

(Higher Standard Pay Scale Scheme) Rules, 1996 promulgated vide SRO-14 dated 15-01-1996. Accordingly, the period for time bound promotion under SRO *ibid* shall be available only after putting in prescribed years i.e., 9,18,27 years in the higher pay scale granted w.e.f 1-4-2005.

By order of the Governor.

(Sd.) B. R. KUNDAL,

Financial Commissioner,
Finance Department.

No. A/1(2005)-II-643

Dated 16-6-2005

Copy to the :- _____

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT--FINANCE DEPARTMENT

Notification

Srinagar, the 4th July, 2005

SRO-183.--In exercise of powers conferred by proviso to section 124 of Constitution of J&K, the Governor is pleased to direct that the following amendments shall be made in the J&K Subordinate Judicial Pay Rules, 2003 issued vide SRO-368 dated 21-10-2003.

Sub-Rule 2 of Rule 7 of J&K Subordinate Judicial Pay Rules, 2003 issued vide SRO-368 dated 21-10-2003 shall be recast as under :

“The drawal and disbursement of arrears from 01-7-1996 to 30-9-2003 shall be made in cash and in one go. The benefits of the pay revision availed by the members of the service in terms of J&K CS Revised Pay Rules, 1998 (SRO-18 dated 19-01-1998) shall be adjusted in full while calculating the benefits as per this revision.”

By order of the Government of Jammu and Kashmir.

(Sd.) B. R. KUNDAL,

Financial Commissioner,
Finance Department.

No. A/71(98)-I-715

Dated 4-7-2005

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT--FINANCE DEPARTMENT.

Notification

Dated Srinagar, the 7th July, 2005

SRO-185--In exercise of powers conferred by proviso to section 124 of Constitution of J&K, the Governor is pleased to direct that the following amendments shall be made in the J&K Civil Service Regulations, Volume II, namely :--

In the said regulation ;

the following shall be inserted as Government Instruction No. 6 after Government Instruction No. 5 below Rule 21 of Jammu and Kashmir Family Pension-cum-Gratuity Rules, 1964 :--

Government Instruction No. 6 :

For the purpose of eligibility of Family Pension "Father or Mother" of the deceased Government servant as the case may be shall be treated as dependent on the deceased Government servant provided own income of either parent does not exceed Rs. 2500/- P.M. including superannuation pension, if any.

In case the income of the couple (parents) on account of pay or otherwise exceeds Rs. 5000/- P.M. no parent shall be entitled to family pension.

This shall have effect from the date of issue of this notification.

By order of the Governor.

(Sd.) B. R. KUNDAL,

Financial Commissioner,
Finance Department.

No. A/60(78)-Temp-716

Dated 7-7-2005

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

Notification

Dated Srinagar, the 18th July, 2005

SRO-201—In exercise of the powers conferred under proviso to section 124 of the Constitution of Jammu and Kashmir the Governor is pleased to accord sanction to the :

Placement of the below mentioned Ministerial Executive Cadre (SI, ASI, HC and SGCT) from the existing pay scale to the pay scale enjoyed by the corresponding ranks in the executive cadre in the Police Department prospectively i.e. from the date of issue of notification to this effect:

S. No.	Designation	Sanctioned strength	Pay scale of Ministerial Executive Cadre	Pay scale of Executive Cadre (Police)
1.	Sub Inspector-(M)	87	5000-8000	5600-9100
	Sub Inspector-(S)	70		
	Sub Inspector-(U)	04		
2.	A.S.I.-(M)	260	4000-6000	4500-7000
	A.S.I.-(S)	200(264)		
	H.C.-(M)	200(264)	3050-4910	4300-5900
	SGC-(M)	64 (158)	3050-4910	4200-5325

The above sanction is subject to the condition that :

- (i) the sanctioned strength of H.C.-(M) shall be reduced from 264 to 106 posts. 64 vacant posts of HC-(M) shall be reduced and designated as SGC-(M) and the post/posts of HCs-(M) as and when vacated by retirement or on promotion shall be reduced to SGC-(M) till the strength of 158 posts is maintained in the cadre. The fresh recruitment in Ministerial cadre shall be effected from amongst trained constables having requisite qualification ; and

- (ii) the recruitment of ASI-(S) shall be made from among the trained constables. In case of non-availability to be certified by the Competent Authority, the recruitment shall be made from the open market on competition basis and recruits shall be imparted same training as is being imparted to the constables, thereafter designated as ASI-(S).
- (iii) Their pay in the upgraded scales shall be fixed in accordance with provisions of J&K CSR Vol.-I contained in Note below Art.77-B inserted vide SRO-59 dated 20-3-1995.

