

Government of Jammu and Kashmir
Home Department,
Civil secretariat, Jammu

Subject: Up-gradation of post of Prosecuting Officer of the Jammu and Kashmir Prosecution Service, from pay level 6E to level 8.

Government Order No.:126 – Home of 2020

Dated: 19.06.2020

Sanction is hereby accorded to the up-gradation of the post(s) of Prosecuting Officer, of the Jammu and Kashmir Prosecution Service, from level 6E(35900-113500)[Non-Gazetted] to level 8 (47600-151100)[Gazetted], and re-designation of these post(s) as Prosecuting Officer (G), with effect from the date(s) of vacation of the post(s) of Prosecuting Officer (Non-Gazetted) by the incumbents as a result of their promotion to the next level or due to superannuation, voluntary retirement or otherwise.

It is further ordered that:

- i. there shall be no fresh recruitment of Prosecuting Officers at Non-Gazetted level, which shall henceforth be made at Gazetted level, in pay level 8(47600-151100), after notification of the Recruitment rules;
- ii. the existing post(s) of Prosecuting Officer(Non-Gazetted)[PO] held by a person(s) appointed to the Service prior to the 31st October, 2019 i.e. the date of creation of J&K Prosecution Service, shall continue to be part of the Service, in pay level 6E, till these post(s) fall vacant in the above manner;
- iii. the Prosecuting Officers (Non-Gazetted) shall be governed in terms of the applicable Recruitment rules for purposes of promotion to next level of Senior Prosecuting Officers, subject to fulfillment of the eligibility criteria prescribed therein and the availability of posts at the higher level;
- iv. if it is found that sufficient number of vacancies are not available for considering promotion of all the incumbent Prosecuting Officers (Non-Gazetted) as Senior Prosecuting Officer, such number of post(s) as would be held by the Prosecuting Officers (Non-Gazetted) due to non-availability of vacancies at higher level shall be upgraded to level 8 (47600-151100)[Gazetted], merely for purposes of bringing them at par with Prosecuting Officer (G), without any change in their designation.

This shall, however, be subject to the ceiling, mentioned in the concurrence of the Finance Department.

The aforesaid arrangement is a part of the structural changes in the Prosecution cadre with a view to improve the Criminal Justice System and bring it in line with rest of the country as also to implement provisions of the Code of Criminal Procedure, 1973, consequent upon enforcement of the J&K Re-organization Act, 2019.

This issues with the concurrence of the Finance Department, conveyed vide U.O No. A/16(02)-447 dated 27.04.2020, which has been agreed to, as a special case, in view of the likely outcome, and is not to be quoted as a precedent.

By order of the Government of Jammu and Kashmir.



(Khalid Majeed) KAS

Additional Secretary to the Government

No:-Home/GB-Misc/2019-Part-II

Dated: 19.06.2020

Copy to:

1. Financial Commissioner/ Administrative Secretary, Finance Department.
2. Principal Secretary to the Hon'ble Lieutenant Governor, J&K.
3. Joint Secretary (JK), MHA, Government of India.
4. Director General of Police, J&K.
5. Director Anti Corruption Bureau, J&K.
6. Director General of Prosecution, J&K.
7. Secretary to the Government, General Administration Department.
8. Director Information & Public Relations, J&K.
9. Director Archives, Archaeology and Museums.
10. Private Secretary to the Advisor(s) (S)/(F)/(B)/(BK) for information of the Hon'ble Advisors.
11. Private Secretary to the Chief Secretary for information of the Chief Secretary.
12. Private Secretary to Principal Secretary to the Government, Home Department.
13. General Manager, Government Press, Srinagar, for publication in the extra-ordinary issue of the Government Gazette.
14. I/c web site.