

THE AZAD KASHMIR PUBLIC CONDUCT
(SCRUTINY) RULES, 1959

(Passed under Government Order No. 327/59 Dated 22-6-1959)

Under the powers conferred upon it. by Section 8 of the Azad Kashmir Public Conduct (Scrutiny) Act, the Government is pleased to make the following rules ;-

1. (1) These rules may be called the Azad Kashmir Public Conduct (Scrutiny) Rules, 1959.

(2) They shall come into force at once.

(3) All terms used herein have the same meaning as in Azad Kashmir Public Conduct (Scrutiny) Act.

2. Where a Committee is of the opinion, that there is reason to believe that a person to whom the Act applies:-

(a) is corrupt, or may reasonably be considered corrupt because:-

(i) he has the general and persistent reputation of being corrupt ; or

(ii) he is, or any of his dependents or any other person through him or on his behalf is in possession (for which he cannot reasonably account) of pecuniary resources or of property disproportionate to his known sources of income ; or

(iii) he has assumed a style of living beyond his ostensible means or above his status; or

(b) is guilty, in the case of a Government servant, of conduct contrary to the rules regulating the conduct of Government Servants ; and in any other case, of conduct unbecoming his office ; or

is inefficient or has ceased to be efficient and is not likely to recover his efficiency it may so inform that person and, call upon him to explain any fact or circumstance appearing against him.

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Such explanation shall be made by word of mouth or in writing, as the Committee may direct, and within such time as the Committee may appoint.

Having considered the explanation, if any, made under Rule 3, the Committee shall record a finding on the matter of which the person concerned has been informed under Rule 2, and submit the finding to the appointing authority.

The finding submitted under Rule 4 shall be accompanied by the recommendation of the Committee as to punishment or other action.

Where the finding is against the person concerned, a copy of the finding and the recommendation shall be furnished to him forthwith and he shall be entitled within fifteen days of the receipt thereof to appeal against it to the appointing authority.

Having considered the finding, the recommendation and the appeal, if any, the appointing authority shall forthwith either pass an order or refer the proceedings to such advisors as he may think fit and pass an order after considering their opinions.

No appeal shall lie against the order so passed.