

THE AZAD KASHMIR CIVIL SERVICE (NATIONAL SECURITY) RULES, 1954.

(Passed Council Order No. 358/54 dated 20-10-1954)

The Azad Kashmir Government is pleased to make the following rules, namely :-

1. (i) These rules may be called the Azad Kashmir Civil Service (National Security) Rules, 1954.

(ii) They shall apply to all Government servants in Azad Kashmir.

2. In these rules :-

(a) 'Government servant' includes every person holding or exercising any civil office under the Azad Kashmir Government.

(b) 'Competent authority' means :-

(i) In relation to a Government servant appointed by a Head of Department or by an authority subordinate to a Head of Department, that Head of Department, and

(ii) In relation to any other Government servant, the Azad Kashmir Government.

3. A Government servant, who in the opinion of the competent authority is engaged in subversive activities or who is or is reasonably suspected of being associated with others in subversive activities, and whose retention in service is thereby considered prejudicial to national security may be compulsorily retired from service, subject however, to the proviso that no Government servant shall be so retired unless, where the competent authority is the Head of Department, the prior approval of the Azad Kashmir Government has been obtained.

4. Where, in the opinion of the competent authority, there are reasonable grounds for believing that a Government servant is liable to compulsory retirement under rule 3, it shall :-

(a) by order in writing require the Government servant to

proceed on such leave as may be admissible to him and from such date as may be specified in the order ;

(b) by order in writing, inform him of the action proposed to be taken in regard to him under these rules ;

(c) give him a reasonable opportunity of showing cause against that action ; and

(d) before passing final orders under rule 3, take into consideration the representation made by him in this behalf.

Where the competent authority is the Azad Kashmir Government the necessary action under the proceeding rule may be taken by such person or persons as the Government may direct.

Any person compulsorily retired from service under rule 3, shall be entitled to such compensation, pension, gratuity or provident fund benefits as would have been admissible to him under the rules applicable to his service or post on the date of such retirement if he had been discharged from service on account of the abolition of his post without alternative suitable employment being provided.

Any person not compulsorily retired from service under rule 3, shall be re-instated in service and the entire period of leave he has been required to take under rule 4 shall be treated as duty on full salary.