Government of Jammu and Kashmir Finance Department

COMPENDIUM 1997

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PRE-FACE TO 6TH ANNUAL COMPENDIUM FOR 1997

It is expected that every Government servant is sufficiently familiar with such rules and orders as are measury and relevant in relation to his duties. Finance Department (Codes Section) have been publishing 'Annual Compendium' which contains all the Notifications, Government Orders, Calrificatory Office memoranda circulars in relation to service and financial rules, issued in a particular Calendar year i.e. from January to December each year. Five such Annual Compendia for the year 1992, 1993, 1994, 1995 and 1996 have so far been published and are available against cash payment at Government Press, Srinagar and Ranbir Government Press, Jammu. The present annual Compendium for 1997 is sixth publication of its kind.

2. In order to update the knowledge of relevant Rules overy Government Officer is expected to equip his office with the volumes of Annual Compendia besides other relevant codal books in the best interests of prompt and efficient disposal of the matter, which he is supposed to deal with in the discharge of his official business

3. In this context, it is hoped that the officials at various levels will find this publication useful.

(Sd.) M. S. PANDIT, Additional Chief Secretary. Finance Department.

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GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

Subject : Regularisation of Migrant Daily Rate Workers/ Work Charged Employees.

Reference : Cabinet Decision No.29/8 Dated : 30-12-1996

Governmennt Order No. 27-F of 1997

Dated : 14-1-1997 mail and of yood

In relaxation to Rule 2(e) of Jammu and Kashmir Daily Rated Workers/Work Charged Employees (Regularisation) Rules, 1994, it is hereby ordered that :-

1. the daily rated workers/work charged employees (Migrants) who had completed seven years or more continuous working prior to their migration from the Valley and have been re-engaged/redeployed in the same department outside the Valley even after the break beyond the admissible limit are continuously working as such in the same department, may be regularised w.e.f. 1-4-1994, provided they were re-engaged/redeployed on or before 1-4-1994 in the same department and are continuously working and paid from the date of their re-engagement/re-deployment.

. Daily rated workers/work charged employees (Migrants) who had not completed seven years continuous service on the date of their migration from the Valley but have been re-engaged/redeployed in the same Department after breaks beyond admissible limit and are continuously working as such in the same Department, may be regularised from 1st April of the subsequent year(s) provided that they have completed the prescribed continuous working of seven years or more on or before 31st March of the preceding year without taking into account the break from

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Bt. 11-12-1997

the date of migration till the date of re-engagement/re-deployment in same Department for computation of seven years continuous working.

By order of the Government of Jammu and Kashmir.

(Sd.) (M. J. NAJAR) Director (Codes) Finance Department

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No. A/33(92)-1278 Dated : 14-1- 1997.

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GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

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Subject : Increase in Wages of Daily Wage Earners.

Reference : Cabinet Decision No. 16/2 dated 21-1-1997.

Government Order No. 33-F of 1997. Dated : 22-1-1997

. It is hereby ordered that Daily Wage earners in all Government Departments (including the seasonal labourers employed in Gulmarg and Pahalgam Projects Organisations) and those of Municipalities and Local Bodies as are presently in receipt of Rs. 28/- per day shall be paid wages at the rate of Rs. 35/- (Rupees thirty five only) per day with effect from 1st January, 1997.

By Order of the Governmennt of Jammu and Kashmir. when the read of the state of the

(Sd.) M. J. NAJAR) Director (Codes) Finance Department.

No. A/66(75)-100 Dated : 22-1-1997. and the second second

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GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

____ Notification

Dated ; Jammu the 29th , January 1997.

SRO-49.-In exercise of the powers conferred by proviso to Section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Accounts Service (Revised) Rules, 1972 :

In proviso 2nd below Rule 24 of the said Rules beginning with the words 'this will' and ending with the words and figures 'from 1-7-1994' shall be recast as under :-

"This shall and shall always be deemed to have come into effect notionally with effect from 21-2-1989 and monetarily with effect from 10-8-1992".

By order of the Governor.

(Sd.) M. S. PANDIT, Additional Chief Secretary, Finance.

No. A/33(66)-102

Dated : 29-1-1997.

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(Sd.) M. J. NAJAR, Director (Codes), Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

____ Notification

Dated : Jammu the 31st, January 1997

SRO-53.-In exercise of the powers conferred by proviso to Section 124 of Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Civil Service Regulations Volume-II namely ;

In Schedule XI of the said Regulations (containing Rules for Admission in the Accountancy Training Schools for various Accountancy courses and Examinations ;

(i) The "Notes" existing at the end of the Annexure 'A' shall be renumbered as Notes 1,2, and 3 respectively;

(ii) The following shall be inserted as Clause (IV) to the renumbered Note 1 appearing at the end of the Annexure 'A' under the caption "IV-Examination" in sub-ordinate Accounts Course Part II or SAC Part II.

