

EXTRAORDINARY

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**THE  
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

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**PART III**

**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF FOOD, CIVIL  
SUPPLIES AND CONSUMER AFFAIRS

Notification

Jammu, the 15th November, 2017.

SRO-466.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor hereby makes the following rules, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Jammu and Kashmir Legal Metrology (Gezatted) 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 charge of the service ;
- (f) “Member of service” means a person appointed to a post in the service under the provisions 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 Legal Metrology (Gazetted) Service Recruitment Rules ;
- (i) “Schedule” means the Schedule (s) annexed to these rules ;
- (j) “Service” means the Jammu and Kashmir Legal Metrology (Gazetted) Service ;
- (k) “State” means the Jammu and Kashmir State ;
- (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 Services (Classification, Control and Appeal) Rules, 1956.

3. *Constitution of service.*—(1) From the date of commencement of these rules, there shall be constituted the “Jammu and Kashmir Legal Metrology (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 any substantive capacity any post included in the cadre of the service :

Provided that for the purposes of initial constitution of the service, the person holding any post in a substantive capacity to which he/she was appointed by the competent authority under rules, 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 words “holding” means a person holding a post included in the cadre of the Jammu and Kashmir Legal Metrology (Gazetted) Service Recruitment Rules 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 stopgap arrangement.

4. *Strength and composition of the service.*—(1) The authorized permanent and temporary strength of the cadre and the nature of 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 the Scheduled-I annexed to these rules :

Provided that the Government may create temporary posts in the cadre or the 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 and make such alterations therein as it deems fit :

Provided that nothing in this sub-rule shall be deemed to affect the power of the Government to alter the strength and composition of the cadre at any time.

5. *Qualification and method of recruitment.*—(1) No person shall be eligible for appointment either by direct recruitment or by promotion to any post in any class, category or grade in service unless he/she possesses

the qualification as laid down in Schedule-II and fulfils other requirement (s) of recruitment as provided in the general rules and orders for the time being in force.

- (2) 1st appointment to the service or class shall be made by—
- (a) by direct recruitment ;
  - (b) by promotion or by transfer from another service of 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 the J&K Public Service Commission as per the rules/orders of the Government issued for the purpose :

Provided further that all posts to be filled by promotion/transfer shall be filled through Departmental Promotion Committee/J&K Public Service Commission unless any post/category of posts is exempted from the purview of the Public Service Commission.

(3) The department shall refer vacancies in the direct quota to the J&K Public Service Commission and Departmental Promotion Committees, as the case may be in terms of 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 two years”** and their confirmation in a class or category shall be made under the provisions of Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956.

(2) The pay of a person appointed to the service under these rules shall be regularized as per the provisions of J&K Civil Service Regulations or General Rules on the subject issued from time to time.

7. *Reservation in appointments.*—While making appointments, reservation shall be made in accordance with the rules and order issued from time to time for members of Scheduled Caste/Scheduled Tribes/ Backward Classes or any other category or class of permanent residents of State under the provisions of the Jammu and Kashmir Reservation Act, 2004 and the Reservation Rules made thereunder.

8. *Training and departmental examination.*—Persons appointed to the service by competitive examination/direct recruitment shall be required to undergo such training and to pass such departmental examination during the period of probation, as Government may prescribe :

Provided that the Government may exempt, either wholly or partially from such training or department examinations, persons who have passed a departmental examination or have undergone training declared by the Government to be equivalent to a departmental examination or training, if any, 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 any other qualifications prescribed for direct recruitment to such class or category of posts. The upper age limit of such Government servants shall be provided in the general rules :

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

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/ Administrative Department shall maintain an up-to-date and final seniority list of the members in the service.

11. *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 order applicable to the State Civil Services in general.

12. *Interpretation.*—If any question arises relating to the interpretation of these rules, the matter shall be referred to the Government whose decisions 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 corresponding provisions of these rules.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD MEHRAJ-UD-DIN KHAN,  
Commissioner/Secretary to the Government,  
Department of Food, Civil Supplies  
and Consumer Affairs.

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**SCHEDULE-I**

S. No.	Designation	Pay scale with grade pay	Number of posts
1.	Joint Controller	15600-39100+7600	02
2.	Deputy Controller	15600-39100+6600	07
3.	Assistant Controller	9300-34800+4800	19
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			Total 28
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**SCHEDULE—II**

Class	Designation with pay band and grade pay	Minimum qualification for direct recruitment	Method of recruitment
I.	Joint Controller 15600-39100+7600	-	100% by promotion from Class-II having at least three years substantive service in that class.
II.	Deputy Controller 15600-39100+6600	-	100% by promotion from Class-III having at least three years substantive service in that class.
III.	Assistant Controller 9300-34800+4800	B. Sc with Physics as one of the subjects from a recognized University or BE/ B.Tech. in Engineering from a recognized University.	(i) 50% by direct recruitment. During probation period of one year a candidate has to successfully undergo basic trainings course from the institute established by the Government of India for the purpose.  (ii) 50% by promotion from amongst the members of Class-I (Executive) of Jammu and Kashmir Legal Metrology (Subordinate) Service having not less than five years substantive service in that class and having passed the basic training course from the institute established by the Government of India for the purpose.

(Sd.) ROMESH KUMAR GIRI,

Under Secretary to the Government,  
Department of Food, Civil Supplies  
and Consumer Affairs.