

Government of Jammu and Kashmir
Finance Department

COMPENDIUM 1999

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**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT
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**ANNUAL COMPENDIUM
FOR THE
CALENDAR YEAR**

1999

**Incorporating Notifications, SRO's, Government Orders,
Circulars, Office Memoranda etc.**

(Issued from 1-1-1999 to 31-12-1999)

ANNUAL COMPENDIUM
FOR THE
CALENDAR YEAR
1999

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GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Notification

Dated Jammu, the 6th January, 1999.

SRO-6.—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, :-

In the said Regulations :

Clause (4) of Art. 168-B shall be recast as under :-

In cases falling under clause (1)(B) above, none of the recoveries mentioned in clause (2) (a) to (c) above may be effected by deduction from the pension already sanctioned, except at the request or with the express consent of the pensioner. In cases where the pensioner does not agree to recovery being made even of sums admittedly due to Government, the executive authorities concerned would have to consider whether they should not try to effect the recovery otherwise than from pension, for example by going to a court of law, if necessary :

Provided that the claim and the recovery due on account of the loan drawn by a Government servant under the Jammu and Kashmir Government Employees (Grant of loan by J&K Bank for purchase of Motor Vehicles and Personal Computers) Scheme, 1998, as may be modified by the Government from time to time, shall be recoverable from the monthly pension of the retired Government Servant.

By order of the Governor.

(Sd.) AJIT KUMAR,

Addl. Chief Secretary,
Finance Department.

No. A/70(97)-151

Dated 6-1-1999

Standard endorsements.

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

Table with multiple columns and rows, containing administrative details and possibly names of officials involved in the notification process. The text is mostly illegible due to blurriness.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

**Subject : Rationalisation of Pension structure for pre-1-4-1987 pensioners/
Family Pensioners.**

Government Order No. 342-F of 1999

Dated 6th January, 1999.

In continuation to Government Order No. 275-F of 1998 dated 14-10-1998, it is hereby ordered that in cases where the amount of revised pension/Family Pension arrived at on the basis of notional fixation of pay as on 1-4-1987 happens to be less than the amount of consolidated/family pension already drawn by pre 1-4-1987 pensioners/Family Pensioners w.e.f. 1-4-1987, there is no need to revise the existing pension/Family pension and issue a revised PPO. The pensioner/Family pensioner can be out-rightly apprised of the fact by the Accountant General. In cases where revised PPO to the disadvantage of the pensioner/family pensioner has already been issued, such PPO should be immediately cancelled. Also, in such cases orders for recovery of the so called excess pension drawn should be withdrawn without any delay.

By order of the Government of Jammu and Kashmir.

(Sd.) AJIT KUMAR,

Addl. Chief Secretary,
Finance Department.

No. A/13(98)-II-76

Dated 6-1-1999

Standard endorsements.

(Sd.) M. J. NAJAR,

Director Codes,
Finance Department.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Notification

Dated Jammu, the 21st January, 1999.

SRO-23.—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 J&K Financial Code Vol-I, namely :—

In the said rules :—

I. The following shall be inserted as clause a(ii) under the rule 14.18-A :—

Purpose for which advance may be granted

(ii) An advance may be granted for constructing a new house (including the acquisition of the suitable plot of land for the purpose) either at the place of duty or at the place where Govt. servant proposes to settle after retirement. An application for an advance for purchasing a ready-built house or flat may also be considered. The maximum amount of advance that can be granted shall be actual cost of the ready built house or flat or 50 times the monthly basic pay or Rs. 2.50 lakh, whichever is the least.

II. Sub-clause (c) of rule 14.18-A under the caption "Classification" shall be deleted.

III. Sub-clause (d) of rule 14.18-A under the caption "Ceiling Category" shall be recast as under :

Ceiling Category

The cost of the house to be built/purchased (excluding the cost of residential plot as mentioned in the sale/lease deed of the land/house) should not exceed 150 times the basic pay of the Govt. servant subject to minimum of Rs. 2.50 lakhs and maximum of Rs. 6.00 lakhs.

Provided that the applicant should not have availed of any loan or advance for the acquisition of the house from any other Govt. source, i. e. the Department of Rehabilitation or Central or State Housing Scheme. Where, however, the loan, advance etc. already availed by an applicant does not exceed the amount admissible under these rules, it would be open to him to apply for the advance under these rules on the condition that he undertakes to repay the outstanding loan, advance, together with interest if any, thereon forthwith in one lump-sum, to the department concerned.

In case where an employee (applicant) makes (or has made) a final withdrawal from his provident fund account in connection with construction/acquisition of a house or residential plot to construct a house thereon, in addition to availing of an advance under these rules, the total amount of advance sanctioned under these rules, and that withdrawn from the provident fund should not exceed the cost of ceiling limits prescribed in these rules :

Provided further that neither the applicant nor the applicant's wife/husband/minor child should own a house. However this condition may be relaxed by the Government in exceptional circumstances as for example, if the applicant's wife/husband/minor child owns a house in a village and the applicant desires to settle down in a town or where an applicant happens to own a house jointly with other relations etc, and he desires to build a separate house for himself.

Basic pay for the purpose of this rule shall mean the pay as defined in Art. 27(a)(i) of J&K CSR's Vol-I.

IV. Sub-clause (e) of rule 14.18-A under the caption "Amount of advance" shall be recast, retaining the existing Notes thereunder intact :—

Amount of Advance

- (i) Not more than one advance shall be sanctioned under these rules to a Govt. servant during his/her entire service.
- (ii) Applicant may be granted an advance not exceeding the amount equal to 50 times the monthly basic pay including officiating pay (except where drawn in a leave vacancy) under the J&K Civil Services (Revised Pay) Rules, 1998, but not pay drawn in a short or fixed term of deputation duty or estimated cost of the building or Rs. 2.50 lacs whichever is least.