"The candidates who have passed B.Com/M.Com Examination of any recognised University with Book keeping and Accounts as fullfledged papers thereto shall not be required to appear in paper IV (Book keeping) in SAC Part II Examination".

come into effect notionally with effect from 21-2-1989 and monetarily winorayog ant to popology

> Additional Chief Secretary, Finance.

No. A/153(73)-60

(5d.) M. S. PANDIT.

Dated ; 31-1-1997

Copy to the : Standard endorsees

rd endorsees (Sd.) M. J. NAJAR, Director (Codes), Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR

Notification

Dated :- Jammu the 31st January, 1997

SRO-54.-In exercise of the powers conferred by proviso to Section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to make the following amendments in the Jammu and Kashmin Civil Services (Medical Attendance-cum-Allowance) Rules, 1990 namely; In the said Rules; the following shall be inserted as 'Note below Rule 5(5)' :-

0

Note: The Government in the Administrative Department may sanction an advance, not exceeding 75% of the estimated amount of expenses, in such a manner as it may deem proper on the certificate and recommendations of Director Health Services or Director SKIMS or Principal Medical College as the case may be, to a Government Servant for treatment of any terminal or life consuming disease or where a prolonged treatment is required under Rule 5(5) above, subject to the fulfilment of the conditions laid down in Rule 14.29-A of Financial Code Volume I.

Pending cases on the date of issue of this order shall be decided accordingly.

By order of the Governor.

(Sd.) M. S. PANDIT, Additional Chief Secretary, Finance.

No. A/173 (96)-126

Dated : 31-1-1997

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(Sd.) M. J. NAJAR, Director (Codes), Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

Notification

Dated : Jammu the 31st January, 1997

SRO-55.-In exercise of the powers conferred by proviso to Section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Civil Service (Revised Pay) Rules, 1992 namely ;

In the said Rules ;

- I. Rule 9(h) of the said rules shall be recast as under :-
- 9(h) "Junior Engineers Grade-I/Assistant Engineers/ Assistant Executive Engineers/Executive Engineers.

The Junior Engineers Grade-I (2125-3600) Assistant Engineers (2200-3800) and Assistant Executive Engineers (2500-4000) who have not passed the prescribed Accountancy Examination shall be stopped at the stage of Rs. 3200/- Rs. 3600/and Rs. 3800/- respectively. Similarly, Executive Engineers who have not passed the prescribed Accountancy Examination shall be stopped at the stage of Rs. 4000/- in the payscale of Rs. 3000-4500. Thereafter no increments should be given or the promotion confirmed till the accountancy examination is passed.

This shall be deemed to have existed in the rules abinitio in the case of Assistant Engineers/Assistant Executive Engineers and Executive Engineers but shall have prospective effect in the case of Junior Engineers Grade-I.

II. Consequent upon the above amendments in Jammu and Kashmir Civil Service (Revised Pay) Rules, 1992 the following amendments shall be made in Schedule XVII of Jammu and Kashmir Civil Service Regulations containing Rules and Syllabi of Assistant Engineer/Executive Engineers and their admission to the Accounts Courses in the Accountancy Training School :-

(a) The caption in Schedule XVII shall be recast as under :-

- (i) "Rules and Syllabi for Accounts Examination of Junior engineers/Assistant Engineers/Assistant Executive Engineers/Executive Engineers and their admission to Accounts Courses in the Accountancy Training Schools".
- (b) In the definition of "Engineers" in Rule 2(iv) the words "Assistant Executive Engineers" shall be

inserted in between the words "Assistant Engineers" and "Executive Engineer".

(c) The following shall be inserted as Rule 6(A) in the said Rules :-

"Notwithstanding anything contained in these rules Junior Engineer Grade-I in the scale of Rs. 2125-3600 who may be in-service on the date of issue of this Notification or appointed/Promoted as such hereafter shall be stopped at the stage of Rs. 3200/- in the scale of Rs. 2125-3600 till he qualifies the prescribed Accountancy Examination. Thereafter no incremnents should be given or the promotion confirmed till the accountancy examination is passed.

The amendments as at II(a) and II(b) shall be deemed to have existed in the rules w.e.f. 29-10-1987 (the date of re-organisation of the Engineering Department as ordered vide Government Order No. PW-972 of 1987 dated : 29-10-1987). However, the amendment at II(c) shall be effective prospectively from the date of issue of this Notification.

By Order of the Governor.

(Sd.) M. S. PANDIT, Additional Chief Secretary, Finance.

No. A/41(94)-137

Dated : 31-1-1997

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(Sd.) M. J. NAJAR, Director (Codes), Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

> O. M No. A/45(85)-II-182 Dated : 11-2-1997

Subject : Undue retention in Government service.

