

Settled cases shall, however, not be reopened.

By order of the Governor

(Sd.) B. L. MATTOO

Minister/Secretary to Govt.
Finance Department
Dated 21-06-2006

No. A/106 (96)-743

(Copy to the :-

- 1 Advocate General J&K, Srinagar
- 2 All Financial Commissioners
- 3 Accountant General, Srinagar/Jammu
- 4 All Principal Secretaries to Government
- 5 All Commissioners/Secretaries to Government
- 6 Resident Commissioner, 2-Prithvi Raj Road, New Delhi
- 7 Divisional Commissioner, Srinagar/Jammu
- 8 Commissioner of Vigilance, J&K, Srinagar
- 9 Secretary to Chief Justice, J&K High Court, Srinagar/Jammu
- 10 Registrar General, J&K High Court, Srinagar/Jammu
- 11 Director General, Accounts & Treasuries, J&K
- 12 All Head of Departments/Managing Director/Chief Executive of State PSUs/Autonomous Bodies
- 13 Secretary to Governor/Chief Minister/Public Service Commission
- 14 Legislative Assembly/Legislative Council
- 15 All District Development Commissioners
- 16 Director Budget, Finance Department
- 17 Director/Dy. Director, Fund Org., Srinagar/Jammu
- 18 Director/Dy. Director, Audit and Inspection, Finance Department
- 19 IA & CAO, Flood Control and Hydel Projects, Srinagar/Jammu
- 20 Director, Information J&K, Srinagar/Jammu
- 21 Principal, Northern Zonal Accountancy Training Institute, Srinagar/Jammu
- 22 Principal, Accountancy Training School, Srinagar
- 23 All Financial Advisers & CAOs
- 24 All Treasury Officers/District Treasurers (Officers

24. General Manager, Govt. Press for publication in Government Gazette.
25. Chief Accounts Officer, Examiner Local Fund Audit Cell.
26. Private Secretary to Minister/State Ministers/Deputy Ministers for information to the Hon'ble Ministers.
27. Private Secretary to Chief Secretary.

(Sd.) B. L. MATTOO,
Director (Codes),
Finance Department.

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

Notification

Srinagar, the 21st June, 2006.

SRO-209.—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 Vol-II namely :—

In Annexure "A" of Rule 5 of the Appendix 6 of J&K Financial Code Vol-II,

Column No. 6 of S. No. 9-A (State Garages Drivers) shall be recast as under :—

Two sets of Terri-cot uniform shall be issued at the time of first appointment and it shall be renewed by only one set after completing the life of one year from the date of issue."

By order of the Governor.

(Sd.) B. B. VYAS.

Commissioner/Secretary to Govt.,
Finance Department.

No. A/6 (62)-209

Dated 21-06-2006.

Copy to the :

1. Advocate General J&K, Srinagar.
2. All Financial Commissioners.
3. Accountant General, Srinagar/Jammu.
4. All Principal Secretaries to Government.
5. All Commissioner/Secretaries to Government.
6. Resident Commissioner, 5-Prithvi Raj Road, New Delhi.
7. Divisional Commissioner, Srinagar/Jammu.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Srinagar the 21st June, 2006

ART-209 - 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 Vol-II namely :-

In Annexure "A" of Rule 2 of the Appendix 6 of J&K Financial Code Vol-II,

Column No. 6 of S. No. 9-A (State Garages Drivers) shall be recast as under :-

Two sets of Form-1 uniform shall be issued at the time of first appointment and it shall be renewed by only one set after completing the life of one year from the date of issue.

By order of the Governor.

(Sd.) B. B. VYAS,

Commissioner/Secretary to Govt.
Finance Department.

Dated 21-06-2006.

No. A/6 (62)-209

Copy to the :

1. Advocate General J&K, Srinagar.
2. All Financial Commissioners.
3. Accountant General, Srinagar/Jammu.
4. All Principal Secretaries to Government.
5. All Commissioner/Secretaries to Government.
6. Resident Commissioner, 2-Prithvi Raj Road, New Delhi.
7. Divisional Commissioner, Srinagar/Jammu.