V. The following shall be inserted as Proviso below sub-rule (I) under the caption 'INTEREST' after the words "in the process of recovery the portion of loan carrying higher rate of interest will be treated having been refunded first".

Provided that an advance granted under these rules shall carry simple interest from the date of payment of the advance. The amount of interest being calculated on the balance outstanding on the last day of each month. Subject to the modifications that may be made by the Government from time to time, the following differential rates of interest shall be chargea :—

<u>If the amount is sanctioned upto</u>	<u>Rate of interest</u>
Rs. 50000/-	7.5%
Rs. 1.00 Lakh	9%
Rs. 1.50 Lakh	10%

Rs. 2.00 Lakh	11%
Rs. 2.25 Lakh	11.5%
Rs. 2.50 Lakh	12%

VI. Rule 14.19 alongwith the caption "ADVANCES FOR REPAIRS OF HOUSE" shall be recast as under :—

- (1) An advance may be granted for enlarging living accommodation in an existing house owned by the Government servant concerned (or jointly owned with his/her wife/husband) provided that the total cost of existing structure (excluding land) and the proposed additions and expansions do not exceed the cost ceiling limits prescribed in accordance with the provisions of the sub-clause (d) of rule 14.18-A.
- (2) The applicant may be granted an advance not exceeding an amount equal to 50 times the monthly basic pay including officiating pay (except where drawn in a leave vacancy) under the J&K Civil Services (Revised Pay) Rules, 1998 but not pay drawn in a short or fixed term of deputation duty or estimated cost of the enlargement portion or Rs. 60,000/- whichever is least.
- (3) An advance may also be made to an official for the enlargement of the house which he has built or purchased with a previous advance under the rule 14.18-A above, but unless the sanctioning authority permits otherwise at least 5 years must elapse since the previous advance was drawn.
- (4) Subject to the foregoing conditions the principles of rule 14.18 and 14.18-A shall apply, the maximum period for repayment of the advance being 10 years. Interest will be calculated and recovered in accordance with the provisions of rule 14.18-A.

By order of the Governor.

(Sd.) AJIT KUMAR,

Additional Chief Secretary
and Secretary to Government,
Finance Department.

No. A/68(79)-II-160

Dated 21-1-1999

Standard endorsements.

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

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Subject : Grant of Special Compensatory Allowance to Moving Employees.

Reference : Cabinet Decision No. 207/18 dated 16-12-1998.

Government Order No. 3-F of 1999

Dated 22nd January, 1999.

In partial modification of Government Order No. 1376-GAD of 1998 dated 23-10-1998 it is hereby ordered that para (C) of the said Government Order be substituted by the following :—

"In addition to HRA as per sub-para (b) above employees of the moving Departments who are entitled to Government accommodation at Srinagar/Jammu during the period when headquartered of the Government are at these places but are not provided with the same by the Estates Department shall subject to the conditions indicated herein below be entitled to the Special Compensatory Allowance as per actual amount of rent, if they make their own arrangements at Jammu/Srinagar subject to following ceilings :—

S.No.	Category of employees	Ceilings
1.	Special Secretaries and above which will include <u>HODs</u> , MDs and other officers of the same rank.	Rs. 5000/- p.m.
2.	Addl. Secretaries including <u>HODs</u> , MDs and other officers of the same rank.	Rs. 3500/- p.m.
3.	All other Gazetted Officers	Rs. 2000/- p.m.
4.	Non-Gazetted employees	Rs. 1500/- p.m.

Note :

- (i) The amount of HRA applicable for Srinagar/Jammu as per rates given in SRO-52 dated 5-2-1998 shall be reduced from the aforementioned ceiling.
- (ii) The Special Compensatory Allowance be paid in cash after production of receipt from the landlords.

Para 2 of the Government Order No. 1376-GAD of 1998 dated 23-10-1998 which reads as under shall be deemed to have been deleted :—

"The provisions at sub-paras (b) and (c) of para 1 above shall apply mutatis mutandis to employees belonging to Jammu Division when they move to Srinagar during summer months."

This order will come into effect from November, 1998 (when the offices moved to Jammu).

By order of the Government of Jammu and Kashmir.

(Sd.) AJIT KUMAR,

Additional Chief Secretary/
Secretary to Government,
Finance Department.

No. A/52(71)-V/152

Dated 22-1-1999

Standard endorsements.

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

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Notification

Dated Jammu, the 9th February, 1999.

SRO-54.—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 State rules, namely :—

I. In J&K Financial Code Vol. I, the words ;

“Accountant General wherever appearing in rule 2.46 and 2.51 shall be substituted by the words “Accountant General/Director Audit and Inspection Organisation of Finance Department.”

II. In J&K Financial Code Vol. II, the words ;

“Audit by the Accounts Organisation of the Finance Department” appearing in rule 3rd and 4th sentence of para 2 of appendix 2 shall be substituted by the words “Accountant General or Director Audit and Inspection Organisation of Finance Department.”

III. In the J&K Treasury Code Vol. I, the words ;

“Accountant General” wherever appearing in rule 2.15 shall be substituted by the words “Accountant General/Director Audit and Inspection Organisation of Finance Department.”

IV. In the J&K Treasury Code Vol. II, the words ;

“Accountant General” wherever appearing in appendix II shall be substituted by the words “Accountant General/Director Audit and Inspection Organisation of Finance Department.”

By order of the Governor.

(Sd.) AJIT KUMAR,

Additional Chief Secretary/
Secretary to Government,
Finance Department.

No. A/83(98)-174

Dated 9-2-1999

Standard endorsements.

(Sd.) M. J. NAJAR,

Director Codes,
Finance Department.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Notification

Dated Jammu, the 10th February, 1999.

SRO-55.—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 amendment shall be made in the Jammu and Kashmir Civil Services (Medical Attendance-cum-Allowance) Rules, 1990.

In rule 7(1) of the said Rules ;

“The words and figures viz. Rs. 80/- per month shall be substituted by the words and figures Rs. 100/- per month.”

