

sanctioned for the first time on or after 1-4-1987 pension/family pension shall mean basic pension/family pension admissible in terms of Notification SRO-129 dated : 5-4-1988.

4. In the case of family pensioners whose family pension is sanctioned in respect of a Government servant who has retired or may retire on or after 1-4-1992 and has died or may die thereafter or who has died or may die while in service on or after the said date, the family pension shall mean the basic pension admissible in terms of Rule 20(B) of Family Pension Rules (Schedule XV of Jammu and Kashmir Civil Service Regulations) incorporated vide Notification SRO-77 dated : 30-3-1992.

5. Payment of Dearness Allowance involving a fraction of rupee shall be rounded to next higher rupee.

6. Personal pension, if any, will not be taken into account for determining Dearness Allowance on pension.

7. Other provisions governing grant of Dearness Allowance on pension/family pension, such as regulation of Dearness Allowance during employment/re-employment, regulation of Dearness Allowance where more than one pension is drawn etc. and other provisions of the existing rules (as are not in conflict to the provisions of this Order) shall continue to remain in force.

8. The Treasury Officers and/or the Paying Branches of the J&K Bank, where from the State pensioners/Family Pensioners draw their pension, shall authorise payment of Dearness Allowance to the pensioners/family pensioners without waiting for any further instructions either from the Accountant General or from the General Manager J&K Bank, where the Bank authority feels any doubt in the computation of Dearness Allowance in any case, they shall refer the matter to the concerned Treasury Officers for clarification.

By order of Government of Jammu and Kashmir.

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

Dated : 25-4-1997.

No. A/44(94)-442

Copy to the : Standard endorsees.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

O.M. No. A/44 (85)-IV-440

Dated : 25-4-1997

Subject : Release of Cost of Living Allowance (COLA) to the Employees/Workers of State Owned Public Sector Corporations with effect from 1-1-1997.

Ref. : Cabinet Decision No. 98/10 dated : 24-4-1997.

The Government has been pleased to approve the release of 13 (thirteen) instalments of COLA to the Industrial Workers and Employees of the State Owned Public Sector Corporations with effect from 1st Jan., 1997 in lieu of increase in Consumers Price Index Level from 1-1-1996 to 31-12-1996. The State Owned Public Sector Undertakings to whom Wage Committee Report is applicable may accordingly pass appropriate orders in the matter with the approval of their Competent Authority, in keeping with their resource position, at the following rates as notified vide Government Order No. 296-F of 1987 dated : 13-10-1987 :-

No.	Pay slab/Wage Level P.M.	Rate of COLA per instalment per month
1.	Up to Rs. 650/- P.M.	Rs. 10.00
2.	From Rs. 651/- to Rs. 775/-	Rs. 12.50
3.	From Rs. 776/- to Rs. 900/-	Rs. 15.00
4.	From Rs. 901/- to Rs. 1000/-	Rs. 17.50
5.	From Rs. 1001/- to Rs. 1325/-	Rs. 20.00
6.	From Rs. 1326/- to Rs. 1500/-	Rs. 24.00
7.	From Rs. 1501/- to Rs. 1650/-	Rs. 27.00
8.	From Rs. 1651/- to Rs. 1900/-	Rs. 30.00
9.	From Rs. 1901/- to Rs. 2200/-	Rs. 35.00
10.	From Rs. 2201/- and above	Rs. 40.00

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

Copy to the : Standard endorsees.

Subject ; Payment of Dearness Allowance to State Government Employees-Revised Rate effective from 1-1-1997.

