

CH. IMRAN MEHNOOD
Deputy Director (Admin)
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Finance Dept

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT-FINANCE DEPARTMENT

OM No. A/71(2008)/70
Dated 19-2-2009

CIRCULAR

Earlier, All India Service (AIS) officers, who served in connection with affairs of the State and had retired after 1-1-06, represented for fixation of pension in accordance with the recommendations of the Sixth Central Pay Commission (SCPC) as approved by the Government of India (GoI).

2. The case was examined in the Finance Department and General Administration Department (GAD) was advised to authorize re-fixation of pay of the retired officers w. e. f. 1-1-2006 in terms of the SCPC recommendations as approved by the GOI in order that Accountant General could accordingly revise the pensions of the above officers.
3. Accordingly, GAD vide OM No. GAD(Ser)/IAS/25/70 dated 27-11-08 advised all the concerned Administrative Secretaries and Financial Commissioner (Revenue) to advise their Drawing and Disbursing Officers (DDOs) to re-fix the salary of the AIS Officers in terms of SCPC recommendations.
4. GAD has now approached Finance Department with the proposal to authorize drawal of pay in the revised pay scales by the AIS Officers retiring in 2009 in terms of the SCPC recommendations even before they actually retire and issue necessary instructions to all the DDOs concerned accordingly.
5. The issue has been examined in Finance Department. As various post-retirement benefits have to be worked out on the basis of last pay drawn by the officers, it has been considered expedient that members of AIS, who are retiring during 2009, may be authorized to draw their salary in the revised scales of pay and also draw arrears on that account in accordance with the rules/orders issued by the GOI during their active service before they actually retire on superannuation during the course of 2009.

6. All Financial Commissioners/Principal Secretaries/Commissioner/Secretaries/Secretaries to the Government are, accordingly, requested to direct the Drawing and Disbursing Officers under their charge to draw the salaries of the AIS Officers, who are retiring in 2009, in the revised pay scales and also draw pay revision arrears in accordance with the rules/orders issued by GOI.

(Sd.)

Director Codes,
Finance Department.

Copy to :-

1. All Financial Commissioners/Principal Secretaries/Commissioners Secretary(s)/Secretary(s) to Government.
2. Financial Commissioner (Revenue).
3. Special Assistant to Minister for Finance, Law and Parliamentary Affairs for information of Hon'ble Minister.
4. Private Secy. to Commissioner/Secy. to Government, Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT-FINANCE DEPARTMENT

OM No. A/75(2008)/955
Dated 24-2-2009

CIRCULAR

Subject :-Revision of pay scales of All India Service (AIS) Officers serving in connection with affairs of the State in terms of the Sixth Central Pay Commission Recommendations (SCPC) as approved by Government of India (GOI).

- All India Service (AIS) officers, serving in connection with affairs of the State, represented for fixation of their salary in accordance with the recommendations of the Sixth Central Pay Commission (SCPC) as approved by the Government of India (GOI).
2. The case was examined in the Finance Department and the views/recommendations of the General Administration Department (GAD) were solicited in the matter. GAD advised Finance Department to issue appropriate instructions to Drawing and Disbursing Officers (DDOs) and Treasury Officers in this regard.
 3. The issue has been examined in the Finance Department. Consequent upon the acceptance of the SCPC recommendations by GOI vide Resolution No. 1/1/208-IC dated 29-9-2008, the Department of Personnel and Training have revised the IAS (Pay) Rules vide Notification dated September 19, 2008. Similarly, Ministry of Home Affairs and Ministry of Environment and Forests have also revised pay rules in respect of IPS and IFS services respectively.
 4. As a sequel to the above, the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, Government of India vide its reference No. 14021/1/2008-AIS-II dated September 20, 2008 has advised the State Governments and Central Ministries to revise the pay of the IAS Officers in the respective State Cadre/Central Ministries as per the provisions contained in the IAS (Pay) Second Amendment Rules, 2008.

5. All Financial Commissioners/Principal Secretaries/Commission Secretaries/Secretaries to the Government are, accordingly, requested to advise the Drawing and Disbursing Officers under their charge to draw the salaries of the AIS officers in the revised pay structure and also draw pay revision arrears in accordance with the rules/orders issued by GOI.

(Sd.)

Director Codes,
Finance Department.

Copy to :-

1. All Financial Commissioners/Principal Secretaries/Commissioners/Secretary(s)/Secretary(s) to Government.
2. Financial Commissioner (Revenue).
3. Special Assistant to Minister for Finance, Law and Parliamentary Affairs for information of Hon'ble Minister.
4. Private Secy. to Commissioner/Secy. to Government, Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT-FINANCE DEPARTMENT.

OM No. A/14(2009)-93
Dated 18-03-2009.

