

Drawing & Disbursing Officer  
FOR USE IN TREASURY/ACCOUNTS OFFICE

Certified that the deductions shown in the above schedule in respect of Benevolent Fund and Insurance Fund tally with the amounts so included in the Pay Bill of the

employee.

Treasury Officer/Disbursing Officer

AZAD GOVERNMENT OF THE STATE OF JAMMU &  
KASHMIR, SERVICES AND GENERAL ADMINISTRATION  
DEPARTMENT

#### NOTIFICATION

No. S&GAD/6444-6514/CS/72 Dated 13.4.1972

In exercise of the powers conferred by Section 30 of the Azad Government of the State of Jammu and Kashmir Act, 1970 the President Azad Government of the State of Jammu and Kashmir is pleased to make the following rules, namely:-

#### THE AZAD KASHMIR GOVERNMENT SERVANTS (CONDUCT) RULES 1972

1. Short title and commencement:- (1) These rules may be called the Azad Government of the State of Jammu and Kashmir Government Servants (Conduct) Rules, 1972.

(2) They shall come into force at once.

2. Extent of application:- These rules apply to all persons, whether on duty or on leave, within or without Azad Kashmir serving in connection with the affairs of Azad Kashmir, including the employees of the Azad Government deputed to serve under the Central Government or with a Statutory Corporation or with a non-Government employer, but excluding:

(a) members of an All-Pakistan Service or a provincial Service of any province of Pakistan Serving in connection with the affairs of Azad Jammu and Kashmir;

(b) employees of the Central or a provincial Government of Pakistan or other authority deputed temporarily to serve under the Azad Government of the State of Jammu and Kashmir;

(c) holders of such posts in connection with the affairs of Azad Kashmir, as the Azad Kashmir Government may, by a

notification in the official Gazette, specify in this behalf.

3. Definition:- (1) In these rules, unless there is anything repugnant in the subject

or context:

(a) "Government" means Azad Government of the State of Jammu and Kashmir;

(b) "Government Servant" means a person to whom these rules apply, and

(c) member of a Government servant's family includes:

(i) his wife, children and step children, parents, sisters and minor brothers, residing with and wholly dependent upon the Government servant; and

(ii) any other relative of the Government servant or his wife, when residing with and wholly dependent upon him;

but does not include a wife legally separated from the Government servant, or a child or step-child or step-child who is no longer in any way dependent upon him, or of whose custody the Government servant has been deprived by law; and

(2) Reference to a wife in clause (c) of sub-rule (1) shall be construed as reference to the husband where the Government servant is a woman.

The following rules in so far as they applied to the persons to whom these rules apply are hereby replaced but such repeal shall not affect anything done or suffered under those rules;

Government servant Conduct Rules sanctioned under Council Order No. 91-C of 1945 dated 30th January, 1945 as contained in K.S.R. Vol. II.

Gifts:- (1) Save as otherwise provided in this rule no Government servant shall, except with the previous sanction of Government, accept, or permit any member of his family to accept, from any person any gift the receipt of which will place him under any form of official obligation to the donor. If the offer of a gift cannot be refused without giving undue offence, it may be accepted and delivered to Government for decision as to its disposal.

(2) If any question arises whether receipt of a gift places a Government servant under any form of official obligation to the

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donor the decision of Government thereon shall be final.

(3) If any gift, if offered by the head or representative of a foreign State, the Government servant concerned should attempt to avoid acceptance of such a gift, if he can do so without giving offence, if, however, he cannot do so he shall accept the gift and shall report its receipt to Government for orders as to its disposal.

Acceptance of foreign awards:- No Government servant shall except without the approval of the President accept a foreign award, title or decoration.

Explanation.- For the purposes of this rule, the expression "approval of the President" means for prior approval in ordinary cases and ex-post facto approval in special cases where sufficient time is not available for obtaining prior-approval.

Public demonstration in honour of Government servants:- No Government servant shall encourage meetings to be held in his honour or presentation of addresses of which the main purpose is to praise him.

Gift to medical officers:- Subject to the departmental rules in this behalf, a medical officer may accept any gift of moderate value offered in good faith by any person or body of persons in recognition of his professional services.

Subscriptions:- No Government servant shall, except with the previous sanction of Government, ask for or accept or in any way participate in the raising of any subscription or other pecuniary assistance in pursuance of any object whatsoever.

