

S.No.	Points of doubt	Reply
	highest scale in the Govt. plus Dearness pay thereupon even if pension/family pension exceeds the maximum limit by including NPA.	
(ix)	There are certain existing family pensioner as on 31-03-2004 who are not in receipt of any DA on family pension as they are themselves in Govt. service. Whether in their case dearness family pension equivalent to 50% of family pension is also to be allowed presuming that they were in receipt of DA on such family pension.	DA equal to 50% of the basic pension has been treated as Dearness pension and an employee who is in receipt of family pension on account of his spouse is not paid DA so question of DP does not arise.
(x)	Whether any fresh option is required for payment of revised commuted value of pension in case of those employees who have retired on or after 1-4-2004 and in whose case commuted value of pension stands already authorized by AG's office. The clarification is sought keeping in view that revision of commutation would result in reduction of home take pension.	Fresh option is required for revised commuted value of pension.

Yours faithfully,

(Sd.) .....

Director Codes,  
Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

**Subject :--** Fixing of ceiling on Residential Telephone bills and providing of  
Cell phone facility.

-----  
Government Order No. 31-F of 2005

Dated 11-02-2005

It is hereby ordered that Govt. Order No.246-F of 2003 dated  
15-12-2003 shall not apply to residential telephone of the Hon'ble Chief  
Minister and the Hon'ble Dy. Chief Minister.

(Sd.) B. R. KUNDAL,

Principal Secretary to Govt.,  
Finance Department.

No. A/57(2003)-181

Dated 11-2-2005

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

Notification

Dated Jammu, the 14th February, 2005

SRO-35.--In exercise of the powers conferred under provision to section 124 of the Constitution of Jammu and Kashmir the Governor is pleased to direct to make the following amendments in the G. P. Fund Rules contained in Appendix XVI-A of the Jammu and Kashmir Civil Service Regulations Volume II, namely :-

In the said Regulations, sub-clause (e) of Note 6 (1) below Rule 9 (2) as inserted vide SRO-241 dated 5-8-1984 shall be recast as under :-

“Managing Director/Joint Managing Director, SRTC, Jammu/ Kashmir shall be competent to sanction ordinary/special advances and withdrawals from G.P Fund to the employees of SRTC and FA/CAO, SRTC is authorized to draw the advances/withdrawals from G.P. Fund from the Treasuries for disbursement to the concerned.”

By order of the Governor.

(Sd.) B. R KUNDAL,

Principal Secretary to Govt.,  
Finance Department.

No. A/56-(63)-I-185

Dated 14-2-2005

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

Subject :--Constitution of Committee for review of Codal Books.

Govt. Order No. 33-f of 2005

Dated 14-2-2005

Sanction is accorded to the constitution of Committee comprising of following officers to review J&K CSR, Financial Code, Book of Financial Powers, Budget Mannual, Treasury Code, PWD Acctt. Code, CSR Leave Rules, Medical Attendance Rules, G.P.F Rules and S.L.I. Rules for additions/ alterations /deletions wherever required :

S/Sh.

- |                       |                                 |
|-----------------------|---------------------------------|
| (i) Mohd Rafiq        | Chief Accounts Officer, PSU, FD |
| (ii) Gh. Nabi Ahanger | AAO, W.W.Divn. Srinagar         |
| (iii) Shafiq-UI Islam | AAO, Codes Section, FD.         |
| (iv) N.K. Gupta       | do.                             |

The committee shall report weekly progress to Director Codes, Finance Department.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to Govt.,  
Finance Department.

No. A/22-(76)-II-192

Dated 14-2-2005

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

CIRCULAR

It has come to the notice of the Finance Department that pay fixation of some of the employees at the time of grade revisions, functional/in-situ promotions have not been effected correctly resulting in excess drawals of amount from the treasury.

