

GOVERNMENT OF JAMMU AND KASHMIR
DEPARTMENT OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS
Civil Secretariat, Jammu/Srinagar


NOTIFICATION
Srinagar, the 20th June, 2025

S.O. 173.—In exercise of the powers conferred by article 234 & 235 read with proviso to article 309 of the Constitution of India and all other enabling provisions in this regard, the Lieutenant Governor, Union Territory of Jammu and Kashmir, in consultation with the High Court of Jammu and Kashmir and Ladakh and Jammu and Kashmir Public Service Commission has been pleased to make the following rules, regulating the promotion and service conditions of members of the Jammu & Kashmir and Ladakh Judicial Service:

1. Short title and commencement.— (i) These rules may be called the “Jammu and Kashmir and Ladakh Judicial Service Rules, 2025”

(ii) These rules shall come into force on the date of their publication in the Official Gazette.

2. Definitions.— In these rules, unless the context otherwise requires:-

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- (a) “Administrator” means the Lieutenant Governor of Union Territory of Jammu and Kashmir appointed by the President under Article 239 of the Constitution.
 - (b) “Cadre” means the sanctioned strength of the Service both permanent and temporary.
 - (c) “Constitution” means the Constitution of India.
 - (d) “Government” means the Government of Union Territory of Jammu and Kashmir.
 - (e) “High Court” means the High Court of Jammu & Kashmir and Ladakh.
 - (f) “Member of the Service” means a person appointed in substantive capacity of the Jammu and Kashmir and Ladakh Judicial Service and includes a person appointed on probation.

- (g) "Public Service Commission" means the Jammu and Kashmir Public Service Commission.
- (h) "Service" means the Jammu and Kashmir and Ladakh Judicial Service.
- (i) "Words and expressions" used but not defined in these rules shall have, unless the context otherwise requires, the same meaning as assigned to them in the Constitution and the Rules for the time being applicable to the members of the Judicial Services.

3. Constitution of the service and strength of the cadre.-

(i) The service shall consist of two cadres:-

- a) Civil Judge (Sr. Division)-cum-Judicial Magistrate 1st Class/Chief Judicial Magistrate.
- b) Civil Judge (Jr. Division)-cum-Judicial Magistrate 1st Class.

(ii) The cadre strength of the service shall be such as may be determined, from time to time, by the Administrator on the recommendations of the High Court. The permanent/temporary strength of Civil Judge (Sr. Division)-cum-Judicial Magistrate 1st Class/Chief Judicial Magistrate, shall be, unless varied, as mentioned in Schedule "I" to these rules, whereas the permanent/temporary strength of the Civil Judge (Jr. Division)-cum-Judicial Magistrate 1st Class shall be as mentioned in Schedule "II" to these rules.

Section

4. Appointing Authority.- (i) The Appointing Authority for the cadre of Civil Judge (Jr. Division)-cum-Judicial Magistrate 1st Class shall be the Administrator of the Union Territory of Jammu and Kashmir who shall make appointments on the recommendations of the High Court and the Public Service Commission.

(ii) The Appointing Authority for the cadre of Civil Judge (Sr. Division)-cum-Judicial Magistrate 1st Class/Chief Judicial Magistrate shall be the High Court.

5. Method of recruitment of Civil Judge (Jr. Division)-cum Judicial Magistrate 1st Class.- The method and manner of recruitment of Civil Judge (Jr. Division)-Cum-Judicial Magistrate 1st Class, shall be the same as provided under the Jammu and Kashmir Civil Service (Judicial) Recruitment Rules, 1967.

6. Method of recruitment to the cadre of Civil Judge (Sr. Division)-cum-Judicial Magistrate 1st Class/Chief Judicial Magistrate.- The Civil Judge (Sr. Division)-cum-Judicial Magistrate 1st Class/Chief Judicial Magistrate, shall be promoted by the High Court on the basis of merit-cum-seniority from amongst Civil Judge (Jr. Division)-cum-Judicial Magistrate 1st Class, having minimum experience of five years in the said cadre.

Provided that if no suitable officers with five years of service are available for promotion to the cadre of Civil Judge (Sr. Division)-cum-Judicial Magistrate 1st Class/Chief Judicial Magistrate, in that case, as per the discretion of the Chief Justice, the officers of lesser experience may be considered.