Lending and borrowing:- (1) No Government servant shall lend money to, or borrow money from, or place himself under any pecuniary obligation to, any person within the local limits of his authority or any person with whom he has any official dealing;

Provided that a Government servant may:-

(1) deal in the ordinary course of business with a joint stock Company, bank or a firm of standing or the House Building

Finance Corporation;

(ii) accept a purely temporary loan of small amount, free of

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interest, from a personal friend or the operation of a credit account with a bonafide tradesman.

(2) When a Government servant is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has otherwise placed himself under a pecuniary obligation will be subject to his official authority, or will preside, possess immovable property, or carry on business within the local limits of such authority the Government servant shall forthwith declare the circumstances, when he is a Gazetted Officer, to Government through the usual channel, and where he is a non-gazetted Government servant, to the head of his office.

(3) This rule, in so far as it may be construed to relate to loans given to or taken from Co-operative societies registered under the Co-operative societies Act, 1925, or under any law for the time being in force relating to the registration of Co-operative Societies, by the Government servants shall be subject to any general or special restriction or relaxations made or permitted by Government.

Buying and selling of valuable property, Movable and immovable:- (1) Save in the cases of a transaction conducted in good faith with a regular dealer, a Government servant who intends to transact any purchase, sale or disposal by other means of movable or immovable property exceeding in value Rs. 5,000/- (five thousand rupees) with a person residing, possessing immovable property or carrying on business within the station district or other local limits for which such Government servant is appointed, shall declare his intention to the Head of the Department or the Secretary to the Government as the case may be when the Government servant concerned is himself the Head of Department or Secretary to the Government, he shall declare his intention to Government through the Secretary of the A.D. concerned or Chief Secretary. Any such declaration shall state fully the circumstances, the price offered or demanded and, in the case of disposal otherwise than by sale, the method of disposal. Thereafter such Government servant shall act in accordance with such orders as may be passed by Government.

Provided that all transactions with a person who is an official

subordinate of the Government servant should be reported to the next higher authority.

Explanation- In this sub-rule, the term 'property' includes:

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agricultural or urban land, bonds, shares and securities but does not include a plot purchased for building a house from a Co-operative House Society or a Government Housing Scheme, or bonds; shares or securities purchased from the approved security market, a semi-Government institution or through public offer by a company.

(2) Notwithstanding anything contained in sub-rule (1), a Government servant who is about to quit the station, district or other local limits for which he has been appointed may, without reference to any authority, dispose of any of his movable property by circulating lists of it generally or by causing it to be sold by public auction.

Construction of building etc.:— No Government servant shall construct a building, whether intended to be used for residential or commercial purposes, except with the previous sanction of Government obtained upon an application made in this behalf disclosing the source from which the cost of such construction shall be met.

Declaration of property:— (1) Every Government servant shall at the time of entering Government service make a declaration to Government, through the usual channel, of all immovable and movable Properties including shares, certificates, securities, insurance Policies, cash and jewellery having a total value of Rs. 10,000 (ten thousand rupees) or more belonging to or held by him or by member of his family individually or collectively and such declaration shall:

- (a) state the district within which the property is situated;
- (b) show separately individual items of jewellery exceeding Rs. 10,000/- (ten thousand rupees) in value; and
- (c) give such further information as Government may by general or special order, require.

(2) Every Government servant shall submit to Government, through usual channel, an annual return of assets in the month of December showing any increase or decrease of property as shown in the declaration under sub-rule (1) or, as the case may be, the last annual return.

Disclosure of assets, immovable, movable and liquide:— A



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Government servant shall, as and when he is so required by Government by a general or special order, furnish information as to his assets disclosing liquid assets and all other properties, immovable and movable, including share, certificates, insurance policies, cash, jewellery.

Speculation and investment- (1) No Government servant shall speculate in investments. For the purpose of this sub-rule, the habitual purchase and sale of securities of notoriously fluctuating value shall be deemed to be speculation in investments.

(2) No Government servant shall make, or permit any member of his family to make, any investment likely to embarrass or influence him in the discharge of his official duties.

(3) No Government servant shall make any investment the value of which is likely to be affected by some event of which information is available to him as a Government servant and is not equally available to the general public.

(4) If any question arises whether a security or an investment is of the nature referred to in any of the foregoing sub-rules, the decision of Government thereon shall be final.