This shall be deemed to have come into effect w.e.f. 1-1-1999.

By order of the Governor.

(Sd.) M. J. NAJAR,

Director Codes,
Finance Department.

No. A/6(95)-200

Dated 10-2-1999

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Subject : Enhancement of Medical Allowance in favour of State Government Pensioners/Family Pensioners.

Reference : Cabinet Decision No. 3/2 dated 6-2-1999.

Government Order No. 9-F of 1999

Dated 10th February, 1999.

In partial modification of Government Order No. 45-F of 1995 dated 7-3-1995, it is hereby ordered that State Pensioners/Family Pensioners shall be paid Medical Allowance at the rate of Rs. 100/- (Rupees one hundred only) per month w.e.f. 1-1-1999.

By order of the Government of Jammu and Kashmir.

(Sd.) M. J. NAJAR,

Director Codes,
Finance Department

No. A/6(95)-200

Dated 10-2-1999

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Subject : Increase in the Wages of Daily Wage earners.

Reference : Cabinet Decision No. 4/2 dated 6-2-1999.

Government Order No. 10-F of 1999

Dated 10th February, 1999.

It is hereby ordered that the Daily Wage earners in all Government Departments (including the seasonal labourers employed in Gulmarg and Pahalgam Projects Organisations) and those of Municipalities and Local Bodies as are presently in the receipt of Rs. 35/- (Rupees thirty-five only) per day shall be paid wages at the rate of Rs. 45/- (Rupees forty-five only) per day w.e.f. the date of issue of this order.

By order of the Government of Jammu and Kashmir.

(Sd.) M. J. NAJAR,

Director (Codes),
Finance Department.

No. A/66(75)-199

Dated 10-2-1999

Standard endorsements.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT.

O.M. No. A/8(84)-58
Dated 15-02-1999

CIRCULAR

✓ Subject : Voluntary Retirement under Art. 230 of J&K CSRs.

A reference is requested to para 5 of Finance Departments O. M. No. A/85(95)-1151 dated 29-12-1995, where under attention has been invited to Art. 230 of J&K CSR's which, *inter alia*, provides that a Government servant may retire voluntarily from service any time after completing 20 years/ 40 years completed six monthly periods of qualifying service or 45 years of age provided that he shall give in this behalf a notice in writing to the appointing authority at least three months before the date on which he wants to retire.

2. Note 1 below Art. *ibid* provides that a Govt. servant who opts for voluntary retirement after twenty years qualifying service will not be permitted to retire under this Art, until after the fact the Government servant has completed twenty years qualifying service has been verified in consultation with the Accountant General, Note 2 below Art. *ibid* further provides that a Government servant who has elected to retire under this Art. and has given necessary intimation to that effect to the Competent authority shall be precluded for withdrawing his election subsequently except with the specific approval of the authority competent to fill the appointment, provided his request for withdrawal is made within the intended date of retirement and he is in a position to establish that there has been **material change** in the circumstances in consideration of which the notice was originally given.

3. It has been brought to the notice of the Finance Department by the Accountant General that the Heads of Departments do not follow the rules on the subject in letter and spirit particularly *vis-a-vis* the aforesaid provision of Notes 1 and 2 in relation to title verification and/or subsequent requests of withdrawal of such election, with the result the cases of pensions on voluntary retirement, which are not covered under the relevant rules, are forwarded to the Accountant General for authorising the pensionary benefits. More often pension cases are sent to the Accountant General even without verifying the title of voluntary retirement in consultation with Accountant

General as required under the aforesaid rules. Whileas in some cases the officers not competent to do so permit the official to withdraw their election, for voluntary retirement subsequently.

4. In order to arrest such tendencies and ensure strict adherence to the aforesaid provisions of rules on the one hand and in the best interest of speedy settlement of such pension cases on the other, all Departments are therefore, requested kindly to issue suitable instructions to their subordinate officers to follow the rules on the subject in letter and spirit.

5. Receipt of the circular letter may kindly be acknowledged.

(Sd.) M. J. NAJAR,

Director (Codes),
Finance Department.

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Subject : Enhancement of Medical Allowance in favour of Public Sector Undertaking Employees w.e.f. 1-1-1999.

Reference : Cabinet Decision No. 35/3 dated 12-02-1999.

Government Order No. 19-F of 1999

Dated 17th February, 1999.

Sanction is hereby accorded to the enhancement of Medical Allowance from Rs. 80/- to Rs. 100/- per month in respect of the employees of State Public Sector Undertakings w.e.f. 1-1-1999.

By order of the Government of Jammu and Kashmir.

(Sd.) AJIT KUMAR,

Principal Secretary to Government,
Finance Department.

No. A/44(85)-IV-227

Dated 17-02-1999

Standard endorsements.

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

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Subject : Release/Restructuring of COLA.

Reference : Cabinet Decision No. 35/3 dated 12-02-1999.

Government Order No. 21-F of 1999

Dated 19th February, 1999.

Sanction is hereby accorded to the :—

I) Restructuring of slab/rate of COLA w.e.f. 1-1-1997 on the basis of revised pay scales as under :—

S.No.	Revised pay range	Restructured rate of COLA admissible w.e.f. 1-1-1997
1.	Up to Rs. 2549	13.00
2.	2550-3100	17.00
3.	3101-3600	20.00
4.	3601-4000	23.00
5.	4001-4600	26.00
6.	4601-5300	30.00
7.	5301-6000	34.00
8.	6001-6600	38.00
9.	6601-7600	43.00
10.	7601-8800	50.00
11.	8801-10000	57.00
12.	10001-11200	65.00
13.	11201-12400	72.00
14.	12401-13600	80.00
15.	13601-14800	87.00
16.	14801-16000	95.00
17.	16001-17200	102.00
18.	17201-18400	109.00
19.	18401-20000	118.00
20.	above Rs. 20000	129.00

II) Permission to consider payment of left over 13 installments of COLA being drawn by the employees of State Public Sector Undertakings as per para 3 of Government Order No. 47-F of 1998 dated 19-1-1998, at restructured rates w.e.f. 01-01-1997 subject to adjustment of amount of COLA already drawn on the existing rates ;

III) Permission to consider release of 12 installments of COLA to the employees of State owned Public Sector Undertakings with effect from, 1st January, 1998 in lieu of increase in Consumer Price Index Level of Industrial workers from 1-1-1997 to 31-12-1997 on the restructured rate of COLA as per above table.