8. Commissioner of Vigilance, J&K, Srinagar.
9. Secretary to Chief Justice, J&K High Court, Srinagar/Jammu.
10. Registrar General, J&K High Court, Srinagar/Jammu.
11. Director General, Accounts & Treasuries, J&K.
12. All Head of Departments/Managing Director/Chief Executive of State PSUs/ Autonomous Bodies.
13. Secretary to Governor/Chief Minister/Public Service Commission Legislative Assembly/Legislative Council.
14. All District Development Commissioners.
15. Director Budget, Finance Department.
16. Director/Dy. Director, Fund Org., Srinagar/Jammu.
17. Director/Dy. Director, Audit and Inspections, Finance Department.
18. FA & CAO, Flood Control and Hydel Projects, Srinagar.
19. Director, Information J&K, Srinagar/Jammu.
20. Principal, Northern Zonal Accountancy Training Institute, Jammu.
21. Principal, Accountancy Training School, Srinagar.
22. All Financial Advisors & CAO's.
23. All Treasury Officers/District Treasuries Officers.
24. General Manager, Govt. Press for publication in Government Gazette.
25. Chief Accounts Officer, Examiner Local Fund Audit Cell.
26. Private Secretary to Minister/State Ministers/Deputy Ministers for information to the Hon'ble Ministers.
27. Private Secretary to Chief Secretary.

(Sd.) B. L. MATTOO,

Director (Codes),
Finance Department.

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

**Subject :—Payment of Dearness Allowance to State Government
Employees—Revised rates effective from 1-1-2006.**

Reference :—Cabinet Decision No. 138/6 dated 24-06-2006.

Government Order No. 194-F of 2006.

Dated 27-06-2006.

In continuation to Govt. Order No. 133-F of 2006 dated 3-4-2006 it is hereby ordered that the State Government Employees including Work Charge/whole time contingent paid employees working in regular time scales of pay shall be paid additional instalment of Dearness Allowance @ 3% of Basic Pay from 01-01-2006. The revised rates will be as under :—

Date from which payable	Existing rate of DA (including previous instalment)	Revised rate of DA
01-01-2006	21%	24%

1. The term 'Basic Pay' for the purpose of calculation of Dearness Allowance shall be the pay drawn in the prescribed scale of pay, including Dearness Pay, stagnation personal pay but shall not include any other type(s) of pay like special pay or personal pay granted for the promotion of Small Family Norms.
2. The arrears on account of revision of DA as per above enhanced rates w.e.f. 1-1-2006 to 30-6-2006 shall be credited to individual GP Fund Accounts of the employees. However, from 1-7-2006, the enhanced DA shall be paid in cash. Such of the Government employees who have retired or may retire up to 30-6-2006 shall be paid arrears in cash.

3. The payment on account of Dearness Allowance involving a fraction of 50 paise and above shall be rounded off to the next rupee and the fraction of less than 50 paise shall be ignored.
4. The provisions of this order shall also apply, *mutatis-mutandis*, in the case of officers of All India Services.

By order of the Government of Jammu and Kashmir.

(Sd.) B. B. VYAS,

Commissioner/Secretary to Govt.,
Finance Department.

No. A/24 (2K)-II-771

Dated 27-06-2006.

Cppy to the :

1. Advocate General.
2. All Financial Commissioners.
3. All Principal Secretaries to Government.
4. All Commissioner/Secretaries to Government.
5. Resident Commissioner, 5-Prithvi Raj Road, New Delhi.
6. Divisional Commissioner, Srinagar/Jammu.
7. Accountant General, Srinagar/Jammu.
8. Commissioner of Vigilance, J&K Srinagar.
9. Secretary to Chief Justice, J&K High Court, Srinagar/Jammu.
10. Registrar General, J&K High Court, Srinagar/Jammu.
11. All Head of Departments/Managing Director/Chief Executive of State PSUs/ Autonomous Bodies.
12. Secretary to Governor/Chief Minister/Public Service Commission/ Legislative Assembly/Legislative Council.
13. All District Development Commissioners.
14. Director/Dy. Director, Accounts & Treasuries Srinagar/Jammu.
15. Director/Dy. Director, Fund Org., Srinagar/Jammu.
16. Director/Dy. Director Audit and Inspections, Finance Department.
17. FA & CAO, Flood Control and Hydel Projects, Srinagar.
18. Director, Information J&K, Srinagar/Jammu.
19. Principal, Northern Zonal Accountancy Training Institute, Jammu.
20. Principal, Accountancy Training School, Srinagar.