7. Promotion of Civil Judge (Jr. Division)-cum-Judicial Magistrate 1st Class.- The following criteria for promotion of Civil Judge (Jr. Division)-cum-Judicial Magistrate 1st Class to the post of Civil Judge (Sr. Division)-cum-Judicial Magistrate 1st Class/Chief Judicial Magistrate, shall be adopted:-

Ass. Com **(a) Evaluation of 05 Civil & 05 Criminal Judgments = 50 Marks.**

Each judgment will carry 05 marks to be awarded on the basis of its ratings. The Judgments, on the basis of its contents, appreciation of law & facts and its conclusion, shall be rated as, (1) outstanding, (2) very good, (3) good, (4) average and (5) below average. Out of 05 marks, each judgment will be awarded marks as follows:-

<u>For</u>	<u>Marks</u>
1. Outstanding	05
2. Very good	04
3. Good	03
4. Average	02
5. Below Average	00

(b) Evaluation of ACRs for last five years = 35 marks

For each year's ACR, 07 marks will be awarded on the following ratings-

<u>For</u>	<u>Marks</u>
1. Outstanding	07
2. Very Good	06

3. Good	05
4. Average	04
5. Below Average	00

(c) Performance in oral interview = 15 marks.

Marks for viva will be awarded on the basis of assessment as follows:

Knowledge of law	=	05 marks
Knowledge of procedure	=	05 marks
Aptitude	=	05 marks

Further, the eligible Judicial Officer, Civil Judge (Jr. Division)-cum-Judicial Magistrate Ist Class) who, overall, obtains minimum 60 marks shall make the grade for appointment as Civil Judge (Sr. Division)-cum-Judicial Magistrate Ist Class/Chief Judicial Magistrate.

8. Probation, Discharge and Confirmation.- Notwithstanding, anything contained in the Jammu and Kashmir Civil Service (Judicial) Recruitment Rules, 1967, the provisions governing matters relating to probation, discharge of a probationer and confirmation shall be as follows:-

(A) Probation and officiation.- (i) All appointments to the service by direct recruitment shall be on probation for a period of two years.

(ii) All appointments by promotion shall be on officiating basis for a period of two years.

(iii) The period of probation or officiation, as the case may be, for reason to be recorded in writing, may be extended by the High Court by such period not exceeding the period of probation or officiation, specified in sub-clauses (i) or (ii), as the case may be.

(iv) At the end of the period of probation or officiation or the extended period of probation or officiation, as the case may be, the High Court shall consider the suitability of the persons so appointed or promoted to hold the post to which he has been appointed or promoted; and

(a) if the High Court decides that he is suitable to hold the post to which he was appointed, it shall, as soon as possible, issue an order declaring him to have satisfactorily

completed the period of probation or officiation, as the case may be, and such an order shall have effect from the date of expiry of the period mentioned in the order.

(b) If the High Court considers that the person is not suitable to hold the post to which he was appointed or promoted as the case may be, it shall, if he is a promotee, revert him to the post which he held immediately prior to his promotion, and if he is a probationer, recommend to discharge him from service, whereupon the appointing authority shall issue appropriate orders.

(v) A person shall not be considered to have satisfactorily completed the period of probation or officiation, as the case maybe, unless a specific order to that effect is passed. Any delay in passing such an order, if the delay is not procedural only, which fact will clearly be mentioned when such delay does occur, shall not entitle the person to be deemed to have satisfactorily completed the period of officiation or probation, as the case may be.

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(B). Discharge of a probationer during the period of probation- The appointing authority, may, at any time during the period of probation, discharge from service, a probationer on account of his unsuitability for the service.

(C). Confirmation:- A probationer who has been declared to have satisfactorily completed his probation and a promotee who has been declared to have satisfactorily completed his period of officiation shall be appointed on long term basis as a full time member of the service in the category of post to which he was appointed or, as the case may be, promoted and shall be confirmed as such against the substantive post.

9. Training:- Every member of the service shall be given such periodical training, as the High Court may, from time to time, prescribe.

10. Pay Scales:- Scales of Pay of the members of the service shall be as follows:-

S. No.	Name of the post	Pay Scales
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1.	Civil Judge (Jr. Division)	J-1(77840-136520)
2.	Civil Judge (Jr. Division) 1 st stage of ACP Scale.	J-2(92960-136520)
3.	Civil Judge (Jr. Division) 2 nd stage of ACP Scale.	J-3(111000-163030)
4.	Civil Judge (Sr. Division)	J-3(111000-163030)
5.	Civil Judge (Sr. Division) 1 st Stage ACP Scale.	J-4 (122700-180200)
6.	Civil Judge (Sr. Division) 2 nd stage ACP Scale.	J-5(144840-194660)

Provided that the above scales of pay may be revised by the competent Authority from time to time.