2.The payment of COLA will be considered by the Public Sector Undertakings individually in the month of April 1999 onwards depending on the availability of resources. The payment may also be made by the concerned Public Sector Undertakings in installments as per their resource position.

By order of the Government of Jammu and Kashmir.

(Sd.) AJIT KUMAR,

Principal Secretary to Government,
Finance Department.

Dated 19-02-1999

No. A/44(85)-IV-247

Standard endorsements.

(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. 37-F of 1999

Dated 15th March, 1999.

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. II/85 dated 17-12-1998 and No. CPAO/Tech/Honorarium/J&K/Vol. II/84 dated 17-12-1998.

Period	Dy. Director Funds	Typist
1-4-1997 to 31-3-1998	Rs. 2500/-	Rs. 1200/-
1-4-1998 to 30-9-1998	Rs. 1500/-	Rs. 600/-
Total	Rs. 4000/-	Rs. 1800/-

The expenditure is debitable under Major Head 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)-238

Dated 15-03-1999

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Subject : Rationalisation of Pension Structure in respect of Government Servants who retired/died prior to 01-04-1987—Speedy disposal of Pension cases.

Ref. : Government Order No. 275-F of 1998 and Govt. Order No. 276-F of 1998 dated 14-10-1998.

Government Order No. 40-F of 1999

Dated 17th March, 1999

Whereas para 15 of Government Order No. 275-F of 1998 dated 14-10-1998, *inter alia*, provides that "However, in cases where the Accountant General may not be able to finalise the Pension/Family Pension cases of the concerned due to non-availability of record, he (Accountant General) may refer such case(s) to the concerned Adm. Department for verification and the Administrative Department shall positively furnish the relevant details/information of the concerned beneficiary to the Accountant General within 15 days from the date of receipt of formal communication";

Whereas, for expeditious settlement of Pension cases, Principal Secretary to Government, Finance Department and the Accountant General have in the meetings held discussed, *inter alia*, the procedures to be laid down for proper coordination amongst the concerned departments, the Finance Department and the Accountant General's Organisation for the purpose;

Whereas it has also been decided that while Nodal Agencies for coordination of the work relating to finalisation of Pension cases expeditiously shall be nominated by the Government (Finance Department) at State/Divisional level. The Accountant General would set up two separate cells for revision of Pension/Family Pension at Srinagar and Jammu;

Whereas for expeditious settlement of Pension case with the objective of ensuring issue of necessary authorisation like Pension Payment Orders (PPO) etc. in relation to all pensionary benefits immediately after retirement of an employee within the prescribed time limits, all the Administrative departments are expected to have already constituted Review Committees under the Chairmanship of concerned Commissioner/Secretary to Government as per Finance Department's Circular Instructions issued under OM No. A/172(95)-1/455 dated 16-4-1996.

2. Now, therefore, in the context of laying down/streamlining the procedure and ensuring better and speedy settlement of Pension cases and in amplification of the procedure laid down vide Govt. Order 275-F of 1998 dated 14-10-1998 it is hereby ordered that :

- I. Assistance Cell for Retiring and Retired Employees (ACRRE) established in the Finance Department Vide Govt. Order No. 182-F of 1997 dated 3-6-1997 read with Government Order No. 136-F of 1998 dated 21-4-1998 shall function as a Nodal Agency at State Level in the Finance Department.
- II. Dy. Director Accounts and Treasuries Kashmir (Pension Cell) and the Dy. Director Funds Organisation Jammu, already identified as Nodal Agencies for speedy disposal of Pension cases of Government Servants pursuant to Government Order No. 220-GR/F 1990 dated 9-10-1990 are hereby nominated as Nodal Agencies for the purpose of requisite coordination amongst concerned Department/Finance Department (ACRRE) and Accountant General's Office.
- III. The Accountant General J&K (Pension Cell) Jammu/Srinagar shall forward the required Pension case(s) direct to the concerned Head of Department under intimation to Administrative Department concerned (Pension Review Committee) Finance Department (ACRRE) and Nodal Agencies at Jammu/Srinagar as identified herein above at para 4 (ii) requiring the concerned Head of Department to furnish the requisite relevant details/information in relation to the concerned beneficiary to the Accountant General invariably within prescribed period of 15 days from the date of receipt of Accountant General's communication as stipulated at para 15 of Govt. Order No. 275-F of 1998 dated 14-10-1998.
- IV. To obviate avoidable delays the Head of Department concerned shall directly submit the requisite details/information to the Accountant General within the aforesaid time limit invariably under intimation to the concerned Administrative Department and the Nodal Agencies at Divisional and State Level as at para 2 (I) and (II) *ibid*.
- V. Concerned Administrative Department (Review Committees) shall closely monitor the progress of settlement of Pension cases, as may be referred by the Accountant General at appropriate intervals preferably monthly and take corrective measures in relation to any bottlenecks for ensuring prompt and regular flow of requisite information/details to the Accountant General, keeping the Finance Department (ACRRE) posted with the progress.

VI Finance Department (ACRRE) shall quarterly monitor/review the progress of settlement of pension cases in consultation with the representatives of concerned Departments and Accountant General.

By order of the Government of Jammu and Kashmir.

(Sd.) AJIT KUMAR,

Principal Secretary to Government,
Finance Department.

No. A/12(98)-326

Dated 17-03-1999

Standard endorsements.

(Sd.) M. J. NAJAR,

Director Codes,
Finance Department.