At the time of retirement while verifying the pay fixation, the Accountant General effects recovery of excess amount drawn from pensionary benefits i.e. gratuity etc. Feeling aggrieved the effected pensioners seek the refuge of Art. 242 of J&K CSRs through court, dragging Accountant General/Finance Deptt. in litigations.

Keeping this fact in view and undue burden caused to the State exchequer, the Financial Commissioner/Prpl. Secy./Commr./Secy./ Secretaries of all the Administrative Departments are requested to issue necessary instructions to the HODs/Drawing and Disbursing Officers subordinate to them to get the pay fixation of the employees checked/verified by the Audit parties of Accountant General/Director Audit Inspections by providing Service Books and related record and obtain verification certificate to this effect on the service book of each employee. The preferences may be attached to employees who are to retire within next three to four years. In case audit of the office is not expected in near future the service records (Service Book) of such of employees may be sent to Audit office for verification so that excess amount if drawn is recovered before the superannuation of the employee.

In case the Accountant General points out recovery of any amount in future from the retiree after 30-4-2005 the concerned Head of the office/Drawing and Disbursing Officers shall be responsible and any excess drawn shall be recovered from the defaulter. The FA & CAO shall exercise proper check to ensure financial discipline. He/she shall manage retirement list of employee for three years with requisite certificate from DDOs of the Deptt.

(Sd.) .....

Director Codes,  
Finance Department.

No. A/60(78)-194

Dated 14-2-2005

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

The Accountant General,  
Jammu and Kashmir, Srinagar.

No. A/31(2004)-250

Dated : 25-2-2005

Subject : Merger of 50% DA.

Sir,

Kindly refer your letter No.PNR/1/A(c)2004 dated 17-2-2005 on the subject cited above. In this connection the item-wise reply is given as under :

**Item No. 1.--**With regard to payment of residual amount of commuted value of pension, your attention is invited to this Depts. communication No. A/12(98)-III dated 14-9-2001 whereunder it was clarified that on revision no residual commuted value of pension shall be payable to the family members of the deceased Govt. servant. It was in the back drop that the level of commutation had been raised from 33% to 40%.

In the present situation the DA equal to 50% of basic pay has been treated as Dearness pay and it will count for pensionary benefits and the situation is not alike had the orders of merger of DA with basic pay been issued on 1-4-2004 itself, the deceased would have drawn commuted value accordingly.

Keeping this in view, it is again clarified that the family of the deceased Govt. servant who had opted for commutation of pension shall be eligible for payment of revised commuted value of pension.

**Item No. 2.--**The necessary amendments are being issued shortly with regard to maximum and minimum Pension/Family Pension. It is again clarified that there will be no change in amount of minimum and maximum basic Pension, Family Pension payable to employees/their

families who retired/died prior to 1-4-2004. Dearness Pension or Dearness Family Pension equivalent to 50% of Pension/Family Pension shall however, be payable only on those cases where DA on such pension/ Family pension was admissible prior to 1-4-2004 under rules.

**Item No.3--**The case has been taken up for in depth study and appropriate orders of the Govt. will be intimated in due course of time.

(Sd.) .....

Director Codes,  
Finance Department.



GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

Subject : Grant of Honorarium to the Deputy Director Funds Organization,  
Jammu and to his typist.

Government Order No. 36-F of 2005

Dated 1-3-2005

Sanction is hereby accorded to the payment of honorarium to the following officer/official of Funds Organization, Jammu w.e.f 1-4-2003 to 31-3-2004 for attending the work relating to disbursement of pension to Migrant Central/Civil Pensioners of Kashmir Valley.

- |                                |     |            |
|--------------------------------|-----|------------|
| 1. Dy. Director J&K Funds Org. | ... | Rs.2500.00 |
| 2. Typist                      | ... | Rs.1200.00 |

The order is issued with the agreement of Chief Controller of Pensions, Ministry of Finance, Government of India, conveyed vide their sanction No. CPAO/Tech./Honorm/J&K/Vol-III/2001-05/921 dated 10-11-2004.

