


Government of Jammu and Kashmir
Labour & Employment Department
Civil Secretariat, Jammu/Srinagar.

Public Notice

It is hereby notified for information of all concerned that suggestions/objections, if any, related to the Draft of The J&K Labour (Gazetted) Services Recruitment Rules 2023, which is available on the official website of this Department <https://jklabouremp.nic.in/> will be received through email: (secylejk@gamil.com) or through speed post on the below mentioned address within fifteen (15) days of issuance of this Notice.

Deputy Secretary to the Government,
Labour and Employment Department
Room No. 3/5 Mini Secretariat,
J&K Civil Secretariat, Jammu.

No objection will be entertained after the lapse of 15 days, from issuance of this Notice.


(Nisar Ahmad Shad) JKAS 12.05.2023
Deputy Secretary to the Government
12/5/2023
Dated: 12.05.2023

No: LE-LAB/18/2021-11-L&E

Copy to the:-

1. Directorate of Information, J&K Srinagar/Jammu for publication of public note in at least two leading daily news papers, Srinagar/Jammu.
2. Labour Commissioner, J&K, Jammu/Srinagar for its vide publicity through all means.
3. Private Secretary to Commissioner/Secretary to the Government, Labour and Employment Department.
4. Incharge website.

Notification

Jammu, the _____ 2023.

S.O – In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Lieutenant Governor hereby makes the following rules, namely:-

1. **Short title and commencement –**
2. These rules may be called the Jammu and Kashmir Labour (Gazetted) Service Recruitment Rules, 2022.

(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 as indicated in schedule-I;
- c. **“Commission”** means the Jammu and Kashmir Public Service Commission;
- d. **“Government”** means the Government 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 the 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 Labour (Gazetted) Service Recruitment Rules, 2022;
- i. **“Schedule”** means the schedule (s) annexed to these rules;
- j. **“Service”** means the Jammu and Kashmir Labour (Gazetted) Service;
- k. **“Union Territory”** means the Jammu and Kashmir Union Territory;
- 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) Rule, 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 Labour (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 substantively 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 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 opt otherwise with 15 days from the commencement of these rules.

Explanation:- The word “holding” means a person holding a post by a person included in the cadre of the Jammu and Kashmir Labour (Gazetted) Service in its sanctioned scale of pay on regular basis under order of the competent authority and will not cover the person holding a post on adhoc 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 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;

Provide 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.

5. Qualification and Method of Recruitment: –

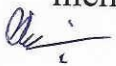
(1) No person shall be eligible for appointment or promotion to any post in any class, category or grade in the service unless he/she possess the qualifications as laid down in the schedule-II and fulfills other requirement of recruitment as provided in the rules and orders for the time being in force.

(2) Appointment to a service shall be made

(a) direct recruitment; or

(b) promotion/deputation; or

(c) partly by (a), and partly by (b), in the ratio and in manner, as mentioned against each post in Schedule –II.



- i. Provided further that all posts to be filled by promotion/transfer shall be filled through Departmental Promotion Committee/Jammu & Kashmir Public Service Commission unless any post / category of post 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.
- ii. The department shall refer vacancies in the direct/promotion quota to General Administration Department (which shall in turn refer the same to Jammu & Kashmir Public Service Commission) and Departmental Promotion Committees, as the case may be, in terms of SRO-166 dated 14.06.2005.6. **Method for placement of Officers in Selection Grade {Pay Level 10A 956600-179800}};**

50% of the posts of Assistant Labour Commissioners (under promotion quota) of the the service as indicated in Schedule-I shall be in Selection Grade (non-functional) of Rs.56600-179800, Level-10A.

Provided that Assistant Labour Commissioner (under promotion quota of the service shall be eligible for placement in the selection grade non functional) on completion of five years of service strictly on the basis of seniority.

7. Reservation in appointments:- While making appointments either 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 Caste/Scheduled Tribes/Backward Classes or any other category or Class of Permanent Residents of Union Territory under the provisions of Jammu and Kashmir Reservation Act, 2004, and Rules made there under.

8. Training and departmental examinations:- Persons appointed to the service by direct recruitment through competitive examination or by promotion shall be required to undergo such training from time to time as may be required and to pass during the period of probation such departmental examination as may be required in this behalf:

Provided that the government may exempt, either wholly or partly, from such training or 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 she/he possesses the



educational and other qualification prescribed for recruitment to such class or category of post.

