

Government of Jammu and Kashmir
Finance Department

COMPENDIUM 1994

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GOVERNMENT OF JAMMU AND KASHMIR,
FINANCE DEPARTMENT.

Subject :--Revision of pay scale of Deputy General Manager of J&K Cements Ltd.

Reference :--General Administrative Department's approval vide No. GDC-200/CM/93 dated 5-1-1994.

Government Order No. 10-F of 1994

Dated 14-1-1994.

Sanction is hereby accorded to revision of the pay scale of Rs. 3500--5500 to Rs. 4100-200-5500-100-5700 in respect of Deputy General Managers of J&K Cements Ltd. with effect from 1-9-1990 in the same manner and subject to the same terms and conditions under which the General Pay Revision of 1992, ordered vide Government Order No. 39-F of 1992 dated 28-5-1992, has been made applicable in case of Public Sector Undertakings.

By order of the Government of Jammu and Kashmir.

(Sd.) J. A. KHAN,

Additional Chief Secretary,
Finance Department.

No. A/17(92)-II-10

Dated 14-1-1994.

Copy to the :--

1. Commissioner/Secretary to Government, Industries and Commerce Department.
2. Commissioner/Secretary to Government, General Admn. Department.
3. Commissioner/Secretary to Government, Labour Department.
4. Accountant General, Jammu/Srinagar.
5. Secretary to Governor/Advisors to Governor/Public Service Commission.
6. Managing Director, J&K Cements Ltd.
7. Deputy General Manager, J&K Cements Ltd.
8. General Manager, Government Press, Jammu for publication in the Government Gazette.
9. Government Order File (w.3.s.c.)
10. Stock File (w.3.s.c.)
11. _____

(Sd.) M. J. NAJAR,

Director (Codes)
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR,
FINANCE DEPARTMENT.

Notification.

Dated Jammu, the 20th January, 1994.

SRO-25.--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 Service (Revised Pay) Rules, 1992.

In the said Rules;

the following shall be inserted as sub-clause (3) of Rule 12 :-

- (3) In cases where the pay of a Government servant is stepped up in terms of the provisions of Note below Rule 6(1) of these rules, his next increment shall be granted on the completion of the qualifying service of 12 months from the date of stepping up of the pay in the revised pay scale. The same principle will also apply where the pay of a senior is stepped up in relation to his junior in terms of sub-clause (iii) of sub-rule (6) of Rule 6 of these Rules.

This provision shall and shall always be deemed to have existed in the said rule w.e.f. 30-3-1992.

By order of the Governor.

(Sd.) J. A. KHAN,

Additional Chief Secretary (Finance).

No. A/2(92)-VIII-11

Dated 20-1-1994.

Copy to the :-

1. All Additional Chief Secretaries _____
2. All Commissioners/Secretaries to Government _____
3. Secretary to Governor/Advisors to Governor/Public Service Commission.
4. All Heads of Departments _____
5. Secretary to Legislative Assembly/Legislative Council.
6. Accountant General A&E/Audit, Srinagar/Jammu.
7. Advocate General, Srinagar/Jammu.
8. Director/Dy. Director Accounts and Treasuries, Srinagar/Jammu.
9. Director/Dy. Director Funds Organisation, Srinagar/Jammu.

10. Director of Information, J&K, Jammu.
11. All District Dev. Commissioners.
12. Saddar Treasury Officers, Srinagar/Jammu/District Treasury Officers/ Treasury Officers _____
13. Financial Advisor and Chief Accounts Officers, Power Projects.
14. Dy. Financial Advisors and Chief Accounts Officers _____
15. All Officers/Section Officers of the Finance Department.
16. Principal, Northern Zonal Accountancy Training Institute, Jammu/ Srinagar.

(Sd.) M. J. NAJAR,

Director (Codes),
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR,
FINANCE DEPARTMENT.

Subject :-Medical Allowance to the Jammu and Kashmir State Government Pensioners/Family Pensioners.

Reference :-Administrative Council Decision No. 12 dated 18-1-1994.

Government Order No. 25-F of 1994

Dated 28-1-1994.