The expenditure is debitable to M.H. 2071-Pension and Other Retirement Benefits (ii)-Other Expenditure.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

No. A/81(90)-I-1419

Dated 1-3-2005

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

CIRCULAR

Attention of All Financial Commissioners/Principal Secretaries/ Commr. & Secretaries and Secretaries to Government is invited to Rule 7 of SRO-64 dated 24th March, 1994, which reads as under :--

- (i) with effect from the commencement of these Rules/no field/ subordinate officer shall have the power for engagement of a Daily Rated Worker or Work Charged Employee in the Department and the existing delegation, if any, in this regard is withdrawn :

Provided that the Competent Authority may engage Casual Labour, or Seasonal Labour in any of the Departments to be specified by Notification from time to time by the Government and such Labour shall be on the Muster Roll for payment of wages and no engagement or appointment order shall be issued.

- (ii) After the commencement of these rules the work charged posts shall be created only by the Administrative Departments in consultation with the Finance, Planning and Development Department.

The powers to engage Daily Rated Workers in any form stands withdrawn. Only Casual/Seasonal labourers for specified works can be engaged with the approval of the Competent Authority.

It has come to the notice that in violation of said SRO Daily Rated Workers have been engaged by some departments. Such engagements are without jurisdiction and therefore are not legally valid.

The Cabinet in its Decision No. 151 dated 31-01-2001 noted with concern that such engagements are unauthorized and ordered that all such Daily Rated Workers engaged after the ban if they have been performing duties, shall be paid their wages up to 31-01-2001 after which their services shall be terminated/ disbanded as these engagements have been un-authorized.



In order, therefore, to have the correct position, all the Financial Commissioners/Principal Secretaries/Commr. & Secretaries and Secretaries to Government are requested to communicate the information regarding such engagements if any made with order No. and date to this department in the pro forma enclosed.

This is required in connection with the ongoing Budget Session. The information be made available positively within a week's time.

(Sd.) .....

Principal Secretary,  
Finance Department.

Dated 17-3-2005

No. A/38(2005)-356

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**Pro forma**

S. No.	Name of the office/ department	Ref. of order No. and date under which engaged.	Status of the engagee	Source of payment	Total
			DRW CL Seasonal		

Signature of Drawing & Disbursing Officer.

Countersigned by the Head of the Department.



GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

CIRCULAR

Subject : Stepping up of Pay

It has been observed that the departments without going through the details refer cases to the Finance Department for stepping up of pay. In this connection attention is invited to relevant rules, viz. Article 77B of J&K CSR Vol-I, SRO-225 dated 4-7-1997, SRO-539 dated 10-12-1999, SRO-104 dated 13-3-2002 read with clarifications issued from time to time. The department have to get themselves fully satisfied that the case merits consideration in light of the above referred rules/clarifications and after seeking consultation of Financial Advisor & CAO of the department shall recommend the case to Finance Department.

This department have been even receiving stepping of pay cases which do not at all attract relevant provisions which in turn hamper the normal working. It has also been observed that the departmental officers especially Education, PWD, Police Department sanction stepping up of pay at their own level thus exercising powers which are beyond their competence. Such payments are classified as irregular and recoveries are effected by the Audit office at the time of retirement.

In order to arrest this tendency all the Administrative Departments are advised to issue necessary instructions to their subordinate Heads of Departments/Drawing and Disbursing Officers not to go beyond delegated powers which otherwise effect the State exchequer. Any such case noticed in future the amount involved by issuance of such a irregular sanction shall be recovered from such officer deviating financial cannons.

Receipt of these circular instruction may kindly be acknowledged..

(Sd.) .....

Principal Secretary to Government,  
Finance Department.

