

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Dated Jammu, the 18th June, 1999.

SRO-235.—In exercise of the powers conferred by section 118 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Financial Code, Volume-I, namely :—

In the said Code :—

I. In sub-rule 2-A of Rule 14-20 the words and figures 'Rs. 3500/- and 5000/-' wherever appearing shall be substituted by words and figures of 'Rs. 10,000/-' and 'Rs. 15,000/-' respectively.

II. In sub-rule (1) of Rule 14.22 the words and figures of 'Rs. 1500/-' shall be substituted by words and figures of 'Rs. 4500/-'.

III. In sub-rule (2) of Rule 14.22 B the words and figures of 'Rs. 1100/' shall be substituted by words and figures of less than 'Rs. 4500/-'.

By order of the Governor.

(Sd.) AJIT KUMAR,

Principal Secretary to Government,  
Finance Department.

Dated 18-06-1999

No. A/34(88)-427

Standard endorsements.

(Sd.) M. J. NAJAR,  
Director Codes,  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

CIRCULAR

Subject : Grant of Study Leave.

Attention is invited to chapter VI of J&K Civil Services (Leave) Rules, 1979 which relates to grant of study leave to a Government servant with due regard to exigencies of public service to enable him to undergo (in or out of India) a special course of study consisting of higher studies or specialised training in a professional or technical subject having a direct and close connection with sphere of his duty.

2. The rules *inter alia* provide that the GAD (Training Branch) on the recommendations of the Adm. Department concerned and with the consent of Finance Department may grant study leave under these rules for purposes of study in India. Cases for study leave outside India will be sanctioned by the Government on the recommendations of the Committee prescribed for the purpose and with the concurrence of the Finance Department.

3. It has been observed that the Administrative Departments allow the employees to proceed on study leave without observing the rules on the subject. Sending the employees on study leave in anticipation of Government sanction and then applying for post-facto sanction is not admissible under rule *ibid*.

4. All Financial Commissioners, Principal Secretaries and Commissioner/Secretaries to Government are requested kindly to ensure that the rules on the subject are adhered to strictly in letter and spirit by the concerned authorities and in no case agreement of Finance Department be presumed in a case of study leave. Any officer relieved for any course for study leave will be at his own risk and responsibility and in no case there will be a post-facto sanction of study leave agreed to by Finance Department.

(Sd.) AJIT KUMAR,

Principal Secretary to Government,  
Finance Department.

Dated 24-6-1999

No. A/49(83)-587

Standard endorsements.

(Sd.) M. J. NAJAR,  
Director (Codes),  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

O.M. No. A/1(92)-513  
Dated 25-06-1999

Subject : Payment of House Rent Allowance and Recovery of Rent.

CIRCULAR

Attention is invited to Finance Department Circular O.M. No. A/1(92)-968 dated 11-12-1998 whereunder *inter alia*, it has been clarified, that no HRA is admissible to any such Government Emplouees who is allotted Government accommodation or is in occupation of any Government accommodation under any pretext unless of course, expressly provided by any order or rule. It has also been clarified that in case any amount of House Rent Allowance has been paid to any such Government employee who is residing in any Government accommodation, such amount should be recovered from the concerned employee forthwith and all the Drawing and Disbursing Officers/Treasury Officers have been instructed to adhere strictly to the existing rules/orders.

2. Doubts have been expressed whether the employees and others who have been provided Government accommodation by Estates or other departments like R&B, PWD, Tourism Department, Forest etc. etc. are exempt from payment of rent of that government accommodation.

3. The case has been examined in the Finance Department and it is clarified that all Government employees and others who have been given Government accommodation have to pay rent of that accommodation. If there is any rent outstanding the same be recovered in full and in one lump sum.

4. It is further clarified that HRA is granted to the employees who do not get any Government accommodation. All employees who are in possession of Government accommodation will not get HRA but will pay rent of that Government accommodation which they are occupying at the duly prescribed rates.

Accordingly any employee who has taken/been wrongly paid HRA while in possession of Government accommodation shall immediately be required to refund the same or it may be deducted at source by recovery from their salaries.

ALL

All the Admn. Secretaries are accordingly, requested kindly to communicate these instructions to their subordinate officers for immediate compliance. The DDO's and Treasury Officers shall strictly adhere to these instructions/orders.

(Sd.) M. J. NAJAR,  
Director (Codes),  
Finance Department.

Standard endorsements.

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Dated Srinagar, the 30th June, 1999.

