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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.

PART—III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
EDUCATION DEPARTMENT (TECHNICAL)

Notification

Srinagar, the 29th August, 2002.

SRO-328.—In exercise of the powers conferred by the 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 Technical Education (Gazetted) Service Recruitment Rules, 2002.

(2) They shall come into force from the date of their publication in the Government Gazette.

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Explanation : The word "holding" means a person holding a post included in the cadre of the Jammu and Kashmir Technical Education (Gazetted) 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 adhoc basis or in a stop-gap arrangement."

- (d) "Member of the Service" means a person appointed to a post in the (Gazetted) service under the provisions of these rules ;
- (e) "Schedule" means the schedule annexed to these rules ;

(f) "Service" means the Jammu and Kashmir Technical Education (Gazetted) Service ; and

(g) 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.

3. *Constitution of Service.*—(1) From the date of commencement of these rules there shall be constituted the Jammu and Kashmir Technical Education (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 post in its sanctioned scale of pay included in the cadre of the service on substantive basis having requisite qualifications.

Provided that for the purpose of initial constitution of the service, a person holding any 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.

4. *Strength and composition of the service.*—(1) The authorised 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 the 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.

(2) The Government shall, at the interval of every three 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 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.

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

(2) Appointment to the service shall be made :—

- (a) by direct recruitment ;
- (b) by promotion ; and
- (c) partly by direct recruitment and partly by promotion.

Probation—(1) Persons appointed to the service either by direct recruitment or by promotion shall be "on probation for two years".

- (2) If it appears at any time during or at the end of the period of probation or of trial that an officer 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 service and if he appointed by promotion be reverted to the post on which he holds a lien.
- (3) The Government may in the case of any person, extend the period of probation or of trial up to the maximum period of four years.

Explanation: 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.

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

Provided that where a person has immediately before such appointment, been holding a post under the Government 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 his appointment to the service, shall

(5) 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 Article 77 (a) (ii) of the Jammu and Kashmir Civil Service Regulations treating his presumptive pay as substantive pay for purpose of such fixation alone. He shall not, however, get the benefit of Article 67 (a) (ii) either at the time of initial fixation or subsequently.

(6) In the case of persons who are appointed under these rules other than by competitive examination, their fixation of pay shall be regulated under the normal rules relating to such fixation, from time to time.

7. *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 or trial 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 departmental examination or undergone training declared by Government to be equivalent to a departmental examination or training prescribed under these rules.

8. *Eligibility of Government servants for direct recruitment*.—A person already in 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 post. The upper age limit of such Government servants shall be as provided in the general rules.

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

9. Power to relax.—Where the Government is of the opinion that it is necessary or expedient so to do, it may by order, for reasons to be recorded in writing and in consultation with the Commission relax any of the provisions of these rules with respect to any class, category of persons or post.

Provided that while exercising such discretion the Government would keep the following principles in view ;

- (a) that the discretion is exercised bonafide ;
- (b) that such an exercise specified subject to test ;
- (c) that it would satisfy any responsible man in place of the authority competent to relax ;
- (d) that the power should be vested with the Chief Minister only.

10. Maintenance of seniority lists.—The seniority of the members of the service shall be regulated under the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956. The Administrative Department shall maintain an up to date and final seniority list of the service.

11. Residuary Matters.—In regard to matters not specifically provided under these rules, the members of the service shall be governed by the 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 made or action taken under the provisions of the so repealed shall be deemed to have been made or taken in accordance with the corresponding provisions of these rules.

By order of the Governor.

(Sd.)

Commr./Secretary to Government
Higher/Tech. Education Department

SCHEDULE - I

S. No.	Designation of the post	Scale	No. of posts
1	2	3	4
1.	Director Technical Education	14300-18300	1
POLYTECHNIC			
2.	Principal Polytechnic	12000-16500	4
3.	Head of Department/Workshop Supdt. (Engineering and Non-Engineering).	10000-15200	19 (13 Engineering, 2 Workshop Supdt. and 4 Non-Engineering)
4.	Lecturer Grade-I/Foreman (Engineering).	8000-12950	46
5.	Lecturer Grade-I (Non-Engineering).	8000-12950	10
6.	Lecturer Grade-I (English, Chemistry, Physics & Math).	8000-12950	16
7.	Lecturer Grade-II (Engineering).	6700-10700	19
8.	Lecturer Grade-II (Non-Engineering).	6700-10700	15

INDUSTRIAL TRAINING INSTITUTES

1.	Deputy Director	10000-15200	3
2.	Assistant Director (Trgs)	8000-12950	1
3.	Assistant Apprenticeship Advisor	8000-12950	1
4.	Principal, ITI	8000-12950	5
5.	Superintendent, ITI/Vice Principal	6700-10700	29/01

(Sd.).....

