

Government of Jammu and Kashmir
Finance Department

COMPENDIUM 2002

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**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

(CODIFICATION CELL)

**ANNUAL COMPENDIUM
2002**

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**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Subject :- Regularisation of the candidates appointed against migrant vacancies from time to time—Constitution of Committee.

CIRCULAR

Attention is invited to Government Order No. 1304 of GAD of 2001 dated 9-11-2001, (copy enclosed) whereunder a Committee of Officers has been constituted to scrutinise the cases of candidates working against migrant vacancies and necessary orders of regularisation of these candidates shall be issued by the concerned administrative departments on the recommendations of the said Committee.

The undersigned is directed to request all the Financial Commissioners, Principal Secretary to Government, Commissioner/Secretary to Government to kindly submit proposal for regularisation of such of the eligible candidates who are working against migrant posts as per proforma enclosed.

(Sd.)

Director Codes,
Finance Department.

No. A/139(01)-962

Dated 07-01-2002.

Copy to the :-

Standard endorsements.

**PROFORMA FOR REGULARISATION OF CANDIDATES
APPOINTED AGAINST MIGRANT VACANCIES**

S.No.	Name of Migrant Employee	Date of birth	Designation/ Scale of pay	Place of posting at the time of migration
1	2	3	4	5
	Qualification and mode of rectt. prescribed for the post as per Rectt. Rules	Name, parentage and address of incumbent holding the migrant vacancy	Permanent reference No. and date of the original appointment order (attested photocopy to be enclosed)	
	6	7	8	
Date of birth of incumbent	Qualification of incumbent (attested photocopies to be enclosed)	Designation and scale to which appointed	Remarks	
9	10	11	12	

Certified that :—

- (I) Incumbent from S. No.....to.....have been in continuous service from the date of their appointment till date.
- (II) Following certificates have been checked and found in order (attested photocopies enclosed).
- State Subject Certificate.
 - Date of Birth/Matriculation Certificate.
 - Qualification.
 - Appointment Order.
 - Verification of Character and Antecedents Certificate.
 - Health Certificate.
- (III) If migrant employee has retired or left service or died, the fact should be mentioned in the remarks column.

Seal and signature of HOD

**GOVERNMENT OF JAMMU AND KASHMIR
GENERAL ADMINISTRATION DEPARTMENT**

Subject :— Regularisation of the candidates appointed against migrant vacancies from time to time—Constitution of a Committee.

Reference :—Cabinet Decision No. 158/13 dated 23-10-2001.

Government Order No. 1304-GAD of 2001

Dated 09-11-2001

Whereas several stop-gap appointments have been made in Kashmir Valley against migrant vacancies from time to time ; and

Whereas a No. of Writ Petitions have been filed in the Hon'ble High Court by the concerned appointees seeking regularisation on these posts ; and

Whereas the Hon'ble High Court of Jammu and Kashmir vide its judgement dated 28-06-2001 disposed of SWP No. 1309/98 and all other connected Writ Petitions with the following consent order :—

- "The State Government shall allow all the petitioners appointed against migrant vacancies to continue till an appropriate scheme for their regularisation is formulated or till the concerned migrant employees return to their duties in Kashmir Valley whichever happens earlier.
- In the event of any of the migrant vacancy post becoming a clear vacancy on any count, or any of such post having already become clear vacancy post, those petitioners, who are already working on those migrant vacancy posts, shall be considered for regularisation on such posts in accordance with law.
- In the event any of the petitioners is required to give up the job due to the return of the migrant to the Valley or for any other reason (except in disciplinary proceedings), the order

of his ouster shall not be given effect to for a period of one month to enable the petitioner concerned to avail of such remedy as may be available to him under the law including approaching this Court."

Whereas the case was further considered by the Government in consultation with Law & Finance Departments and it was decided that an Empowered Committee shall be constituted to scrutinize the cases of the concerned candidates working on migrant vacancies and necessary orders of regularisation of these candidates shall be issued by the concerned Departments on the recommendations of the said Committee.

