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separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—TRANSPORT DEPARTMENT

Notification

Srinagar, the 14th July, 2017.

SRO-289.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Government hereby make the following rules, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Jammu and Kashmir Transport (Gazetted) Service Recruitment Rules, 2017.

(2) They 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 organization ;
- (f) “Member of Service” means a person appointed to a post in the (Subordinate) Service under the provision of these rules ;
- (g) “Post” means a permanent post carrying a definite time scale sanctioned by the competent authority ;
- (h) “Rules” means the Jammu and Kashmir Transport (Gazetted) Service Recruitment Rules, 2017 ;
- (i) “Schedule” means the schedule(s) annexed to these rules ;
- (j) “Service” means the Jammu and Kashmir Transport (Gazetted) Service ;
- (k) “State” means the State of Jammu and Kashmir ;
- (l) Words and expressions used in these rules but not defined shall have the same meaning as are assigned to them in the Jammu and Kashmir Civil Service (Classification, Control and

Appeal) Rules, 1956/Jammu and Kashmir Civil Service Regulations.

3. *Constitution of service.*—(1) From the date of commencement of these rules, there shall be constituted the “Jammu and Kashmir Transport (Gazetted) Service”.

(2) The Government may, at the commencement of these rules, appoint to the service any person who at the commencement of these rules is holding in substantive capacity any post included in the cadre of the service :

Provided that for the purpose of initial constitution of services, the person holding any post in a substantive capacity to which he was appointed by the competent authority under rules included in the cadre of the services 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 service in its sanctioned scale of pay on regular basis under orders of the competent authority and will not cover the persons holding a post on ex-cadre/deputation basis or on *ad hoc* basis or in a stop-gap arrangement.

4. *Strength and composition of the service.*—(1) The authorized permanent and temporary strength of the cadre and the nature of the posts 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 service for specified period or purpose, as may be considered necessary from time to time.

(2) The Government shall, at the interval of every five years or at such other intervals as may be necessary, re-examine the strength and

composition of the cadre of the service and make such alterations therein as it deems fit.

5. *Qualification and method of recruitment.*—(1) No persons shall be eligible for appointment or promotion to any post in any class, category or grade in the service unless he/she possesses the qualifications as laid down in the Schedule-II and fulfils other requirements of recruitment as provided in the rules and orders for the time being in force.

(2) The appointment to a post in the service may be made—

- (a) by direct recruitment ; or
- (b) promotion, or by transfer from another service or class ; or
- (c) partly by (a) and partly by (b) in the ratio and in manner as mentioned against each post in Schedule-II :

Provided that all the posts under direct recruitment shall be filled through J&K Public Service Commission as per the rules/orders of the Government issued for the purpose :

Provided further all posts to be filled by promotion/direct recruitment shall be filled through Public Service Commission and Departmental Promotion Committee as the case may be unless any post/category of posts is exempted from the purview of the Public Service Commission in terms of J&K Public Service Commission (Limitation Functions) Regulations, 1957 by the Government by specific order.

(3) The department shall refer vacancies in the direct/promotion quota to Public Service Commission and Departmental Promotion Committee as mandated under SRO-166 dated 14-06-2005 as amended from time to time.

6. *Probation.*—(1) Persons appointed to the service, either by direct recruitment or by promotion shall be on probation for a period of two years and their confirmation shall be governed 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 the J&K Civil Services Regulations or general rules on the subject as issued from time to time.

7. *Reservation in appointment.*—While making appointments by direct recruitment or by promotion reservation shall be made in accordance with the rules and orders issued from time to time for members of Scheduled Castes/Scheduled Tribes/Backward Classes or any other category or class of permanent residents of State under the provisions of Jammu and Kashmir Reservations Act, 2004.

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

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 prescribed under these rules.

9. *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/she possesses the educational and other qualifications prescribed for recruitment to such class or category of 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 Head of Department shall maintain an up-to-date and final seniority list of members of the service.

11. *Residuary matters.*—In regard to the 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.

12. *Interpretation.*—If any question arises relating to the interpretation of these rules, the matter shall be referred to the Administrative Department whose decision thereon shall be final and binding.

13. *Repeal and savings.*—(1) All rules corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed.

(2) 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 Government of Jammu and Kashmir.

(Sd.) HEMANT KUMAR SHARMA, IAS,

Secretary to Government,
Transport Department.

The J&K Transport (Gazetted) Service Recruitment Rules, 2017

Schedule-I

S. No.	Name of the post	Pay Band with Grade Pay	No. of posts
1.	Assistant Regional Transport Officer/ Assistant Transport Commissioner	PB-2 of Rs. 9,300-34,800 with Grade Pay of Rs. 4,800/-	25
2.	Deputy Director (P&S)	PB-3 of Rs. 15,600-39,100 with Grade Pay of Rs. 6,600/-	01
3.	Accounts Officer	PB-2 of Rs. 9,300-34,800 with Grade Pay of Rs. 4,800/-	02

Note :— Total strength of Assistant Regional Transport Officer/
Assistant Transport Commissioner = 25

(i) Deputation reserve @ 5% = 01

(ii) Leave reserve @ 10% = 03

The J&K Transport (Gazetted) Service Recruitment Rules, 2017

Schedule-II

Class	Category	Name of the post	Pay Band with Grade Pay	Qualification	Method of recruitment
1	2	3	4	5	6
IV	A	Assistant Regional Transport Officer/ Assistant Transport Commissioner	PB-2 of Rs. 9,300-34,800 with Grade Pay of Rs. 4,800/-	Graduation from any recognized University in India or as prescribed by the J&K Combined Competitive Examination	(i) 50% by direct recruitment on the basis of the J&K Combined Competitive Examination. (ii) 50% by promotion from Motor Vehicles Inspectors having at least five years substantive service as such.
	B	Deputy Director (P&S)	PB-3 of Rs. 15,600-39,100 with Grade Pay of Rs. 6600/-	...	By deputation from J&K Economics and Statistics (Gazetted) Service.

C	Accounts Officers	PB-2 of Rs. 9,300-34,800 with Grade Pay of Rs. 4,800/-	...	By transfer from the J&K Accounts (Gazetted) Service.
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