It is hereby ordered that Medical Allowance in favour of the State Government Pensioners who have been in receipt of Medical Allowance at Rs. 25/- P.M. so far, shall be paid at Rs. 50/- (Rupees fifty only) per month with effect from 1-1-1994.

By order of the Government of Jammu and Kashmir,

(Sd.) J. A. KHAN,

Additional Chief Secretary (Finance).

No. A/17(82)-II-86

Dated 28-1-1994.

Copy to the :-

1. All Additional Chief Secretaries _____
2. All Commssioners/Secretaries to Government _____
3. Secretary to Governor/Advisors to Governor/Public Service Commission/Legislative Assembly/Legislative Council.

4. All Head of Departments
5. Accountant General A&E/Audit, Srinagar/Jammu.
6. Comptroller, Agriculture University, Kashmir.
7. Advocate General, J&K, Srinagar/Jammu.
8. Director/Dy. Director Accounts and Treasuries, Srinagar/Jammu.
9. Director/Dy. Director Funds Organisation, Srinagar/Jammu.
10. Director of Information, J&K, Jammu/Srinagar.
11. Principal, Northern Zonal Accountancy Training Institute, Jammu/
Principal, Accountancy Training Institute, Srinagar.
12. Financial Advisor and Chief Accounts Officers
13. Deputy Financial Advisors and Chief Accounts Officers.
14. General Manager, Government Press, Jammu for publication in the
Government Gazette.
15. All Officers and S.O. of Finance Department.
16. President, Pensioners Association, Srinagar/Jammu.
17. All District Development Commissioners
18. Chairman, J&K Bank/General Manager, J&K Bank, Srinagar/Jammu.
19. All District Managers, J&K Bank

(Sd.) M. J. NAJAR,

Director (Codes),
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR,
FINANCE DEPARTMENT.

Subject :--Regularisation of Daily Rated Workers Work Charged Employees.

Reference :--Administrative Council Decision No. 14 dated 24-1-1994.

Government Order No. 26-F of 1994

Dated 31-1-1994.

It is hereby ordered that :--

- I. (a) All the daily rated workers who have completed seven years continuous period of working or who may complete seven years period on 31st March, 1994 shall be appointed in a regular pay scale of Rs. 750-940 with effect from 1-4-1994. Likewise all the work charged employees who have completed or may complete seven years continuous service as such on 31st March, 1994 shall be brought on regular temporary establishment with effect from 1-4-1994 in the corresponding pay scale.

- (b) for this purpose, a Committee comprising of the following Officers is constituted to approve creation of posts after proper scrutiny of the proposals from the concerned Departments :--

- | | | |
|---|-----|-------------------|
| (i) Addl. Chief Secretary (Finance) | ... | Chairman. |
| (ii) Commr./Secretary (concerned Deptt.) | ... | Member. |
| (iii) Representative of the Planning Deptt. | ... | Member. |
| (iv) Representative of General Adm. Deptt. | ... | Member. |
| (v) Head of Deptt. concerned | ... | Member. |
| (vi) Director (Codes) Finance Deptt. | ... | Member-Secretary. |

- (c) The policy of absorption of daily rated workers after completion of seven years of continuous working shall also apply to such of the existing daily rated workers who may not complete seven years on 31st March, 1994 but may do so by the end of the subsequent financial years. The committee as mentioned in sub-para (b) shall review the cases of the existing incumbents by the end of each financial year and create appropriate number of posts till the existing incumbents are absorbed into regular pay scales.

- (d) The practice of engagement of daily wager/daily rated worker in the Government in any form is hereby withdrawn retaining only the concept of casual labour/seasonal labour for specified development departments. The engagement of such casual/seasonal labour shall be on the muster roll for payment of wages and no engagement/appointment orders shall be issued. Further modalities for the purpose shall be worked out as a part of the scheme to be issued in the statutory form. The existing delegation of powers for engagement of daily wagers/work charged employees available to field officer is also withdrawn. For future, the work charged posts should be created only by the Government in consultation with the Finance/Planning Departments.