Now, therefore, sanction is accorded to :—

the constitution of the following committee to consider regularisation of the candidates appointed from time to time on adhoc basis against the migrant vacancies in accordance with the principles outlined in the orders passed by the Hon'ble High Court in SWP No. 1309/98 and the connected petitions on 28-06-2001 :—

- (i) Financial Commissioner, Finance Department ... Chairman
- (ii) Concerned Administrative Secretary ... Member
- (iii) A representative of the General Administration Department ... Member
- (iv) Director Codes Finance Department ... Member-Secretary

It is further ordered that :

- (i) Necessary proposals shall along with all relevant details be submitted by the respective Administrative Departments to the Finance Department for placing the same before the Committee ;

- (ii) The Committee shall scrutinize the service rules of the concerned service and see if the candidates(s) fulfill the requisite qualification as prescribed under rules and other requirements and make necessary recommendations about regularization of eligible candidates to the respective Administrative Department ;
- (iii) The Administrative Department shall issue necessary orders of regularization in the light of the recommendations made by the Committee ;
- (iv) The Administrative Department shall be authorized to relax the lower/upper age limit and qualification wherever necessary and wherever recommended by the Committee ; and
- (v) Copies of orders shall be forwarded by the concerned Administrative Department to the General Administration Department and the Finance Department for record.

By order of the Government of Jammu and Kashmir.

(Sd.)

Commissioner/Secretary to Govt.,
General Administration Department.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Notification

Jammu, the 10th January, 2002

SRO-17.—In exercise of the powers conferred by proviso to section 124 of the Constitution of J&K, the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Civil Service Regulations, Volume I :—

In the said Regulations ;

The note (inserted vide SRO-409 daed 23-09-1999) below Article 185-D(II) shall be recast as under :—

“where a Central Government employees has joined State Service as a direct recruit by applying through proper channel or by resigning with proper permission and has been in State Service on 23-9-1999 or joined/joins as such thereafter, the service rendered in the Central Government shall be taken into account alongwith the State Service subject to the conditions that the total clubbed service does not exceed the required maximum qualifying service for his/her eligibility for full pensionary benefits”.

“Provided that ad hoc service/contract service/period of probation rendered under the Central Government shall not be counted as service for this purpose”.

(Sd.) J. A. KHAN,

Financial Commissioner,
Finance Department.

No. A/36(83)-974

Dated 10-01-2002.

Copy to the :—

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Subject :— Renewal of Group Janta Personal Accident Policy Scheme.

Government Order No. 9-F of 2002

Dated 11-01-2002

Sanction is hereby accorded to the :—

- (i) Renewal of Group Janta Personal Accident Policy for a further period of one year with effect from 15-1-2002 to 14-1-2003 covering 3.30 lakh employees of all categories of State Government Departments/PSUs/Autonomous Bodies (including Local Bodies)/including such of the Daily Rated Workers as have been engaged up to 31-1-1994 and continued as such in the respective departments/organisations on existing terms and conditions.
- (ii) The drawal of an amount of Rs. 1.65 crores as premium at Rs. 50 per employee per year (Rs. 44 to be subsequently recovered from each employee from the salary bill for the month of January, 2002 and Rs. 6 in respect of each employee as contribution by the Government debitable to the funds placed at the disposal of Finance Department under the following heads of account to the extent shown against each :—

a) MH 2235-Social Security & Welfare State Contribution to Janta Insurance Policy	Rs. 19,80,000 (Amount of contribution by Government)
(b) MH 8235-General and Other Revenue Fund 105-Insurance Fund Janta Ins. Policy	Rs.1,45,20,000 (Amount of recoverable from the employees)

The amount of premium of Rs. 1.65 crores being payable in the ratio of 55 : 45 to the National Insurance Co. Ltd. Srinagar and New India Assurance Co. Ltd., Jammu (jointly running the scheme) as per details indicated below against each :-

Sr. Divisional Manager, National Insurance Co. Ltd. Srinagar. Rs. 90.75 lakh

Sr. Divisional Manager, New India Assurance Co. Ltd. Jammu. Rs. 74.25 lakh

By order of the Government of Jammu and Kashmir.

(Sd.) S. AMRIK SINGH,

Director Codes,
Nodal Officer,
Finance Department.