Subject :- Recommendations of the Sixth Central Pay Commission (SCPC) in favour of Employees of the State Government-Report of the Pay Committee, and implementation of the decisions arrived after consultations between the Joint Consultative Committee and Cabinet Sub-Committee.

Reference :- Cabinet Decision No. 23/3/2009 dated 19-02-2009.

I am directed to refer above subject and reference and to request to furnish the details regarding Casual Workers engaged in your department as per below noted Performa within 3 days positively :-

S. No.	Total No. of Casual Workers engaged in the department	Date of Engagement	Engaged under Scheme/Project	Wages Paid under Plan/ Non-Plan under Scheme/ Project	Remarks

(Sd.)
Accounts Officer (Codes),
Finance Department.

Copy to the :-

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

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT-FINANCE DEPARTMENT

Subject :-Classification of Officers.

Reference :-No. GDC-B/CM/2009 dated 05-03-2009.

Government Order No. 52-F of 2009

Dated 18-03-2009.

In the Book of Financial Powers, Serial No. 36 of Chapter-2 captioned under "CLASSIFICATION OF OFFICERS" B. OTHER OFFICERS-CLASS-I OFFICERS and Serial No. 30 captioned under CLASS -II OFFICERS shall be recast as under :-

§.No.	Designation/Status of Officers	Classification of Officers
36	Director Finance (Special Scale Officers), Financial Advisor/Chief Accounts Officer (Selection Grade Officers), Sadder Treasury Officer, Srinagar/Jammu.	B. OTHER OFFICERS CLASS-I OFFICERS.
30	District Treasury Officer/Treasury Officer, Additional Treasury, Srinagar/Jammu.	CLASS-II OFFICERS.

By order of the Government of Jammu and Kashmir.

(Sd.) SUDHANSHU PANDEY,
Commissioner/Secretary to Govt. (OSD),
Finance Department.

No. A/68(2001)-A/218

Dated 18-03-2009.

Copy to the :-

Standard endorsements.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT-FINANCE DEPARTMENT.

Notification

Jammu, the 31st March, 2009.

SRO-75.-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 Regulation, 1956 as under :-

In para below proviso to Note-7 of Art. 240-BB, after the words and signs "(erstwhile employees of Government Transport Undertaking)" the words and signs "and J&K State Forest Corporation (erstwhile employees of Government Lumbering Undertaking)" shall be added.

In para below proviso to Note-2 of Art. 242-BB, after the words and signs "(erstwhile employees of Government Transport Undertaking)" the words and signs "and J&K State Forest Corporation (erstwhile employees of Government Lumbering Undertaking)" shall be added.

By order of the Government of Jammu and Kashmir.

(Sd.) SUDHANSHU PANDEY,
Commissioner/Secretary to Government,
Finance Department.

No FD/Coords/A/4/2005-I/282

Dated 31-3-2009.

Copy to the :-

Standard endorsements.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT-FINANCE DEPARTMENT.

Subject :- Payment of Dearness Allowance to State Government Employees/Revised rates effective from 01-07-2008.

Reference :- 1. Approval of Hon'ble Chief Minister in Coordination.
2. Chief Electoral Officer's letter No. CEO/PS/MCC/LS/2009/698 dated 11-04-2009.

Government Order No. 81-F of 2009

Dated 11-04-2009.

In continuation to Government Order No. 170-F of 2008 dated 25-04-2008, it is hereby ordered that the State Government employees including Work Charge and whole time contingent paid employees working in regular time scales of pay shall be paid an additional instalment of Dearness Allowance at 7% of Basic pay from 01-07-2008. The revised rates of DA shall now be as under :-

Date from which payable	Existing rate of DA (including previous instalment)	Revised rate of DA
01-07-2008	47%	54%

- The term '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 promotion of Small Family Welfare Norms.
- The instalment of Dearness Allowance payable under these orders shall be paid in cash along with the salary of April. However, the DA arrears from 1-7-2008 to 31-3-2009 shall be paid along with the salary of May.
- The payment on account of Dearness Allowance involving a fraction of 50 paise and above shall be rounded to the next rupee and the fractions of less than 50 paise shall be ignored.

- The provision of this order shall also apply, mutatis -mutandis, in the case of such officers of All India Services serving in connection with the affairs of the State, who have opted to retain pre-revised pay scale.

By order of the Government of Jammu and Kashmir.

(Sd.) SUDHANSHU PANDEY,

Commissioner/Secretary to Government,
Finance Department.

No. A/24(2k)-II-314

Dated 11-04-2009.

Copy to the :-

- Advocate General, J&K.
- Principal Resident Commissioner, 5-Prithvi Raj Road, New, Delhi.
- All Financial Commissioners.
- All Principal Secretaries to Government.
- Principal Secretary to Hon'ble Chief Minister.
- Chief Electoral Officer, J&K, Jammu.
- All Commissioner/Secretaries to Government.
- Secretary to HE the Governor.
- Divisional Commissioner, Kashmir/Jammu.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT-FINANCE DEPARTMENT

Subject :- Delegation of Financial Powers.