Promotion and management of companies etc:- No Government servant shall, except with the previous sanction of Government, take part in the promotion, registration or management of any bank or co-operative society:

Provided that a Government servant may, subject to the provisions of any general or special order of Government, take part in the promotion, registration or management of a Co-operative Society registered under the Co-operative Societies Act or under any similar law.

Private trade, employment or work:- (1) No Government servant shall, except with the previous sanction of Government, engage in any trade or undertake, any employment or work, other than his official duties:

Provided that he may, without such sanction, undertake honorary work of a religious, social or charitable nature or occasional work of a literary or artistic character, subject to the condition that his official duties do not thereby suffer and that the occupation or undertaking does not conflict or is not





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inconsistent with his position or obligation as a Government servant; but he shall not undertake or shall discontinue such work if so directed by Government. A Government servant who has any doubt about the propriety of undertaking any particular work should refer the matter for the orders of Government:

Provided further that a non-gazetted Government servant may without such sanction, undertake as small enterprise which absorbs family labour and where he does so shall file details of the enterprise alongwith the declaration of assets.

(2) Notwithstanding anything contained in sub-rule (1), no Government servant shall associate himself with any private trust, foundation or similar other institution which is not sponsored by Government.

(3) This rule does not apply to sports activities and memberships of recreation Clubs.

Subletting of residential accommodation allotted by Government:- No Government servant shall, except with the prior permission of the Government, sublet residential accommodation or any portion thereof let him by Government.

Government servant not to live beyond his means etc.:- No Government servant shall live beyond his means or indulge in ostentation on occasions of marriage or other ceremonies.

Insolvency and habitual indebtedness:- (1) A Government servant shall avoid habitual indebtedness. If a Government servant is adjudged or declared insolvent or if the whole or that portion of his salary which is liable to attachment is frequently attached for debt has been continuously so attached for a period of two years, or is attached for a sum which, in ordinary circumstances, he cannot repay within a period of two years, he shall be presumed to have contravened this rule unless he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control and has not proceeded from extravagant or dissipated habits.

A Government servant who applies to be or is adjudged or declared insolvent shall forthwith report his insolvency to the Head of the office or Department or to the Secretary of the Administrative Department, as the case may be in which he is



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employed.

Unauthorised communication of official documents or information:- No Government servant shall, except in accordance with any special or general order of Government, communicate directly or indirectly any official information or the contents of any official document to a Government servant not authorised to receive it, or to a non-official person, or to the press.

Approach to Members of the Assemblies, etc.:- No Government servant shall, directly or indirectly, approach any Member of the Assembly or any other non-official person to intervene on his behalf in any matter.

Management etc. of Newspapers or periodicals:- No Government servant shall, except with the previous sanction of Government, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication.

Radio Broadcast and Communications to the press:- No Government servant shall, except with the previous sanction of the Government or any other authority empowered by it in this behalf, or in the bonafide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter, either anonymously or in his own name or in the name of any other person to any newspaper or periodical:

Provided that such sanction shall generally be granted if such broadcast or television programme or such contribution or letter is not, or may not be considered likely to or jeopardise the integrity of the Government servant, the security of Azad Jammu and Kashmir or friendly relations with foreign States, or to offend public order, decency or morality, or to amount to contempt of court, defamation or incitement to an offence:

Provided further that no such sanction shall be required if such broadcast or such contribution or letter is of a purely literary artistic or scientific character.

Publication of information and public speeches capable of embarrassing Government:- No Government servant shall, in

any document published or in any public utterance or television programme or in any radio broadcast delivered by him, make any statement of fact or opinion which is capable of

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embarrassing the Government:

Provided that technical staff (both gazetted and non-gazetted) may publish research papers on technical subjects, if such papers do not express views on political issues or on Government policy and do not include any information of classified nature.

Evidence before Committee:- (1) No Government servant shall give evidence before a public committee except with the previous sanction of Government.

(2) No Government servant giving such evidence shall criticise the policy or decisions of the Government.

(3) This rule shall not apply to evidence given before statutory committees which have power to compel attendance and the giving of answers, nor to evidence given in judicial inquiries.

Taking part in politics and elections:- (1) No Government servant shall take part in, subscribe in aid or assist in any way, any political movement in Azad Jammu and Kashmir or Pakistan or relating to the affairs of Azad Jammu and Kashmir or Pakistan.

(2) No Government servant shall permit any person dependent on him for maintenance or under his care or control to take part in, or in any way assist, any movement or activity which is or tends directly, or indirectly to be, subversive of Government as by law established in Azad Kashmir or in Pakistan.