SRO-246.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Civil Services Regulations Volume-I, namely :—

In the said Regulations, the following shall be inserted as Government Instructions below explanation to Art. 226(2) :—

**Government Instruction**

**Levels at which screening should be conducted for Non-Gazetted Employees**

1. At the Non-Gazetted level, a Screening Committee comprising of the Head of the Department and two other Senior Officers of the Department to be nominated by the concerned Administrative Department should conduct the review. The Screening Committee should screen the cases of all concerned persons and forward its recommendation to the Adm. Deptt. for further follow up action in terms of Art. 226(2) of J&K CSR. This review should be done regularly, preferably twice every year in the months of January and July each. The review should be conducted by the cadre controlling Administrative Department which controls the service to which the concerned Government servant belongs irrespective of where he may be working at the relevant time. However, if the employee is working in a different department then the Screening Committee should consist of at least one Senior Officer from the department in which the Government servant is/was working at the relevant time.

2. The review should, normally be initiated around six months before the officer/official attains the prescribed age or completes the prescribed service. A separate register can be maintained for keeping a watch on the time schedule for such review.

3. The final decision in the matter for Non-Gazetted staff should rest with the Administrative Department, which should take a final decision based upon the report of the Screening Committee. This should be done within a period of three months of receipt of report from the screening Committee. The gist of the final decision can be recorded in the service book of the employee.

4. The decision of the Administrative Department implies a decision by the concerned Minister of the Department on file. Hence he can review his own decision in the form of considering representations made by the concerned employees against the initial decision pertaining to pre-mature retirement in the interest of natural justice.

**Norms to be followed by the Screening Committees in cases of Non-Gazetted employees**

1. The Annual Performance Report of the non-Gazetted employees are neither normally written very carefully nor are they fully available in a large number of cases. The Screening Committee should, therefore, consider the entire service record including all material and relevant information available on record about the employees before coming to any conclusion.

2. The Government employees whose integrity is doubtful should be retired. For the purpose of establishing that the integrity of the Government servant is doubtful the following information/records could be considered.

- \* Number and nature of complaints received, if any, against the Government servant pertaining to doubtful integrity or corruption.
- \* Number and nature of various audit paras pending, if any, against the Government servant in which concerned government servant is found to be involved.
- \* Number and nature of vigilance cases pending inquiry, if any, against the Government servant.
- \* Adverse entries in the APRs concerning doubtful integrity, if any.
- \* Number and nature of departmental inquiries/preliminary inquiries, if any, which are going on against the concerned Government servant.
- \* Number and nature of administrative censure/warnings/punishment pertaining to corruption/doubtful integrity against the Government servant, if any.
- \* General reputation of the employees.

3. Government employee who is found to be ineffective should be retired. The basic consideration in identifying such employee should be the fitness/competence of the employee to continue in the post, which he is holding. If he is not found fit to continue in his present post, then his fitness/

competence to continue in the lower post from where he had been previously promoted should be considered.

4. The specific norms for efficiency/effectiveness can not be really laid down since they pertain to the nature of work in each particular department would vary from department to department. However, these norms should be similar to norms laid down in the APRs of the employees concerned relating to his performance and efficiency/effectiveness. Specific norms on two to three parameters should be laid down for specific jobs. An illustrative list of norms is given below.

- \* For teachers the pass percentage achieved by their students.
- \* For revenue staff, norms relating to revenue work, such as mutations attested, jamabandies completed, revenue pass books issued etc.
- \* for engineering staff, norms relating to timely project implementation without time and cost overruns etc.

The concerned Administrative Department should, for each specific category of employees under its control, identify two to three key result areas/norms against which the efficiency/effectiveness of the Government employees should be considered. These norms should be communicated to the screening committee by the administrative department in advance.

5. While the entire record of the employee should be considered at the time of review, no employee should ordinarily be retired on grounds of ineffectiveness, if his services during the proceeding 5 years, or where he has been promoted on higher post during 5 years his service in the higher post have been found satisfactory.

6. No employee should ordinarily be retired on grounds of ineffectiveness, if in any event, he would be retiring on superannuation within a period of one year from the date of considering of his case.

7. This provision of Rule for premature retirement should not be used for reduction of surplus staff or an economy measure. Similarly, it should not be used to retire a Government servant on ground of specific act of misconduct, as a shortcut to initiating formal disciplinary proceedings against him. The appropriate authority shall not, however, be precluded to take action against a Government servant to retire him prematurely at the relevant time, even at that time, a specific act of misconduct has come to notice.

8. Once a decision has been taken under the relevant service rule to retain a Government servant in service beyond the prescribed age or beyond the prescribed length of service, he shall ordinarily continue in service till he attains the age of superannuation.

By order of the Governor.

(Sd.) AJIT KUMAR,

Principal Secretary to Government,  
Finance Department.

No. A/60(78)-457

Dated 30-06-1999

Standard endorsements.

(Sd.) M. J. NAJAR,

Director Codes,  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

CORRIGENDUM

In notification SRO-317 dated 22-09-1997 issued vide endorsement No. A/6(62)-1005 dated 22-9-1997 whereunder amendments have been made in Annexure 'A' of Appendix 6 of Financial Code. Vol. II, the words 'Bi-annually' appearing against S.No. 13, 17, 18(B) and 18(C) wherever appearing shall be substituted by the words "once in two years".