No. FD/JI/A-VII(96-2002)MF/Part-III/4 Dated 11-01-2002.

Copy to the :-

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Notification

Jammu, the 3rd January, 2002

SRO-02.-In exercise of the powers conferred by proviso to section 124 of the Constitution of J&K, the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Civil Service Regulations, Volume I :-

In the said Regulations ;

The first para of Article 240-A(V) shall be recast as under :-

“Notwithstanding anything contained in the Article 240-A(I) to 240-A(IV) with regard to fixation of pension and maximum limits thereof, the amount of superannuation, special, retiring, compensation and invalid pension in respect of Government servants who opt for revised scales of pay of 01-01-1996 and retire on or after 01-01-1996, shall continue to be calculated at 50% of average emoluments as at present and shall be subject to a maximum to Rs. 12,500/P.M. ”

By order of the Governor.

(Sd.) J. A. KHAN,

Financial Commissioner,
Finance Department.

No. A/13(98)-II-973

Dated 11-01-2002.

Copy to the :-

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

CIRCULAR

Subject :—Renewal of Group Janta Personal Accident Insurance Policy.

Pursuant of Government Order No. 9-F of 2002 dated 11-01-2002, Group Janta Personal Accident Insurance Policy of all categories of employees has been renewed for a further period of one year from 15-01-2002 to 14-1-2003, covering three lakh thirty thousand employees of all categories (including such of the Daily Rated Workers as have been engaged up to 31-1-1994 and continue as such) of State Government Departments/PSUs/Autonomous Bodies (including Local Bodies) at the revised rates of premium and existing terms and conditions.

2. Since out of premium of Rs. 50 per employee per year, while an amount of Rs. Six in respect of each employee has been contributed by the Government, the balance amount of Rs. 44 (Rs. Forty four only) has got to be recovered from each employee by deduction from his salary bill for the month of January, 2002. However, where due to some administrative reasons the pay for the month of January, 2002 may not be drawn on due date he (the employee concerned) is required to remit the amount of premium in cash through the head of his office into the treasury concerned.

3. As regards the recovery of premium and remittance of the same in relation to employees of PSUs/Autonomous Bodies (including Local Bodies) the concerned MD/Chief Executives shall send the amount of premium by Bank Draft favouring Financial Commissioner (Finance) and supported by the schedules duly authenticated, containing all particulars i.e., Name, Parentage, Residential Address, Designation, Scale of Pay of the concerned employee. The Bank Draft alongwith supporting schedules should invariably be sent with covering letter addressed by name to the Director Codes, Finance Department (Nodal Officer).

4. While detailed instructions in relation to preparation of schedules of deduction of permium (with full particulars of employees) by the concerned DDO to accompany the salary bill for the month of

January, and subsequent submission of accounts by the Treasury Officers to District Treasury Officer concerned, then by District Treasury Officer concerned to Dy. Director Accounts & Treasuries concerned, for onward submission to the Nodal Officer (Director Codes, Finance Department) are already laid down in this department's circular instructions issued under No. FD-VII-4/2000/JIP dated 27-1-2000. The procedure has further been amplified vide this Departments circular instructions issued under No. FD/JI/A-VII(96)-2000/MF-II-570 dated 17-1-2001 wherein all the Treasury Officers have been impressed upon to **retain schedules of deductions in safe custody for record and reference as and when required and forward only the consolidated and duly compiled DDO-wise abstract of the accounts of deducation to the District Treasury Officer concerned, who will consolidate and compile the same treasury-wise and district level and then pass it on to the Dy. Director Accounts & Treasuries concerned for submission to the Nodal Officer duly consolidated and compiled treasury-wise at the divisional level, ensuring personal delivery in the Finance Department invariably by 15th of March, 2002.**

5. All the Financial Commissioners/Principal Secretaries/Commissioner/Secretaries to Government and HODs are requested kindly to ensure endorsement of these instructions to all the concerned DDOs under control of their department well in advance of the presentation of salary bills for the month of January, 2002 at respective treasuries and issue strict instructions also to concerned MDs/Chief Executive Officers of respective PSUs/Autonomous Bodies (including Local Bodies) under their administrative control for ensuring remittance of the deduction of the premium through Bank Draft to the Nodal Officer, Director Codes, Finance Department in the prescribed manner invariably by end of February, 2002.