11. Parameters for the grant of Assured Career Progression (ACP) Scales:- The following shall be the parameters for grant of ACP Scales:-

- a) Consideration of Annual Confidential Reports of the preceding three years. The benefit shall be declined to the Officers rated as "Average" or "Below Average" in the ACP's.
- b) Taking into consideration Work Done Statement for the preceding three years, the Officer rated as "Poor" even on a single occasion on the scales of work based on unit disposal system as may be laid down by the High Court from time to time, shall be declined the benefit of **Second ACP**.
- c) the benefit of grant of First Career Progression Scale shall not be declined to a Civil Judge (Jr. Division), even if the officer is rated "poor" on the scales of work done based on unit disposal system as may be laid by High Court from time to time, unless performance of the officer has consistently been rated as "unsatisfactory/poor" for preceding three years or that there are adverse reports giving inference that the officer is unfit for grant of ACP.
- d) General reputation and behavior of the Judicial Officer with the litigants and the members of Bar.
- e) Pendency of a regular enquiry against a Judicial Officer shall disentitle him to the grant of the benefit.
- f) The eligible officers shall be considered for the benefit of ACP in order of their seniority.
- g) If for any reason, delay in grant of ACP goes beyond period of one year, Judicial Officer shall be entitled to one additional


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increment for every year delay subject to adjustment with the ACP arrears.

12. Age of superannuation- A member of the service shall retire from service in the afternoon of the last day of the month in which he attains the age of sixty years.

13. Premature retirement:- The High Court shall assess and evaluate the record of the members of the service of his/her continued utility before he/she attains the age of 50 years, 55 years and 58 years by following the procedure for compulsory retirement under the Service Rules applicable to him/her and if he/she is not found fit and eligible, he/she will compulsorily retire on his/her attaining the age of 50 years, 55 years and 58 years, as the case may be.

The criteria adopted by the High Court for assessing the continued utility in service in the case of the Jammu and Kashmir Higher Judicial Services, shall also be applicable to the members of the service.

 **14. Residuary matters.-** In respect of all such matters regarding the service conditions including those relating to reservation in recruitment/promotion and matters relating to conduct and discipline for which no provision or insufficient provision has been made in these rules, the rules, directions or orders for the time being in force and applicable to the Government servants holding corresponding posts in connection with the affairs of the Union Territory of Jammu and Kashmir shall regulate the conditions of such service.

15. Interpretation.- If any question arises as to the interpretation of these rules, the same shall be decided by the Administrator in consultation with the High Court.

16. Savings.- The existing members of the service shall be deemed to have been appointed/promoted under these rules with their existing relative seniority.

By order of Lieutenant Governor.

Sd/-
(Achal Sethi)
Secretary to Government
Dated. 20-06-2025.

No: Law-Jud/51/2021-10.

Copy to the:

1. Financial Commissioner (Additional Chief Secretary), Home Department.
2. Principal Secretary to the Lieutenant Governor, J&K, Jammu.
3. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
4. Commissioner Secretary to Government, General Administration Department.
5. Registrar General, High Court, of Jammu and Kashmir and Ladakh, at Jammu.
6. Secretary, Law and Justice, Union Territory of Ladakh.
7. Secretary, Jammu and Kashmir Public Service Commission. This is with reference to his letter No. PSC/DPC/1/2024 dated 22-05-2025
8. Director, Archaeology, Archives and Museums, J&K, Jammu.
9. General Manager, Ranbir Government Press, Jammu for publication in an extraordinary issue of Government Gazette.
10. Private Secretary to Chief Secretary, J&K for information of Chief Secretary.
11. Private Secretary to Secretary to Government, Department of Law, Justice and P.A. for information of Secretary.
12. I/C Website, Department of Law, Justice & P.A.
13. S.O Section, Department of Law, Justice & P.A (w. 7. s.c).
14. Concerned file.


20.06.25

(Ashish Gupta)
Special Secretary to Government

Schedule-"I"

The authorized strength of the service is as follows-

Description of the Posts	No. of Posts
Civil Judge (Sr. Division)-Cum-Judicial Magistrate I st Class/Chief Judicial Magistrate	94
Permanent	71
Ex-Cadre*	23
Total	94

*Ex-Cadre Posts include 22 posts of Secretaries of District Legal Services Authorities and one post of Secretary, High Court Legal Service Committee.

Schedule-"II"

Description of the posts	No. of Posts.
Civil Judge (Jr. Division)-Cum-Judicial Magistrate Ist Class	151
Permanent	107
Ex-Cadre*	44
Total	151

**Ex-Cadre posts include 22 posts of Nyayadhikaries under Gram Nyayalayas Act, 2008 and 22 posts of Principal Magistrates of Juvenile Justice Boards.