No. A/110(2002)-363

Dated 22-3-2005

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

CIRCULAR

It has been pointed out by the Accountant General (Audit), Srinagar vide D.O. No. AG. Sectt/2004-05/58 dated 02-07-2004 (copy enclosed) that the Executive Divisions of PHE, R&B, I&FC and Electric Departments execute major portions of the works by engagement of labour on hand receipts (Form-28) or purchasing material/equipment supplied by Labour Mates. It has been further pointed out that making Form 28 an instrument for making such payments besides being violative of codal provisions is also fraught with the risk of work being executed at higher rates, which can lead to double payments. Otherwise also the payments made through hand receipts are not susceptible to proper detailed audit checks and by this method the vouchers are split up at divisional level to keep these within the competence of Executive Engineers. The Accountant General Audit has further pointed that the said irregular practice adopted by the executing divisions has time and again been brought to the notice of concerned Executive Engineers through monthly audit notes but the non-compliance of the codified procedure continues to persist. This type of practice adopted is violative of codal provisions and needs to be stopped forthwith.

It is therefore, enjoined upon the concerned Heads of Departments to issue necessary instructions to their subordinate officers under their administrative control to stop the unhealthy practice and act as per the rules/prescribed codal procedures under PWD Code failing which a list of defaulting officers will be framed for appropriate action.

(Sd.) .....

Financial Commissioner,  
Finance Department.

Dated 18-5-2005

No. A/30(61)-1207

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ACCOUNTANT GENERAL (AUDIT)  
JAMMU AND KASHMIR, SRINAGAR/JAMMU

D.O. No. AG Sectt/2004-05/58  
Dated 2-07-2004

Dear Ajit Kumar,

As per provisions of paras 198-200 of PW A/c Code, the payment of daily labour through contractor instead of Muster Roll is objectionable except in cases of great emergency like urgent repairs of canal breaches where labourers are usually employed for short periods.

Notwithstanding the provisions referred to above the executing divisions of PHE, R&B, I&FC and Electric Departments execute major portions of their works by taking recourse to making payments to labour mates on Form-28 (Hand Receipts) for engagement of labour or material/equipment supplied by them. Making Form-28 an instrument for making such payments besides being violative of codal provisions is also fraught with the risk of works being executed at higher rates and can also lead to double payments. The payments made through Hand Receipts are also not susceptible to proper/detailed audit checks due to huge number of vouchers involved as vouchers are generally split-up at divisional level to keep them within the financial competence of the Executive Engineers.

This office has been bringing the irregular practice adopted by the executing divisions to the notice of the concerned Executive Engineers through monthly Audit. Notes but non-compliance of the codified procedure continues to persist. The matter is as such brought to your notice with the request that necessary instructions may please be issued to the respective Heads of Departments to stop the practice forthwith and follow the laid down procedure in letter and spirit.

With regards.

Yours Sincerely,  
(Sd.) DR. SUDHIR KUMAR, IAAS,  
Accountant General (Audit).

Sh. Ajit Kumar, IAS,  
Addl. Chief Secretary (Finance),  
J&K Government, Civil Sectt. Srinagar.

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

Subject : Enlistment of Magazines "Aalove" and "LO" in Book of Financial Powers.

Ref. : Information Department's U. O. No. ID(A)37/2004 dated 9-8-2004.

Govt. Order No. 115 of 2005

Dated 06-06-2005

Sanction is hereby accorded to the enlistment of Magazine "Aalove" and "LO" at Sr. No. 114(a) chapter 5.9 of Book of Financial Powers. The "J&K News" and "News Line" appearing therein shall be deleted.

By order of the Government of Jammu and Kashmir

(Sd.) B. R. KUNDAL,

Financial Commissioner,  
Finance Department.

No. A/68(2001)-III-942

Dated 06-06-2005

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

Notification

Dated Srinagar, the 13th of June, 2005

SRO-163.--In exercise of the powers conferred under proviso to section 124 of the Constitution of Jammu and Kashmir the Governor is pleased to direct that the following amendment shall be made in the Jammu and Kashmir Civil Service (Revised Pay) Rules, 1992 :--

In the said Rules, a proviso shall be incorporated in Schedule to SRO-75 dated 30-3-1992.