6. Receipt of these circular instructions may kindly be acknowledged.

(Sd.) S. AMRIK SINGH,
Director Codes (Nodal Officer).

No. FD/JI/A-VII(96-2002)MF-III-6

Dated 15-01-2002.

Copy to the :-

Standard endorsements.

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

OM No. A/118(2001)-68
Dated : 17-01-2002

Subject :—Fixation of pay in terms of J&K Civil Services Revised Pay Rules, 1998.

It is the primary and foremost responsibility of every Drawing and Disbursing Officer to draw correct payments on account of pay, TA and other establishment charges in favour of establishment of whom he is the drawing officer. The payments so made should be strictly in accordance with orders issued by the Government from time to time.

It has come to the notice of the Finance Department that Drawing and Disbursing Officers fix their pay and the pay of their establishment as per the ready reckoners being published by the various private publishing agencies without application of their own mind while doing so. As all Drawing and Disbursing Officers are personally responsible for correctness of every claim lodged in the Govt. Treasuries in terms of Codal provision, standing orders from time to time their reliance on the ready reckoners published privately shall not absolve them of their official responsibilities.

In order to arrest this tendency, all the Financial Commissioners/ Principal Secretaries to Government, Commissioner/Secretaries to Government, and Heads of Departments are requested once again to enjoin upon all the Drawing and Disbursing Officers not to unduly rely upon such ready reckoners while fixing pay of any member of their establishment. The pay fixation shall strictly be made in pursuance of the substantive provisions of Rules and orders issued by the Government. The Drawing and Disbursing Officers should also review the pay fixation of their establishment and ensure corret payment of establishment charges. For clarification of any doubt the Drawing and Disbursing Officers should seek Finance Department's clarification through their Administrative Departments.

(Sd.)
Director Codes.

Copy to the :- _____
Standard endorsements, _____

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

Subject :—Regularisation of Ad hoc Appointments against Non-Gazetted posts by various departments.

A reference is invited to Government Order No. 1285-GAD of 2001 dated 06-11-2001 whereunder the Government has decided that all ad hoc appointees to Non-gazetted posts recruited from time to time beyond 29-12-1988 till the date of issuance of the above cited order who are still in service be considered for regularisation after completing seven (7) years of continuous service from the date of appointment dispensing with reference of post held by them to SSB.

The Government order *inter alia* provides that all Administrative Departments shall communicate to Service Selection Board the particulars of all such posts occupied by the ad hoc appointees which stand already referred to the Service Selection Recruitment Board and inform the Board that all such posts shall be deemed to have been withdrawn from it after particulars of such posts are received by them.

All the Administrative Departments are requested to furnish the details of such ad hoc appointees indicating the total No. in the department for their regularisation as per proforma enclosed so that their cases can be processed in Finance Department for placing them before the Empowered Committee.

(Sd.)
Director Codes,
Finance Department.

No. A/142(01)-1010

Dated 24-01-2002.

Copy to the :- _____
Standard endorsements. _____

PROFORMA

S.No.	Name & parent- age of ad hoc appointees	Date of birth	Min. qualification required for the post as per recruitment rules.	Qualification of incumbent
1	2	3	4	5

Date of appoint- ment as ad hoc appointee	Total No. of ad hoc appointees in the department	Appointing Authority	
		Ref. of the order No. and date	Salary paid From _____ to _____
6	7	8	9

- Certified that :-
1. Ad hoc appointee is a permanent resident of J&K State (attested copy of PRC enclosed).
 2. That on the date of his initial appointment his/her age was within the minimum age limit as prescribed for appointment in Government service (attested copy of DOB Certificate enclosed).
 3. The ad hoc appointee is not retiree from any State or Central Government Service or any Local Body, PSU or Autonomous Body in or outside the State.
 4. His/her work and conduct has remained satisfactory during the period he/she worked as ad hoc appointee and no disciplinary proceeding or vigilance case is pending against him/her.
 5. He/She has completed 7 (seven) years service as on _____.