In S. No. 17 against sub-clause (C) the words "Bi-annually" shall be substituted by the words 'Annually'.

This shall and shall be deemed to have existed in the said SRO *ab initio*.

(Sd.) M. J. NAJAR,  
Director Codes,  
Finance Department.

No. A/6(62)-588

Dated 05-07-1999

Standard endorsements.

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

No. A/43(81)-438  
Dated 06-07-1999

CIRCULAR

Subject : Rendering of Red Detailed Contingents Bills.

Sr. Dy. Accountant General (A&E) vide his D.O. No. T.M./A&E/98-99/1158 dated 25-03-1999 has brought to the notice of Finance Department that D.D.Os./Head of Departments do not submit Red Detailed Contingent Bills (R.D.C.) in respect of W.D.C. Bills with the result that no control over expenditure is exercised.

2. In this connection attention is invited to Rule 7.3 and other allied rules of J&K F.C. Volume I on the subject which are crystal clear which *inter alia*, emphasizes that every W.D.C. Bill should follow by R.D.C. Bill after the close of each month and no fresh drawal on W.D.C. Bills be made unless the previous advance is cleared.

3. All Adm. Departments are requested to issue suitable instructions to all DDOs/Heads of the Departments/Controlling Officers to follow the Codal provisions in letter and spirit and any deviation will be viewed seriously by the Government.

4. Further all Treasury Officers are advised not to entertain any W.D.C. bills unless the concerned DDO/HOD/Controlling Officer has certified on the bill itself that the R.D.C. Bills of the preceding/previous month have been submitted to the Accountant General. The certificate so recorded should bear reference to the No. and date under which the R.D.C. Bill(s) for the preceding month have been submitted to Accountant General.

5. Matter may be treated urgent.

(Sd.) .....

Director (Codes),  
Finance Department.

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT**

**Subject :** Rationalisation of Pension structure for pre-1-4-87 Pensioners/  
Family Pensioner—Extension in the date for submission of  
application forms by the pensioners.

Government Order No. 118-F of 1999

Dated 15th July, 1999.

The date of submission of application forms by the pre-1-4-1987 pensioners to Accountant General, earlier extended under Government Order No. 60-F of 1999 dated 15-4-1999 up to ending June 1999, is hereby extended up to ending October 1999.

By order of the Government of Jammu and Kashmir.

(Sd.) M. J. NAJAR,

Director (Codes),  
Finance Department.

No. A/12(98)-IV-593

Dated 15-07-1999

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR,  
FINANCE DEPARTMENT**

Notification

Dated Srinagar, the 27th July, 1999.

**SRO-302.**—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in Jammu and Kashmir Civil Service (Revised pay) Rules, 1982 and the Jammu and Kashmir Civil Service (Revised Pay) Rules, 1987 :-

**In the said regulations :**

- A.** In schedule 35, S.No. 17 of J&K Civil Service (Revised Pay) Rules, 1982 bearing the Designation 'Incharge Training Centres' under the caption 'Department of Handicrafts' shall be deleted and the following shall be inserted as S.No. 40-A :

S.No.	Designation	Existing scale	Revised scale
40-A	Accountant-cum-Store Supervisor	280-520	600-925

This shall be deemed to have existed in the rules *abi nitio*.

- B.** In Appendix 34, S.No. 14 of J&K Civil Service (Revised Pay) Rules, 1987 bearing the Designation 'Incharge Training Centres' under the caption 'Department of Handicrafts' shall be deleted and the following shall be inserted as S.No. 40-A :

S.No.	Designation	Existing scale	Revised scale
40-A	Accountant-cum-Store Supervisor	600-925	1150-2050

This shall be deemed to have existed in the Rules *abinitio*.

By order of the Governor.

(Sd.) AJIT KUMAR, IAS

Principal Secretary to Government,  
Finance Department.

No. A/58(99)-636

Dated 27-07-1999

Standard endorsements.

(Sd.) M. J. NAJAR,  
Director (Codes),  
Finance Department.

**GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT**

OM No. A/34(90)-III-389  
Dated 18-08-1999

**Subject : Settlement of G.P. Fund/Insurance and Pension cases of Migrant employees.**

1. Attention is invited to Finance Departments Circular O.M. No. A/97(90)-946 dated 02-01-1991 followed by Circular O.M. Nos. noted in the margin regarding speedy disposal of G.P. Fund/Insurance cases of Migrant employees.

**MARGIN  
SETTLEMENT OF  
G.P. FUND/  
INSURANCE.**

- 1. A/10(91)-380  
Dt. 11-4-1991
- 2. A/97(90)-1039  
Dt. 21-2-1992
- 3. A/142(91)-327  
Dt. 27-7-1992
- 4. A/97(90)-114  
Dt. 14-7-1994.

