

AZAD KASHMIR EDUCATION SERVICE CLASS-I
(COLLEGIATE BRANCH) MEN'S SECTION RULES,

1973

PARTI
GENERAL

Short title and Commencement:- (1) These rules may be called the Azad Kashmir Education Service, (Class-I Collegiate Branch) (Men's Section) Rules 1973.

Definitions:- In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say:-

- (a) "appendix" means an appendix to these rules;
- (b) "appointing authority" means the authority specified in rule 5;
- (c) "Commission" means the Azad Kashmir Public-Service Commission;
- (d) "Department" means the Education Department, Azad Government of the State of Jammu and Kashmir;
- (e) "Government" means the Azad Government of the State of Jammu and Kashmir;
- (f) "Initial recruitment" means appointment made otherwise than by promotion or transfer from another Service/ Department/Post;
- (g) "Recognised University" means any University incorporated by law in Pakistan/Azad Kashmir or any other University declared by Government in consultation with the Commission to be recognised University for the purposes of these rules;
- (h) "Service" means the Azad Kashmir Education Service, Class-I, Collegiate Branch (Men's Section).

PART-II

RECRUITMENT

Constitution and composition of service:- (1) The service shall comprise the posts specified in Column 2 of Appendix 'A' and such other posts as may be

determined by Government from time to time.

Eligibility:- Only men shall be eligible for appointment to the Service.

Appointing Authority:- Appointments to the service shall be made by Government.

Method of recruitment:- Recruitment to the Service shall be made by the methods mentioned in Column 4 of Appendix 'A' to Rule 3.

Age:- No person shall be appointed to the Service by initial recruitment who:-

(a) In the case of the posts of Principal, Vice-Principals of Degree/Training College, Professors/Deputy Directors of Colleges/ Associate Professors is less than twenty-one years or more than forty years of age; provided that in the case of Government servants, the upper age limit shall be forty-five years.

(b) In the case of recruitment to the posts of Assistant Professors/Principals of Intermediate Colleges is less than twenty-one years or more than thirty-five years of age: provided that in the case of Government servants, the upper age limit shall be forty-five years; and

(c) In the case of recruitment to the posts of Lecturers, is less than twenty-one years or more than twenty-six years of age:
Provided that:-

i) In the case of a person whose services under Government have been terminated for want of a vacancy the period of service already rendered by him shall for the purpose of the upper age limit under this rule, be excluded from his age.

ii) In the case of Ex-Defence personnel, the interval between the date of their release from the Defence Forces of Azad

Kashmir including the Mujahid Force, and the date of re-employment in a civil department subject to a maximum of seven years and the whole of the period of service rendered by them in such forces shall, for the purposes of upper age limit under this rule, be excluded from their age.

Qualification:- No person shall be appointed to a post in the Service by initial recruitment unless he possesses the qualifications prescribed for the post in column-3 of Appendix 'A'.

PART-II
CONDITION OF SERVICE

Probation:- (1) A person appointed to the Service against a substantive vacancy shall remain on probation for a period of two years, if appointed by initial recruitment, and for a period of one year if appointed otherwise.

Explanation:- Officiating service and service spent on deputation to a corresponding or a higher post may be allowed to count towards the period of probation.

(2) If the work or conduct of a member of the Service during the period of probation has been unsatisfactory, the appointing authority may notwithstanding that the period of probation has not expired, dispense with his services, if he has been appointed otherwise, revert him to his former post, or if there be no such post, dispense with his services.

(3) On completion of the period of Probation of a member of the service, the appointing authority may subject to the provisions of sub-rule (4) confirm him in his appointment or if his work or conduct has, in the opinion of such authority not been satisfactory:-

a) incase he has been appointed by initial recruitment dispense with his services; or

b) in case he has been appointed otherwise, revert him to his former post, and if there be no such post, dispense with his

services; or

c) extend the period of probation by a period not exceeding two years in all, and during or on the expiry of such period pass

such orders as it could have passed during or on the expiry of the initial probationary period.

Explanation:- I. If no orders have been made by the day following the completion of the initial probationary period, the period of probation shall be deemed to have been extended.

Explanation:- II. If no orders have been made by the day on which the maximum period of probation expires, the probationer shall be deemed to have been confirmed in his appointment from the date on which the period of probation was last extended or may be deemed to have been so extended.

(4) No person shall be confirmed in the Service unless he successfully completes such training and passes such departmental examinations as may be prescribed by Government from time to time.

(5) If a member of the Service fails to complete successfully any training or pass any departmental examination prescribed under sub-rule (4) within such period or in such number or attempts as may be prescribed by Government the appointing authority may:-

a) in case he has been appointed by initial recruitment, dispense with his services; or

b) in case he has been appointed otherwise, revert him to his former post, and if there be no such post, dispense with his services.