Ref. ; Cabinet Decision No.87/10 dated : 24-4-1997

Government Order No. 152-F of 1997
Dated : 25-4-1997

In partial modification of Government Order No. 235-F of 1996 dated : 11-10-1996, it is hereby ordered that all Government Servants including Work Charged and Whole Time Contingent paid employees working in the regular time scale of pay shall be paid Dearness Allowance at the following rates w.e.f. 1-1-1997 :-

Pay Range per month	Rate of Dearness Allowance (including previous instalment) w.e.f. 1-1-1997
---------------------	--

- | | |
|---|---|
| i) Basic pay up to Rs. 3500/- P.M. | 170% of pay P.M. |
| ii) Basic pay above Rs. 3500/- and up to Rs. 6000/-P.M. | 128% of pay subject to minimum of Rs. 5950/- P.M. |
| iii) Basic pay above Rs. 6000/- P.M. | 110% of pay subject to minimum of Rs. 7680/- P.M. |

2. The Additional instalment of Dearness Allowance shall be paid in cash w.e.f. 1-1-1997 to all categories of employees including those drawing pay above Rs. 3500/- P.M.

3. The basic pay for the purpose of this order shall be the basic pay as defined in Article 27(a)(i) of J&K Civil Service regulations plus the stagnation personal pay which has been allowed to be treated as part of pay for Dearness Allowance as per Government Order No. 226-GR/F of 1990 dated : 31-10-1990.

4. The payment on account of Dearness Allowance involving a fraction of 50 paise and above shall be rounded to the next higher rupee and the fraction of less than 50 paise shall be ignored.

5. The provisions of this order shall also apply, mutatis mutandis, in the case of All India Service of Officers serving in connection with the affairs of the State.

By order of the Government of Jammu and Kashmir

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

No. A/44(94)-441

Dated : 25-4-1997.

Copy to the : Standard endorsees.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Notification

Dated : Jammu the 28th April, 1997

SRO-154.-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 Services Regulations Volume-I namely :-

In these Regulations ;

Article 177-A shall be recast as under :-

177-A : Notwithstanding anything contained in Article 177, a work charged employee/whole time contingent paid staff including daily rated worker(s) [excluding casual/seasonal worker(s)] who is/are brought on regular establishment and retires/retire without having been declared substantive or quasi-permanent, shall be allowed count 50% of his/her work charged/contingent paid service as qualifying for pension together with the

period of service rendered in regular establishment. If the total of two spells is 20 years of more, he will be eligible for pension under the preceding proviso.

They shall have effect from the date of issue of O.M. No.A/36(94)-1152 dated : 29-12-1995.

By order of the Governor.

(Sd.) M. S. PANDIT,
Additional Chief Secretary,
Finance Department.

No. A/36(94)-334

Dated: 28-4-1997.

Copy to the : Standard endorsees.

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

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Subject : Establishment of Assistance Cell for Retired and Retiring Employees (ACRRE)

Ref. : Budget Speech of the Finance Minister.

Government Order No. 182-F of 1997

Dated : 3-6-1997

Sanction is hereby accorded to the :-

- (a) establishment of Assistant Cell for Retired and Retiring Employees in the Finance Department ;/
- (b) providing of following staff to the ACRRE immediately by the Director Accounts and Treasuries by internal adjustment against leave reserve till formal creation of the said posts is ordered :-

1. Accounts Officer	1
2. Assistant Accounts Officer	2
3. Accountant	2
4. Accounts Assistant	2

2. The ACRRE will function under the immediate control and supervision of the Senior Accounts Officer (PE) and overall control of the Director Codes.

3. The Assistant Cell for Retired and Retiring employees shall :-

- (i) create a data bank (computerised) of all employees who would be retiring within the next two years in accordance with the existing provisions of the rules/retired employees ;
- (ii) work as a catalyst in problem saving in matters relating to pension, G.P. Fund, State Insurance of Pensioners ;
- (iii) call for any requisite information from any Department/Organisation/Office allied to its functioning ;
- (iv) monitor/review progress of settling of pension cases with reference to requisite returns to be obtained from all Administrative Departments who have already been instructed to constitute Review Committee, for the purpose under the Chairmanship of concerned Commissioner/Secretary to Government ;
- (v) act as a grievance cell for redressal of grievances of retire/retiring Government Employees in the matter allied to processing and final settlement of the pension cases etc.

