

Government of Jammu and Kashmir  
Department of Law, Justice and Parliamentary  
Civil Secretariat, Jammu.

**Public Notice**

It is hereby notified for the information of the Stakeholders that the objections/suggestions, if any, to the draft Jammu and Kashmir Legal (Gazetted) Service Recruitment Rules, 2023 (annexed to this notice) are hereby invited and the same can be submitted through e-mail (law-jk@nic.in) or through registered post at the following address:-

**Additional Secretary to Government,  
Department of Law, Justice & PA,  
Civil Secretariat, Room No. 10, Ground floor,  
Jammu.**

The objections and suggestions, if any, must be submitted within a period of fifteen days from the date of publication of this notice, failing which, no objection/suggestion shall be entertained.

  
29.12.23

(Ashish Gupta)

Additional Secretary to Government.

No. LAW-SL/1/2021-10

Dated: 29.12.2023

Copy to the:-

1. Director, Information, J&K, Jammu with the request to get the notice published in leading newspapers of Kashmir and Jammu Divisions.
2. Pvt Secretary to Secretary to Government, Department of Law, Justice & PA for information.
3. In charge Website.

**Government of Jammu & Kashmir**  
**Department of Law, Justice and Parliamentary Affairs**  
**Civil Secretariat, Srinagar/Jammu**

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**Notification**

**Srinagar, the \_\_\_\_\_, 2023**

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

**1. Short title and commencement** - (1) These rules may be called the Jammu and Kashmir Legal (Gazetted) Service Recruitment Rules, 2023.

(2) They shall come into force from the date of their publication in the official 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;
- (c) **“Commission”** means the Jammu and Kashmir Public Service Commission;
- (d) **“Government”** means the Government of Jammu and Kashmir;
- (e) **“Member of the Service”** means a person appointed to a post in the (Gazetted) service under the provisions of these rules;
- (f) **“Rules”** means the Jammu and Kashmir Legal (Gazetted) Service Recruitment Rules, 2023;
- (g) **“Schedule”** means the schedule (s) annexed to these rules;
- (h) **“Service”** means the Jammu and Kashmir Legal (Gazetted) Service and Law Officers(Gazetted) Service;
- (i) **“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/ Jammu and Kashmir Civil Service Regulations.

**3. Constitution of Service.-** (1) From the date of commencement of these rules there shall be constituted:-

- a) The “Jammu and Kashmir Legal (Gazetted) Service” which shall be primary and progressive service;
- b) The Law Officers (Gazetted)Service which shall be a diminishing service/cadre which shall cease to exist with the retirement or death or relinquishment of post by the last

incumbent beginning from the Public Law Officers(entry level post) . The abolition of the posts shall beginning from the level of Public Officers which shall finally consummate at Special Secretary level.

- c) The Administrative Department shall maintain an up-to-date list of officers belonging to both the services separately.

(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 in a substantive capacity any post in its sanctioned scale of pay 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 services 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 within 15 days from the commencement of these rules.

**Explanation:-** The word " holding" means a person holding a post at the commencement of these rules included in the cadre of the Jammu and Kashmir Legal (Gazetted) Service/ Law Officers(Gazetted) Service in its sanctioned scale of pay on regular basis under orders of the competent authority and will not cover the persons holding a post on ex-cadre/deputation 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 (A&B) annexed to these rules:

Provided 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 three years or at such other intervals as may be necessary, re-examine the strength and composition of the cadre of the Service and make such alterations therein as it deems fit:

Provided that nothing in this sub-rule shall be deemed to affect the power of the Government to alter the strength and composition of the cadre at any time.

**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 the service shall be made:

- (a) by direct recruitment; or
- (b) by promotion;
- (c) Partly by direct recruitment and partly by promotion in the ratio and in manner as mentioned against each post in Schedule-II.

Provided that the direct recruitment/promotion at entry level post shall take place in the Jammu and Kashmir Legal (Gazetted) Service only.

Provided that all the posts under direct recruitment shall be filled through Jammu and Kashmir Public Service Commission s per the rules/orders of the Government issued for the purpose.

Provided further all posts to be filled by promotion 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 as per rules/regulations in vogue or by specific order of Government

(3) The department shall refer vacancies in the direct/promotion quota to Public Service Commission and Departmental Promotion Committees, as per rules/regulations in vogue.

**6. Probation.**-(1) Persons appointed to the service by direct recruitment shall be on probation for two years and their confirmation in a class or category shall be made under the provisions of Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956.

(2) The pay of a person appointed to the service under these rules shall be regulated as per the provisions of Jammu and Kashmir Civil Service Regulations or general rules as issued from time to time.

**7. Reservation in appointments:-** While making reservation either by direct recruitment or by promotion, reservation shall be made in accordance with the rules, laws applicable and orders issued from time to time for members of Scheduled Caste/Scheduled Tribes/Backward Classes or any other category or Class of persons under the provisions of Jammu and Kashmir Reservation Act and the rules made thereunder.

**8. Training and Departmental Examination.-** Persons appointed to the service by competitive examination shall be required to undergo such training form time to time during the course of probation and to pass during the period of probation or trial departmental examination as the Government may prescribe:

Provided that the Government may exempt persons from such training or departmental examination either wholly or partly, who have passed a 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 Servant 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 he /she possesses the educational and other qualifications prescribed for recruitment to such class or category of posts. The upper age limit of such government servant shall be also provided in the general rules:

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

10. **Maintenance of seniority lists:-** Seniority of the members shall be regulated under the Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956 . The Administrative Department shall maintain an up-to-date final seniority list of members of the each service separately.