Government Order No. 220-GR/F of 1990 dated 9-10-1990, OM No. A/172(95)-1/455 dated 16-4-1996, Government Order No. 182-F of 1997 dated 3-6-1997 and Government Order No. 136-F of 1998 dated 21-4-1998 have been printed with the Compendium for ready reference as Annexures I, II, III and IV.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Subject : 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.

Government Order No. 220-GR/F of 1990

Dated 9-10-1990

In supersession of Order No. 145-GR of 1990 dated 27-6-1990, the following procedure is hereby ordered to be adopted, with immediate effect, in the matter of speedy disposal of pension cases of Government servants who have retired or may retire from the Moving Offices and from the Offices located in Kashmir Valley :—

- (a) Pension Cell is hereby set up in the Office of Deputy Director, Accounts & Treasuries, Kashmir, Srinagar with immediate effect. The cell shall comprise one Assistant Accounts Officer and 4 Accounts Assistants and shall work under the direct control of Deputy Director, Accounts and Treasuries, Kashmir.
- (b) The Deputy Director, Accounts and Treasuries, Kashmir (Pension Cell) shall be responsible for vigorously following the Pension cases of the Government servants who have either already retired in the recent past or may retire hereafter from the Moving Offices and the Offices located in the Kashmir Valley. Each Pension case has thus to be chased by the Deputy Director, Accounts & Treasuries, Kashmir (Pension Cell).
- (c) The Deputy Director, Funds Organisation Jammu is hereby nominate as a Nodal Officer for receiving the aforementioned Pension cases from the Moving Offices and from the Offices located in the Kashmir Valley. He shall be provided with an additional staff of one Assistant Accounts Officer and two Accounts Assistants for this purpose.
- (d) The Deputy Director, Accounts and Treasuries, Kashmir (Pension Cell) shall be responsible to ensure that the Pension cases are promptly despatched by the concerned Heads of the Offices to the Deputy Director, Funds Organisation, Jammu under an intimation to the Advisor (P), Chief Secretary and Finance Department (Codes).
- (e) The Deputy Director, Funds Organisation, Jammu shall be responsible for diarising pension cases received by him from the

Moving Offices and the Offices located in Kashmir Valley. After cross checking each Pension case, he shall send up to 50 such Pension cases per month, to the Special Pension Cell already set up in the Office of Deputy Accountant General, Jammu, under an intimation to Advisor (P), Jammu, Divisional Commissioner, Jammu, Relief Commissioner, Jammu, Finance Department (Codes) and also to the concerned pensioner.

- (f) The Deputy Accountant General, Jammu (Special Pension Cell) shall ensure that the Pension cases received by him from the Deputy Director Funds Organisation, Jammu are processed speedily and PPOs/GPOs issued to the concerned retired/retiring officials expeditiously under intimation, among others, to the Deputy Director, Funds Organisation, Jammu.
- (g) The Deputy Director, Funds Organisation, Jammu shall be responsible to furnish to Finance Department (Codes) a monthly statement in duplicate showing the number of Pension cases received by him, number sent by him to the Deputy Accountant General, Jammu (Special Pension Cell) and the number finally settled by the Deputy Accountant General (Special Pension Cell). The Finance Department (Codes) shall forward one copy of the said statement to the Chief Secretary for his information.

2. The aforementioned procedure will apply in the following cases :—

- (a) Where a Government Servant posted in any Government Office/Organisation in the Valley has retired before the onset of "Migration" and has subsequently migrated out of the Valley without getting his Pension case processed/finalised.
- (b) Where a Government servant posted in any Government Office/Organisation in the Valley has migrated to any place outside the Valley and has subsequently retired or may retire hereafter.
- (c) Where a Government servant (not a migrant) posted in any Government Office/Organisation in the Valley or in a Moving Office has retired or may retire hereafter while so posted and may opt to have his pension case processed by the Deputy Accountant General, Jammu (Special Pension Cell).

3. The procedure prescribed in para (1) above in respect of retired/retiring Government servants as detailed in para (2) above will apply *mutatis mutandis* in the matter of settlement of Family Pension Cases in respect of those of such Government servants/pensioners who have died or may die hereafter and in respect of whom Family Pension becomes available under rules.

4. The functions of the Deputy Director, Accounts and Treasuries (Pension Cell) as laid down in sub-para (a), (b) and (d) of para (1) above shall be performed by Deputy Director, Accounts and Treasuries, Jammu in respect of Moving Government employees while the headquarters of the Government will remain in Jammu. For this purpose a Pension Cell comprising one Assistant Accounts Officer and one Accounts Assistant shall be set up in the Office of the Deputy Director, Accounts and Treasuries, Jammu.

5. The Director, Accounts and Treasuries will provide necessary staff to the Deputy Director, Accounts And Treasuries, Jammu and Deputy Director, Funds Organisation, Jammu immediately by internal adjustment.

By order of the Governor.

(Sd.) J. A. KHAN,

Commissioner/Secretary to Government,
Finance Department.

No. A/46(90)-790

Dated 09-10-1990

Standard endorsements.

(Sd.) B. L. KHAR,

Director (Codes),
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

OM No. A/172(95)-I/455
Dated 16-04-1996

Subject : Settlement of pending Pension cases.

Attention is invited to Finance Department Circular O. M. No. A/85(95)-1151 dated 29-12-1995 on the subject cited above whereunder detailed instructions for speedy disposal of Pension cases have been laid down so as to ensure that every retiree gets his pension on first of the month on which it is due. In order to ensure that the prescribed time schedule is adhered strictly, a need has been felt that a 'Small Review Committee' under the Chairmanship of Commissioner/Secretary of the Administrative Department be constituted with the following composition to review the settlement of the pending Pension cases ensuring that the cases of those Government servants who are retiring within next 24 months are initiated well in time so as to enable the retiree to get their PPO issued on the first of the month it is due :—

- (i) Commissioner/Secretary to Government concerned.
- (ii) Head of Department concerned.
- (iii) Financial Advisor and Chief Accounts Officer of the Administrative Department.