Reference :-No. GDC-10/CM/2009 dated 20-03-2009.

Government Order No. 83-F of 2009

Dated 15-04-2009.

Sanction is hereby accorded to the delegation of financial powers in favour of Purchase Sub-Committee, Sher-i-Kashmir Institute of Medical Science (SKIMS), to effect purchases up to Rs. 100.00 lac at a time without any ceiling in the financial year, including fixing of annual supply contracts of any item.

In the interest of appropriate administrative supervision and fiscal transparency, the Purchase Sub-Committee shall submit a report about all financial decisions relating to the procurement process to the Purchase Committee.

All other conditions as indicated in G. O. No. 02SKIMS of 2004 dated 25-02-2004 shall remain intact.

By order of the Government of Jammu and Kashmir.

(Sd.) SUDHANSHU PANDEY,
Commissioner/Secretary to Govt.,
Finance Department.

No. A/68(2001)temp-I-320

Dated 15-04-2009.

Copy to the :-

Standard endorsements.

GOVERNMENT OF JAMMU AND KASHMIR,
FINANCE DEPARTMENT.

Notification

Jammu, the 15th April, 2009.

SRO-93.-In exercise of the powers conferred by the proviso to section 124 of the Constitution of the Jammu and Kashmir, the Governor is pleased to make the following rules, namely :-

1. *Short title and commencement.*-(1) These rules shall be called the Jammu and Kashmir Civil Services (Revised Pay) Rules, 2009.

(2) These rules shall come into force with effect from 1st January, 2006 with effective date of implementation from 1st July, 2009.

2. *Categories of Government servants to whom the rules apply.*-
(1) Save as otherwise provided by or under these rules, these rules shall apply to persons appointed to civil services and posts in connection with the affairs of the State including those paid from contingencies or charged to works whose pay is debitable to the Consolidated Fund of the State including those on deputation to other Governments/Organisations.

(2) These rules shall not apply to :-

- (i) members of All India Services ;
- (ii) persons to whom the Jammu and Kashmir Government Degree Colleges (UGC) Pay Rules, 2002 apply ;
- (iii) persons not in whole time employment ;
- (iv) persons paid otherwise than on monthly basis including those paid on piece rate basis ;
- (v) persons whose services are obtained on deputation ;
- (vi) persons employed on contract basis, except where contract provides otherwise ;
- (vii) posts which carry consolidated rate of pay ; and

- (viii) any other class or category of posts or persons whom the Government may, by order, specially exclude from the operation of all or any of the provisions contained in these rules.

3. *Definitions.*—In these rules, unless the context otherwise requires,—

- (a) "existing basic pay" means pay drawn in the prescribed existing scale of pay, including stagnation increment(s), but does not include any other type of pay like 'special pay' etc. ;
- (b) "existing scale" in relation to a Government servant means the present scale applicable to the post held by the Government servant (or, as the case may be, personal scale applicable to him) as on 1st day of January 2006 whether in a substantive or officiating capacity ;
- Explanation* :—In the case of a Government servant who was on first day of January, 2006 on deputation or on leave or on foreign service or on training, existing scale includes the scale applicable to the post which he would have held but for his being on such deputation, leave, foreign service or on training as the case may be ;
- (c) "existing emoluments" mean the sum of (i) existing basic pay, (ii) dearness pay appropriate to the basic pay and (iii) dearness allowance appropriate to the basic pay + dearness pay ;
- (d) "present scale" means the scale of pay specified in column 2 of the First Schedule ;
- (e) "pay in the pay band" means pay drawn in the running pay bands specified in column 4 of the First Schedule ;
- (f) "grade pay" is the fixed amount corresponding to the pre-revised pay scale specified in column 5 of the First Schedule ;
- (g) "revised pay structure" in relation to any scale of pay specified in column 2 of the First Schedule means the pay

band and the grade pay specified against that pay scale specified in column 4 & 5 thereof, unless a different revised pay band and grade pay or pay scale is notified separately for that post ;

- (h) "basic pay" in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay, etc. In the case of Government servants in the pay scale of Rs. 75500-80000, basic pay means the pay in the prescribed scale ;
- (i) "revised emoluments" mean the pay in the pay band plus the grade pay of a Government servant in the revised pay structure ;
- (j) "schedule" means a schedule annexed to these rules.

4. *Scale of pay of posts.*—The pay band and grade pay or the pay scale, as applicable, in relation to the pay scale as specified in column 2 of the First Schedule shall be as specified against it in column 4 and 5 thereof.