**S P E E D Y  
DISPOSAL OF  
PENSION CASES.**

- 1. A/172(95)-1/455  
Dt. 16-4-1996
- 2. A/85(85)-279  
Dt. 19-4-1996
- 3. A/172(95)-  
1/840  
Dt. 16-8-1996
- 4. A/85(95)-11/513  
Dt. 11-6-1997.
- 5. A/195(95)-612  
Dt. 24-6-1997.

2. An order No. 220-GR/F-90 dated 09-10-1990 was also issued for speedy disposal of pension cases of Government servants who have retired or may retire from the moving offices and from the offices located in the Kashmir Valley. Besides detailed instructions were also issued for speedy disposal of pension cases vide Finance Department's Circular O.M. No. A/85(95)-1151 dated 29-12-1996 followed by Circular O.M. Nos. noted in the margin.

3. It has been brought to the notice of Finance Department that the settlement of G.P. Fund/Insurance/ Pension cases of the migrant employees takes years together with the result that the concerned get avoidably adversely affected.

4. Despite detailed instructions issued by the Finance Department as quoted above it transpires that the Department's do not follow these instructions in letter and spirit with the result that the Government even is put to avoidable embarrassing position.

5. Undersigned is accordingly desired to request all the Financial Commissions/Principal Secretaries to Government/Commissioner and Secretaries to Government kindly to issue suitable instructions impressing upon their subordinate offices and FA & CAOs concerned to adhere

to the instructions issued on the subject by the Finance Department in letter and spirit with any delay being viewed seriously and action as warranted under rules taken by the concerned Administrative Department against the defaulter.

(Sd.) .....

**Director (Codes),  
Finance Department.**

No. A/34(90)-III-389

Dated 18-08-1999

**Standard endorsements.**

**GOVERNMENT OF JAMMU AND KASHMIR,  
FINANCE DEPARTMENT**

**Notification**

Dated Srinagar, the 23rd August, 1999.

SRO-367.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in J&K CSR Vol. II, namely :-

In the Schedule XV Family Pension-cum-Gratuity rules the following shall be inserted as Note 4 below 24 (c)

**Note 4**

The maximum ceiling for drawal of two family pensions under Note (2) above in respect of all the said eligible family pensioners including the existing family pensioners shall be Rs. 13440/- instead of Rs. 2500/-

This shall have affect from 01-01-1996.

By order of the Governor.

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

No. A/13(98)-763

Dated 23-08-1999

Standard endorsements.

(Sd.) .....

Director (Codes),  
Finance Department.

**GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT**

O.M. No. A/75(96)-765

Dated 23-08-1999

**CIRCULAR**

Subject : Violation of J&K Financial Rules—Issue of official advertisement.

Finance Department vide Circular O.M. No. A/75(96)-406 dated 10-06-1996 issued detailed instructions regarding publication of official advertisements. Lately, it has income to notice that the Departments do not follow the rules/observe the instructions issued by the Finance Department from time to time.

2. While reiterating the earlier instructions attention is again invited to rule 7.35 of J&K Financial Code Vol-I which reads as under :—

Except where otherwise provided by any general or special order of Government in the Information Department in any particular case, the Information office of the Government will be the Central Office for the issue of all official advertisements and it will secure standing contracts for advertisement space in the various news papers approved by Government from time to time.

The Head of Departments, Secretaries to Government, and all other officers desiring to have official advertisements published, will send their advertisements to the Director of Information or any other officer of his Department nominated by him in this behalf.

No payment should be made direct to the papers on account of advertisements published in them except on bills certified by the officer concerned of the Information Department. Such bills should be supported by the newspapers cuttings containing the advertisement".

3. Despite aforesaid clear provisions of Rules it has been observed that the Departments in contravention of the rules get the official advertisements published without routing these through the Information Department, which is the Central Office for the purpose it has also come to



notice that the Department do not get even bills verified by the Information Department.

4. Accordingly while reiterating the earlier instructions in this behalf all the Administrative Departments are requested kindly to issue suitable instructions to all officers subordinate to them impressing upon all concerned to observe the rules in letter and spirit and ensure suitable action being taken against the defaulting officers for violation of the rules.

Matter may be treated as of important nature.

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

Standard endorsements.

(Sd.) M. J. NAJAR,

Director (Codes),  
Finance Department.

**GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT**

Notification

Dated Srinagar, the 27th August, 1999.

SRO-375.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in Jammu and Kashmir Civil Services (Medical Attendance-cum-Allowance) Rules, 1990 :-

In the said Rules ;

- I. Note below Rule 2 shall be deleted.
- II. The following shall be inserted as Government Instruction below Note 2 of Rule 6(3).

**Government Instruction.**

The medical reimbursement claims of States Government servants posted in the office outside the J&K State (for reimbursement of expenses incurred during hospitalization) should strictly be dealt with in accordance with provisions of Rule 6 of these rules provided that in hospital treatment is taken in hospitals/Institutions owned or managed by the Government and/or Private institutions recognised as per Rule 6 (A), inserted vide notification SRO-142 dated 08-05-1998 subject to the conditions as laid down therein.

