

F.No. GAD-VIG0ADM/1/2025-09-GAD (CC:7609851)

**Government of Jammu and Kashmir
General Administration Department
(Vigilance)**

Civil Secretariat; Jammu/Srinagar

Dated: 19th of March, 2025.

Subject: Requirement of permission of the prescribed authority for acquisition or disposing of immovable property by public servant(s)– clarification thereof.

CIRCULAR No. 10-JK-GAD(Vig) of 2025

Dated:19.03.2025

Various departments have been referring the cases of public servants regarding requirement of prior intimation or permission of the prescribed authority w.r.t, acquisition or disposing of immovable property by the public servant(s);

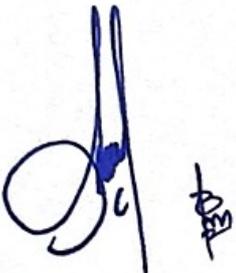
As regards the rule position governing the subject, Rule 9(2) of the Jammu and Kashmir Government Employees (Conduct) Rules, 1971, provides that;

No Government employee shall, except with the previous knowledge of the prescribed authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of the family.

Further, Section 12 of the Jammu and Kashmir Public Men and Public Servants Declaration of Assets and other Provisions Act, 1983, provides that;

12. Restriction to acquire and transfer property. —(1) No public servant shall in his own name or in the name of any of his family member acquire or transfer any [immovable property] unless he has obtained permission in writing, from the prescribed authority.

Provided that the acquisition or transfer of movable property shall be brought to the notice of prescribed authority where value of such property exceeds the limit prescribed by the Government.



(2) Notwithstanding anything contained in any other law, any transfer effected by a public servant without the previous permission as provided under sub-section (1) shall be null and void and no person shall be deemed to have acquired any right therein.

The issue has been examined in the General Administration Department and it is clarified that transaction by a public servant with regard to acquisition or disposing of immovable property is required to be done with the permission of the prescribed authority in terms of Section 2 & Section 12 of the Jammu and Kashmir Public Men and Public Servants Declaration of Assets and other Provisions Act, 1983;

Accordingly, it is impressed upon all the concerned authorities, to adhere to the above rule position while dealing with such cases.

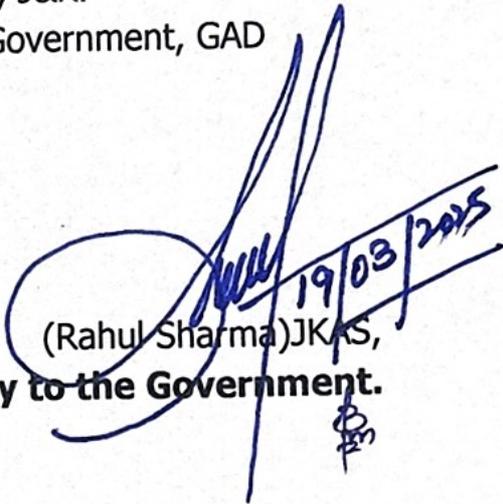
Sd/-
(M.Raju)IAS,
Commissioner/Secretary to the Government.

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2. Director General of Police, J&K.
3. All Principal Secretaries to the Government.
4. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
5. All Commissioner/Secretaries to the Government.
6. Chief Electoral Officer, J&K.
7. Principal Resident Commissioner, J&K Government, New Delhi.
8. Joint Secretary (JKL), Ministry of Home Affairs, Government of India.
9. Divisional Commissioner, Kashmir/Jammu.
10. Director, J&K Institute of Management, Public Administration & Rural Development.
11. All Deputy Commissioners.
12. Director Information, J&K.
13. Chairperson, J&K Special Tribunal.
14. All Heads of the Departments/Managing Directors.



15. Secretary, J&K Public Service Commission.
16. Director, Archives, Archaeology and Museums, J&K.
17. Director Estates, Kashmir/Jammu.
18. Secretary, J&K Services Selection Board.
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(Rahul Sharma)JKAS,

Under Secretary to the Government.