- II. The Finance Department shall work out detailed rules for regularisation of the daily rated workers and submit the same to the Administrative Council for approval.
- III. The scheme of regularisation shall also be applicable *mutatis mutandis* to the Public Sector Undertakings/Autonomous Bodies and their cases shall also be settled by the Committee set up for

the daily rated workers in the Government with suitable modification in its constitution to include Managing Directors of Corporations/Senior Executive of the Autonomous Bodies in place of Head of the Departments.

By order of the Government of Jammu and Kashmir.

(Sd.) J. A. KHAN,

Additional Chief Secretary (Finance).

No. A/33(92)-II-95

Dated 31-1-1994.

Copy to the :-

1. All Additional Chief Secretaries _____
2. All Commissioners/Secretaries to Government _____
3. Secretary to Governor/Advisors to Governor/Public Service Commission/Legislative Assembly/Legislative Council.
4. Accountant General A&E/Audit, Srinagar/Jammu.
5. All Heads of Departments _____
6. Comptroller, Agriculture University, Kashmir.
7. Advocate General, J&K, Jammu.
8. Director/Dy. Director Accounts and Treasuries, Srinagar/Jammu.
9. Director/Dy. Director Funds Organisation, Srinagar/Jammu.
10. Director of Information, J&K, Jammu.
11. Principal, Northern Zonal Accountancy Training Institute, Jammu/Srinagar.
12. All District Development Commissioners.
13. Managing Director _____ Corporation.
14. Senior Executives of Autonomous Bodies.
15. Private Secretary to Chief Secretary.
16. Financial Advisor/Deputy Financial Advisors _____
17. Dy. Financial Advisor/Chief Accounts Officers _____
18. General Manager, Government Press, Jammu for publication in the Government Gazette.
19. All Officers/Section Officers of Finance Department _____

(Sd.) M. J. NAJAR,

Director (Codes),
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR,
FINANCE DEPARTMENT.

Subject :-Regularisation of daily rated workers/work charged employees.

CIRCULAR.

The Government have decided to regularise all the daily rated workers/work charged employees who have completed/may complete seven years working as on 31st March, 1994. For purpose of creation of posts, a Committee of Officers has been constituted, to facilitate implementation of this order. A copy of relevant Government Order is enclosed for ready reference.

2. The regularisation of the daily rated workers/work charged employees shall be subject to rules which are yet to be approved by the Administrative Council. However, it is felt that pending approval of the rules in this behalf, the time available can be utilised for collection of relevant information/data to avoid further delays in issuing of the regularisation of order after the rules become available. The Finance Department have worked out four formats, specimen copies of which are enclosed with this circular. It is accordingly requested that the requisite information be compiled and sent to the Director (Codes) in the Finance Department for further examination by the Committee as soon as the approved rules become available.

(Sd.) J. A. KHAN,

Addl. Chief Secretary (Finance).

No. A/33(92)-97

Dated Jammu, 1-2-1994.

Copy to :-

1. Addl. Chief Secretaries to Government/Commr./Secretaries to Government/Secretaries to Government.
2. All Heads of Departments including the Managing Directors of Corporations/Boards.
3. All District Development Commissioners.
4. Private Secretaries to Advisors.
5. Private Secretary to Chief Secretary.

**Statement No. I--Showing details of "Daily Rated Workers" as projected on 31-3-1994
in _____ Department, Kashmir/Jammu.**

| S. No. | Name of Office/ Division/Organisation/Unit. | Total number of Daily Wagers work- ing on continuous basis i.e. excluding casual/seasonal workers. | No. of workers who have completed/may complete 7 years of continuous service as on 31-3-1994. | Account Head by debit to which the wages paid including ob- ject head e.g. "Wages", "Office Expenses", "Main- tenance" etc. | | Budgetted amount as per BE 93-94 under the object head listed at Col. 6. | | Number of vacancies already avail- able in Regular establishment in Rs. 750-940/ 775-1025 (ignoring the adhoc adjust- ments made, if any). | Remarks. |
|--------|--|---|--|---|-----------------|--|---------------|--|----------|
| | | | | Acctt. Head. | Object Head. | Plan. | Non- Plan. | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

(8)