6. That SSRB has been intimated by the Administrative Department that the post held by ad hoc appointee which stands already referred to SSRB have been withdrawn from it and a note of it has been made by SSRB vide their No. _____ dated _____.
7. That attested copies of qualification certificate are enclosed.

Head of Department.

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

Notification

Dated Jammu, the 4th March, 2002.

SRO-96.—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 Rule 6-A of J&K Civil Services (Medical Attendance-cum-Allowance) Rules, 1990 :-

Acharya Shri Chander College of Medical Sciences and Hospital, Jammu and "The Heart Centre", New Delhi are inserted at serial (xiv) and (xv) of the list of hospitals given in rule 6-A in the J&K Civil Services (Medical Attendance-cum-Allowance) Rules, 1990 with a provision as under :-

Provided that :-

- (a) The re-imbusement in the Hospital at serial No. (xiv) shall be levelled with that of Medical College, Jammu and for a facility which is not available within the Medical College Hospitals but is available in the SKIMS, the charges in that case shall be re-imbursed as per the rates of SKIMS.
- (b) The re-imbusement in case of Hospitals listed both at serial No. (xiv) and (xv) for facilities not available in the State shall be available at the rates applicable in AIIMS.

This will be effective from the date of issue of Government Order No. 250-F of 2001 dated 09-11-2001.

(Sd.) J. A. KHAN,
Financial Commissioner,
Finance Department.

Dated 04-03-2002.

No. A/7(94)-173

Copy to the :-

Standard endorsements.

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

Notification

Dated Jammu, the 13th March, 2002.

SRO-104.—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 Civil Services Regulations, Volume I, namely :-

In the said Regulations :-

In the Government Instruction No. 4 below Art. 77-B of J&K Civil Services Regulations the words "General Department" shall be replaced by the words "Finance Department".

By order of the Governor.

(Sd.) J. A. KHAN,
Financial Commissioner,
Finance Department.

Dated 13-03-2002.

No. A/54(82)-III-174

Copy to the :-

Standard endorsements.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Dated Jammu, the 20th March, 2002.

SRO-107.—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 I :—

In the said Regulations ;

The following shall be inserted as proviso after the end of Note 7 to Article 185 :—

“Provided that w.e.f 01-04-2002, no leave salary and pension contribution shall be payable by the State owned PSUs/ Autonomous Bodies/Corporations/Companies/Institutions in respect of the State deputationists and vice versa”.

Pending cases if any, on the date of issue of order shall be decided accordingly.

By order of the Governor.

(Sd.)

Financial Commissioner,
Finance Department.

Dated 20-03-2002.

No. A/163(96)-236

Copy to the :—

Standard endorsements.

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT

O.M. No. A/44(85)-IV-326
Dated 8th April, 2002.

Subject : Notification regarding COLA to the employees/workers of State owned PSUs 1-1-2002.

1. Whereas COLA to the employees of PSUs is released in relation to increase in All India Industrial Consumer Price Index Level notified by the Labour Bureau, Simla and the price index has been received from the concerned quarter ;
2. Whereas the Government has been also extending the financial assistance/budgetary support to the PSUs despite its own financial constraints, and the same has been decided to be converted into loan assistance from the year 2001-2002 ;
3. Whereas under an MOU signed with the Government of India, the total budgetary support to the PSUs is required to be gradually reduced by 10% every year ;
4. Whereas the PSUs are required to generate adequate resources for making payment of wages and pending instalments of “COLA” to its employees ;
5. Now therefore, the Government hereby notifies that eight instalments of COLA have become due to the employees of PSUs calculated as per movement of average CPI from January, 2001 to December 2001 effective from 01-01-2002 and as such, the rates, on the restructured rate of COLA are indicated in the table given below :—

S.No.	Pay range (after last Revision)	Restructured rate of COLA per instalment	Amount of COLA (pm) corresponding to 8 Instalments
1	2	3	4
1.	Up to Rs. 2549	13.00	Rs. 104.00
2.	2550-3100	17.00	Rs. 136.00