5. *Drawal of Pay in the revised pay structure.*—Save as otherwise provided in these rules, a Government servant shall draw pay in the revised pay structure as applicable to the post to which he is appointed :

Provided that a Government servant may elect to continue to draw pay in the existing scale until the date on which he earns his next or any subsequent increment in the existing scale or until he vacates his post or ceases to draw pay in that scale :

Provided further that in cases where a Government servant has been placed in a higher pay scale between 1-1-2006 and 1-7-2009 on account of promotion, upgradation of pay scale etc., the Government servant may elect to switch over to the revised pay structure from the date of such promotion, upgradation etc.

Explanation 1.— The option to retain the existing scale under the provisos to this rule shall be admissible only in respect of one existing scale.

Explanation 2.— The aforesaid option shall not be admissible to any person appointed to a post on or after the 1st day of

January 2006, whether for the first time in Government service or by transfer from another post and he shall be allowed pay only in the revised pay structure.

Explanation 3.—Where a Government servant exercises the option under the provisos to this rule to retain the existing scale in respect of a post held by him in an officiating capacity on a regular basis for the purpose of regulation of pay in that scale, his substantive pay shall be substantive pay which he would have drawn had he retained the existing scale in respect of the permanent post on which he holds a lien or would have held a lien had his lien not been suspended or the pay of the officiating post which has acquired the character of substantive pay in accordance with any order for the time being in force, whichever is higher.

6. Exercise of Option.—(1) The option under the provisos to Rule 5 shall be exercised in writing in the form appended to the Second Schedule so as to reach the authority mentioned in sub-rule (2) within three months of the date of publication of these rules or where an existing scale has been revised by any order made subsequent to that date, within three months of the date of such order.

Provided that :—

- a. In the case of a Government servant who is, on the date of such publication or, as the case may be, date of such order, out of State on leave or deputation or foreign service or active service, the said option shall be exercised in writing so as to reach the said authority within three months of the date of his taking charge of his post in the State ; and
- b. Where a Government servant is under suspension on the 1st day of January, 2006, the option may be exercised within three months of the date of his return to his duty if that date is later than the date prescribed in this sub-rule.

(2) The option shall be intimated by the Government servant to the Head of his office.

(3) If the intimation regarding option is not received within the time mentioned in sub-rule (1), the Government servant shall be

deemed to have elected to be governed by the revised pay structure with effect on and from the 1st day of January 2006.

(4) The option once exercised shall be final.

Note :-1 Persons whose services were terminated on or after the 1st January, 2006 and who could not exercise the option within the prescribed time limit, on account of discharge on the expiry of the sanctioned posts, resignation, dismissal or discharge or disciplinary grounds, are entitled to the benefits of this rule.

Note :-2 Persons who have died on or after the 1st day of January, 2006 and could not exercise the option within the prescribed time limit are deemed to have opted for the revised pay structure on and from the 1st day of January, 2006 or such later date as is most beneficial to their dependents, if the revised pay structure is more favourable.

Note :-3 Persons who were on earned leave or any other leave on 01.01.2006 which entitled them to leave salary will be allowed the benefits of this rule.

7. Fixation of initial pay in the revised pay structure.—(1) The initial pay of a Government servant who elects, or is deemed to have elected under sub-rule (3) of rule 6 to be governed by the revised pay structure on and from the 1st day of January, 2006, shall, unless in any case the Government by special order otherwise directs, be fixed separately in respect of his substantive pay in the permanent post on which he holds a lien or would have held a lien if it had not been suspended, and in respect of his pay in the officiating post held by him, in the following manner namely :—

(A) In the case of all employees :—

- (i) the pay in the pay band/pay scale will be determined by multiplying the existing basic pay as on 1-1-2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10.
- (ii) if the minimum of the revised pay band/pay scale is more than the amount arrived at as per (i) above, the pay shall be fixed at the minimum of the revised pay band/pay scale.

Provided further that-

Where, in the fixation of pay, the pay of Government servants drawing pay at two or more consecutive stages in an existing scale gets bunched, that is to say, gets fixed in the revised pay structure at the same stage in the pay band, then, for every two stages so bunched, benefit of one increment shall be given so as to avoid bunching of more than two stages in the revised running pay bands. For this purpose, the increment will be calculated on the pay in the pay band. Grade pay would not be taken into account for the purpose of granting increments to alleviate bunching.

In case of pay scales in the pay band PB-4, benefit of increments due to bunching shall be given taking into account all the stages in different pay scales in this grade. In the case of posts carrying scale of Rs. 75500-80000, benefit of one increment for every two stages in the pre-revised scale will be granted in the revised pay scale.