By order of the Governor.

(Sd.) AJIT KUMAR, IAS

Principal Secretary to Government,  
Finance Department.

No. A/12(73)-732

Dated 27-08-1999

Standard endorsements.

(Sd.) .....

Director (Codes),  
Finance Department.

**GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT**

**Subject : Delegation of Powers.**

**Ref. : General Adm. Department's U.O. No. GDC-58/CM/92 dated 09-08-1999.**

**Government Order No. 157-F of 1999**

**Dated 30-08-1999**

**I. In Chapter 4.6 of Book of Financial Powers, the following shall be inserted at serial No. 29.**

S.No.	Nature of powers	Department	Extent to which Assent is given
29.	To sanction reimbursement of expenses incurred under Employees State Insurance Scheme (ESI Corp of India)	Commissioner/ Secretary to Government, Labour Deptt.	Full powers subject to the ceiling prescribed for Medical expenditure to be shared between the ESI Corporation and the State.

**II. In Chapter 3.10 of Book of Financial Powers, the following shall be inserted at serial No. 108 :—**

S.No.	Nature of powers	To whom delegated	Extent
108.	To sanction reimbursement of expenses incurred under Employees State Insurance Scheme (ESI Corp of India)	I/ Labour Commissioner II/ Adm. Medical Officer (ESI).	Up to Rs. 5000/- in each case. Up to Rs. 2000/- in each case.

**By order of the Government of Jammu and Kashmir.**

(Sd.) M. J. NAJAR,  
Director (Codes),  
Finance Department.

No. A/53(91)-719

Dated 30-08-1999

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR,  
FINANCE DEPARTMENT**

Notification

Dated Srinagar, the 7th of September, 1999.

**SRO-399.**—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in Jammu and Kashmir Civil Services Regulations, Volume-I, namely :—

In the said regulations :

Exception No. 2 below Art. 320-A shall be recast as under :—

“Minister, Chief Justice and Judges of the Hon'ble High Court while travelling by Air within or outside the State on official tour may allow only one person from the personal staff to travel by Air when he is required by the said dignitary to accompany him/her by Air while on official tour. The said person may include Special Assistant/Private Secretary/PRO/Security Officer of the aforesaid dignitary”.

By order of the Governor.

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

No. A/17(73)-733

Dated 07-09-1999

Standard endorsements.

(Sd.) M. J. NAJAR,

Director (Codes),  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

CIRCULAR

Subject : Application of provisions of Rule 5-A of J&K Civil Service (Higher Standard Pay Scale Scheme) Rules, 1996 regarding—

Doubts have been expressed from some quarters with regard to the application of the provisions of Rule 5-A of the J&K Civil Service (Higher Standard Pay Scale Scheme) Rules 1996 as inserted vide Notification SRO-225 dated 4-7-1997.

2. It is hereby clarified that the intention of SRO-225 dated 4-7-1997, in relation to SRO-14 dated 15-1-1996 effective from 01-01-1995, has all along been to ensure that not more than three promotions including functional promotion, if any, can be granted under J&K Civil Services (HSPS) Scheme Rules, 1996. As such the effect of SRO-225 dated 04-07-1997 would be that the Rule 5-A as inserted by SRO-225 would be deemed to have been incorporated in the rules *abi nitio* and will have effect from 1-1-1995. The pay fixation and grant of in situ promotion would be regulated under SRO-14 dated 15-1-1996 as modified by SRO-225 dated 4-7-1997.

(Sd.) AJIT KUMAR, IAS,  
Principal Secretary to Government,  
Finance Department,

No. A/21(99)-749

Dated 07-09-1999

Standard endorsements.

(Sd.) M. J. NAJAR,  
Director (Codes),  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

Notification

Dated Srinagar, the 23rd of September, 1999.

SRO-409.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in Jammu and Kashmir Civil Services Regulations, Volume-I :-

In the said regulations :

the following shall be inserted as a Note below Art. 185(D)(II).

Note :

Where a Central Government Employee joins the State Service as a Direct Recruit of his own volition by applying through proper channel, by resigning with proper permission the service rendered in the Central Government shall be taken into account with the State Service subject to the condition that the total clubbed service does not exceed 66 half yearly periods of qualifying service for his eligibility for full pensionary benefits.

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

No. A 36(83)-839

Dated 24-09-1999

Standard endorsements.

(Sd.) .....

Director (Codes),  
Finance Department.

**GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT**

O.M. No. A/29(96)-870  
Dated 01-08-1999

**Subject :** J&K Civil Services (Higher Standard Pay Scale Scheme) Rules, 1996  
(In situ Promotion Rules)—Clarification thereof.