By order of the Governor.

(Sd.) M. S. PANDIT,
Additional Chief Secretary,
Finance.

No. A/195(95)-541

Dated : 3-6-1997

Copy to the : Standard endorsees.

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

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Notification

Dated : Srinagar the 9th June, 1997

SRO-203.-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 Regulations Vol.-I namely:-

In the said Regulations ;
the following shall be inserted as Clause (c) below Article 320-B :-

- (c) State Government servants who are authorised to travel by air on duty within or outside the State, but within India at Government expenses, shall be entitled to travel by economy class, where two classes of accommodation are available on the Air Lines for journey. However, officers of and above the rank of Additional Chief Secretary to Government, when travelling on duty may, at their discretion travel by Executive/Business Class.

By order of the Governor.

(Sd.) M. S. PANDIT,
Additional Chief Secretary,
Finance.

No. A/66(95)-469

Dated : 9-6-1997

Copy to the : Standard endorsees.

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

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

O.M. No. A/85(95)-II/513

Dated : 11-6-1997

Subject : Speedy disposal of the pension cases-Review of Service Records.

The undersigned is directed to refer the Commissioner/Secretary to Government, to Finance Department O.M. No.A/85(95)-1151 dated : 29-12-1995 read with O.M. Nos. A/85(95)-279 dated : 19-4-1996 A/172(95)-I/455 dated : 16-4-1996, A/85(95)-652 dated 7-8-1996 and A/172(95)-I/840-A dated : 16-8-1996 on the subject cited above and to say that the Accountant General vide his D.O. letter Nos. PNRJ/97-97/A&E/1-A/1989 dated : 1-4-1997 and No.PNRJ/I/97-98/397 dated : 15-5-1997 has brought to the notice of the Finance Department that despite clear instructions issued by the Finance Department from time to time vide above cited O.Ms. the service books are not being reviewed by the concerned D.D.O's. resulting in various incompletions/deficiencies in the service records. The incompletions are of the nature of tampering in date of birth, overstaya in service, appointment in Government service after the age limit, wrong fixation of pay, non-production of NDC etc. etc. The Audit office have furnished the list of the Departments indicating the names of the retirees/deseased whose cases are incomplete and returned to the concerned Departments for doing the needful. The list also shows the name of retirees whose pension has been released by the Accountant General but the DCRG has been withheld for want of NDC, wrong fixation, departmental outstandings etc. etc.

The undersigned is directed to enclose a copy of the above list pertaining to your department with the request that the needful be got done expeditiously and the requisite information/documents furnished to Accountant General under intimation to Finance Department. [Assistance Cell for Retired and Retiring Employee (ACRRE).]

It needs to be emphasised that the officers subordinate to your department to follow the rules in letter and spirit and ensure that the pension papers complete in all respects are furnished to Audit Office six months before the date of retirement of the employee, so that the retired/retiring employees gets his PPO?GPO on the date of his retirement.

Receipt of this O.M. be acknowledged.

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

Copy to the : Standard endorsees.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Subject : Clarification regarding TA on transfer from one Station to another and entitlement thereof.

C I R C U L A R

1. Attention is invited to the provisions of Clause V(a) of Note 2 below Article 339 of the Jammu and Kashmir Civil Service Regulations Volume I which reads as under :-

V. TA for members of family is admissible only if they :-

accompany the Government servant or follow him within a period of six months from the date of transfer or precede him by not more than one month from the date of transfer.

2. Normally advance TA can be drawn in favour of transferee from the office wherefrom he is transferred. A doubt has been expressed as to whether in the face of aforementioned provisions of Rules advance TA can be drawn in favour of a transferee from his new place of posting to cover the expenses on account of transportation of his family which follows within the prescribed time limit.