2. The Committee should invariably hold quarterly meetings so that the prescribed returns by the subordinate offices in this behalf are ensured to be submitted well in time with relevant Pension cases initiated and settled promptly and regularly. The said Review Committee should hold first meeting at least by end of April 1996 to ensure that the retiring Government servant who are to retire prior to 1-5-1996 do get their PPO's issued on 1st May, 1996 positively. The said Review Committee will have to see and sort out the bottlenecks in speedy settlement of the Pension cases of their respective Departments and take remedial measures to see through the prompt and regular settlement of the same.

3. Receipt of this OM may kindly be acknowledged.

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

Standard endorsements.

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 3rd June, 1997

Sanction is hereby accorded to the :—

- (a) establishment of Assistance 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 the 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

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

3. The Assistance 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) Cell 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 matter allied to processing and final settlement of the Pension cases etc.

(Sd.) M. S. PANDIT,

Additional Chief Secretary Finance

No. A/195(95)-541

Dated 03-06-1997

Standard endorsements.

(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).

Government Order No. 136-F of 1998

Dated 21st April, 1998

In partial modification of Government Order No. 482-F of 1997 dated 3-6-1997, it is hereby ordered that :—

- (a) The papers pertaining to ACRRE would be submitted to Addl. Chief Secretary (Finance) through Director (PSU) ;
- (b) except Shri Sunderjeet, AAO whose services are placed at the disposal of Director Codes, rest of the staff for the purpose shall continue to work in ACRRE.

By order of the Government of Jammu and Kashmir.

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

No. A/195(95)-540

Dated 21-04-1998

Standard endorsements.

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

**Subject : Rationalisation of Pension Structure for pre 1-4-1987 Pensioners/
Family Pensioner—Extension in the date for submission of
application forms by the pensioners.**

Government Order No. 60-F of 1999

Dated 15th April, 1999

Whereas rationalisation of pension structure for pre 1-4-1987 pensioners has been ordered under Government Order No. 275-F of 1998 dated 14-10-1998.

Whereas para 11 of the aforesaid Govt. order, *inter alia*, provides that each pre 1-4-1987 pensioner/family pensioners who was in receipt of Pension as on 1-1-1996 is required to apply for revision of his/her Pension in the prescribed form (in duplicate) as at Annexure II to the Pension Payment Order Issuing Authority (Accountant General) within a period of 180 days from the date of issue of these orders.

Whereas it has been felt that there may be pensioners/family pensioners particularly in far flung areas who might not have been in a position to apply for refixation of thier pension/family pension to the accountant General well in time for one reason or the other.

2. In order, therefore, to enable such of the pensioners/family pensioners (as could not submit application forms within time limit prescribed under para 11 of the aforesaid Government Order i.e. 180 days) to submit their application forms to the Accountant General, the period for submission of application to the Accountant General is hereby extended up to ending June, 1999.

By order of the Government of Jammu and Kashmir.

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

Dated 15-04-1999

No. A/12(98)-392

Standard endorsements.

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

Notification

Dated Jammu, the 20th April, 1999.

SRO-137.—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 rules be made. In J&K Degree College (U.G.C. Pay) Rules, 1991 namely ; the following shall be inserted as Rule 5-A after Rule 5.2 (c)—

5-A. Pay revision w.e.f. 1-1-1996

(i) with effect from 1-1-1996 the pay scales of the Government Degree College Teachers/Librarians/Instructors in Physical Education shall be as under :—

Post	Existing scale	Revised scale
Lecturer	2200-4000	8000-275-13500
Lecturer (Sr. Scale)	3000-5000	10000-325-15200
Lecturer (Selection Scale)	3700-5700	12000-420-18300
Reader	3700-5700	12000-420-18300
Principal	4500-7300	16400-450-20900-500-22400
Librarian	2200-4000	8000-275-13500
Librarian (Sr. Scale)	3000-5000	10000-325-15200
Librarian (Selection Scale)	3700-5700	12000-420-18300
Instructor in Physical Education	2200-4000	8000-275-13500
Instructor in Physical Education (Sr. Scale)	3000-5000	10000-325-15200
Instructor in Physical Education (Selection Scale)	3700-5700	12000-420-18300

(ii) The fixation of pay in the revised pay scale shall be made from 1-1-1996 but the salary at revised rates shall be allowed from 1-1-1999.

(iii) The matters relating to 'Exercise of Option', 'Fixation of pay in the Revised scales', 'Qualification Bar and Date of next increment' shall be governed *mutatis-mutandis* by the relevant provisions of rules as contained in the J&K Civil Services (Revised Pay) Rules, 1998 (Notification SRO-18 dated 19-1-1998) as amended from time to time to the extent these relate to pay scales.

- (iv) The payment of arrears on account of Pay Revision from 1-1-1996 to 31-12-1998 shall be decided subsequently.
- (v) The revision of pay scales shall be without prejudice to the acceptance of any other conditions in the Scheme of UGC Revision of Pay Scales, 1998.
- (vi) Four and two advance increments will be admissible to those who hold PH. D. and M. Phil Degrees respectively, at the time of recruitment as Lecturer. Candidates with D. Lit/D. Sc. will be given benefits at par with Ph. D. and M. Litt. at par with M. Phil.
- (vii) The fixation of pay of Lecturers (Selection Grade) Readers in the pre-revised scale of Rs. 3700-125-4950-150-5700 who were selected strictly in accordance with the rules and regulations framed by the U. G. C. and who were in a position as Lecturers (Selection Grade) Readers as on 1-1-1996 will be made in a manner that they get their pay fixed at the minimum of Rs. 14940/- in the revised scale of Rs. 12000-420-18300 as and when they complete five years in the grade.
- (viii) All other matters not specified in this Rule shall continue to be governed by the existing provisions contained in these Rules (J&K Government Degree College (U. G. C. Pay) Rules, 1991.