If by stepping up of the pay as above, the pay of a Government servant gets fixed at a stage in the revised pay band/pay scale (where applicable) which is higher than the stage in the revised pay band at which the pay of a Government servant who was drawing pay at the next higher stage or stages in the same existing scale is fixed, the pay of the latter shall also be stepped up only to the extent by which it falls short of that of the former.

(iii) The pay in the pay band will be determined in the above manner. In addition to the pay in the pay band, grade pay corresponding to the existing scale will be payable.

Note :-Illustration 1 on the above is provided in the Second Schedule to these Rules.

(B) In the case of employees who are in receipt of special pay/allowance in addition to pay in the existing scale which has been recommended for replacement by a pay band and grade pay without any special pay/allowance, pay shall be fixed in the revised pay structure in accordance with the provisions of clause (A) above.

Note 1.-Where a post has been upgraded, the fixation of pay in the applicable pay band will be done in the manner prescribed in

accordance with Clause (A) (i) and (ii) of Rule 7 by multiplying the existing basic pay as on 1-1-2006 by a factor of 1.86 and rounding the resultant figure to the next multiple of ten. The grade pay corresponding to the upgraded scale will be payable in addition.

Note 2.-In the case of merger of pay scales, pay in the revised pay bands will be fixed in the manner prescribed in accordance with Clause (A) (i) and (ii) of Rule 7 by multiplying the existing basic pay as on 1-1-2006 by a factor of 1.86 and rounding the resultant figure to the next multiple of ten. The grade pay corresponding to the higher merged scale will be payable in addition.

Note 3.-A Government servant who is on leave on the 1st day of January 2006 and is entitled to leave salary shall become entitled to pay in the revised pay structure from 1-1-2006 or the date of option for the revised pay structure. Similarly, where a Government servant is on study leave on the first day of January, 2006, he will be entitled to the benefits under these Rules from 1-1-2006 or the date of option.

Note 4.-A Government servant under suspension, shall continue to draw subsistence allowance based on existing scale of pay and his pay in the revised pay structure will be subject to the final order on the pending disciplinary proceedings.

Note 5.-Where a Government servant is holding a permanent post and is officiating in a higher post on a regular basis, the pay shall be fixed under this sub-rule with reference to the officiating post only, and the pay so fixed shall be treated as substantive pay.

Note 6.-Where the 'existing emoluments' exceed the revised emoluments in the case of any Government servant, the difference shall be allowed as personal pay to be absorbed in future increases in pay.

Note 7.-Where in the fixation of pay under sub-rule (1), the pay of a Government servant, who, in the existing scale was drawing immediately before the 1st day of January, 2006 more pay than another Government servant junior to him in the same cadre,

gets fixed in the revised pay band at a stage lower than that of such junior, his pay shall be stepped up to the same stage in the revised pay band as that of the junior.

Note 8.—Where a Government servant is in receipt of personal pay on the 1st day of January, 2006, which together with his existing emoluments exceeds the revised emoluments, then, the difference representing such excess shall be allowed to such Government servant as personal pay to be absorbed in future increases in pay.

Note 9.—In cases where a senior Government servant promoted to a higher post before the 1st day of January, 2006 draws less pay in the revised pay structure than his junior who is promoted to the higher post on or after the 1st day of January, 2006, the pay in the pay band of the senior Government servant should be stepped up to an amount equal to the pay in the pay band as fixed for his junior in that higher post. The stepping up should be done with effect from the date of promotion of the junior Government servant subject to the fulfillment of the following conditions, namely :—

- (i) Both the junior and the senior Government servants should belong to the same cadre and the posts in which they have been promoted should be identical in the same cadre.
- (ii) The pre-revised scale of pay and the revised grade pay of the lower and higher posts in which they are entitled to draw pay should be identical.
- (iii) The senior Government servants at the time of promotion should have been drawing equal or more pay than the junior.
- (iv) The anomaly should be directly as a result of the application of the provisions of Article 77-B of J&K CSRs or any other rule or order regulating pay fixation on such promotion in the revised pay structure. If even in the lower post, the junior officer was drawing more pay in the pre-revised scale than the senior by virtue of any advance

increments granted to him, provision of this Note need not be invoked to step up the pay of the senior officer.

(2) Subject to the provisions of rule 5, if the pay as fixed in the officiating post under sub-rule (1) is lower than the pay fixed in the substantive post, the former shall be fixed at the same stage as the substantive pay.

8. *Fixation of pay in the revised pay structure of employees appointed as fresh recruits on or after 1-1-2006.*—The entry-level pay in the revised pay band of direct recruits appointed on or after 1-1-2006 shall be the minimum of the pay in the revised pay band and the applicable grade pay.

In such cases, where the emoluments in the pre-revised pay scale (s) (i.e. basic pay in the pre-revised pay scale(s) plus Dearness Pay plus Dearness Allowance applicable on the date of joining) exceeds the sum of the pay fixed in the revised pay structure and the applicable dearness allowance thereon, the difference shall be allowed as personal pay to be absorbed in future increments in pay.