21. All Financial Advisors & CAO's.
22. All Treasury Officers/District Treasuries Officers.
23. General Manager, Govt. Press for publication in Government Gazette.
24. Chief Accounts Officer, Examiner Local Fund Audit Cell.
25. Private Secretary to Minister/State Ministers/Deputy Ministers for information to the Hon'ble Ministers.
26. Principal Private Secretary to Chief Secretary.
27. All Officers/Sectional Officers of Finance Department.
28. President Non-Gazetted/Lower Grade Employees Union Civil Secretariat.

(Sd.)

Director Budget,
Finance Department.

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

Subject :—Payment of Dearness Allowance to State Government Pensioners/Family Pensioners—Revised rates effective from 1-1-2006.

Reference :—Cabinet Decision No. 138/6 dated 24-06-2006.

Government Order No. 195-F of 2006.

Dated 27-06-2006.

In continuation to Govt. Order No. 134-F of 2006 dated 3-4-2006 it is hereby ordered that the State Government Pensioners/Family Pensioners shall be allowed additional instalment of Dearness Allowance @ 3% of Basic Pension from 01-01-2006.

Existing rate of DA	Revised rate of DA	Date from which payable
21%	24%	01-01-2006

- (i) Payment of DA involving a fraction of a rupee shall be rounded to the next rupee.
- (ii) Personal pension if any, will not be taken into account for determining DA on Pension.
- (iii) The other provisions governing grant of Dearness Allowance on pension/Dearness Pension/Family Pension such as regulation of DA during employment/re-employment, regulation of DA where more than one pension is drawn etc. and other provision of the existing orders/rules (as are not in conflict with the provisions of this order) shall continue to remain in force.
- (iv) The Dearness Allowance as per this order shall henceforth be paid by the concerned Treasury Officers/paying branches of the

J&K Bank without waiting for further authorization from the Accountant General/General Manager, J&K Bank as per the practice in vogue.

By order of the Government of Jammu and Kashmir.

(Sd.) B. B. VYAS,

Commissioner/Secretary to Govt.,
Finance Department.

No. A/24 (2K)-II-772

Dated 27-06-2006.

Copy to the :

1. Advocate General.
2. All Financial Commissioners.
3. All Principal Secretaries to Government.
4. All Commissioner/Secretaries to Government.
5. Resident Commissioner, 5-Prithvi Raj Road, New Delhi.
6. Divisional Commissioner, Srinagar/Jammu.
7. Accountant General, Srinagar/Jammu.
8. Commissioner of Vigilance, J&K, Srinagar/Jammu.
9. General Manager (Adm), J&K Bank, Srinagar/Jammu.
10. Secretary to Chief Justice, J&K High Court, Srinagar/Jammu.
11. Registrar General, J&K High Court Srinagar/Jammu.
12. All Head of Departments/Managing Director/Chief Executive of State PSUs/Autonomous Bodies.

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

Circular

It has come to the notice of Finance Department that few departments continue to bestow undue benefits of seniority and promotion to the officers relating to the period of "Dies-non" especially in case of those officers who have not returned within the stipulated time from the foreign countries, and in whose case period of absence has been treated as such. In this way, these departments are violating the Codal rules laid down by the State Government.

2. The Finance Department vide SRO-514 of 1999 dated 22nd November, 1999 has broadly explained the term "Dies-non" which *inter-alia* states that :

- (i) "Dies-non" shall not count for experience ;
- (ii) During "Dies-non" the concerned Government Servant shall not be entitled for promotion ;
- (iii) the concerned shall lose seniority in his cadre/category by the period which is treated as "Dies-non".

3. It is thus evident that no department is authorized to count the period of "Dies-non" for experience, promotion and seniority.

4. Finance Department, as such, once again impresses upon all the departments to observe the rules in letter and spirit to avoid bestowing such undue benefits to employees who have abandoned their responsibilities in search of greener pastures. They are further advised to locate such cases where codal formalities have been flouted and initiate disciplinary action against the defaulters under intimation to Finance Department.

5. Health and Medical Education Department and Education Department may kindly take special note of the circular.

(Sd.) B. L. MATTOO,

Director (Codes),
Finance Department.

No. A/72 (93)-698

Dated 12-07-2006.

Copy to the :

1. All Financial Commissioners.
2. All Principal Secretaries to Government.
3. All Commissioner/Secretaries to Government.
4. All Secretaries to Government.