By order of the Governor.

(Sd.) B. R. KUNDAL,
Financial Commissioner,
Finance Department.

No. A/134(2003)-576

Dated 18-7-2005

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT--FINANCE DEPARTMENT

CIRCULAR

Subject : Regularization of DRWs/WCE's.

In terms of SRO-64 dated 31-01-1994 all the DRWs who were engaged prior to 31-01-1994 are eligible for regularization w.e.f. 1st of April of next year in which they have completed "seven years continuous working" period.

It is obvious that all the DRWs engaged prior to 31-01-1994 have already become eligible for regularization up to 01-04-2001.

It has been observed that the Departments are submitting their proposals for approval of creation of Temporary post to Empowered Committee in piecemeal leaving thereby other eligible DRWs aggrieved, who often resort to courts to redress their grievances. This has resulted in increase of avoidable litigation cases.

All the Heads of the Departments are impressed upon to lodge pending proposals, as per guidelines issued by Finance Department from time to time, of all DRWs in one go **not later than the end of July 2005**. After this date Empowered Committee will not entertain any such proposal for consideration. This is in continuation to this Departments Circular Instructions issued vide No. A/144(01)-1144 dated 29-6-2002.

(Sd.)

Director Codes,
Finance Department.

No. A/55(94)-773

Dated 19-07-2005

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT--FINANCE DEPARTMENT

O.M No. A/62/05-779
Dated 21-07-2005

Sub. :- Clarification regarding admissibility of HRA/Spl. Compensatory Allowance.

Pursuant to the merger of DA equal to 50% of Basic pay (Termed as Dearness pay) vide Govt. Order No. 252-F of 2004 dated 24-12-04 effective from 1-4-2004 which among other things qualifies for HRA, it is clarified that employees working in moving offices shall have the option either to draw HRA (on basic pay+Dearness pay) as per Govt. Order 252-F of 2004 dated 24-12-2004 or Special Compensatory Allowance as per Govt. Order No. 3-F of 1999 dated 22-1-1999.

(Sd.)

Director(Codes),
Finance Department.

Copy to :

All Financial Commissioners /Principal Secretaries/Commissioner-cum-Secretaries for information.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT--FINANCE DEPARTMENT

Notification

Dated Srinagar, the 22nd July, 2005

SRO-207.—In exercise of the powers conferred under 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 :

- A. Jammu and Kashmir Civil Service Regulations, Volume I&II ;
- B. Jammu and Kashmir Civil Service (Leave) Rules, 1979 ; and
- C. Work Charge Rules.

J&K CSR VOL. I & II

1. The following shall be added as Art. 27-(a,a) below Art. 27-a in Chapter II of J&K CSR Vol. I :

Dearness Pay : The Dearness pay means DA equal to 50% of basic pay merged with the basic pay w.e.f 1-4-2004 and shall count for determining DA, HRA and Pensionary benefits only.

2. In Art.108-A(i) of J&K CSR Vol.I the term half Dearness pay shall be added after the words half pay half presumptive pay. This shall be effective from 1-4-2004.

Note : Dearness Pay shall not count for determining of any allowance for which no specific order has been issued.

3. In first para of Art. 240- A(v) the following shall be incorporated after the words "subject to and before a maximum" minimum of Rs. 1275 p.m. This shall be deemed to be effective *abinitio*.

4. The following shall be inserted as proviso below Art. 240-A(v) of J&K CSR Vol.I :

"Provided that in case of employees retiring on or after 1-4-2004 the amount of superannuation, retiring compensation and invalid

pension shall continue to be calculated at 50% of average emoluments as at present and shall be subject to minimum of Rs. 1275/-+Dearness Pension of Rs. 638/- p.m and maximum of Rs. 12500/- Plus Dearness Pension of Rs. 6250/- i.e. 50% of highest pay plus Dearness pay (D.A equivalent to 50% of basic pay). The highest pay in the Govt. is Rs. 25000/-."

