

Government of Jammu and Kashmir  
Finance Department

COMPENDIUM 2012

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GOVERNMENT OF JAMMU AND KASHMIR  
FINANCE DEPARTMENT

(CODIFICATION CELL)

**ANNUAL COMPENDIUM**  
**2012**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Subject :—Payment of Dearness Allowance to State Government  
Employees—revised rate effective from 01-07-2011.

Reference :—Cabinet Decision No. 06/01/2012 dated 02-01-2012.

Government Order No. 03/F of 2012

Dated 02-01-2012.

In continuation to Government Order No. 129-F of 2011 dated 28-04-2011, it is hereby ordered that the State Government Employees including Work Charged and Whole Time Contingent Paid Employees working in regular pay bands/scale shall be paid Dearness Allowance as under :—

Existing Rate of DA	Revised Rate of DA	Date from which applicable
51%	58%	01-07-2011

- (i) The DA arrears w. e. f. July, 2011 to December, 2011, shall be credited into the individual GPF accounts of the employees in the month of January, 2012, and the enhancement of 7% in DA shall form part of the monthly salary, payable in cash there
- (ii) Government employees, who are governed by the New Pension Scheme (NPS), shall be paid the DA arrears in cash in the month of January, 2012, but the employees share @ 10% shall be deducted at source and credited to their individual PRAN Nos. along with the matching share by the employer.
- (iii) The basic pay for the purpose of this order shall mean the basic pay as defined in Note below Article 27 (aa) of J&K Civil Service Regulations.

- (iv) The payment of Dearness Allowance involving a fraction of 50 paise and above shall be rounded to the next higher rupee and the fraction of less than 50 paise shall be ignored.
- (v) The provisions of this order shall also apply, *mutatis mutandis*, in the case of All India Service Officers serving in connection with affairs of the State.

By order of the Government of Jammu and Kashmir.

(Sd.) IQBAL KHANDEY,

Principal Secretary to Government,  
Finance Department.

No. A/24(2k)III-07

Dated 02-01-2012.

Copy to :—

Standard endorsement.

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

**Subject :—**Payment of Dearness Allowance to State Government Employees continuing in pre-revised pay scales-revised rates effective from 01-07-2011.

**Reference :—**Cabinet Decision No. 06/01/2012 dated 02-01-2012.

Government Order No. 04/F of 2012

Dated 02-01-2012.

In continuation to Government Order No. 130-F of 2011 dated 28-04-2011, it is hereby ordered that the State Government Employees including Work Charged and Whole Time Contingent Paid Employees working in regular time scale of pay who have elected, in terms of the provisions of the J&K Civil Service (Revised) Pay Rules, 2009, to continue to draw their pay in the pre-revised scales or where new scales of pay are not applicable, shall be paid Dearness Allowance as under :—

Existing Rate of DA	Revised Rate of DA	Date from which applicable
115%	127%	01-07-2011

- (i) The DA arrears w. e. f. July, 2011, to December, 2011, shall be credited into the individual GPF accounts of the employees in the month of January, 2012, and the enhancement of 12% in DA shall form part of the monthly salary, payable in cash there onwards.
- (ii) The basic pay for the purpose of this order shall mean the basic pay as defined in Note below Article 27 (aa) of the J&K Civil Service Regulations.

(iii) The payment of Dearness Allowance involving a fraction of 50 paise and above shall be rounded to the next higher rupee and the fraction of less than 50 paise shall be ignored.

By order of the Government of Jammu and Kashmir.

(Sd.) IQBAL KHANDEY,

Principal Secretary to Government,  
Finance Department.

No. A/24(2k)III-08

Dated 02-01-2012.

Copy to :—

Standard endorsement.


- (i) The Government of Jammu and Kashmir, vide its Order No. A/24(2k)III-08 dated 02-01-2012, shall be applicable from 01-01-2012.
- (ii) The Government of Jammu and Kashmir, vide its Order No. A/24(2k)III-08 dated 02-01-2012, shall be applicable from 01-01-2012.
- (iii) The Government of Jammu and Kashmir, vide its Order No. A/24(2k)III-08 dated 02-01-2012, shall be applicable from 01-01-2012.

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Subject :—Payment of Dearness Allowance to the State Pensioners/  
Family Pensioners—revised rate effective from 01-07-2011.

Reference :—Cabinet Decision No. 06/01/2012 dated 02-01-2012.

Government Order No. 05/F of 2012

Dated 02-01-2012.