**Ref. :** Finance Department's O.M. No. A/29(96)-716 dated 05-08-1997.

Various clarifications with regard to points of doubts raised in relation to the application of Insitu Promotion Rules have been issued vide Finance Department's O.M. No. A/29(96)-716 dated 05-08-1997. Among other things, as per para 5 of the said clarificatory O.M. with regard to the point of doubt as to whether the Ex-servicemen employed in various Civil Departments are entitled to the benefits of Insitu Promotion in terms of SRO-14 dated 15-01-1996, it was clarified that :

“Wherever ex-servicemen are/have been appointed against the reserved quota under the provisions of relevant rules, the grant of benefit to them under the J&K Civil Services (Higher Standard pay Scale Scheme) Rules 1996 can not be denied to them”.

02. Various quarters having felt application of the aforesaid clarification as harsh in so far as, the clarification in question covers only appointments made against the reserved quota represented for review of the case to cover all such appointments whether made against reserved quota or not.

03. Consequent upon re-examination of the case in the Finance Department it has been decided that the aforesaid clarification shall and shall always be deemed to have been substituted by the following clarification :

“It is clarified that whether ex-servicemen have been/are appointed against the reserved quota or otherwise, the provisions of relevant rules for grant of benefit of Insitu Promotion shall apply in their case if otherwise eligible under the relevant provisions of In situ Promotion Rules. Army Service will not count of and only the service under the State Government will be taken in account.

04. The concerned authorities may take action in the matter and settle the cases accordingly.

(Sd.) M. J. NAJAR,

Director (Codes),  
Finance Department.

Standard endorsements. \_\_\_\_\_

**GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT.**

O.M. No. A 1:5(94)-894  
Dated 11-10-1999

**Subject :** Regularisation of DRW's/Work Charge Employees.

Pursuant to the State Government, Policy of regularisation of DRW's/WCE, promulgated vide SRO-64 dated 24-03-1994 after completion of seven years of continuous working as on 31-03-1994 or who may do so at the end of subsequent financial year/years, the Empowered Committee constituted vide Government order No. 26-F of 1994 dated 31-01-1994 has cleared cases of around (40,000) forty thousand DRW's/WCE's till date (around 33,000 of Government Departments and around 7000 of Public Sector Undertaking/Autonomous Bodies) out of around 56500 approx. DRW's/Work Charged Employees (46500 of Government Departments and 10,000 approx. of Public Sector Undertaking/Autonomous Bodies) as on 31-03-1994 as per concerned Departmental proposals received in Finance Department, accordingly there are still around 16,000 DRW's/WCE's remaining yet to be cleared for regularisation whose cases are yet to be received in Finance Department.

All the Administrative Departments are therefore requested kindly to intimate the break-up of remaining DRW's/WCE's with due dates of regularisation as per eligibility criteria together with financial implications involved in each case immediately.

The matter may be given top priority.

(Sd.) .....

Director (Codes),  
Finance Department.

Standard endorsements. \_\_\_\_\_

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

Notification

Srinagar, the 12th October, 1999

SRO-451.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to make the following amendments in Jammu and Kashmir Civil Services Regulations, Volume I, namely :-

In these regulations :

In Art. 177-A as recast vide SRO-154 dated 28-04-1997 the last para shall and shall be deemed to have been substituted as under *abinitio*.

“Pending cases in Accountant General's Office/various Departments shall be decided accordingly.”.

By order of the Governor.

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

No. A/36(94)-863

Dated 12-10-1999

(Sd.) M. J. NAJAR.

Director (Codes),  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR,  
FINANCE DEPARTMENT

Subject : Delegation of Powers to District Superintending Engineer Leh.

Ref. : General Administration Department No. GDC-192/GM/99 dated 28-09-1999.

Government Order No. 189-F of 1999

Dated 18-10-1999.

In the Book of Financial Powers—

In Chapter 5.6 :—

“Column 4 under caption “Extent” against clause 2(a) the words & figures “Rs. 50.00 lacs” as inserted vide Government Order No. 110-F of 1996 dated 15-03-1996 shall be substituted by the words & figures of “Rs. 100.00 lacs” subject to the conditions that works will be taken up when Administrative approval is also available and sufficient funds are provided under the concerned scheme. Projects costing over Rs. 100.00 lacs shall be referred to Government for Techno-Economic feasibility clearance.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

No. A/84(95)-884

Dated 18-10-1999

Standard endorsements.

(Sd.) M. J. NAJAR,

Director (Codes),  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

O.M. No. A/9(77)-885  
Dated 20-10-1999

CIRCULAR.

Subject : Appointment made against migrant vacancies entitlement of leave—Clarification.

Doubts have been expressed by various quarters whether appointments made against migrant vacancies which are continuing without break the employees are entitled to leave or not.

2. The fact is that such employees can be treated only as "Temporary employees" and not regular employees for purposes of entitlement of leave in their case. As such the provisions of leave rules as applicable to the temporary Government Servants with regard to limitations of period of various kinds of leave shall be applicable to them.

3. All the Administrative Departments are requested to bring these instructions to the notice of their subordinate offices.