3. The issue has been examined in the Finance Department and it is clarified that :-

"If no advance TA has been drawn by a transferee from the office wherefrom he has been transferred, there shall be no objection in allowing drawal of an appropriate amount of advance TA, already sanctioned as per transfer order of the official, even from the office where the official may join. However, the appropriate amount of advance may have to be worked out with reference to the number of the members of family to follow him and transport of luggage to be transported subject to the prescribed limit within the stipulated time in the relevant rules.

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

No. A/17(73)-568

Dated : 11-6-1997

Copy to the : Standard endorsees.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

C I R C U L A R

Subject : Speedy settlement of Pension cases :-

- Establishment of Assistance Cell for Retiring and Retired Government Employees (ACRRE) in Finance Department;
- Preparation and submission of list of Government Employees due for retirement in next 24 months.

1. In the best interests of ensuring speedy settlement of pension cases with a view to obviate any avoidable inconvenience the retiring/retired Government employees, attention of all the Financial Commissioners/additional Chief Secretaries/Commissioner/Secretaries to Government and Heads of Departments is invited to Article 284-A of J&K Civil Services regulations Vol.-I

which reads as :-

"284-A. All authorities dealing with applications for pension under these Regulations should bear in mind that delay in the payment of pension involves pecuniary hardship. It is essential to ensure therefore that a Government servant begins to receive his pension on the date on which it becomes due".

2. In order to ensure strict adherence to the aforementioned provisions in letter and spirit by all the Administrative Departments/concerned departmental authorities detailed time bound procedure for initiating, processing and finally settling the pension cases has elaborately been prescribed in relevant rules in general and Government instructions below Article 284-A of the Jammu and Kashmir CSR's in particular.

3. Finance Department in its Keeness to ensure prompt and regular follow up action by all concerned authorities in accordance with the rules and with a view also to ensure that the retiring Government Employees get their pensionary benefits on 1st of the month in which it is due:-

- (a) Comprehensively discussed and brought to the notice of all the Administrative Departments/Heads of Department, the prescribed time bound procedure of settlement of pension cases under O.M. No. A/85(95)-1151 dated : 29-12-1995 (Copy appended as Annexure A for ready reference) and
- (b) Subsequently vide, O.M. No. A/172(95)-I455 dated 16-4-1996 (Copy appended as Annexure B) advised all the Administrative Departments, inter alia, to constitute "Small Review Committees" with following composition to review progress in settlement of pension cases in respective Departments :-

- | | |
|--------------------------------------|----------|
| (i) Commissioner/Secretary concerned | Chairman |
| Department | |
| (ii) Head of Department concerned | Member |

- (iii) Financial Advisor/Chief Accounts Officer concerned Administrative Department. Member

4. While "Review Committee" is to hold quarterly meetings so as, inter alia to ensure submission of prescribed returns by the subordinate offices promptly and regularly, the first meeting was scheduled to be held by end of April, 1996 to ensure that such of the Government employees as were due to retire by end of April 1996, do get their pension payment orders (PPOs) etc. on 1st of May, 1996 and so on in future. Despite lapse of more than a year no feedback has been received from any of the departments in Finance Department when the Accountant General J&K has been bringing it to the notice of Finance Department/concerned departments from time to time about the accumulation of pendency of pension cases for one reason or the other.

5. In view of chronic problem of delay in the settlement of pension cases and to overcome the same an Assistance Cell for Retiring and Retired Employees (ACRRE) has been established in the Finance Department vide (Government Order No.182-F of 1997 dated: 3-6-1997 appended herewith as Annexure C) under the overall control of Director (Codes) with the following functions :-

- (i) create a data bank (Computerised) of all employees who would be retiring within the next two years in accordance with the existing provisions of the rules/retired employees.
- (ii) work as a catalyst in problem saving in matters relating to pension, G.P Fund, State Insurance of Pensioners,
- (iii) call for any requisite information from any Department/Organisation/Office allied to its functioning.
- (iv) monitor/review progress of settling of pension cases with reference to requisite returns to be obtained from all Administrative Departments who have already been instructed to constitute

Review Committee, for the purpose under the Chairmanship of concerned Commissioner/Secretary to Government.