(3) No Government servant shall canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative body, whether in Azad Kashmir or Pakistan:

Provided that a Government servant who is qualified to vote at such election may exercise his right to vote: but if he does so, he shall give no indication of the manner in which he proposes to vote or has voted.

(4) No Government servant shall permit any member of his family to act in a manner in which he himself is not permitted by sub-rule (3) to act.

(5) A Government servant who issues an address to electors or

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in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purpose of sub-rule (3) to have taken part in an election to such body.

(6) The provisions of sub-rule (3) and (5) shall, so far as may be, apply to elections to local authorities or bodies, save in respect of Government servants required or permitted by or under any law or order of Government, for the time being in force, to be candidates at such elections.

(7) If any question arises whether any movement or activity falls within the scope of this rule, the decision of Government thereon shall be final.

Propagation of Sectarian creeds, etc:- No Government servant shall propagate such sectarian creeds or take part in such sectarian controversies or indulge in such sectarian partiality and favouritism as are likely to affect his integrity in the discharge of his duties or to embarrass the administration or create feelings of discontent or displeasure amongst the Government servants in particular and amongst the people in general.

Nepotism, favouritism and\_ victimization, etc.:- No Government servant shall indulge in regionalism, parochialism, nepotism, victimization, or willful abuse of office, by favouritism.

Vindication by Government servants of their public acts or character:- (1) A Government servant may not, without the previous sanction of Government, have recourse to any Court or to press for the vindication of his public acts or character from defamatory attacks. When Government grants sanction to a Government servant to have recourse to a Court, Government will ordinarily bear the cost of the proceedings, but may leave the Government servant to institute them at his own expense. In the latter case, if he obtains a decision in his favour, Government may reimburse him to the extent of the whole or any part of the cost.

(2) Nothing in this rule limits or otherwise affects the right of a Government servant to vindicate his private acts or character.

Membership of service Association. No Government servant



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shall be a member, representative or officer of any association representing or purporting to represent Government servants or any class of Government servant, unless such association satisfies the following conditions, namely:

- (a)
- (b)
- (c)
- (d)
- (e)
- (f)

The Association has been sanctioned by the Government and membership of the association and its office bearers shall be confined to a distinct class of Government servants and shall be open to all Government servants of that class.

The association shall not be in any way connected with, or affiliated to, any association which does not, or any federation of associations which do not, satisfy condition (a) above.

The association shall not be in any way connected with any political activity, or organization or engage in any Political activity.

The association shall not:-

(i) issue or maintain any periodical publication except in accordance with any general or special order of Government; and

(ii) except with the previous sanction of Government, publish any representation on behalf of its members whether in the press or otherwise.

The association shall not, in respect of any election to a legislative body, or to a local authority or body, whether in Azad Kashmir or elsewhere -

(i) pay or contribute towards, any expenses incurred in connection with the candidature by a candidate for such

election;

(ii) by any means support the candidature of any person for such election; or



(iii) undertake or assist in the registration of electors, or the selection of a candidate for such election.

The association shall not:-

(i) Maintain, or contribute towards the maintenance of, any

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member of a legislative body or of any member of local authority or body, whether in Azad Kashmir or elsewhere; or

(ii) pay, or contribute towards, the expenses of any trade union which has constituted a fund under the Trade/ Union Act.

Use of political or other influence:- No Government servant shall bring or attempt to bring political or other outside influence, directly or indirectly, to bear on Government or any Government servant in support of any claim arising in connection with his employment as such.

Approaching/Foreign Missions and Aid Giving Agencies:- No Government servant shall approach, directly or indirectly a foreign Mission in Azad Kashmir or Pakistan or any foreign aid-giving-agency in Azad Kashmir or Pakistan or abroad to secure for himself invitations to visit a foreign country or to elicit offers of training facilities abroad.

Delegation of powers:- Government may, by general or special order, delegate to any officer or authority subordinate to it all or any of its powers under these rules and may, by such order, prescribe the channel through which reports shall be made to Government and the officers receipts by whom of such reports shall be regarded as receipts of the reports by Government within the meaning of these rules.

Rules not to be in derogation of any law, etc:- Nothing in these rules shall derogate from the provisions of any law, or of any order of any competent authority, for the time being in force, relating to the conduct of Government servants.

By order of the President  
(Mohammad Masihuzzaman)  
CSP

Chief Secretary  
Azad Govt. of the State of J&K.