“The Selection Grade District and Sessions Judges and District and Sessions Judges/Additional District and Sessions Judges only shall be deemed to have been placed in the pay scale of 5100-150-6300 and 4500-150-5700 in place of 3300-5050 and 3150-4500 respectively. The benefit shall be available notionally from 1-4-1987 and monetarily from 1-4-1990.

By order of the Governor.

(Sd.) B. R. KUNDAL.

Financial Commissioner,  
Finance Department.

Dated 13-6-2005

No. A/71(98)-I-638

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

**CIRCULAR**

It has been observed that the departments are referring cases to Finance Department without obtaining views/opinion of Financial Advisor and Chief Accounts Officers posted in the respective Administrative Departments who would guide them in proper disposal of cases within the ambit of delegated powers without reference to Finance Department.

It is impressed upon all the departments that henceforth Finance Department will accept U.O. Case files/References/Cabinet Memoranda only after the opinion/views of FA & CAO of the concerned Deptts. along detailed Financial Analysis of the proposals contained therein.

(Sd.) .....

Director Codes,  
Finance Department.

Dated 16-06-2005

No. A/49(83)-III-temp-367

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT--FINANCE DEPARTMENT

Notification

Dated Srinagar, the 16th of June, 2005

SRO-170.—In exercise of the powers conferred under proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendment shall be made in the Jammu and Kashmir Civil Service (Revised Pay) Rules, 1998 :—

In Rule 15 following shall be inserted as Note-1 below sub-para (e),

Note-1 : With effect from 01-04-2005,

- (i) The existing undergraduate teachers carrying the pay scale of Rs. 3050-4590 shall be placed in the pay scale of Rs. 4000-6000.
- (ii) The existing teachers having qualification as graduation and above, carrying pay scale of Rs. 4000-6000 shall be placed in the pay scale of Rs. 4500-7000 ;
- (iii) The existing Masters in the pay scale of Rs. 5700-10100 shall be placed in the pay scale of Rs. 6500-10500.
- (iv) The new/future appointment to the post of teachers shall continue to be made in pursuance of sub-para (e) of Rule 15 *ibid*.
- (v) The existing +2 Lecturers (PGT) in Higher Secondary Schools carrying the pay scale of Rs. 6700-10900 and existing Sr. Lecturers in the pay scale of Rs. 7500-12000 shall be placed in a common pay scale of Rs. 8000-13500. The existing Sr. Lecturers in the pay scale of Rs. 7500-12000 shall be allowed two advance increments, while fixing their basic pay in the pay scale of Rs. 8000-13500 provided



that such Lecturers shall draw their next increment after putting in one full incremental period i.e. One year after such fixation.

(vi) The fresh/new recruitments to the post of +2. Lecturers (PGT) in Higher Secondary Schools, shall continue to be made in existing pay scale of Rs. 6700-10900 ;

(vii) Provided that:

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

(a) In case the minimum of the upgraded pay scale is higher than the pay drawn in the existing pay scales, the pay be fixed at the minimum ;

(b) In case the pay drawn in the existing pay scale coincides with the stage of pay in the upgraded pay scale, the pay be fixed at the same stage ;

(c) In case the pay in the existing scale is drawn at a stage falling between the two stages of the pay in the upgraded pay scale, the pay be fixed at the next higher stage ;

(d) The date of increment in all the above three cases shall remain unchanged except where the pay in the pre-upgraded scale was drawn at the maximum thereof. In the latter case next increment in the pay scale of the upgraded post shall be drawn after the full incremental period (one year) reckoning from the date of upgradation.

(2) The benefit of upgraded pay scales allowed to teachers/Masters shall constitute as higher pay scale for the purpose of computation of benefits under J&K