9. *Rate of increment in the revised pay structure.*—The rate of increment in the revised pay structure will be 3% of the sum of the pay in the pay band and grade pay applicable, which will be rounded off to the next multiple of 10. The amount of increment will be added to the existing pay in the pay band. Illustration 2 in this regard is in the Second Schedule to these Rules.

10. *Date of next increment in the revised pay structure.*—There will be a uniform date of annual increment, viz. 1st July of every year. Employees completing 6 months and above in the revised pay structure as on 1st day of July will be eligible to be granted the increment. The first increment after fixation of pay on 1-1-2006 in the revised pay structure will be granted on 1.7.2006 for those employees for whom the date of next increment was between 1st July, 2006 to 1st January, 2007 :

Provided that in the case of persons who had been drawing maximum of the existing scale for more than a year as on the 1st day of January, 2006, the next increment in the revised pay structure shall be allowed on the 1st day of January, 2006. Thereafter, the provision of Rule 10 would apply :

Provided further that in cases where an employee reaches the maximum of his pay band, he shall be placed in the next higher pay band after one year of reaching such a maximum. At the time of placement in the higher pay band, benefit of one increment will be provided. Thereafter, he will continue to move in the higher pay band till his pay in the pay band reaches the maximum of PB-4, after which no further increments will be granted.

Note:—In cases where two existing scales, one being a promotional scale for the other, are merged, and the junior Government servant, now drawing his pay at equal or lower stage in the lower scale of pay, happens to draw more pay in the pay band in the revised pay structure than the pay of the senior Government servant in the existing higher scale, the pay in the pay band of the senior Government servant shall be stepped up to that of his junior from the same date and he shall draw next increment in accordance with Rule 10.

11. *Fixation of pay in the revised pay structure subsequent to the 1st day of January, 2006.*—Where a Government servant continues to draw his pay in the existing scale and is brought over to the revised pay structure from a date later than the 1st day of January 2006, his pay from the later date in the revised pay structure shall be fixed in the following manner :—

(i) Pay in the pay band will be fixed by adding the basic pay applicable on the later date, the dearness pay applicable on that date and the pre-revised dearness allowance based on rates applicable as on 1-1-2006. This figure will be rounded off to the next multiple of 10 and will then become the pay in the applicable pay band. In addition to this, the grade pay corresponding to the pre-revised pay scale will be payable.

Note :—The fixation of pay of a Government servant in terms of the above rule on a date subsequent to the 1st day of January 2006 shall be done with reference to the fitment tables annexed to these rules. The pre-revised pay to be reckoned in such cases will be the pay of the Government servant on the day of such fixation.

12. *Fixation of pay on reappointment after the 1st day of January, 2006 to a post held prior to that date.*—A Government servant who had

officialated in a post prior to the 1st day of January, 2006 but was not holding that post on that date and who on subsequent appointment to that post draws pay in the revised pay structure shall be allowed the benefit to the extent it would have been admissible had he been holding that post on the 1st day of January, 2006 and had elected the revised pay structure on and from that date.

13. *Fixation of pay on promotion on or after 1-1-2006.*— In the case of promotion from one grade pay to another in the revised pay structure, the fixation will be done as follows :—

(i) One increment equal to 3% of the sum of the pay in the pay band and the existing grade pay will be computed and rounded off to the next multiple of 10. This will be added to the existing pay in the pay band. The grade pay corresponding to the promotion post will thereafter be granted in addition to this pay in the pay band. In case where promotion involves change in the pay band also, the same methodology will be followed. However, if the pay in the pay band after adding the increment is less than the minimum of the higher pay band to which promotion is taking place, pay in the pay band will be stepped to such minimum.

(ii) In the case of promotion from PB-4 to the pay scale of Rs. 75500-80000, after adding one increment in the manner prescribed in Rule 9, the pay in the pay band and existing grade pay will be added and the resultant figure will become the basic pay in the higher scale. This shall not exceed Rs. 80,000, the maximum of the scale. For Government servants in receipt of NPA, pay plus NPA will not exceed Rs. 85,000.

Explanation :—On promotion from one grade to another/financial upgradation under Time Bound Promotion Scheme, a Government servant shall have an option to get his pay fixed in the higher post either from the date of his promotion or from the date of his next increment viz. 1st July of the year. The pay will be fixed in the following manner in the revised pay structure :—

(a) In case the Government servant opts to get his pay fixed from his date of next increment, then, on the date of promotion, pay in the pay band shall continue unchanged, but the grade pay of the higher post will be granted. Further re-fixation will be done on the date of his next

increment i. e. 1st July. On that day, he will be granted two increments, one annual increment and the second on account of promotion. While computing these two increments, basic pay prior to the date of promotion shall be taken into account.