In continuation to Government Order No. 131-F of 2011 dated 28-04-2011, it is hereby ordered that the State Government Pensioners/Family Pensioners shall be allowed Dearness Allowance on Pension/Family Pension as under :—

Existing Rate of DA	Revised Rate of DA	Date from which applicable
51%	58%	01-07-2011

- (i) The DA arrears w. e. f. July, 2011 to December, 2011, shall be paid in cash to the State Pensioners/Family Pensioners in the month of January, 2012, and the enhancement of 7% in DA shall form part of the monthly pension, payable in cash there onwards.
- (ii) The payment of Dearness Allowance involving a fraction of 50 paise and above shall be rounded to the next higher rupee and the fraction of less than 50 paise shall be ignored.
- (iii) Other provisions governing the grant of Dearness Allowance on Pension/Family Pension such as the regulation of Dearness Allowance during employment/re-employment, where more than one pension is drawn etc. and other provisions of the existing rules/orders (as are not in conflict with the provisions of this order), shall continue to remain in force.

By order of the Government of Jammu and Kashmir.

(Sd.) IQBAL KHANDEY,  
Principal Secretary to Government,  
Finance Department.

Dated 02-01-2012.

No. A/24(2k)III-09

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

**Subject :—**Revised Roadmap for the payment of pension revision arrears on account of implementation of 6th CPC recommendations.

**Reference :—**(i) Cabinet Decision No. 169/21/2011 dated 21-09-2011.

(ii) General Administration Department's U. O. No. GAD (Adm.) 163/2011-I dated 18-11-2011 and U. O. No. GAD (Adm) 163/2011-I dated 03-01-2012.

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Government Order No. 08-F of 2012

Dated 05-01-2012.

In supersession to Government Order No. 08-F of 2011 dated 18-01-2011 and G. O. No. 123-F of 2011 dated 25-04-2011, it is hereby ordered that :—

1. The entire amount of pension revision arrears payable, shall be paid to State Pensioners/Family Pensioners in five equal annual installments spread over a period of five years from 2011-2012 onwards.
2. Pension revision arrears payable in favour of such of the State Pensioners/Family Pensioners whose age is 90 years or above shall be paid in two equal annual installments during 2011-12 and 2012-13.
3. The residual portion of commuted value of pension and that of DCRG in favour of State Pensioners/Family Pensioners who have retired between 01-01-2006 to 30-06-2009 shall be paid in two equal annual installments during 2011-12 and 2012-13.
4. 50% of the residual portion of cash in lieu of leave salary shall be paid in 2011-12 in one go and remaining 50% thereof, shall be paid in four equal annual installments spread over a period of four years from 2012-13.

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT - FINANCE DEPARTMENT

Reference: (i) Government Order No. 58-F of 2011 dated 18-01-2011  
(ii) Government Order No. 123-F of 2011 dated 25-04-2011

The Government Order No. 58-F of 2011 dated 18-01-2011 and Government Order No. 123-F of 2011 dated 25-04-2011 are hereby cancelled with effect from the date of this order.

Government Order No. 58-F of 2011

Dated 05-01-2012

In pursuance of Government Order No. 58-F of 2011 dated 18-01-2011 and Government Order No. 123-F of 2011 dated 25-04-2011, it is hereby cancelled that:-

1. The entire amount of pension arrears of Rs. 1,00,00,000/- payable to the pensioners of the Government of Jammu and Kashmir for the year 2011-12 is hereby cancelled with effect from the date of this order.

2. Pension arrears of Rs. 1,00,00,000/- payable to the pensioners of the Government of Jammu and Kashmir for the year 2011-12 is hereby cancelled with effect from the date of this order.

3. The amount of Rs. 1,00,00,000/- payable to the pensioners of the Government of Jammu and Kashmir for the year 2011-12 is hereby cancelled with effect from the date of this order.

4. The amount of Rs. 1,00,00,000/- payable to the pensioners of the Government of Jammu and Kashmir for the year 2011-12 is hereby cancelled with effect from the date of this order.

While releasing initial installment of pension revision arrears residual portion of gratuity, commuted value of pension and cash in lieu of leave salary, Treasury Officers and Drawing and Disbursing Officers shall ensure adjustment of amounts, if any paid, under G. O. No. 08-F of 2011 dated 18-01-2011 and G. O. No. 123-F of 2011 dated 25-04-2011.

By order of the Government of Jammu and Kashmir.

(Sd.) IQBAL KHANDEY,

Principal Secretary to Government,  
Finance Department.

No. A/23(2008)-II-28

Dated 05-01-2012.

Copy to :-

Standard endorsement.

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 18th January, 2012.