Advocate General, J&K, Srinagar
 All Financial Commissioners
 All Principal Secretaries to Government
 All Commissioners/Secretaries to Government
 Resident Commissioner, Jammu & Kashmir
 Divisional Commissioner, Srinagar/Jammu
 Accountant General, Srinagar/Jammu
 Commissioner of Vigilance, J&K, Srinagar
 General Manager (Adm), J&K Bank, Srinagar/Jammu
 Secretary to Chief Justice, J&K High Court, Srinagar/Jammu

**GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT**

Subject :—Rate of interest on G. P. Fund Deposits for the financial year 2005-06.

Government Order No. 223-F of 2006.

Dated 12-07-2006.

Pursuant to Govt. of India notification mentioning that accumulations at the credit of subscribers to the General Provident Fund and other similar funds shall continue to carry interest @ 8% (Eight percent per annum), it is hereby ordered that interest rate on G. P. Fund and other similar funds shall continue to be @ 8% p. a. The rate will be in force during the financial year 2005-06.

By order of the Government of Jammu and Kashmir.

(Sd.)

Commissioner/Secretary to Govt.,
Finance Department.

No. A/152 (61)-II-757

Dated 12-07-2006.

Copy to the :

1. Advocate General J&K, Srinagar.
2. All Financial Commissioners.
3. All Principal Secretaries to Government.
4. All Commissioner/Secretaries to Government.
5. Resident Commissioner, 5-Prithvi Raj Road, New Delhi.
6. Divisional Commissioner, Srinagar/Jammu.
7. Accountant General, Srinagar/Jammu.
8. Commissioner of Vigilance, J&K, Srinagar.
9. General Manager (Adm), J&K Bank, Srinagar/Jammu.
10. Secretary to Chief Justice, J&K High Court, Srinagar/Jammu.

11. Registrar General, J&K High Court, Srinagar/Jammu.
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17. Director/Dy. Director, Audit and Inspections, Finance Department.
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27. Principal Private Secretary to Chief Secretary.
28. All officers/Sectional Officers of Finance Department.
29. President Non-Gazetted/Lower Grade Employees Union, Civil Secretariat.

(Sd.) B. L. MATTOO,

Director (Codes),
Finance Department.

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

**Subject :—Winding up of Empowered Committee for regularization
of DRWs/WCEs.**

Reference :—Cabinet Decision No. 140/6 dated 24-06-2006.

Government Order No. 224-F of 2006.

Dated 12-07-2006.

It is hereby ordered that :—

- (i) EPC constituted vide Govt. Order No. 26-F of 1994 dated 31-01-1994 referred to in SRO-64 of 1994 shall be wound up with immediate effect.
- (ii) In respect of genuine left out case(s) Finance Department shall accord necessary sanction for creation of temporary posts on case to case basis after obtaining prior agreement of Planning and Development Department in cases where the creation is proposed under State Plan.

By order of the Government of Jammu and Kashmir.

(Sd.) B. B. VYAS,

Commissioner/Secretary to Govt.,
Finance Department.

No. A/125 (94)-824

Dated 12-07-2006.

(Copy to the :

1. Advocate General, J&K, High Court, Srinagar/Jammu.
2. All Financial Commissioners.
3. All Principal Secretaries to Government.

4. All Commissioner/Secretaries to Government.
5. Divisional Commissioner, Srinagar/Jammu.
6. Accountant General, Srinagar/Jammu.
7. Resident Commissioner, 5-Prithvi Raj Road, New Delhi.
8. Secretary to Chief Justice, J&K High Court, Srinagar/Jammu.
9. Registrar General, J&K High Court, Srinagar/Jammu.
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13. Director/Dy. Director, Accounts & Treasuries, Srinagar/Jammu.
14. Director/Dy. Director, Fund Org., Srinagar/Jammu.
15. Director/Dy. Director, Audit and Inspections Finance Department.
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23. Chief Accounts Officer, Examiner Local Fund Audit Cell.
24. Private Secretary to Minister/State Ministers/Deputy Ministers for information to the Hon'ble Ministers.
25. Principal Private Secretary to Chief Secretary.
26. All Officers/Sectional Officers of Finance Department.

(Sd.) B. L. MATTOO,

Director (Codes),
Finance Department.

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

Notification

Dated Srinagar, 14th July, 2006.

SRO-228.—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 amendments shall be made in J&K Daily Rated Workers/Work Charge Employees (Regularization) Rules, 1994 issued vide SRO-64 of 1994 dated 24-3-1994.

In the said Rules : Sub-clause-C of Rule (2) shall be deleted and in Rule 3 the words “the Committee” shall be replaced by “Finance Department”.