Signature of Head of Department

**Statement No. II--Showing details of existing sanctioned posts (Designation-wise) and those proposed for
creation in _____ Department.**

| S. No. | Name of Office/ Division/Organisation/Unit. | Sanctioned number of post (Designation-wise) | | | Number of posts lying vacant out of Col. 4 (ignoring the adhoc adjust- ments made, if any). | Number of posts proposed to be created. | Remarks. |
|--------|--|---|---------|------------|---|---|----------|
| | | Designation. | Number. | Pay scale. | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

(9)

Signature of Head of Department

**Statement No. III--Showing details of "Work Charged Employees" as projected on 31-3-1994
in _____ Department.**

| Name of Office/ No. Division/Organisation/Unit. | Total number of Work Charged Employees working on continuous basis. | No. of Work Charged Emp- loyees who have completed/ may complete 7 years of continuous service as on 31-3-1994. | Account Head | | Budgetted amount | | Number of vacancies already avail- able in Corres- ponding pay scales of Work Charged Emp- loyees on regular establish- ment (ignoring the adhoc adjustments made, if any). | Remarks. |
|--|---|---|---|-----------------|--|---------------|---|----------|
| | | | by debit to which the wages paid including object head. | | as per BE 93-94 under the object head listed at Col. 5. | | | |
| 2 | 3 | 4 | Acc't. Head. | Object Head. | Plan. | Non- Plan. | 9 | 10 |

(10)

Signature of Head of Department

**Statement No. IV--Showing details of existing sanctioned posts (Designation-wise) and those proposed for
creation in the corresponding scale of Work Charged Employees in _____ Department.**

| S. Name of Office/ No. Division/Organisation/Unit. | Sanctioned number of post (Designation-wise) in the corresponding scale of Work Charged Employees on regular establishment. | | | Number of posts lying vacant out of Col. 4 (ignoring adhoc appointments made, if any). | Number of posts proposed to be created. | Remarks. | |
|---|---|---------|------------|--|---|----------|-----|
| | Designation. | Number. | Pay scale. | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 * |

(11)

Signature of Head of Department

GOVERNMENT OF JAMMU AND KASHMIR,
FINANCE DEPARTMENT.

O. M. No. A/33(92)-153

Dated 16-2-1994.

Subject :--Regularisation of Daily Rated Workers/Work Charged Employees.

While inviting attention of all the Additional Chief Secretaries/Commissioners and Secretaries/Secretaries to Government and Heads of Departments to this Department's Circular No. A/33(92)-97 dated 1-2-1994 regarding furnishing of the information in the prescribed proforma (already furnished) the undersigned is directed to say that it is not only implied but expected to each Head of the Department/Office that the requisite information is prepared and compiled after proper verification of individual details like name, parentage, residence, date of first engagement/appointment etc. of each daily rated worker/work charged employee with reference to the relevant records. This is also necessary to ensure that no discrepancy is given rise to subsequently in case the requisite information is prepared without proper verification of relevant records.

Accordingly the undersigned is further directed to request all the Additional Chief Secretaries, Commissioner/Secretaries to Government and Heads of the Departments, kindly to issue appropriate instructions to all the concerned subordinate offices to this effect at their earliest convenience advising them further to have the proper statements with requisite individual details also prepared accordingly and submitted to concerned Administrative Departments for ready reference as and when needed. The said statements (with individual details) should bear a certificate of the concerned Drawing and Disbursing Officers/Head of the office duly countersigned by the Head of the Department to the effect that the statement has been prepared with reference to relevant records and there is no other daily rated workers/work charged employee in the office/unit/Deptt. other than those incorporated in the statement.

Matter may kindly be treated as urgent.

(Sd.) M. J. NAJAR,

Director (Codes),
Finance Department.

Copy to the :--

1. Addl. Chief Secretaries to Government/Commr./Secretaries to Government/Secretaries to Government.

2. All Heads of Departments including the Managing Directors of Corporations/Boards.
3. All District Development Commissioners.
4. Private Secretaries to Advisors.
5. Private Secretary to Chief Secretary.