5. The following shall be inserted as proviso below Note 7 of Art. 240-BB of J&K CSR Vol. I :—

"Provided that in respect of Govt. employees who retire on or after 1-4-2004, the emoluments for DCRG shall mean basic pay as defined in Art. 27(a) (i) and 27-(aa) i.e. pay plus Dearness pay (DA equal to 50% of basic pay) and DA as admissible on the date of his/her retirement / death."

6. Following shall be inserted as proviso below Art. 242-BB :—

"Provided in case of employees retiring on or after 1-4-2004, Dearness pay (i.e DA equal to 50% of Basic Pay) shall be merged with the basic pay for the purpose of calculation of average emoluments ; Provided further in case of such employees who have retired between 1-4-2004 to 31-1-2005, D.A. equal to 50% of basic pay would be treated as basic pay for purpose of computation of average emoluments in respect of basic pay received by them prior to 1-4-2004."

J&K CSR Vol. II

1. In Rule 20-BB of Schedule XV of CSR Vol-II the figure Rs. 22400/- shall be substituted by Rs. 25000/-. This shall be deemed to have come into existence *abinitio*.

2. The following shall be inserted as proviso below Rule 20-BB of Schedule XV of J&K CSR Vol. II.

"Provided that the rates of Family pension in respect of Government servants who may retire/die in service on or after 1-4-2004 the basic pay shall mean the basic pay as defined in Art. 27(a)(i) and 27-(aa) i.e. pay +Dearness pay (DA equal to 50% of pay) and shall be subject to minimum of Rs. 1275/- plus

Dearness pension of Rs. 638/- p.m. and maximum of 30% of highest pay plus Dearness pay (DA equal to 50% of pay). The highest pay in the Govt. is Rs. 25000/-."

However, in respect of such of the Government servants who are also in receipt of Family pension, the minimum Family pension shall continue to be Rs. 1275 p.m. ;

3. In Schedule XV, Family Pension-cum-Gratuity Rules following shall be inserted as Note 5 below Rule 24(c) :

Note 5 : The maximum ceiling for drawal of two family pensions under Note (2) above in respect of all the said family pensioners including existing family pensioners shall be Rs. 15000/- plus Dearness Pension of Rs. 3750/- instead of Rs 13440/-

This shall have effect from 1-4-2004.

4. In explanation below Rule 11 (b) of Schedule IX of J&K Civil Services (Temporary Service) Rules, 1961 the term pay shall include Dearness pay (DA equal to 50% of Basic pay). This shall have effect from 1-4-2004.

5. In Rule 11 of J&K Civil Services (Temporary Services) Rules, 1961, the following shall be inserted as Note 3 :-

Note 3 : For the purpose of reckoning of terminal or death gratuity in case of retirement/death, Dearness Allowance admissible after 1-1-1996 shall be treated as part of emoluments.

Following amendments shall be carried out in J&K Civil Services (House Rent Allowance and City Compensatory Allowance) Rules, 1992.

In Schedule XXII of J&K Civil Services (House Rent Allowance and City Compensatory Allowance) Rules, 1992 Rule 3 (a) the term pay shall include Dearness pay also w.e.f 1-4-2004.

B. J&K Civil Services Leave Rules, 1979

The following shall be added as proviso below Rule 39 of J&K Civil Services (Leave) Rules, 1979 :-

“Provided that the employees who retire after 1-4-2004, the pay shall include Dearness pay.”

C. Work Charge Rules :

The following shall be inserted as Note 1 below Rule-15 of J&K Work Charged Employees Service Rules, 1972 :

Note 1 : “For the purpose of reckoning of retirement / death gratuity the Dearness Allowance shall be treated as part of emoluments w.e.f. 01-01-1996.”

The following shall be inserted as Proviso below Rule 15 of J&K Work Charged Employees Service Rules, 1972 :

“Provided that in case of work charged employees, with permanent status who retire on or after 01-04-2004, the term pay shall include Dearness pay (DA equal to 50% of basic pay”.

By order of the Governor.

