion from Class-V & IV from amongst persons having passed the Matriculation Examination provided they qualify in type test at a speed of not less than 25 words per minute.
V		Jamadar	390-500	--	100% by promotion from Class-VI
VI	A	Orderlies/Chowkidar	345-460	Middle Pass	100% by direct recruitment having atleast passed 8 th Class or above.

(Swami Raj Sharma)
Secretary to Government