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 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 whose decision thereon shall be final and binding.

13. **Repeal and savings.**-(1) Jammu and Kashmir Legal (Gazetted) Service Recruitment Rules, 1980 are hereby repealed.

(2) Notwithstanding such repeal, any appointment order made 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 and Kashmir.**

Sd/-  
(Achal Sethi)  
Secretary to the Government

No. LAW-SL/1/2021-10

Dated: 12.2023.

**Schedule -I (Part-A)**  
**(Legal Gazetted Cadre)**

S. NO.	Designation of the post	Pay Level	Total posts including DR@25% and LR@10%
1	Secretary to Government	Level-14 (144200-218200)	01
2	Special Secretary to Government	Level-13 (123100-215900)	06
3	Addl. Secretary to Government /Director Litigation	Level-12 (78800-209200)	12
4	Deputy Legal Remembrancer/Deputy Director Litigation.	Level-11 (67700-208700)	20
5	Deputy Director(Adm)	Level-11 (67700-208700)	02
6	Assistant Legal Remembrancer/ District Litigation Officer/Assistant Director Litigation/Chief Reporter.	Level-08 (47600-151100)	78
7	Pvt. Secretary	Level-08 (47600-151100)	01
8	Assistant Director(Adm)/ Administrative Officer	Level-08 (47600-151100)	06

**Schedule -I (Part-B)**  
**(Law Officers Gazetted Cadre)**

<b>S. NO.</b>	<b>Designation</b>	<b>Pay Level</b>	<b>Total posts including DR@25% and LR@10%</b>
1	Special Secretary to Government	Level-13 (123100-215900)	04
2	Additional Secretary to Government	Level-12 (78800-209200)	11
3	Senior Law Officer	Level-11 (67700-208700)	20
4	Public Law Officer	Level-08 (47600-151100)	02

**Schedule -II (Part-A)**  
**(Legal Gazetted Cadre)**

S. NO.	Designation of the post	Pay Level	Minimum qualification for direct recruitment	Method of recruitment
I	Secretary to Government	Level-14 (144200-218200)		By promotion from Class-II of Schedule II Part A and Class I of Schedule-II Part B having a substantive service of not less than two years in that class with due regard to merit-cum- seniority. Note. The Government may from time to time upgrade the post of Secretary to Government to next level/grade with the approval of Competent Authority as per relevant rule/law in vogue.
II	Special Secretary to Government	Level-13 (123100-215900)		By promotion from Class-III having a substantive service of not less than two years in that Class.
III	Additional Secretary to Government /Director Litigation	Level-12 (78800-209200)		By promotion from Class-IV having a substantive service of not less than three years in that Class.
IV	Deputy Legal Remembrancer/ Deputy Director Litigation.	Level-11 (67700-208700)		By promotion form Class-VI having a substantive service of not less than three years in that Class.
V	Deputy Director(Adm)	Level-11 (67700-208700)		100% by promotion from Class-VIII having not less than three years substantive service in that category/class.
VI	Assistant Legal Remembrancer/ District Litigation	Level-08 (47600-151100)	A bachelors degree in law of University	(i) 50% by direct recruitment

	Officer/Assistant Director Litigation/Chief Reporter.		established by law in India with at least two years actual practice at bar certified by Principal District Judge, Concerned/Registrar General High Court concerned.	(ii) 50% by promotion from Associate Law Officer of Class I, Schedule-II (Part-A) of the Jammu and Kashmir Legal (Subordinate) Service with substantive service not less than three years in that Class.
VII	Pvt. Secretary	Level-08 (47600-151100)	-	100% by promotion from Senior Scale Stenographer from Class-I, Category-A of Schedule-II (Part-B) of Jammu and Kashmir Legal (Subordinate) Service having not less than three years substantive service in that category/Class.
VIII	Assistant Director(Adm)/Administrative Officer	Level-08 (47600-151100)	-	(i) 25% by promotion from Section Officers of Class-I, Category-B of Schedule-II (B) of Jammu and Kashmir Legal (Subordinate) Service having not less than three years substantive service in that category/class. (ii) 75% by promotion from Non-LLB Legal Assistants/Reporter of Class-I, Category-C of Schedule-II (Part-B) of Jammu and Kashmir Legal (Subordinate) Service having not less than

				three years substantive service in that category/class.
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Note: The posts as far as practicable, shall be filled up from the respective category/class.

However, in case of non-availability of eligible officers from one category/class, the posts shall be filled up from eligible officers of the other category/class.

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**Schedule -II (Part-B)**  
**(Law Officer (Gazetted) Cadre)**

<b>S. NO.</b>	<b>Designation of the post</b>	<b>Pay Level</b>	<b>Qualification</b>	<b>Mode of recruitment</b>
I	Special Secretary to Government	Level-13 (123100-215900)		By promotion form Class-II having a substantive service of not less than two years in that Class.
II	Additional Secretary to Government	Level-12 (78800-209200)	-	By promotion form Class-III having a substantive service of not less than three years in that Class.
III	Senior Law Officer	Level-11 (67700-208700)	-	By promotion form Class-IV having a substantive service of not less than three years in that Class.
IV	Public Law Officer	Level-08 (47600-151100)		

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