(Sd.) B. R. KUNDAL,

Financial Commissioner,
Finance Department.

No. A/52(2004)-782

Dated 22-07-2005.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT--FINANCE DEPARTMENT

Subject :--Amendments in Jammu and Kashmir Book of Financial Powers (Third Edition-2002).

Reference :--Approval of Hon'ble Chief Minister in Coordination conveyed vide No.GDC 118/CM/2001 dated 19-07-2005.

Government Order No. 165-F of 2005

Dated 17-08-2005

Sanction is hereby accorded to the amendments/incorporations in Book of Financial Powers as under :

1. In Chapter 2- Classification of Officers-Class-1.

Officers- A Major Heads of Departments :

- (i) "Director Fire Services" appearing at Sr.No. 23 shall be substituted as "Director Fire and Emergency Services, J&K".
- (ii) 'Director Colleges' shall be inserted at S.No.37-A.
- (iii) 'Principal, Govt. Dental College, Jammu' shall be inserted at Sr. No. 78-A.

2. In Chapter 5.9- 'To sanction Expenditure under Contingencies etc.' the following shall be inserted at Sr. No. 50 as item (IV) with Note thereunder in Extent Column.

S. No.	Nature of Power	To whom delegated	Extent
1	2	3	4
50	Conduct of Elections	Class I Officer & Major Head of Deptt.	Up to Rs. 50/- per day per head for attending office on off days. Up to Rs.30/per day per head for sitting late hours in the evening and attending early hours in morning in the office, or Rs. 15/- only

1	2	3	4
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for either sitting late or attending early hours.

Note : Refreshment charges shall not be payable in a situation where Govt. sanctions honorarium for the Election Staff.

By order of the Govt. of Jammu and Kashmir.

(Sd.) B. R. KUNDAL,

Financial Commissioner,
Finance Department.

No.A/68(2001) Temp-I-872

Dated 17-08-2005

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(39)
GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT-FINANCE DEPARTMENT

Notification

Dated Srinagar, the 18th August, 2005

SRO-225.—In exercise of the powers conferred under proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendment shall be made in the Jammu and Kashmir Civil Service (Revised Pay) Rules, 1998.

“Notwithstanding anything contained in Rule 15-e, following shall be inserted as Note 1 by deleting the existing Note inserted vide SRO No. 170 dated 16-6-2005.

- (i) All the posts of teachers having qualification Graduation and above carrying functional pay scale of Rs. 4000-6000 shall be placed in the revised pay scale of Rs. 4500-7000 :

Provided that such of the teachers who have been appointed on the basis of academic qualification of 10+2 (under Graduate) with pay scale of Rs. 3050-4910 shall be placed in the revised pay scale of Rs. 4000-6000. Further if they acquire graduation with the consent of the Deptt. after observance of all departmental procedure they shall be placed in the higher pay scale of Rs. 4500-7000.

- (ii) All the posts of Masters carrying the existing pay scale of Rs. 5700-10100 shall be placed in revised pay scale of Rs. 6500-10500.
- (iii) The posts of Lecturers/Sr. Lecturers of Higher Secondary Schools in the existing pay scale of Rs. 6700-10900 and Rs. 7500-12000 respectively shall be placed in the single pay scale of Rs. 8000-13500. The existing Sr. Lecturer in the pay scale of Rs. 7500-12000 shall be allowed two advance increments while fixing their pay in the pay scale of Rs. 8000-13500, provided that such Lecturers shall draw their next increment after putting in one full incremental period i.e./one year after such fixation.
- (iv) For fresh recruitment the pay scale of Rs. 4500-7000 will be available for teachers having qualification, Graduate and above

and the pay scale of 4000-6000 will be available for teachers having qualification 10+2 (under-Graduate).

(v) The new/fresh recruitment to the post of Lecturers in the Higher Secondary School will be made in the pay scale of Rs. 8000-13500.