Under Secretary to Government,
Technical Education Department.

SCHEDULE-II-A

TECHNICAL EDUCATION (GAZETTED) SERVICE RECRUITMENT RULES

S No.	Class	Category	Grade	Designation	Min. qualification for D. R.	Method of recruitment.
1	2	3	4	5	6	7
1	I	...	14300-18300	Director Technical Education.	...	(i) By selection from Class II with minimum experience of 5 years as such or (ii) By deputation from IAS/KAS.
2	II	...	12000-16500	Principal	...	By selection from Class III categories A&B possessing minimum qualification of Degree in Engineering or equivalent with 5 years experience as such

3.	III	A	10000-15200	Head of Deptt./ Workshop Supdt (Engineering)	...	Candidates with Master's Degree in Engineering/ Technical Education or equivalent shall be given preference.
		B	do.	Head of Deptt. (Non-Engg.)		
4.	IV	A	8000-12950	Lecturer-I/ Foreman (Engineering)		By promotion from Class-IV category-A possessing degree in appropriate branch of Engineering or equivalent with 5 years experience as such in the respective discipline.

By promotion from Class-IV category-B having 5 years service in that category.

(i) 50% by direct recruitment.
(ii) 50% by promotion from Class-V category-A with 5 years experience in that category possessing qualification of degree in Engineering or equivalent in

Bachelor's degree in Engineering with 55% marks in appropriate branch of Engineering/ Technology/ discipline or

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equivalent from a recognized University.

the respective branch from a recognised University or 3 years diploma with 60% marks in appropriate branch of Engineering from a recognised Board/Institute.

In case suitable candidates from the category of Lecturer-II are not available the candidates from the category of demonstrators/ Drawing Instructor, J&K Technical Education (Subordinate) Service-Polytech with 6 years experience for Degree holders and 8 years experience for Diploma holders with minimum of 60% marks shall be considered for promotion.

B	8000-12950	Lecturer-I, Non-Engg.	do.	By promotion from Class V category B having 5 years experience in that category.
C	do.	Lecturer-I (English, Chemistry, Physics & Math)	Post Graduate in the relevant subject	By deputation from Jammu and Kashmir School Education (Gazetted) Service from amongst the Senior Lecturer.
A	6700-10700	Lecturer-II Engineering	...	By promotion from the degree and diploma holders Demonstrator/Drawing Instructors having 3 years experience as such for degree holders and 6 years experience for diploma holders in that category in Jammu and Kashmir Technical Education (Subordinate) Service for Diploma holders. Candidate having passed 1½ years TTTI shall be

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B	6700-10700	Lecturer-II (Non-Engg).	(i) Bachelor's degree with 55% marks in appropriate branch/discipline or equivalent from a recognised Institution/University. (ii) Bachelor's degree in Arts/Science/Commerce with first class diploma in the relevant discipline from a recognised Institution/ University. (iii) Diploma holders first class in appropriate branch/ discipline from recognised Institution.	100% by direct recruitment.
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Preference shall be given to the candidates from category (i). In case no candidate

from this category is available then preference shall be given to the candidate from category (ii). In case no candidate is available from this category also then candidates from category (iii) shall be taken.

SCHEDULE-II-B

GAZETTED RECRUITMENT RULES FOR ITI'S.

S No.	Class	Category	Grade	Designation	Min. qualification for. D. R.	Method of recruitment.
1	2	3	4	5	6	7
1.	I	...	10000-325-15200	Dy. Director	...	By promotion from Class -II with 5 years experience as such
	II	...	8000-275-12950	Asstt. Director (Trgs)/Asstt. Apprenticeship Advisor/Principal ITI.	...	By promotion from Class-III amongst persons who are Degree holder in any engineering disciplines with 3 years experience and 3-Years Diploma holders in engineering with 5 years experience as such.
	III	...	6700-200-10700	Supdtt. ITI/Vice Principal ITI	Degree in Engineering	(a) 50% by direct recruitment. (b) 50% by promotion from Jr. Engineer/Foreman/Surveyors/

Supervisors/Workshop Instructors (AVTS) of the Jammu and Kashmir Technical Education (Subordinate) Service as per the following ratio :-

- (a) 30% to Degree in Engg. and equivalent with 3 years experience.
- (b) 20% to 3Years Diploma in Engg. and equivalent with 5 years experience.
- (c) 50% to ITI with ATI in any Engg. trade with 8 years experience.

In case a candidate from category (a) is not available then eligible candidate from category (b) shall be considered and vice-versa. In case candidates from category (b) are also not available then candidates from category (c) shall be considered.

Sd.).....

Under Secretary to Government, Technical Education Department.

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