GOVERNMENT OF JAMMU AND KASHMIR,
FINANCE DEPARTMENT.

Notification.

Dated Jammu, the 3rd March, 1994.

SRO-48.--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 the Jammu and Kashmir Civil Service Regulations Volume I, namely ;

In the said Regulations ;

The following shall be inserted as the third para in sub-clause (a) (i) of Art. 185-D(V)-A with a Note thereunder.

Notwithstanding anything contained in this rule, the pension of an employee who has retired or may hereafter retire from an Autonomous/Statutory Body, having a pension scheme and, who immediately before his absorption in the said Autonomous/Statutory Body, has rendered a definite period of service under the Government be settled by the concerned Autonomous/Statutory Body after taking into account the aggregate period of his service, without insisting on payment by the Government the share of retirement benefits for the period of his service rendered by him under the Government. In such a case the re-imburement of the requisite amount on account of pro-rata retirement benefits shall be claimed **subsequently** from the concerned Government Department in the shape of additional Grant-in-aid. The settlement of pension case of such an employee in the said manner (that is after taking into account the portion of the service rendered by him in the Government) by the Autonomous/Statutory Body shall be subject to the following conditions :--

- (a) The Autonomous/Statutory Body concerned shall satisfy itself completely that the employee is entitled to count the period of his service rendered by him under the Government and for that purpose obtain from the Government all the relevant Government orders or/and written communications or/and the certificates issued by the Government with regard to his absorption in the Autonomous/Statutory Body.

- (b) An undertaking is obtained from the retiring/retired employee that in the event of the period of his service rendered by him in the Government subsequently not found as counting for pro-rata retirement benefits, the additional retirement benefits allowed to him on account of such portion of his service shall be refunded by him in one lump-sum to the Autonomous/Statutory Body.
- (c) The above procedure shall apply to those State Autonomous/Statutory Bodies only which have a pension scheme and also to those of them which may introduce a pension scheme hereafter, regardless of date of absorption in such an outside Body.

The aforesaid procedure shall also apply *mutatis mutandis* on reciprocal basis, in respect of Government employees who may have rendered a definite period of service under any of the aforementioned State Autonomous/Statutory Body before his absorption in a Government Department. In such a case full pensionary benefits shall be paid by the Government and re-imburement of the requisite amount claimed subsequently from the concerned Autonomous/Statutory Body by way of short disbursement of the Grant-in-aid to that extent.

Note :-The Government servants on their immediate absorption in an Autonomous Body are required to sever their connection with the Government and for this purpose they may have to tender the resignation in so far as Government service is concerned. Tendering of resignation in such cases will be a technical requirement for taking up employment in an Autonomous/Statutory Body and shall not mean forfeiture of past service in the Government for purpose of these rules.

This shall be applicable from the date and in the same manner as laid down in sub-clause (e) of Rule *ibid* viz. Art. 185-D(V)-A(c).

By order of the Governor.

(Sd.) J. A. KHAN,

Additional Chief Secretary (Finance).

No. A/36(83)-I-165

Dated 3-3-1994.

Copy to the :-

1. Additional Chief Secretaries _____
2. Commissioners/Secretaries to Government _____
3. Secretary to Governor/Public Service Commission/Legislative Assembly/Legislative Council.

4. Accountant General J&K A&E/Audit, Srinagar/Jammu.
5. All Heads of Departments _____
6. All District Development Commissioners _____
7. Advocate General, J&K, Jammu/Srinagar.
8. Director/Dy. Director Accounts and Treasuries, Srinagar/Jammu.
9. Director/Dy. Director Funds Organisation, Srinagar/Jammu.
10. Director of Information, J&K, Jammu.
11. Principal, Northern Zonal Accountancy Training Institute, Jammu/
Principal, Accountancy Training Institute, Srinagar.
12. Financial Advisors and Chief Accounts Officers _____
13. Deputy Financial Advisors _____
14. Comptroller, Agriculture University, Kashmir.
15. Saddar Treasury Officers/District Treasury Officers/Treasury Officers _____
16. Private Secretary to Advisors _____
17. All Officers/Section Officers of Finance Department.
18. _____

(Sd.) M. J. NAJAR,

Director (Codes),
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR,
FINANCE DEPARTMENT.