(vi) Provided that :

The pay in the upgraded scale in the above cases shall be fixed in terms of Note-(Pay fixation on upgradation of posts) below Article 77-B of J&K CSR inserted vide SRO-59 dated 20-3-1995 as indicated hereunder :

- (a) In case the minimum of the upgraded pay scale is higher than the pay drawn in the existing pay scales, the pay be fixed at the minimum ;
- (b) In case the pay drawn in the existing pay scale coincides with the stage of pay in the upgraded pay scale, the pay be fixed at the same stage ;
- (c) In case the pay in the existing scale is drawn at a stage falling between the two stages of the pay in the upgraded pay scale, the pay be fixed at the next higher stage ;
- (d) The date of increment in all the above three cases shall remain unchanged except where the pay in the pre-upgraded scale was drawn at the maximum thereof. In the later case next increment in the pay scale of the upgraded post shall be drawn after the full incremental period (one year) reckoning from the date of upgradation.

This shall be deemed to have come into effect from 01-4-2005.

By order of the Governor.

(Sd.) B. R. KUNDAL,

Financial Commissioner,
Finance Department.

No.A/01(2005)-719

Dated 18-08-2005

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Urgent GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT-FINANCE DEPARTMENT

CIRCULAR

Subject : Departmental Response to Court cases.

It has been observed that the court cases in which several Administrative Secretaries including Secretary to Govt., Finance Department are listed as respondents are being individually responded to by each Department without proper inter-departmental co-ordination which ultimately result in advantage to the petitioners and the State suffers in the process.

It is desirable that the State responds to writ petitions as a single cohesive unit and full facts of the cases are placed before the Hon'ble Courts through Govt. Advocates so that State obtains favourable orders from the Hon'ble Courts. Accordingly it is enjoined upon all the Administrative Secretaries to keep Finance Department informed about developments of all court cases in which Financial Commissioner, Finance is also listed as one of the Respondents. Besides it is desirable that any counters, rejoinders, statement of facts filed in court of law in all such cases is shown to Finance Department in advance.

All the Administrative Secretaries may review pending writ petitions. Particularly the ones, which have reached a stage of contempt and furnish essential documents/particulars of all such cases to Finance Department within a weeks time.

Additional Secretary incharge co-ordination and court cases should sound the concerned sections of Finance Department and Law Officer immediately on receipt of any case file, notice, other information regarding court cases so that adequate and timely response is prepared and delivered in the respective courts.

(Sd.) B. R. KUNDAL,
Financial Commissioner,
Finance Department.

No.A/55(94)-915

Dated 23-08-2005

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GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Notification

Srinagar, the 14th September, 2005

SRO-263.--In exercise of the powers conferred by the proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the amendments shall be made to the Jammu and Kashmir Civil Service Regulations, Volume I, namely :

In the said regulations ;

The following shall be inserted as second proviso to Govt. Instruction No. 3 below Art.363(C) of J&K CSRs Vol-I :-

“Provided further that in case a female employee of Move Office is on Maternity Leave on the eve of Darbar Move from Srinagar to Jammu or vice versa, she shall be treated to have moved belatedly and shall be eligible for Move TA when she resumes duty after availing permissible limit of Maternity Leave (i.e. up to 135 days) in terms of Rule 41 of J&K Civil Service Revised (Leave) Rules, 1979.

By order of the Governor.

(Sd.) B. R. KUNDAL,

Financial Commissioner,
Finance Department.

No. A/114(91)-I-891

Dated 14-09-2005

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT--FINANCE DEPARTMENT

OM No.A/52(2004)-985
Dated 15-9-2005

It has been brought to the notice of Finance Department that some DDOs have been wrongly interpreting amendment in Rule 3(a) in Schedule XXII J&K CSR Vol-II (House Rent Allowance and City Compensatory Allowance Rules, 1992) and are drawing City Compensatory Allowance also on pay plus Dearness Pay.

In this connection it is clarified that-the term "Dearness Pay" has been explicitly defined in SRO-207 dated 22-7-2005 itself as under :--

"Dearness Pay : The Dearness pay means DA equal to 50% of Basic Pay merged with the basic pay w.e.f 1-4-2004 and shall count for determining DA, HRA and Pensionary benefits only".

Attention of all the concerned is also invited to G.O. No. 252-F of 2004 dated 24-12-2004 whereunder it has been made clear that Dearness pay will not count for City Compensatory Allowance among other allowances.

Accordingly it is reiterated that "Dearness Pay" shall not count for City Compensatory Allowance.

(Sd.)
Director Codes,
Finance Department.

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