By order of the Governor,

(Sd.) AJIT KUMAR,

Principal Secretary to Government,
Finance Department.

No. A/78(88)-iii-267

Dated 20-04-1999

Standard endorsements.

(Sd.) M. J. NAJAR,

Director Codes,
Finance Department.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

O.M. No. A/30(99)-411
Dated 20-04-1999

Subject : Reimbursement of telephone bills in respect of officers retaining telephones in Delhi.

The undersigned is desired to refer Commissioner/Secretary to Government Election Department and Chief Electoral Officer to his communication dated March 11, 1999 followed by his D.O. No. Pers/SRB/99 dated 5-4-1999 to Chief Secretary regarding the subject cited above and to say that consequent upon examination of the case in the Finance Department with orders of Chief Secretary thereon it has been observed that—

The State Government had earlier allowed payment of residential telephone bills of officers who on their repatriation to the State retain their house and telephone at Delhi. This facility has now been withdrawn as there is no justification for officers posted within the State to have a telephone at the residence at Delhi for which the State Government should meet the bill. The officers while staying in the J&K House are also not entitled to any STD facility and they use the telephone of the office of the Resident Commissioner when required.

2. Accordingly the undersigned is further desired to say that the payment of bills of residential telephones at Delhi can not be made by the Government. However, if any officer has to make an official call while in Delhi, he may charge the amount of that call as reimbursement from his office expenses.

(Sd.) M. J. NAJAR,

Director Codes,
Finance Department.

Shri S. V. BHAVE,
Commissioner/Secretary to Govt.
Election Department,
J&K, Jammu.

Copy for information and necessary action to Resident Commissioner,
5-Prithvi Raj Road, New Delhi.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Subject : Constitution of High Level Committee

Government Order No. 66-F of 1999

Dated 22nd April, 1999

Whereas UNIVERSITY GRANTS COMMISSION (UGC) NOTIFICATION ON REVISION OF PAY SCALES, MINIMUM QUALIFICATIONS FOR APPOINTMENT OF TEACHERS IN UNIVERSITIES & COLLEGES AND OTHER MEASURES FOR THE MAINTENANCE OF STANDARDS, 1998 (hereinafter referred as UGC Notification 1998) has been received vide UGC's endorsement No. F-3-1/94(PS) dated 24-12-1998.

Whereas pursuant to Notification SRO-137 dated 20th April, 1999 the J&K Government Degree College (UGC Pay) Rules, 1991 have been modified promulgating pay revision w.e.f. 1-1-1996 in relation to Government Degree College Teachers, Librarians, Instructors in Physical Education in consonance with the recommendations of UGC with suitable modifications and adaptations, pending consideration of other recommendations of UGC as contained in UGC Notification 1998 in respect of College Teachers.

Whereas it has been decided that on the pattern of Joint Committee for Universities, a High Level Committee be set up for consideration of other recommendations of UGC.

Accordingly sanction is hereby accorded to the constitution of High Level Committee with the following composition for consideration of other recommendations of UGC as contained in UGC Notification 1998 :—

1. Pr. Secretary to Government, Planning and Development Department.
2. Pr. Secretary to Government, Finance Department.
3. Commissioner/Secretary to Government, General Administration Department.
4. Commissioner/Secretary to Government, Higher Education.

By order of the Government of Jammu and Kashmir.

(Sd.) AJIT KUMAR,

Principal Secretary to Government,
Finance Department.

No. A/78(88)-II-119

Dated 22-04-1999

Standard endorsements.

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

GOVERNMENT OF JAMMU AND KASHMIR—FINANCE DEPARTMENT

O.M. No. A/12(98)-460
Dated 18-5-1999

Subject : Rationalisation of Pension structure in respect of pensioners who have retired prior to 1-4-1987—Government Order No. 275-F of 1998 dated 14-10-1998—Clarification thereto.

Apropos the provision of Government Order No. 275-F of 1998 dated 14-10-1998 on the subject cited above, various doubts expressed by Accountant General/Treasury Officers/Pensioners Associations etc. have been clarified by the Finance Department vide No. A/12(98)-409 dated 15-12-1998 read with No. A/12(98)-409 dated 19-4-1999 to the Accountant General. However, in the interest of expeditious disposal of pension cases by concerned quarters the point-wise clarification made from time to time are detailed hereunder for record and reference by all the Administrative Departments/concerned quarters.

Point No.	Provisions of Government	Point of doubt	Clarifications
1	2	3	4
	As per para 1, all Pensioners/Family Pensioners who are/were in receipt of the following type of pension as on 1-1-1996 shall be revised w.e.f. 1-1-1996 :—		Since the term 'Pension' is broader term which includes 'Family Pension' as well. Moreover, the Government Order No. 275-F of 1998 dated 14-10-1998 is replica of Government of India O. M. dated 10-02-1998 and as such it is felt that there is no need to issue addendum.
	(i) Retiring Pension		
	(ii) Superannuation Pension		
	(iii) Compensation Pension		
	Invalid Pension		

average emoluments for calculation of Pension and accordingly the pension shall be calculated as on 1-4-1987 as per pension formula then prescribed.

qualifying service of 33 years, whereas in respect of pre 1-4-1987 pensioners the pension was related to a maximum of 30 years of qualifying service. The calculation of Pension of pre 1-4-1987 Pensioner on the basis of 1-4-1987 formula (i.e. calculation with reference to a maximum of 33 years) will be disadvantageous. This may please be examined and it clarified whether pension in case of those who retired prior to 1-4-1987 is to be related to a maximum qualifying service of 30 years or 33 years.

ing service applicable on he date of their retirement.