The upper age limit of such Government service shall be as may be prescribed by the Government from time to time:

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

10 . Maintenance of seniority lists:- Final Seniority of the Assistant Labour Commissioner (Promotee) shall be regulated under the Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956 according to their seniority at the time of their regularization. The Administrative Department shall maintain an up-to-date final seniority list of Assistant Labour Commissioners recruited under promotion quota only.

11. Residuary matters:- In 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 UT 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 or General Administration Department, as the case may be, 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.

Notwithstanding such repeal, any appointment order 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 & Kashmir.

Sd/-

(Rehana Batul) IAS

Secretary to the Government

Dated : 12 05.2023

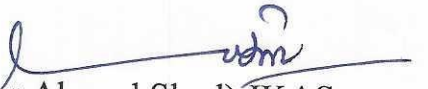

No. L&E-Lab/18/2021-11-L&E

Copy to the:-

1. Financial Commissioner, Finance Department.
2. Principal Secretary to Government, General Administration Department.


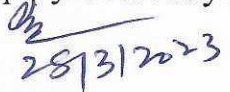


3. Commissioner/Secretary to Government, ARI & Trainings Department.
4. Joint Secretary, Ministry of Home Affairs (J&K and Ladakh), Government of India.
5. Secretary to Government, Department of Law, Justice & PA.
6. Secretary to Government, Planning, Monitoring and Development Department.
7. Labour Commissioner, J&K, Jammu.
8. Director Finance, Labour & Employment Department.
9. General Manager, Government Press, Jammu. He is requested to furnish hundred (100) printed copies of the notification to this department .
10. Pvt. Secretary to Advisor (F) to Hon'ble Lieutenant Governor, J&K.
11. Pvt. Secretary to Commissioner/ Secretary to Govt. Labour & Emp.Deptt.
12. I/C Website.
13. Stock file/Record file.


(Nisar Ahmed Shad) JKAS
Deputy Secretary to the Government

12/5/2023

Schedule-I of J&K Labour (Gazetted) Service


S.No.	Designation	Pay scale as per 7 th pay commission	Sanctioned strength
1.	Labour Commissioner	L-13 (123100-215900)	01
2.	Deputy Labour Commissioner.	L-12 (78800-209200)	03
3.	Administrative Medical Officer (Dy. Director)	L-12 (78800-209200)	01
4.	Deputy Director (P&S)	L-11 (67700-208700)	01
5.	Inspector of Factories	L-9 (52700-166700)	04
6.	Insurance Medical Officer	L-9 (52700-166700)	14
7.	Assistant Labour Commissioner	L-8 (47600-151100)	22
Total			46


(Nisar Ahmed Shad)
Deputy Secretary to the Government,


Schedule-II of J&K Labour (Gazetted) Service.

Class	Category	Designation	Pay Level as per 7 th commission	Minimum qualification for direct recruitment	Method of recruitment
I		Labour Commissioner	L-13 (123100-215900)	—	To be filled by the General Administration Department from the IAS cadre.
II	A	Deputy Labour Commissioner.	L-12 (78800-209200)	—	To be filled by the General Administration Department from the JKAS cadre.
	B	Administrative Medical Officer (Dy. Director)	L-12 (78800-209200)	—	By deputation from J&K Health (Gazetted) Service.
III		Deputy Director (P&S)	L-11 (67700-208700)	—	By deputation from J&K Economic and Statistical (Gazetted) Services.
IV	A	Inspector of Factories	L-9 (52700-166700)	—	By deputation from J&K R&B (Gazetted) Service amongst the Assistant Executive Engineers (Mechanical wing).
	B	Insurance Medical Officer	L-9 (52700-166700)	—	By deputation from J&K Health

					(Gazetted) Services.
V	A	Assistant Labour Commissioner	L-8 (47600-151100)	Bachelors Degree from any recognized University	<p>i) 50% by Direct Recruitment (GAD/PSC) through Combined Competitive Examination.</p> <p>(ii) 50% by promotion from Labour Officer having at least 5 years of substantive Service in the J&K Labour (Subordinate) Services.</p>


 (Nisar Ahmed Shad)
 Deputy Secretary to the Government,
 28/3/2023