Attention is invited to Government Instruction No. B below Article 226(1) of Jammu and Kashmir Civil

Service Regulations which reads as under :-

"In spite of clear provisions in the rules with regard to retirement of Government servants cases of overstaval in service beyond the date of superannuation come to the notice of Government from time to time. The Department generally propose treatment of such period of overstayal as extension/re-employment on the plea that the date of birth was not recorded in service book because of non-availability of requisite certificate or date of birth originally recorded in service book has been tempered with subsequently or there has been on error of judgement in treating in employee as an inferior under the first proviso below Article 226(1) etc. etc. There is an alarming increase in number of such cases and everytime Government is compelled to accord sanction with a view that the retiree does not suffer for the apathy shown by the concerned administrative authority in appreciation and application of the rules governing the age of retirement, as it becomes a fait accompli and erring officer escapes accountability. It is accordingly emphasised that the instruction laid down in Government Instruction No. 1 above should be followed strictly by all the administrative authorities concerned. The cases overstayal beyond the date of superannuation involving collusive or contrived motives on the part of the Head of office or any other higher officer should be identified and suitable action (including recovery of excess payments made as a result of such irregularities) taken against such officer to arrest such irregularities. The case of wilful tempering in the dates of birth involving moral turpitude on the part of the concerned Government servant should be identified and referred to Director General of Police for getting these investigated by a special cell and severe disciplinary action taken against defaulters to prove as a detereent. The intention of these instructions being to avoid hardship to which some retiring Government servants are put because of non-settlement of their pension cases for years together on account of dispute over the correct date of retirement etc.the same shall be read with existing

provisions of Article 168-D and Article 284-A and the Government Instructions thereunder".

2. Finance Department have issued detailed instructions vide O.M. No.A/85(95)-1151 dated : 29-12-1995 specifying therein the procedure to be followed while initiating/finalising the pension cases. The cases of disputed date of birth/conversion of Bikrami Era into Christian Era are not be left to be decided at the fag end of service of an employee. The service books are supposed to be seen/verified/signed by the Head of Office/Head of Departments quite frequently i.e. on the date of drawal of increment or an official proceeding on leave or on promotion/transfer etc. and invariably on account of annual verification of service for the preceeding year. The cases of over-writing erasures in the date of birth have to be taken up immediately for investigation.

3. For quite some time past the cases of overstayal in service are referred to Finance Department by the Administrative Departments for treating the overstayal period as re-employment without following the rules on the subject. The rules clearly provide that the defaulting officers should be identified and recovery of excess payments made as a result of such irregularity taken against them.

4. All the Financial Commissioners/Additional Chief Secretaries, Commissioners/Secretaries to Government and Head of Departments are requested kindly to ensure that suitable instructions in light of aforementioned rules are issued to subordinate officers for ensuring strict adherance to rules and in cases where the period of overstayal is proposed to be treated as re-employment, the excess payments made as a result of such irregularity are recovered from the concerned Drawing and Disbursing Officer/ Head of

5. Receipt of this circular may be acknowledged.

(Sd.) M. S. PANDIT, Additional Chief Secretary, Finance.

Copy to the : Standard endorsees.

(Sd.) M. J. NAJAR, Director (Codes), Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

Notification

Dated : Jammu the 4th March, 1997.

SRO-85.-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 to Jammu and Kashmir Daily Rated Workers/Work Charged Employees (Regularisation) Rules, 1994 namely;

Clause 1 of Rule 9 under the caption "Miscellaneous" shall be deleted.

By order of the Governor.

(Sd.) M. S. PANDIT, Additional Chief Secretary, Finance.

No. A/16(97)-269

Dated : 4-3-1997

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(Sd.) M. J. NAJAR, Director (Codes), Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

Notification

Dated : Jammu the 10th March, 1997.

SRO-95.-In exercise of the powers conferred by proviso to Section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Civil Service Regulations Vol. I namely;

In the said Regulations ; Clauses (a) and (b) below Article 44(A) shall be recast as under :-

(a) For refresher courses which last for more than 8 weeks the training allowance will be allowed at Rs. 300/- (Rupees three hundred only) per month provided the training Institute is outside the City/Town of the place of posting or the residences of the trainee.

11

(b) In the case of refresher courses which last up to 8 weeks the training allowance shall be allowed at a uniform rate of Rs, 10/- (Rupees ten only) per working day irrespective of the fact whether the Institute is situated within or outside 13 Kms. from the City or the Town limit which is neither the place or posting nor the place of residence of the Government servant.

By Order of the Governor

(Sd.) M. S. PANDIT, Additional Chief Secretary, Finance.

No. A/18(62)-191

Dated : 10-3-1997

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(Sd.) M. J. NAJAR, Director (Codes), Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

Subject : Classification of Officers.