Further it is clarified that in respect of pre 1-4-1987 Pensioners/Family Pensioners, pay as on 1-4-1987 shall also be fixed under J&K Civil Services (Revised Pay) Rules, 1992 introduced vide SRO-75 dated 30-3-1992. This shall also be applicable *mutatis mutandis* to those Government servants who have retired and/or died between 1-4-1987 to 31-3-1990 to avoid anomalous position that may give rise to otherwise. However, it is reiterated, that the fixation of pay will be only notional and payment of refixation of pension shall be regulated under para 6 of Government Order No. 275-F of 1998 dated 14-10-1998.

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

Standard endorsements.

(36)

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

Subject : Scheme providing for grant of loan to Government employees through J&K Bank for purchase of Motor Vehicle/Personal Computers.

Government Order No. 82-F of 1999

Dated 31st May, 1999

Implementation of J&K Government Employees (Grant of Loan, by J&K Bank for purchase of Motor Vehicles and Personal Computers) Scheme, 1998 promulgated vide Government Order No. 164-F of 1998 dated 8-5-1998 is hereby ordered to be kept in abeyance for the time being.

By order of the Government of Jammu and Kashmir.

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

No. A/70(97)-501

Dated 31-05-1999

Standard endorsements.

(37)

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

O.M. No. A/100(96)-118
Dated 08-06-1999

Subject : Stepping up of Pay/Scale of pay under the provisions of note to Rule 5-A of J&K Civil Service Higher Standard Pay Scales Scheme Rules, 1996.

Doubts have been expressed from various quarters with regard to the manner in which the fixation of pay in favour of senior counterparts whose scale of pay is stepped up equivalent to the scale of his junior counterpart on the eve of the grant of Insitu promotion in terms of the provisions of Note to Rule 5-A of J&K Civil Service Higher Standard Pay Scale Scheme Rules, 1996.

The case has accordingly been examined in the Finance Department. The basic principle behind the stepping up of pay or the pay scale is that in the normal course that is if he has not been superceded or denied promotion or held up at Efficiency bar a senior employee should not draw a lower rate of pay/lower scale of pay than his junior. Accordingly, it is hereby clarified that the pay of the senior counterpart shall be regulated as under when his scale of pay is stepped up equivalent to that of his junior counterpart in pursuance of the above provisions of the Rules—

- (a) If the Junior official is placed in a higher scale than his senior, but does not draw more pay than the senior official. The senior official shall be allowed the same scale of pay which has been granted to his junior counterpart with effect from the date from which the junior employee has been promoted to the higher scale. The pay shall be fixed at the same stage if such a stage exists in the higher scale otherwise at the next stage in that scale. The date of annual increment of the senior shall remain unchanged :

Provided the senior official has not been superceded by the D.P.C. and the junior official has been promoted to the higher scale after following the procedure.

- (b) If the junior official is placed in a higher scale than his senior counterpart and draws pay equal to the senior official (drawing pay in the lower scale). The senior official shall be allowed the same scale of pay equal to the pay scale of his Junior with effect from the date from which the junior employee has been promoted to the higher scale. The pay of he senior employee shall remain unchanged. The date of next annual increment of the senior shall remain unchanged :

Provided the senior official has not been superceded by the D.P.C. and the junior official has been promoted to the higher scale after following the procedure.

- (c) If the junior official is placed in a higher scale than his senior and draws higher pay than the senior official (drawing pay in the lower scale). The senior official shall be allowed pay and scale of pay equal to the pay scale of his junior w. e. f. the date from which the junior employee has been promoted to the higher scale. The next increment shall be due after putting in one full incremental period of 12 months :

Provided the senior official has not been superceded by the D.P.C. and the junior official has been promoted to the higher scale after following the procedure.

Pending cases shall be decided accordingly. The powers to grant such stepping up of pay/scale of pay shall be exercised by the Authority Competent under normal rules for stepping up under Art. 77-B with Government instructions thereunder. Before giving any benefit it will be again verified that the junior official has been promoted to a higher scale under rules, the senior official has not been superceded or held up at Efficiency Bar/Qualification Bar and is otherwise eligible for promotion to the higher scale.

(Sd.) AJIT KUMAR,

Principal Secretary to Government,
Finance Department.

Standard endorsements.

(Sd.) M. J. NAJAR,

Director (Codes),
Finance Department.

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

Notification

Srinagar, the 11th of June, 1999

SRO-209.—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 Volume 1st :—

In the said regulations ;

I. the following shall be inserted as Art. 41-BBBB.

Art. 41-BBBB : The Compensatory Allowance/Border Allowance shall be allowed to the Government servants at the rates given in Annexure 'A' to this chapter. This shall be deemed to have come into effect w.e.f. 1-6-1999.

All other conditions for the grant of these allowances shall be the same as laid down in Art. 41-A, 41-AA, 41-AAA and Art. 41-BB.

II. The following shall be inserted as Annexure 'A' to Chapter III.

Annexure 'A' to Chapter III (Refer Art. 41-BBBB)

(Rates of Compensatory Allowance/Border Allowance)

Name of place in the respective Districts	Basic pay up to Rs. 2650	Basic pay from Rs. 2651-2720	Basic pay from Rs. 2721-4875	Basic pay from Rs. 4876-6060	Basic pay from Rs. 6061-7252	Basic pay from Rs. 7253-8500	Basic pay from Rs. 8501-9650	Basic pay from Rs. 9651-11300	Basic pay from Rs. 11301 and above
1	2	3	4	5	6	7	8	9	10
I. District Doda (In Winter) :									
1. Ilhaqs of Padder and Nisbat Nowgam in Kishtwar Tehsil									
II. District Leh and Kargil :									
(a) Zanaskar (throughout the year)	450/-	600/-	750/-	900/-	1050/-	1200/-	1400/-	1600/-	1800/-
(b) Noyama (Winter)									
(c) Nobra (Winter)									
(d) Drass (Winter)									
(e) Panikhar (Winter)									
(f) Abbon (Winter)									
(g) Tikkat (Winter)									

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.

Dated 22-11-1999

No. A/22(93)-941

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.