SRO-35.—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 General Provident Fund Rules, Samvat, 1981, be amended as under :—

1. In rule 8 C. (1).—

after the existing proviso to clause (iii), the following proviso shall be added :—

“provided further that subsequent non-refundable withdrawal from the fund can be granted only after the expiry of six months from the date of the previous withdrawal ; and

2. In rule 11.—

for the figure and word “48 installments”, wherever occurring, the figure and word “36 installments” shall be substituted with effect from 01-04-2012”.

By order of the Governor

(Sd.) .....

Principal Secretary to Government  
Finance Department.

No. A/152(61)-II-80

Dated 18-01-2012.

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Subject :—Grant of Honorarium to the Joint Director, Funds Organization, Jammu and to her Typist.

Government Order No. 37-F of 2012

Dated 08-02-2012.

Sanction is hereby accorded to the payment of honorarium to the following Officer/Official of the Funds Organization, Jammu w. e. f. 01-04-2010 to 31-03-2011, for attending work relating to the disbursement of pension to Migrant Central/Civil Pensioners of Kashmir Valley :—

S. No.	Officer/Official	Rate per month	Maximum amount admissible per year.
(i)	Joint Director; J&K Funds Organization, Jammu.	Rs. 250/-	Rs. 2500/-
(ii)	Typist	Rs. 100/-	Rs. 1200/-

The order is issued with the agreement of the Chief Controller of Pensions, Ministry of Finance, Government of India, conveyed vide Sanction Order No. CPAO/Tech/Honrm/J&K/Vol-III/2011-12/653 dated 10-08-2011 for the financial year 2010-11. The expenditure is debitible under Major Head 2071-Pension and other retirement benefits.

By Order of the Government of Jammu & Kashmir.

(Sd.) IQBAL KHANDEY,

Principal Secretary to Government,  
Finance Department.

No. A/81(90)-I-29

Dated 08-02-2012.

Copy to :—

Standard endorsement.

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Subject :—SWP No. 473/2009 dated 24-10-2011-counting of work charge, whole time contingent paid and daily wage service for pensionary benefits.

Reference :—Cabinet Decision No. 174/22/2011 dated 30-9-2011.

Government Order No. 46-F of 2012

Dated 23-02-2012.

Whereas the retired employees of PDD/PDC/Irrigation/Mechanical and Civil Engineering Departments who have partly worked in capacity of work charge, whole time contingent paid or DRWs before their regularization, represented to the Finance Department for counting of their entire un-regularised service for grant of pensionary benefits on the retirement.

Whereas the demand put forth, was examined in the Finance Department and found that rules are amply clear on the subject which *inter alia* provide that work charged, whole time contingent paid employee including daily rated workers followed by regular service, 50% period of such service is to be counted as qualifying service for pensionary benefits on retirement. Such service is regulated under Art. 177-A of J&K CSR Vol (I) which reads as under :—

“Notwithstanding anything contained in Art. 177, a work charged employee/wholetime contingent paid staff including daily rated worker(s) [excluding casual/seasonal worker(s)] who is/are brought on regular establishment and retires/retire without having been declared substantive or quasi-permanent, shall be allowed to count 50% of his/her work charged/contingent paid service as qualifying for pension together with the period of service rendered in regular establishment. If the total of two spells is 20 years or more, he will be eligible for pension under the preceding proviso.”

Whereas the Finance Department disposed off the representation vide OM No. A/36(94)-347 dated 16-9-2008, terming the demand as irrelevant and unjustified as it might encourage other incumbents from

different corners to put forth the similar demands for counting of unregularized service for pensionary benefits on the analogy basis.

Whereas these retired employees of PDD/PDC/Irrigation/Mechanical and Civil Engineering Departments filed the petition before the Hon'ble High Court and challenged the view of the Finance Department as conveyed vide OM No. A/36(94)-347 dated 16-9-2008 to Principal Secretary, Social Welfare Department.

Whereas the Hon'ble Court disposed off the petition vide judgment dated 24.10.2011 and quashed impugned OM No. A/36(94)-347 dated 16-9-2008, the operative part of the judgment is as under :—

“For the reasons discussed above, the writ petition is allowed and Office Memo No. A/36(94)-347 dated 16-9-2008 quashed. The respondents are directed to give fresh look to the matter having regard to the above observations and pass an order in accordance with Rules within 30 days from the date the copy of the judgment is served on the respondents.”

Now, therefore, in compliance to above referred orders, the representation has been re-examined and found that there is no justification in the representation for counting of remaining 50% of Daily Wage/Work Charge services towards pensionary benefits even in such cases which have been, subsequently, declared substantive or quasi permanent.

By order of the Government of Jammu and Kashmir.

(Sd.) IQBAL KHANDEY,

Principal Secretary to Government,  
Finance Department.

No. A/36(94)-1210

Dated 23-02-2012.

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Standard endorsement.