(b) In case the Government servant opts to get his pay fixed in the higher grade from the date of his promotion, he shall get his first increment in the higher grade on the next 1st July if he was promoted between 2nd July and 1st January. However, if he was promoted between 2nd January and 30th June of a particular year, he shall get his increment on 1st July of next year.

14. *Fixation of pay of Government servants who were on deputation and got promoted in the cadre subsequently while still on deputation :-*

(i) In case the Government servant was on deputation on 1-1-2006 and got promoted to a higher post in his cadre after 1-1-2006, but was not granted proforma promotion under the 'Next Below Rule', his pay will get fixed w. e. f. 1-1-2006 in the grade, which he was holding on 1-1-2006.

(ii) In case the Government servant had been granted proforma promotion under the 'Next Below Rule', his pay will be fixed using the provisions of 'Next Below Rule' as explained in (iii) below.

(iii) In the revised pay structure, the pay of a Government servant would be regulated in the following manner on grant of proforma promotion to him under 'Next Below Rule' :-

(a) In case a Government servant on deputation to a post gets promoted in his cadre to a post in a higher grade, his pay in the pay band will be fixed with reference to the pay in the pay band of the employee immediately junior to him in the cadre of his service. However, the Government servant in question would continue to draw the grade pay attached to the deputation post for the remaining duration of the deputation.

(b) In case a Government servant on deputation to a post in PB-4 gets promoted in his cadre to a post in the scale of Rs. 75500-80000 (Max.), his basic pay will be fixed with

reference to the basic pay of the employee immediately junior to him in the cadre of his service, but the total of pay in the pay band and grade pay of the deputation post will not exceed Rs.79,000.

15. *Fixation of pay of Government servants who go on deputation to a lower post :-*

(i) In case a Government servant goes on deputation to a post carrying a lower grade pay, his pay in the pay band would continue unchanged, but he will be granted the grade pay of the lower post for the entire duration of the deputation.

(ii) In case a Government servant in the scale of Rs. 75500-80000 (Max.) goes on deputation to a lower post in PB-4, his basic pay in the deputation post will be fixed at a stage equal to his basic pay in the cadre of his service, but the total of pay in the pay band and grade pay of the deputation post will not exceed Rs. 79,000.

16. *Procedure for placing employees in upgraded scales in case of merger of scales/upgradations :-*

(i) Where the posts in one or more pre-revised scales are merged with a higher pre-revised scale and given a common replacement scale/grade pay, the suitability of the incumbents need not be assessed for granting them the higher replacement scale/grade pay and the incumbents will automatically be granted the replacement pay scale/grade pay. Their pay will be fixed in accordance with the fitment table annexed herewith.

(ii) Similarly, in the case of upgradations i. e. where all posts in a particular grade have been granted a higher replacement pay scale/grade pay, the suitability of the incumbents need not be assessed for granting them the higher replacement scale/grade pay. The incumbents will automatically be granted the replacement pay scale/grade pay. Their pay in the pay band will be fixed with reference to the fitment table corresponding to pre-revised pay scale. However, the grade pay corresponding to the upgraded post will be granted.

17. *Qualification Bar.*—Notwithstanding anything contained in these rules, the departmental tests/technical qualifications prescribed for appointment to the posts or for promotion from one post to another

or for drawl of increments shall continue to be operative as heretofore for the revised Pay Bands/scales also.

18. *Stipend and Scholarship.*—Stipend and/or scholarship granted for trainings in various institutions in or outside the State shall not be affected by these rules :

Provided that where a Government servant under training is allowed stipend in lieu of and equal to his pay, his pay shall be regulated under these rules and stipend allowed at the rate equal to his pay in the revised pay band/scale.

19. *Extension of Rules to Work Charged and Contingent paid establishment.*—Employees engaged on work charged or contingent paid establishment on whole time basis in time scale of pay will be placed in the revised pay bands applicable to the corresponding post(s) borne on regular establishment.

20. *Creation of new posts.*—No post shall be created in future under the Government except in one of the revised pay bands/scales shown in the schedule appended to these rules. All posts created or upgraded on or after 1-1-2006 to the date of issue of these rules shall be deemed to have been created or upgraded in the corresponding revised pay bands/ scales for those posts.

21. *Delegation of powers.*—Delegation of powers in respect of transfer, sanction of leave etc. shall be exercised in the corresponding revised pay bands/scales by the authorities to whom these powers stand delegated at present.

22. *Mode of payment of arrears.*—The mode of payment of arrears and modalities thereof shall be notified separately.