(Sd.) AJIT KUMAR,

Principal Secretary/Secretary to Government,  
Finance Department.

Standard endorsements.

(Sd.) M. J. NAJAR,

Director (Codes),  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

O.M. No. A/78(99)-825  
Dated 22-10-1999

Subject : Grant of 2½ days pay and allowances in favour of Non-Gazetted employees of Health and Medical Education Department.

It has come to the notice of the Finance Department that the Drawing and Disbursing Officers of the Health and Medical Education Department have been allowing extra pay to the extent of 2½ days in favour of the Ministerial staff who are not on roster duty in the various offices viz. Chief Medical Officer, Medical Superintendents of the Hospitals, Block Medical Officer, Medical Colleges and their associated Hospitals including Sher-i-Kashmir Institute of Medical Sciences, Soura, Srinagar.

2. The drawal of this allowance in favour of the Ministerial staff is totally irregular and against the spirit of the Government Order No. 274-HME of 1991 dated 04-03-1991 read with corrigendum issued under No. ME-NG-112/88 dated 07-03-1991 issued by the Health and Medical Education Department.

3. It is hereby accordingly requested that all the concerned officers of the Health and Medical Education Department should recover the amount of this pay/allowance (which has been paid to the ministerial staff in contravention of the Government Order's cited above) in one lump-sum as the same is/has not been admissible to them.

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

Commr./Secretary to Government,  
Health, Medical Education Deptt.

Standard endorsements.

(Sd.) .....

Director (Codes),  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

Notification

Dated Jammu, the 9th November, 1999.

SRO-493.—In exercise of the powers conferred by section 118 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in Jammu and Kashmir Financial Code Volume-I, namely :—

In the said Code :

The following shall be inserted as rule 14.17-A :—

14.17-A In all cases while issuing sanction for grant of HBA/ Composite Loan/Housing Loan and Advances for purchase of any kind of conveyance viz. Motor Car/Scooter/Motor Cycle/Moped/Bicycle, the sanction should invariably stipulated a higher rate of interest at 2½% above the prescribed rates with the stipulation that if the conditions attached to the sanction including those relating to recovery of the amount are fulfilled completely to the satisfaction of the Competent Authority rebate of the interest to the extent of 2½% will be allowed. The Competent Authority to decide whether the payments have been made punctually will be the sanctioning authority who will decide that the conditions attached to the sanction including those relating to the recovery of the amount are fulfilled completely to the satisfaction of the competent authority.

Explanation.—The provision of this rule shall apply *mutatis mutandis* in respect of all cases where the recovery either of Principal or interest is in process.

By order of the Governor.

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

Dated 09-11-1999

No. A/125(90)-860

Standard endorsements.

(Sd.) .....

Director (Codes),  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

The Accountant General,  
Jammu and Kashmir,  
Jammu.

No. A/98(97)-805

Dated 22-11-1999

Subject : Clarification with regard to revision of pension of post 01-01-1996 retirees.

Sir,

I am directed to refer to your D.O. communication No. PNR-I/P.C./98-00/3727 dated 11-8-1999 whereunder copies of letters expressing various doubts have been made available.

2. These doubts have been examined in the Finance Department and are clarified as under—

- (I) For purposes of reckoning of death-cum-retirement gratuity in favour of the government servants retired on voluntarily basis under Art. 230(I) of J&K CSR's the dearness allowance admissible on the date of retirement on assumed pay, not actual DA drawn, shall be treated as part of emoluments.
- (II) There is no provision in the rules that eligible eldest surviving son/daughter who otherwise are eligible to receive the family pension can decline the same in order to be authorised to next beneficiary. However proposal for eligibility of family pension in such eventuality is under consideration of the government. Formal orders of the Government thereon may have to be awaited.
- (III) As regards issue relating to counting of 50% of work charge/contingent service including daily rated paid service as qualifying for pensionary benefits under Art. 177-A of J&K CSR's necessary amendment has already been issued vide Notification SRO-451 dated 12-10-1999 (A copy of the same is enclosed for ready reference).
- (IV) Admissibility/entitlement of commutation of pension, in respect of retirees who retired on or after 01-01-1996 but died before receiving revised pensionary benefits, shall be worked out on the basis of 40% of revised pension as admissible under rules.

Yours faithfully,

(Sd.) M. J. NAJAR,

Director (Codes).

**GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT**

Notification

Dated Jammu, the 22nd November, 1999.