Seniority:- (1) The seniority inter-se of the members of the Service in the various grades thereof shall be determined:-

a) in the case of members appointed by initial recruitment, in accordance with the order of merit as signed by the Commission: provided that persons selected for the Service in an earlier selection shall rank senior to the persons selected in a later selection; and

b) in the case of members appointed otherwise, with reference to the dates of their continuous appointment therein:

provided that if the date of continuous appointment in the

case of two or more members of the Service is the same, the older Officer, if not junior to the younger officers or officers in the next below grade, shall rank senior to the younger Officer or Officers.

Explanation:- I. If a junior officer in a lower grade is promoted

to a higher grade temporarily in the public interest, even though continuing later permanently in the higher grade, it would not adversely affect the interest of his seniors in the fixation of his seniority in the higher grade.

Explanation:- II. If junior officer in a lower grade is promoted

to a higher grade by superseding a senior officer and subsequently that officer is also promoted, the officer promoted first shall rank senior to the officer promoted subsequently.

(2) The seniority in the various grades of the Service of the members appointed by initial recruitment vis-a-vis those appointed otherwise shall be determined: -

a)

b)

in case both the officers appointed by initial recruitment and the officer appointed otherwise have been appointed against substantive vacancies, or both have been appointed against temporary vacancies, with reference to the date of appointment to such vacancy in the case of officer appointed by initial recruitment and to the date of continuous appointment against such vacancy in the case of the officer appointed otherwise shall rank senior to the officer appointed by initial recruitment;

in case the officer appointed by initial recruitment has been appointed against a substantive vacancy and the officer appointed otherwise has been appointed against a temporary vacancy, the officer appointed by initial recruitment shall rank senior to the officer appointed otherwise; and

in case the officer appointed otherwise is appointed against a substantive vacancy and the officer appointed by initial recruitment is appointed against a temporary vacancy, the officer appointed otherwise shall rank senior to the officer appointed by initial recruitment.

Liability to transfer and serve:- Members of the Service shall be liable to

transfer anywhere in Azad Kashmir.

General Rules:- In all matters not expressly provided for in these rules, members of the service shall be governed by such rules as have been or may here-after be prescribed by Government and made applicable to him.

Relaxation:- Any of these rules may, for reasons to be recorded in writing, be relaxed in individual cases, if Government is satisfied that a strict application of the rule would cause undue hardship to the individual concerned:

Provided that wherever such relaxation involves a question on which consultation with the Commission is mandatory, the Commission shall be consulted before the relaxation is made.

Delegation:- Government may delegate all or any of its powers under these Rules to any officer subordinate to it.

Power of President to safeguard rights of Government Servants:- Wherever in the application of these rules, the terms and conditions of service of any person serving in connection with the affairs of the Azad Kashmir, as guaranteed by any law for the time being in force, are likely to be adversely affected, the President, Azad Government of the State of Jammu and Kashmir shall make appropriate orders to safeguard the constitutional and legal rights of such person.

APPENDIX 'A'

S.No. Nomenclature of the posts Minimum qualification prescribed for appointment Method of recruitment by initial recruitment.

1 2 3 4

1. Principals and Vice Principals of | (a) | Qualifications higher than M.A. M.Sc. requiring at |i) | Forty-five percent of the Degree/Training Colleges, least two academic years of regular study, with nine vacancies by initial . years teaching experience in a College and .

Professors and Deputy Directors distinguished research work which has gained wide recruitment. of Colleges. recognition.

(b) Ph.D. Degree (or equivalent qualification) with seven (ii) Fifty-five percent by selection years teaching experience in a College and . . .

distinguished research work which has gained wide on merit with particular recognition. reference to fitness for higher responsibilities from service

(a) Qualifications higher than M.A./M.Sc. requiring holding posts of Associate atleast two academic years of regular study with four years Professors exist. Note:- No teaching experience in a College whether before or posts of Associate Professors

2. Associate Professors. after acquisition of higher qualification, exist until such time there is

(b)

(c)

OR

PH.D. Degree (or equivalent qualifications)

If suitable candidates with the above qualifications

are not available, then candidates possessing

Master's Degree (First Division) in the relevant

need to create these posts;
selection shall be made from
among Principals of
Intermediate Colleges/

Assistant Professors.

3. Principals of Intermediate

College and Assistant Professors.

subject with ten year experience whose research work has gained wide recognition.

(a) Master's Degree (1* Class) in relevant subject from a recognized University with five years teaching experience in a College; or

(b) Qualification higher than M.A./M.Sc. requiring

atleast two academic years of regular study.

M.A. or M.Sc. Degree (at least 2TM Division) in relevant subject) Provided that other things

being more or less equal, due preference will

(ii)

Twenty-five percent by initial recruitment; and

Seventy-five percent by

selection on merit with

particular reference to fitness for

higher responsibilities

be given to personality, distinguished — sports from among members of the qualifications or extra curricular activities of service holding posts of the candidates. Lectures.

4. Lecturers.

EXPLANATION:-

The ratio of direct recruitment mentioned above will apply to the posts and not to the vacancies. The share of promotion in the

overall strength of the cader shall not fall below the percentage reserved for them and that of the direct recruits shall not exceed

their quota.