- (v) act as a grievance cell for redressal of grievances of retired/retiring Government employees in the matters allied to processing and final settlement of the pension cases etc.

6. Towards accomplishment of its objectives the ACRRE is to create a data bank (Computerised) of all employees who would be retiring within the next 24 months in accordance with the provisions of Article 285 of Jammu and Kashmir CSRs, extract whereof is reproduced here below :-

Art. 285(a)(1) Every Head of the Department shall have a list prepared every six months that is on the 1st January and 1st July each year of all Gazetted and non-Gazetted Government servants who are due to retire within the next 24 to 30 months of the date.

The list prepared in triplicate and should contain the following :-

- (i) Name of the Government servant.
 - (ii) Designation of the Government servant.
 - (iii) Date of birth.
 - (iv) Date of retirement.
 - (v) No and Date of sanction and the amount of loan, if taken by the Government servant whether recovery of instalments and/or interest thereon is still being made from the Government servant on the date of retirement.
- (2) A copy of every list referred to in sub-rule (1) shall be supplied to the Audit Officer concerned not later than the 31st January, or the 31st July as the case may be of that year.

As would be seen from the above provisions, it is reiterated that every Head of Office is required to prepare a list every six months i.e. 1st January and 1st July each year of all Gazetted and non-Gazetted

Government Servants who are due to retire within next 24 months of the date. Since the relevant provision of the Rules has been seen to be observed more in breach than in observance, it has been decided that each Head of Office/Drawing and Disbursing Officer shall prepare the prescribed list with fullest possible details in accordance with the rules and make available the same to the Finance Department (ACRRE) through Treasury Officer concerned in the following manner :-

- (a) Each Drawing and Disbursing Officer/Head of Office shall furnish a properly prepared and authenticated copy of the statement alongwith the pay bills for the month of June and December each year to the treasury Officer concerned with following certificate recorded on the statement :-

"It is certified that the official(s) (Gazetted/ Non-Gazetted) other than those indicated in the statement is/are retiring within the next 24 months in my jurisdiction from 1st January/1st July as the case may be."

- (b) The treasury Officer concerned shall under a proper forwarding letter furnish statements direct to the Director (Codes) Finance Department (by name) under Registered cover or ensure its personal delivery in Finance Department (ACRRE) by or before 15th January/15 July as the case may be.
- (c) The Treasury Officer concerned while submitting the requisite statements after collection from the concerned DDO's shall, in the forwarding record a certificate to the effect that all the Drawing and Disbursing Officers within his jurisdiction furnished the statement (giving the details of the DDO's from whom such statements have been received and submitted) and/or simultaneously indicate in the forwarding letter the names of the such of the DDO's/Head of Offices from whom the statement is awaited.
- (d) The Treasury Officers concerned shall not entertain/authorise the personal salary for the month

of June/December as the case may in respect of any such Drawing and Disbursing Officers who fail to submit the requisite statements to the Treasury Officers concerned with the respective pay bills or till such information is received from him (Drawing and Disbursing Officer) ; and

(e) Such statements as are due in ensuing month of July shall invariably be submitted by/obtained from all the concerned Drawing and Disbursing Officers alongwith the pay bills for the current month i.e. June 1997 and promptly/regularly in future without waiting for any further instructions.

8 Accordingly all the Finance Commissioners/Additional Chief Secretarys/Commissioners and Secretaries to Government and Heads of Department are impressed upon to issue necessary instructions to their subordinate offices for strict compliance of these instructions.

9. Matter may be treated as most urgent.

(Sd.).....
Financial Commr/Secy. to Govt.,
Finance Department.