Notification.

Dated Jammu, the 24th March, 1994.

SRO-64.--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 Rules, namely :-

1. *Short title, commencement and application.*--(1) These rules may be called the Jammu and Kashmir Daily Rated Workers/Work Charged Employees (Regularisation) Rules, 1994.

(2) They shall come into force with effect from 1-4-1994.

(3) They shall apply to the Daily Rated Workers/Work Charged Employees engaged in any Government Department.

2. *Definitions.*--In these rules, unless the subject or context otherwise requires :--

- (a) "Administrative Department" means the concerned Department in the Civil Secretariat holding the administrative control of the Department.
- (b) "Casual Labour/Worker" means a person who is engaged through an appointment order or otherwise on daily rated basis for rendering casual services to a Department.
- (c) "Committee" means the Committee as may be constituted by the Government and for the time being means the Committee appointed under Government Order No. 26-F of 1994 dated 31-1-1994.
- (d) "Competent Authority" means the Government or any other authority to whom the power may be delegated.
- (e) "Continuous Working" means continuous working of Daily Rated Workers, or Work Charged Employee after his first engagement, regardless of the fact whether wages have been paid for the Gazetted holidays/Sundays ;

Provided that the working shall be deemed to be continuous if not more than one break up to two days has been given in his continuous working in a period of 90 calendar days.
- (f) "Daily Rated Worker" means a person engaged on daily wage basis at the rates sanctioned by the Government from time to time.
- (g) "Department" means a Government Department.
- (h) "Seasonal Labour/Worker" means a person who is employed in any department for a defined season or period of a year.
- (i) "Wages" means all remunerations whether by way of salary, allowances or otherwise expressed in terms of money or capable of being so expressed which would if the terms of employment expressed or implied were fulfilled be payable to a person employed in respect of his employment or of work done in such employment.
- (j) "Work Charged Employees" means any person employed on a work charged establishment to do any skilled, un-skilled, manual, supervisory or technical work.
- (k) "Work Charged Establishment" means such establishment as is employed upon the actual execution as distinct from the general supervision of a specific work or of sub-works of a specific project or upon the subordinate supervision of departmental labour, stores and machinery in connection with such a work or sub-works ; provided that as an exception to the above, mistries and mates employed in the

interest of Government on the technical supervision of contractors work and Khalasis attached to subordinates for assisting them on works will be treated as work charged establishment.

Works establishment does not include clerks, draftsmen, subordinates or extra establishment of any kind for the Sub-Divisional, Divisional, Circle or Direction Offices, such being properly chargeable to temporary establishment ; but where Dak Runners are employed solely for a particular work of a temporary nature for a period not exceeding six months, they may be treated as Work Charged Establishment.

3. *Creation of the posts.*--(1) The Committee may from time to time on receipt of proposal from any Administrative Department approve the creation of posts for the purpose of regularisation of Daily Rated Workers or Work Charged Employees.

(2) After the approval under sub-rule (1) above is conveyed to the Administrative Department, the Administrative Department concerned shall issue the orders of creation of the posts. The posts so created shall be--

- (a) borne on the Plan or Non-Plan establishment as the classification of the scheme or work may be on which such eligible persons are deployed, and
- (b) in conformity with the existing sanctioned designation in the pay scale of Rs. 750-940.

4. *Eligibility for regularisation.*--A Daily Rated Worker/Work Charged Employee shall be eligible for regularisation on fulfilment of the following conditions ; namely :--

- (a) that he is a permanent resident of the State ;
- (b) that on the date of his initial appointment his age was within the minimum and maximum age limit as prescribed for appointment in Government Service ;
- (c) that he possesses the prescribed academic and/or technical qualification for the post against which he is required to be regularised :

Provided that in case of eligible Daily Rated Workers to be regularised against Class IV posts, relaxation of qualification and/or age shall be considered on merits by the concerned Administrative Department.

- (d) that he is not a retiree from any State or Central Government service or any Local Body, Public Sector Undertaking or Autonomous Body in or outside the State.