Ref. : Cabinet Decision No.50/5 dated : 13-3-1997

Government Order No. 100-F of 1997

Dated : 20-3-1997

In chapter 2 of Book of Financial Powers the following shall be inserted at Serial Nos. 124 and 125 under the caption 'A-Major Heads of Department'.

S.No. 124 Director Budget, S.No. 125 Director Codes,

Finance Department Finance Department

By order of the Government of Jammu and Kashmir

(Sd.) M. S. PANDIT, Additional Chief Secretary, Finance.

Dated : 20-3-1997 No. A/50(97)-313 Copy to the : Standard endorsees

(Sd.) M. J. NAJAR, Director (Codes), Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

Notification

Dated : Jammu the 20th March, 1997 ____

SRO-104.-In exercise of powers conferred by proviso to Section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to make the following amendments in the J&K Civil Service Regulations Volume-II namely :-

In Schedule I-A of said Regulations ;

The following shall be inserted at Serial No.124 and 125 under the caption "A-Major Heads of Departments".

124 Director Budget, 125 Director Codes.

Finance Department Finance Department

By order of the Governor.

(Sd.) M. S. PANDIT, Additional Chief Secretary, Finance. Dated : 20-3-97

No. A/50(97)-313/A

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(Sd.) M. J. NAJAR, Director (Codes), Finance Department. GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

____ Notification

Dated : Jammu the 31st March, 1997.

SRO-114.-In exercise of the powers conferred by proviso to Section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Government Degree College (UGC Pay) Rules, 1991.

In the said Rules the following shall be inserted as proviso below Rule 10.1 ;

Provided that in case the pay of an in-service appointee with research degree against the prescribed reserved quota gets fixed in the prescribed pay scale at a stage lower than that of the direct recruit, who is given the benefit of research degree the pay of the former will be fixed at the stage, at which the pay of the direct recruit is fixed."

This shall be deemed to have existed in these rules abinitio.

By order of the Governor.

(Sd.) M. S. PANDIT, Additional Chief Secretary,. Finance.

No. A/41(92)-283 Copy to the : Standard endorsees.

Dated : 31-3-1997

(Sd.) M. J. NAJAR, Director (Codes), Finance Department.

GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

- Subject : Revision of Financial delegation in the matter of allotment of contract.
- Reference : Public Works Department U.O. No.PW/PA-FA&CAO/244/97 dated : 10-3-1997.
 - (ii) General Administration Department No GDC-37/CM/97 dated : 25-2-1997.

Government Order No. 137-F of 1997. Dated : 2-4-1997.

In Chapter 5.14 of book of Financial Powers Column 3 (to whom delegated) and Column 4 (Extent) against serial 2 shall be recast as under :-

S.No.		to whom delegated	Extent
1		3	4
2.	i)	Contract Committee	Full Powers
	ii)	Chief Engineer	Up to Rs. 30 lakhs
	iii)	District Superintending Engineer	Up to Rs. 10 lakhs
	i∨)	Superintending Engineer	Up to Rs. 8 lakhs
	v)	Executive Engineer	Up to Rs. 3 lakhs
	Ву с	order of the Government of	Jammu and Kashmır
		Addit	(Sd.) M. S. PANDIT, ional Chief Secretary, Finance.
		2(Engg)-349 Da the : Standard endorsees	ted : 2-4-1997
cob			(Sd.) M. J. NAJAR, Director (Codes), FInance Department.

GOVERNMENT OF JAMMU AND KASHMIR FINANCE DEPARTMENT

Subject : Payment of Dearness Allowance to State Pensioners/Family Pensioners-Revised Rates with effect from 1-1-1997.

Ref. : Cabinet Decision No. 87/10 dated : 24-4-1997

Government Order No. 153-F of 1997.

Dated : 25-4-1997.

In partial modification of Government Order No. 236-F of 1996 dated : 11-10-1996, it is hereby ordered that the State Government Pensioners/Family Pensioners shall be allowed Dearness Allowance on pension/Family pension at the following rates w.e.f. 1-1-1997 :-

Basic Pension/ Family Pension per month	Rates of Dearness Allowance per month (including pre- vious instalments) w.e.f. 1-1-1997
i) Not exceeding Rs. 1750/- P.M.	170% of basic pension PM.
ii) Exceeding Rs. 1750/- but not exceeding Rs. 3000/- P.M.	128% of basic pension sub- ject to minimum of Rs.2975/- P.M.
iii)Exceeding Rs. 3000/- P.M.	110% of basic pension sub- ject to minimum of Rs. 3840/- P.M.
notinoos and where fal	on in the case of pre-1-4-1987 mily pension was sanctioned the consolidated pension or

consolidated family pension as the case may be effective from 1-4-1987 in terms of Government Order No. 93-F of 1988 dated : 1-4-1988.

3. In the case of pensioners who have retired from service on or after -4-1987 and in the case of family pensioners, who's family pension has been