No. A/195(95)-612

Dated : 24-6-1997.

Copy to the : Standard endorsees.

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

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Subject : Grant of Honorarium to Deputy Director Funds Organisation Jammu and to his typist.

Government Order No. 200-F of 1997

Dated : 25-6-1997

Sanction is hereby accorded to the payment of honorarium to Deputy Director Funds Organisation Jammu and to his typist for the period shown below for attending the work relating to disbursement of pension to Migrant Central Civil Pensioners of

Kashmir Valley. The order is issued with the agreement of Chief Controller of Pensions, Government of India conveyed vide their sanction No. CPAO/Tech/Honorarium/J&K/Vol.I/291 dated : 17-4-1997 :

Period	Deputy Director Funds	Typist
1-11-1996 to 31-3-1997	Rs. 750/-	Rs. 500/-

The expenditure is debitable under M.H. 2071-Pension and other Retirement Benefits A-I(ii)-Other Expenditure.

By order of the Government of Jammu and Kashmir

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

No. A/81(90)-538

Dated : 25-6-1997

Copy to the : Standard endorsees.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Notification

Dated : Srinagar the 4th July, 1997

SRO-225.-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 (Higher Standard Pay Scales Scheme) Rules, 1996 ;

In the said rules ;
the following shall be inserted as Rule 5-A with note thereunder :-

Notwithstanding anything contained in rule 5 an employee covered under these rules, who, after

acquiring one promotion has stagnated and rendered in the existing post, 18 years or more of regular satisfactory service prior to 1-1-1995 shall be allowed w.e.f. 1-1-1995 two In situ promotions and placed in the 2nd Higher Standard Pay Scale corresponding to his/her existing pay scale as specified in Schedule I of these rules. Likewise, an employee covered under these rules, who, after acquiring two promotions has stagnated and rendered 9 years or more regular satisfactory service prior to 1-1-1995 shall be allowed one In situ promotion and place in 1st Higher Standard Pay Scale corresponding to his existing pay scale as specific in Schedule I of these rules :

Provided that any such employee, who may complete such regular service as indicated in these rules after 1-1-1995 shall be allowed the 1st or 2nd Higher Standard Pay Scale corresponding to the existing pay scale of the post as specified in Schedule I of these rules from the 1st of the month following the month in which he completes such satisfactory service.

Note : Cases may arise where a Government Servant may be carrying lower scale of pay on or after 1-1-1995 than another, junior to him. This situation may arise where the junior official may have taken the benefit of Higher Standard Pay Scale(s) in accordance with the provisions of the above rules.

In order to remove this anomaly the senior official shall be allowed the pay scale equivalent to the pay scale of his junior counterpart, on the date the latter was allowed as such, provided both the junior and senior officers belong to the same cadre and the posts held by them are identical and in the same cadre.

The provisions shall be deemed to have existed in the rules *ibid*, *ab initio*.

By order of the Governor.

(Sd.) H. H. TYABJI,
Financial Commissioner,
Finance Department.

No.A/5(96)-616

Dated : 4-7-1997

Copy to the : Standard endorsees.

(Sd.) O. N. RAINA,
Director (Budget),
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Notification

Dated : Srinagar the 15th July, 1997.

SRO-241.-In exercise of the powers conferred by proviso to Section 124 of the Constitution of the Jammu and Kashmir the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Subordinate Accounts (Un-funded debt) service Recruitment Rules, 1980 ;

In Schedule II of the said rules in the column "Method of Recruitment" against class III category 'D' the words "By Direct Recruitment" shall be substituted by the following :-

- (i) 25% of the available posts by promotion from amongst such of the in-service Class-IV employees of funds Organisation as may be possessing the prescribed minimum qualification for direct recruitment to the said posts.
- (ii) 75% by direct recruitment the minimum qualification for which shall be 10+2.

By order of the Governor.