SRO-514.—In exercise of the powers conferred by section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in Jammu and Kashmir Civil Service Regulations Volume-I :—

In the said Regulations :

The existing Explanation of Government Instruction below note 4 to Art. 163 shall be recast as under—

**Explanation.**—The word 'Dies-non', an abbreviated form of 'Dies-non Juriducus' means a day on which no legal business is transacted or which is not reckoned for some particular purpose. The period which is directed to be treated as 'Dies-non' can not therefore be counted for service benefits otherwise available for that period. In fact, the period required or ordered to be treated as 'Dies-Non' is by way of concession for permitting the beneficiary thereof to have service in continuation of period before the beneficiary proceeded on unauthorised absence for a particular period. Literal.....meaning of 'Dies-non' would boil down to mean that this period is not capable of being counted at all for purposes of possible benefits to the beneficiary Rights which have accrued to him till the date of his proceeding on unauthorised leave or rights which may accrue to him after he is allowed to join service as a result of direction that the period of absence be treated as 'Dies-non' remain quite intact, but no benefit whatsoever can accrue to him as a result of, call it concession or legal fiction of construing the period of unauthorised absence as 'Dies-non' under any circumstance. This period can not count for any purpose, whatsoever.

Accordingly the import of the term 'Dies-non' is that—

- (i) It does not qualify for any remuneration (pay and allowances),
- (ii) It does not count for pension,
- (iii) It does not count for increments,

- (iv) It does not cause any interruption for leave earned up to the date preceding that on which the period of Dies-non has commenced,
- (v) It does not cause any interruption for the past service qualifying for pension,
- (vi) It shall not count for experience,
- (vii) During 'Dies-non' the concerned Government servant shall not be entitled for promotion.
- (viii) The concerned shall lose seniority in his cadre/category by the period which is treated as 'Dies-non'.

By order of the Governor.

(Sd.) AJIT KUMAR,

Principal Secretary to Government,  
Finance Department.

No. A/22(93)-941

Dated 22-11-1999

Standard endorsements.

(Sd.) M. J. NAJAR,

Director (Codes),  
Finance Department.



**GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT**

**Subject : Rationalisation of pension structure for pre-1-4-1987 pensioners/  
Family pensioners—extension in the date for submission of  
application forms by the pensioners.**

**Government Order No. 213-F of 1999**

**Dated 30-11-1999**

The date of submission of application forms by the pre-1-4-1987 pensioners to Accountant General earlier extended under Government Order No. 118-F of 1999 dated 15-07-1999 upto ending October, 1999, is hereby extended up to the end of 31st of March, 2000.

By order of the Government of Jammu and Kashmir.

(Sd.) M. J. NAJAR,

Director (Codes),  
Finance Department.

No. A/12(98)-IV-954

Dated 30-11-1999

**Standard endorsements.**

**GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT**

**Notification**

**Dated Jammu, the 10th of December, 1999.**

SRO-539.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in Jammu and Kashmir Civil Services Regulations Volume I and Jammu and Kashmir Civil Services (Higher Standard Pay Scale Scheme) Rules, 1996.

In the said Regulations :

A. In J&K Civil Service Regulations Volume I, the following shall be inserted as Government Instruction No. 8 below Art. 77-B:—

Cases may arise where a Government servant has been promoted to a Higher Post before 01-01-1995 (as the J&K Civil Service Higher Standard Pay Scale Scheme Rules 1996 have come into effect from 01-01-1995) and draws a lower rate of pay than the another junior to him. This may be because pay of Junior Counterpart has been/is fixed after availing the benefits of the insitu promotion in the lower post in accordance with the provisions of the J&K (HSPSS) Rules, 1996 before his functional promotion in the higher post.

In order to remove this anomaly the pay of the senior counterpart in the higher post shall be stepped up to the figure equal to the pay as fixed for the junior counterpart in that higher post. The stepping up should be done with effect from the date of the functional promotion of the junior subject to the condition that :—

- I. Both the senior and the junior belong to the same cadre and the posts in which they have been promoted should be identical and in the same cadre and the same scale of pay.
- II. The anomaly should be directly as a result of application of J&K Civil Service (Higher Standard Pay Scale Scheme) Rules, 1996, for example if even in the lower functional post the junior official had been drawing from time to time a higher rate of pay as compared to that of the senior by virtue of fixation of pay under normal rules, any advance increment granted to him, the provisions of these

instruction shall not be invoked to step up the pay of the senior counterparts.

III. The next increment of the senior official whose pay has been so stepped up will be drawn after completion of the requisite qualifying service of twelve months from the date of such stepping up.

IV. The senior shall not be entitled to any step up if the pay of the junior has come to be fixed at a higher stage by virtue of his promotion under insitu promotion scheme on the basis of the length of service which the junior had rendered in the another cadre/service prior to his encadrement in the present post, if any, and the service so rendered has been allowed to be computed for the purpose under orders.

V. Pending cases if any, shall be decided accordingly.

B. In Jammu and Kashmir Civil Service (Higher Standard Pay Scale Scheme) Rules, 1996, the following shall be inserted as Government Instruction below rule 5-A :—

Government Instruction.

See Government instruction No. 8 below Article 77-B of J&K Civil Service Regulations Volume I, also.

By order of the Governor.

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

No. A/54(82)-III-908

Dated 10-12-1999

Standard endorsements.

(Sd.) M. J. NAJAR,  
Director (Codes),  
Finance Department.