By order of the Governor.

(Sd.) B. B. VYAS,

**Commissioner/Secretary to Govt.,
Finance Department.**

No. A/125 (94)-826

Dated 14-07-2006.

Copy to the :

1. Advocate General J&K, Srinagar.
2. All Financial Commissioners.
3. Accountant General, Srinagar/Jammu.
4. All Principal Secretaries to Government.
5. All Commissioner/Secretaries to Government.
6. Resident Commissioner, 5-Prithvi Raj Road, New Delhi.
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9. Secretary to Chief Justice, J&K High Court, Srinagar/Jammu.
10. Registrar General, J&K High Court, Srinagar/Jammu.
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Gazette.
25. Chief Accounts Officer, Examiner Local Fund Audit Cell.
26. Private Secretary to Minister/State Ministers/Deputy Ministers
for information to the Hon'ble Ministers.
27. Principal Private Secretary to Chief Secretary.

(Sd.) B. L. MATTOO,

Director (Codes),
Finance Department.

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

Notification

Dated Srinagar, 17th July, 2006.

SRO-231.—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 amendments shall be made in Jammu and Kashmir Civil Service Regulations Vol-I :—

In the said Regulations :

The following two provisos shall be inserted below Govt. Instructions to Article 74-CCC :—

“Provided that the benefit of stagnation increment shall be restricted up to the pay scale of Rs. 5100-6300 in terms of J&K Civil Service (Revised Pay) Rules, 1992.

Provided further that the benefit of stagnation increment shall be restricted up to the pay scale of Rs. 16400-450-20000 only in terms of the J&K Civil Service (Revised Pay) Rules, 1998.”

The above proviso shall be deemed to have existed in the rules abinitio from the respective date of notification of pay revision of 1992 and 1998 i. e. 30th March, 1992 and 19th January, 1998 respectively.

By order of the Governor.

(Sd.) B. B. VYAS,

Commissioner/Secretary to Govt.,
Finance Department.

No. A/9 (81)-Temp-839

Dated 17-07-2006.

Copy to the :

1. Advocate General J&K, Srinagar.
2. All Financial Commissioners.
3. Accountant General, Srinagar/Jammu.

4. All Principal Secretaries to Government.
5. All Commissioner/Secretaries to Government.
6. Resident Commissioner, 5-Prithvi Raj Road, New Delhi.
7. Divisional Commissioner, Srinagar/Jammu.
8. Commissioner of Vigilance, J&K Srinagar.
9. Secretary to Chief Justice, J&K High Court, Srinagar/Jammu.
10. Registrar General, J&K High Court, Srinagar/Jammu.
11. Director General, Accounts & Treasuries J&K.
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27. Principal Private Secretary to Chief Secretary.

(Sd.) B. L. MATTOO,

Director (Codes),
Finance Department.

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

Notification

Dated Srinagar, 19th July, 2006.

SRO-235.—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 amendments shall be made in Jammu & Kashmir Civil Service (Revised Pay) Rules, 1998 :

The following shall be inserted as Note 2 below Note 1 inserted vide SRO-225 dated 18-08-2005 :—

Note-2.—Notwithstanding anything contained in Rule 15-e, all the posts of following categories of Physical Education Teachers and Physical Education Masters of the Youth Services and Sports Department shall be placed in the pay scales as indicated against each :—

S. No.	Post/Designation	Existing Pay scale	Revised Pay Scale approved
1.	Physical Education Teachers with academic qualification of under graduate but with the other qualification of C.P.Ed.	3050-4910	4000-100-6000
2.	Physical Education Teachers with academic qualification of graduate and above with C.P.Ed./B.P. Ed.	4000-6000	4500-125-7000
3.	Physical Education Masters	5700-10100	6500-200-10500

Provided that :

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 scale, 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 later 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.”

By order of the Governor.

(Sd.) B. B. VYAS,

Commissioner/Secretary to Govt.,
Finance Department.

No. A/23 (05)-854

Dated 19-07-2006.

Copy to the :

1. Advocate General J&K, Srinagar.
2. All Financial Commissioners.
3. Accountant General Srinagar/Jammu.
4. All Principal Secretaries to Government.
5. All Commissioner/Secretaries to Government.
6. Resident Commissioner, 5-Prithvi Raj Road, New Delhi.
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9. Secretary to Chief Justice, J&K High Court, Srinagar/Jammu.
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26. Private Secretary to Minister/State Ministers/Deputy Ministers for information to the Hon'ble Ministers.
27. Principal Private Secretary to Chief Secretary.