(Sd.).....

Financial Commissioner,
Finance Department.

Dated : 15-7-1997.

No.A/74(97)-659

Copy to the : Standard endorsees.

(Sd.).....

Director (Budget)
Finance Department

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Notification

Dated : Srinagar the 15th July, 1997

SRO-239.-In exercise of the powers conferred by proviso to Section 124 of the Jammu and Kashmir Constitution, the Governor is pleased to make the following amendments in the Jammu and Kashmir Civil Services Regulations, namely :-

For Sub-para (i), (ii), (iii) and (iv) of para (1) under Article 110(A), the following shall be substituted ; namely :-

- (i) Government servants under suspension ;
- (ii) Government servants in respect of whom a charge sheet has been issued and the disciplinary proceedings are pending ; and
- (iii) Government servants in respect of whom prosecution for a criminal charge is pending.

By order of the Governor.

(Sd.).....

Financial Commissioner/Secretary to
Government Finance Department.

No. A/101-64-III-649

Dated : 15-7-1997.

Copy to the : Standard endorsees.

(Sd.).....

Director (Budget)
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Subject : Rate of Interest on advances for the purchase of conveyances for the years 1992-93, 1993-94, 1994-95 and 1995-96.

Government Order No. 214-F of 1997

Dated : 17-7-1997

It is hereby ordered that advances for the purchase of Motor Cars and other conveyances granted out of the consolidated fund of the State during the years, 1992-93, 1993-94, 1994-95 and 1995-96 shall carry interest at the following rates :-

I 1992-93	Rate of interest per annum
(a) For purchase of Bicycle	8.5%
(b) For purchase of Motor Cycle, Scooter etc.	10/5%
(c) For purchase of Motor Car	14%
<u>II-1993-94</u>	
(a) For purchase of Bicycle	9%
(b) For purchase of Motor Cycle, Scooter etc.	11.5%
(c) For purchase of Motor Car	15%
<u>III-1994-95</u>	
(a) For purchase of Bicycle	9%
(b) For purchase of Motor Cycle, Scooter etc.	11.5%
(c) For purchase of Motor Car	15%
<u>IV-1995-96</u>	
(a) For Purchase of Bicycle	9%
(b) For purchase of Motor Cycle, Scooter etc.	11.5%
(c) For purchase of Motor Car	15%

By order of Government of Jammu and Kashmir

(Sd.) O. N. RAINA,
Director (Budget),
Finance Department.

No. A/101-65-III-664

Dated : 17-7-1997.

Copy to the : Standard endorsees.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

O.M. No. A/96(85)-700

Dated : 31-7-1997

Subject : Notes 1 and 2 below Article 309 of Jammu and Kashmir Civil Service Regulations-Clarifications thereto.

The undersigned is to invite attention to the provisions of Notes 1 and 2 below Article 309 of Jammu and Kashmir Civil Service Regulations which reads as under :-

Note 1 : So long as the pay scales of All India Service Officers serving in connection with the affairs of the State are not revised, an amount of RS. 600/- should be added to the salary of the officers in the senior scale and above that and Rs. 450/- in the case of officers in the Junior scale for purposes of determining their classification under the above slabs (Introduced vide SRO-108 dated 30-3-1982).

Note 2 : "So long as the pay scales of the Assistant Professors and Lecturers (Faculty Member) of the Institute of Medical Sciences Srinagar are not revised, an amount of Rs.600/- should be added notionally to their pay for purpose of determining their classification for TA under the above slabs (introduced vide SRO-386 dated : 15-7-1982)".

2. In order to obviate any misunderstanding in the context of the aforementioned provisions of the State Rules, it is clarified that the aforementioned provisions were applicable till revision of the pay scales of concerned officers.