23. *Determination of Admissibility of Perks and Payment of other allowances relatable to pay.*—Admissibility of any perks and payments of any other allowances, related to pay and not specifically provided for in these rules or specific orders of the Government on the subject, shall continue to be regulated and drawn on the basis of notional pay in the existing pay scale in accordance with the existing rules until such time as the final orders thereon are issued separately by the Government.

24. *Overriding effect of the Rules.*—In all cases where the pay of the Government employees is regulated under these rules, the

provisions of the Jammu and Kashmir Civil Services Regulations shall not apply to the extent they are inconsistent with these rules.

25. *Power to relax.*—Where the Government is satisfied that the operation of all or any of the provisions of these rules causes undue hardship in any particular case, the Government may, by order, dispense with or relax the requirements of that rule to such extent and subject to such conditions as may be considered necessary for dealing with the case in a just and equitable manner.

26. *Illustration.*—Illustrations in respect of certain representative categories of cases of pay fixation are given in Schedule II appended to these rules.

27. *Interpretation.*—If any question arises relating to the interpretation or clarification of any of the provisions of these rules, it shall be referred to the Government in the Finance Department for decision.

By Order of the Government of Jammu and Kashmir

(Sd.)

Commissioner /Secretary to Government,
Finance Department.

No. A/23(2008)-323

Dated : 15-4-2009

Copy to the :

Standard Endorsements.

The First Schedule**(See Rules 3&4)****Section I****STATEMENT SHOWING EXISTING SCALES (AS PER
REVISED PAY RULES, 1998) AND THE REVISED
VERSION W. E. F. 1-1-2006.***(In Rupees)*

<i>Existing Scales</i>		<i>Revised Pay Structure</i>		
<i>S. No.</i>	<i>Existing Pay Scales</i>	<i>Name of Pay Band/Scale</i>	<i>Corresponding Pay Bands/Scales</i>	<i>Corresponding Grade pay</i>
(1)	(2)	(3)	(4)	(5)
1.	2550-55-2660-60-3200	-1S-	4440-7440	1300
2.	2610-60-3150-65-3540		4440-7440	1400
3.	2650-65-3300-70-4000		4440-7440	1650
4.	2750-70-3800-75-4400	PB-1	5200-20200	1800
5.	3050-75-3950-80-4590		5200-20200	1900
6.	3050-75-3950-80-4910		5200-20200	1900
7.	4200-75-5325		5200-20200	2100
8.	4300-100-5900		5200-20200	2300
9.	4000-100-6000		5200-20200	2400
10.	4500-125-7000		5200-20200	2800
11.	5000-150-8000	PB-2	9300-34800	4200
12.	5150-150-8300		9300-34800	4200
13.	5500-175-9000		9300-34800	4200
14.	5600-175-9100		9300-34800	4200
15.	5700-200-10100		9300-34800	4200
16.	6500-200-10500		9300-34800	4200
17.	6700-200-10700		9300-34800	4300
18.	6700-200-10900		9300-34800	4400
19.	7450-225-11500		9300-34800	4600
20.	7500-250-12000		9300-34800	4800
21.	8000-275-12950		9300-34800	5200
22.	8000-275-13500		9300-34800	5400

(1)	(2)	(3)	(4)	(5)
23.	9000-300-14100	PB-3	15600-39100	5600
24.	10000-325-15200		15600-39100	6600
25.	12000-375-16500		15600-39100	7600
26.	14300-400-18300	PB-4	37400-67000	8700
27.	16400-450-20000		37400-67000	8900
28.	18400-500-22400		37400-67000	10000
29.	22400-525-24500		37400-67000	12000
30.	23250-550-26000		75500-80000 (Maximum)	Nil

The Second Schedule
Form of Option

(See Rule 6)

(i) I _____ hereby elect the revised pay structure with effect from 1st January, 2006.

(ii) I _____ hereby elect to continue on the existing scale of pay of my substantive/officiating post mentioned below until :

- the date of my next increment.
The date of my subsequent increment raising my pay to Rs. _____.
- I vacate or cease to draw pay in the existing scale.
The date of my promotion to _____.

Existing Scale _____.

Signature _____.

Name _____.

Designation _____.

Office in which Employed _____.

Date :

Station :

- To be scored out if not applicable.

Illustration 1 : Fixation of initial pay in the revised pay structure :

1. Existing scale of pay	Rs. 4000-100-6000
2. Pay Band applicable	PB-1 Rs. 5200-20200
3. Existing basic pay as on 1-1-2006	Rs. 4800
4. Pay after multiplication by a factor of 1.86	Rs 8928 (Rounded off to Rs. 8930)
5. Pay in the Pay Band PB-1	Rs. 8930
6. Pay in the Pay Band after including benefit of bunching, if admissible	Rs. 8930
7. Grade Pay attached to the scale	Rs. 2400
8. Revised basic pay- total of pay in the pay band and grade pay	Rs. 11330