(Sd.) B. L. MATTOO,

Director (Codes),
Finance Department.

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

OM No. A/9 (81)-1-888

Dated 28-07-2006.

Subject :—Clarification regarding release of Advance Increments for acquiring higher qualification.

The pay rules applicable to State Government Employees right from 1982 up to 1992 had a provision to grant advance increments to certain categories of employees upon acquiring higher qualification.

2. Rule 12 of Revised Pay Rules, 1982 and Rule 12 of Revised Pay Rules, 1987 inter-alia provided advance increment(s) on acquisition of higher qualification either while in service or at the time of initial appointment as admissible under the relevant rules and orders in various departments like Education, Agriculture, Animal Husbandry, Health and Medical Education Department etc. will continue to be allowed in the revised scales on the existing terms and conditions.

3. The policy was changed at the time of promulgation of Revised Pay Rules of 1992 and the relevant Rule 8 of SRO-75 dated 30-3-1992 reads as under :—

“The existing provisions of Rule 10 and Rule 12 of the Jammu and Kashmir Civil Service (Revised Pay) Rules, 1987, relating to the benefit of higher starting salary/advance increment(s) for higher qualification in respect of all departments, except to the extent of posts of Police Constables and Junior Engineers as provided in rule 9(d) shall remain inoperative temporarily for fresh recruits till such time as fresh orders are issued in this behalf by the Government”.

4. Finance Department vide OM No. A/37(92)-633 dated 13-9-1992 clarified the import of the expression “fresh recruitment” made in rule 8 of the Revised Pay Rules 1992, by clearly stating that this shall mean appointments as have been made or shall be made on or after 31-3-1992.

5. Later, Finance Department on the basis of reference received from H&M Education Department took a view that in service employees acquiring higher qualification after the cut off date (31-3-1992) are also to be treated on par with fresh recruits having higher qualification abinitio. By no stretch of imagination an in-service employee having acquired higher qualification after 31-3-1992 could be treated as superior to a fresh and direct recruit having the same qualification.

6. The import of 'fresh recruit' was thus amplified by the above interpretation and in-service candidates who acquired higher qualification after 31-3-1992 were also dragged into the new revised provisions. This interpretation was given much later vide U. O. No. FA/Med./221/2001 dated 15-9-2001 followed up by U.O. No. A/9(81)-1-1068 dated 20-7-2004. The Accountant General was also informed accordingly. This resulted in refixation of pay and recovery of Advance Increment arrears.

7. The case of Agriculture Department was also disposed off vide U.O. No. A/9(98)-1-1315 dated 15-5-2005 in accordance with the above interpretation.

8. The issue was also clarified to Accountant General vide O. M. No. A/9(81)-II-694 dated 16-9-2005 that no initial higher starting salary/advance increments are available w.e.f. 1-4-1987 viz. from the date of the commencement of J&K Civil Services (Revised Pay) Rules, 1992, except in case of Junior Engineers having Degree Qualification and Police Constables with academic qualification of matriculation and above.

9. Thereafter, consequent upon the representation of in-service Agri. Asstts. who were in service as on 31-3-1992 and acquired Post-Graduate qualification, the matter was re-examined in consultation with Law Department and it is accordingly clarified that the benefit of advance increment to in-service candidates/employees shall strictly be regulated in terms of rule 8 of SRO-75 of 30-3-1992 read with Finance Department clarificatory O. M. No. A/37(92)-633 dated 15-9-1992 upto the date of issue of opinion to Health and Medical Education Department vide FA/Med/21/2001 dated 12-9-2001. The benefit of advance increment (excess pay and allowance) drawn/paid upto

12-9-2001 is hereby waived off. The pay fixation w.e.f. 12-9-2001 shall be reviewed and regulated correctly treating higher qualified in-service candidates on par with fresh recruits and excess pay and allowance w.e.f. 12-9-2001 shall be recovered and credited to relevant Government Account Head.

(Sd.) B. B. VYAS,

Commissioner/Secretary to Govt.,
Finance Department.

Copy to the :

1. All Financial Commissioners.
2. All Principal Secretaries to Government.
3. Accountant General, J&K.
4. All Commissioner/Secretaries to Government.
5. All Secretaries to Government.
6. All HODs.

(Sd.) B. L. MATTOO,

Director Codes,
Finance Department.