

Government of Jammu and Kashmir
Civil Secretariat Revenue Department Jammu

Notification

Jammu, the 30th December, 2009.

SRO 412 - In exercise of the powers conferred by the proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor hereby makes the following rules, namely:-

1. **Short title and commencement.**-(1) These rules may be called the Jammu and Kashmir Kashmiri Migrants (Special Drive) Recruitment Rules, 2009.

(2) They shall come into force at once.

2. **Definition.** - In these rules, unless the context otherwise requires,-

(a) **"appointing authority"** means the authority competent to make appointment in respect of post(s) under the rules governing recruitment to such post or service in the State;

(b) **"Government"** means the Government of Jammu and Kashmir;

(c) **"Form"** means the Form appended to these rules;

(d) **"Migrant"** means a person;

(i) who has migrated from Kashmir Valley after 1st November, 1989, and

(ii) is registered as such with the Relief Commissioner or has not been so registered on the ground of his being in service of Government in any moving office, or having left the Valley or any other part of the State in pursuit of occupation or vocation or otherwise, and is possessed of

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immovable property at the place from where he has migrated but is unable to ordinarily reside there due to the disturbed conditions and includes an internally displaced person;

Explanation. — For the purpose of this clause an internally displaced person means a person who had to migrate within valley from his original place of residence in Kashmir Valley for reasons of security and is registered as such with the Relief and Rehabilitation Commissioner Migrants;

(e) **“Post”** means the posts, under the Government, specially created from time to time in the valley under the Prime Minister’s Special Package for return and rehabilitation of Kashmiri Migrants to the Valley;

(f) **“Rule”** means Jammu and Kashmir Kashmiri Migrants (Special Drive) Recruitment Rules, 2009.

(g) **“Selection Authority”** means the authority envisaged under rule 6;

(h) **“Valley”** means the area falling in Kashmir Division except the Districts of Leh and Kargil; and

(i) **“Words and expressions”** used in these rules but not defined shall have the same meaning as assigned to them in the Jammu & Kashmir Civil Services (Classifications, Control and Appeal) Rules, 1956.

3. **Application of the rules.** - These rules shall apply to the posts referred to in clause (e) of rule 2.

4. **Appointment under these rules.** - (1) The appointing authority shall make appointment against the posts notified

under these rules initially on probation for a period of 2 years which may be extended up to a further period of 2 years.

(2) The appointee shall be eligible for confirmation on the basis of his performance, merit and uninterrupted/continuous stay in the Valley.

(3) The services of an appointee shall be regulated by the Jammu & Kashmir Civil Services (Classifications, Control and Appeal) Rules, 1956 and other such regulations.

(4) The appointee shall have to execute an agreement with the Government on the Form, (forming annexure to these rules) that he will serve in the Valley against the post on which he is appointed and at a place where he will be posted. In case the appointee migrates from Valley again for any reason whatsoever, he shall lose the job without any notice and shall stand terminated.

5. **Eligibility.** - (1) The migrant unemployed youth shall be eligible for appointment against the posts referred to in clause (e) of rule 2.

(2) The candidates must be within the age prescribed for entry in Government services and possess the prescribed qualification and experience for the post.

(3) The Relief and Rehabilitation Commissioner for Migrants shall be the designate authority for authentication of the migrant status of the applicant. The Relief and Rehabilitation Commissioner for Migrants shall ensure that the applicant is a bonafide migrant.

- 6. Selection Authority** (1) The Jammu and Kashmir Services Selection Board shall be the Selection Authority for making recruitment/selection to the posts under these rules.
- (2) The Board will conduct a special drive for selection to the post referred to it under these rules.
- (3) The Board shall make selection on the basis of open merit subject to provisions of the Jammu and Kashmir Reservation Act and the rules made thereunder.
- (4) The Board after selecting the candidates shall forward the list to the Revenue Department and the Revenue Department shall communicate the details to the concerned Departments who shall issue their appointment and posting orders.
- (5) The Departments, having competence to make the appointments shall issue appointment orders only after the selectee reports in the valley and shall allow them to join only after production of various documents including the agreement in the prescribed form.
- (6) The appointee under these rules shall have to work within Kashmir Valley and shall not be eligible for transfer outside the Valley under any circumstances.
- (7) The seniority of the appointees shall be fixed at the places on the posts of their first appointment in that particular grade/service.
- (8) For Class IV posts a Committee shall be constituted by the Revenue Department for making appointments.

Sd/-
Secretary to Government
Revenue Department
Dated:- 30-12-2009

No.Rev/MR/167/2001-I

Copy to the:-

1. Principal Resident Commissioner, New Delhi.
2. Financial Commissioner, Revenue, J&K, Jammu.
3. Principal Secretary to Hon'ble Chief Minister.

4. All Administrative Secretaries *General Adm Deptt*
5. Divisional Commissioner Jammu/Kashmir.
6. Secretary to Govt. Law Department (W.7 S. Cs)
7. Relief and Rehabilitation Commissioner (Migrants) J&K, Jammu
8. Director Information J&K Jammu.
9. All Deputy Commissioners
10. Spl Asstt to Hon'ble Revenue Minister.
11. Spl Asstt to Hon'ble MOS Revenue.
12. Pvt Secy to Secretary to Government Revenue Department.
13. Manager Government Ranbir Printing Press, Jammu for publication in the next issue of the Govt Gazette.
14. Notification/record file.

W. G. S.
30/12/18
Deputy Secretary to Government
Revenue Department

AGREEMENT

THIS AGREEMENT is made on _____ day of _____ between the Governor of Jammu and Kashmir through the appointing authority of the one part and Sh/Smt. _____ S/o, D/o, S/o _____ residing at _____ (hereinafter called as the contracting party) of the other part; and

WHEREAS the Government has decided to provide employment to unemployed Kashmir migrant youth in terms of Jammu and Kashmir, Kashmiri Migrants (Special Drive) Recruitment Rules, 2009.

WHEREAS vide Order No: _____ dated _____ The executor has been appointed on probation as _____ in the Department _____ subject to execution of this Agreement; and inter-alia, on the explicit condition that his appointment as such shall subsist only so long as he serves in the Kashmir Valley; and

WHEREAS that the appointee shall be considered for regularization on the basis of his performance and satisfactory completion of period of probation in accordance with aforementioned rules, and

WHEREAS that the appointee agrees to serve in Kashmir Valley and will at no stage opt or seek for transfer outside Kashmir Valley; and

WHEREAS the appointee agrees that in case he migrates again from Kashmir Valley at any stage for any reasons whatsoever, he will stand automatically terminated from the service and shall have no claim against any post under the state; and

WHEREAS if the appointee willfully neglects or refuses to perform his duty in Kashmir Valley the appointing authority shall immediately terminate his service' and

WHEREAS the appointee will at no stage seek or opt for transfer outside the Kashmir Valley.

Now, therefore, I accept the said terms and conditions of appointment.

Name _____
S/oW/oD/o _____
R/o _____

Accepting Authority.