3. It is admittedly an alive fact that the benefits contained in the aforementioned Note 1 and 2 below Article 309 ibid have undoubtedly ceased to flow to such category of officers and that of Faculty Members of SKIMS who have derived the benefits of revised

pay scales from the prescribed dates on issue of revision orders subsequent to the provisions of Notes 1 and 2 as referred to hereinabove. The benefits of Notes 1 and 2 ibid will continue to flow only to such specific category of officers who had opted to retain the pre-revised pay scales in the context of the relevant provision of the respective Central Pay Rules or the Pay Rules of the Faculty Members of SKIMS as the case may be.

4. It is re-emphasised that the provisions of the aforementioned two Notes below Article 309 of Jammu and Kashmir CSR's are self-explanatory and accordingly there is no ambiguity whatsoever in the said provisions and there is absolutely also no scope for any Government servant to mis-interpret it, much less by responsible AIS officers and by the drawing and disbursing officers/controllers.

5. Viewed in the context of the aforementioned fact it is incumbent upon all the drawing and disbursing officers/controllers of the respective Departments to recover the amount of un-due benefit, if any, drawn by any officer(s) in terms of the clear cut provisions of Rule 17-4 of J&K Financial Code Volume-I which reads as under :-

"Remission of disallowances by Audit of writing off over payments made to Government servants".

"The recovery of an amount disallowed in Audit or otherwise found to have been over-paid to Government servant should not be waived merely on the ground that the amount was not drawn himself by the official or it was drawn in good faith. The liability of a person receiving payment in excess of the amount due remains to pay the same, as nobody can be allowed to retain the benefit arising out of a mistaken belief. Every over payment to a Government employee is and must be regarded as debt owed to the Public and action should be taken to recover it with despatch".

6. All Financial Commissioners/Additional Chief Secretaries/Commissioner/Secretary to Government and

Heads of Department are requested that the aforementioned instructions be communicated to all the officers subordinate to their respective departments for appropriate action in the matter.

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

Copy to the : Standard endorsees.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Notification

Dated : Srinagar the 4th August, 1997

SRO-268.-In exercise of the powers conferred by Section 110 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-II.

In the said rules :
First sentence of Note 3 under serial No. 9-A of Annexure 'A' to Appendix 6 of Financial Code VOL. II shall be recast as under :-

"The technical staff of the State Motor Garages who have to work in the Workshop and under the Vehicles will be provided with a pair of Shoes once in every 18 months".

By order of the Governor.

(Sd.).....
Financial Commissioner,
Finance Department.

Dated : 4-8-1997.

No. A/6(62)-608

Copy to the : Standard endorsees.

M. J. NAJAR,
Dy. Secy,
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECTT. FINANCE DEPARTMENT

O.M. No. A/29(96)716
Dated : 5-8-1997

Subject : J&K Civil Service (Higher Standard Pay Scales Scheme), Rules 1996 Clarifications thereof.

Consequent upon the introduction of J&K (Higher Standard Pay Scale Scheme) Rules, 1996 vide SRO-14 dated Jan. 15, 1996 references from the representatives of various Unions of Government employees/departments have been received in Finance Department raising various points for clarifications. The same have been examined in the Finance Department. Accordingly, clarifications as detaild here below against each point are issued for guidance and reference by the Department vis-a-vis implementation of the aforementioned scheme :-

Points of doubts

Clarification

1. Rule 9(a) under the caption "Exercise of option" of the Rules ibid reads as under :-
"If the employee who has got benefit of senior/selection grade scale desired he may exercise option to continue senior/selection grade scale or to accept this scheme. If he exercises option to join this scheme his pay fixation shall be done as if he had not availed of the senior grade/selection grade scale. As a result the amount of pay

1. The issue has been examined with reference to express provision under Rule 9(a) to the effect that if an employee exercises option to join this scheme his pay fixation shall be done, as if he had not availed of the senior grade/selection grade scale. It clearly follows that the said provision in the Rules has been made only for purposes of pay fixation under the scheme to avoid any anomalous situation being created vis-