

GOVERNMENT OF JAMMU AND KASHMIR
FINANCE DEPARTMENT (Codes Division)
Civil Secretariat, Jammu/Srinagar

Notification,

Srinagar, the 1st December, 2022.

S.O. 643 .— In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Lieutenant Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Civil Service Regulations, 1956; namely:-

1. In Schedule XII of J&K Civil Services Rules, 1956 Vol. II, the following shall be substituted; namely:-
 - A) Form 3** (referred to in Article 287-A, 287-B, 287-C, 288-A, 289(a)(i) & 290(3)), shall be substituted by **Form-3 (Digital)**.
 - B) Form 5** (referred to in G.I below Article 284 & Article 289-A), shall be substituted by **Form-5 (Digital)**.
 - C) Form 7** (referred to Art. 284-B & 289-A), shall be substituted by **Form-7 (Digital)**.
 - D) Form 8** (referred to Art. 289-A), shall be substituted by **Form-8 (Digital)**.
2. In Jammu & Kashmir Family Pension-Cum-Gratuity Rules, 1964 as contained under Schedule XV of Jammu & Kashmir Civil Services Regulations Vol. (II), the following shall be substituted; namely:-
 - a. **Form 14** (referred to in Rule 28 of Schedule XV) titled as "Form of application for grant of family pension on the death of pensioner survived other than by a widow/widower" shall be substituted by **Form-14 (Digital)** titled as "Form of application for the grant of family pension or death cum retirement gratuity of a Government servant while in service/after his retirement to Child/Children/Other Dependents, when

(i)



spouse is not alive or has remarried or has declined to accept Family Pension/DCRG".

- b. **Form 14 A** (referred to in Rule-29 Schedule-XV) titled as "Form of application for Family Pension in respect of pensioners who have retired on or after 1-4-1965 and have a wife/husband living" shall be substituted by **Form-14 A (Digital)** titled as "Form of application for nomination and grant of Advance family Pension in favour of surviving spouse of the pensioner who married/remarried after retirement".
- c. **Form 14 B** titled as "Form of application for family pension in respect of pensioners who have retired on or after 1-4-1965 but before 1st February, 1980 and those pensioners who retired on or after 1-2-1980, and who have died without having filled Form14-A", shall be substituted by **Form-14 B (Digital)** titled as "Form of application for grant of Family Pension to spouse of the pensioner who married/remarried after retirement and died without having filled Form-14 A (Digital)".
- d. **Form 17** (referred to in Rule-25 Schedule-XV) titled as "Form of application for grant of family pension on the death of Government servant while in service/ after his retirement", shall be substituted by **Form-17 (Digital)** titled as "Form of application for the grant of family pension and or death-cum-retirement gratuity to spouse on the death of a Government servant while in service/after retirement".
- e. **Form 18** (referred to in Rule-25 & Rule-26 of Schedule XV), titled as "Form for assessing and sanctioning Family Pension and Death Gratuity when a Government servant dies while in service" shall be substituted by **Form-18 (Digital)** titled as "Form for assessing and sanctioning Family Pension or Death-cum-Retirement Gratuity when Government Servant dies while in service or after retirement to the spouse".
- f. **Form 19** (referred to in Rule 26 of Schedule XV), titled as "Form of letter to the Accounts Officer forwarding papers for the grant of family pension and

(ii)

death-cum-retirement gratuity to the family of a Government servant who dies while in service." shall be substituted by **Form-19 (Digital)** titled as "Form of letter to the Accountant General forwarding papers for the grant of family pension and death-cum-retirement gratuity to the family of a Government servant who dies while in service or after retirement."

- g. **Form 20** (referred to in Rule-28 of Schedule XV) titled as "Form of letter sanctioning family pension to the child or children of a retired Government servant who dies after retirement but does not leave behind widow/widower", shall be substituted by **Form-20 (Digital)** titled as "Form of letter sanctioning family pension and or death-cum-retirement gratuity on the death of a Government servant while in service or after retirement to Child/ Children when spouse is not alive or has remarried or has declined to accept Family Pension and or DCRG."
- h. **Form 21** (referred to in Rule-28 of Schedule XV) titled as "Form of letter sanctioning family pension to the child or children on the death or remarriage of a widow/widower who was in receipt of family pension" shall be substituted by **Form-21 (Digital)** titled as "Form of letter sanctioning family pension and or death-cum-retirement gratuity on the death of a Government servant while in service or after retirement to the dependents when spouse or child/children of a Government servant/pensioner do not exist or are not eligible or has declined to accept Family Pension and or DCRG."
3. In Rule 25, after the words "while in service" the symbol & words "/after retirement" (as the case may be)", shall be incorporated.
4. In Rule 25, for the words "beneficiary or beneficiaries", the words "spouse or child/children/other dependents", shall be substituted.
5. In Rule 25, for the word and figure "Form 17", the words and figures "Form-17 (Digital) in respect of spouse and Form-14 (Digital) in respect of child/children/other dependents", shall be substituted.

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6. In Rule 25, for the word and figure "Form 18", the words and figures "from spouse, child/children & other dependents in Form-18 (Digital), Form-20 (Digital) & Form-21 (Digital)", respectively, shall be substituted.
7. In the Caption under Rule 26, for the words "Audit Office", the words "Office of Accountant General" shall be substituted.
8. In Rule 26, for the word and figure "Form 18", the words and figures "Form-18 (Digital), Form-20 (Digital) & Form-21 (Digital)", shall be substituted.
9. In Rule 26, for the words "the Head of office shall complete items 19, 20, 21 and 24 of the Form 18 and send Form 18 in original to the", the words "from the spouse or child/children(s) or other dependents the Head of Office shall complete the details in Form-18 (Digital) or Form-20 (Digital) or Form-21 (Digital), respectively and send the respective form to the", shall be substituted.
10. In Rule 26, for the words "Audit Office" the words "Office of Accountant General" shall be substituted.
11. In Rule 26, for the words "Audit Officer" the words "Accountant General", shall be substituted.
12. In Rule 26, the words "of Part I", shall be deleted.
13. In Rule 26, the figures "19, 20, 21 and 24, shall be deleted.
14. In the Caption under Rule 28, after the word "Pensioner", the symbol & words "/Government Servant" shall be incorporated.
15. In Rule 28, after the word "Pensioner" the symbol & words "/Government Servant" shall be incorporated.
16. In Rule 28, after the word "retirement", the symbol & words "/while in service" shall be incorporated.
17. In Rule 28 (C)(iv) & Rule 28(D)(ii), for the word & Figure "Form 21", the words & figure "Form 20 (Digital)" shall be substituted.

(iv)



18. The following shall be inserted as Rule 28 (E); in Family Pension-cum-Gratuity Rules, 1964; namely:-

"(E) In the event of death of Pensioner/Government servant after retirement or while in service the grant of family pension to other dependents, when the spouse or child/ children of pensioner/Government Servant do not exist or are not eligible or declines to accept Family Pension, the Head of Office shall sanction Family Pension in favour of the eligible dependent in Form 21 (Digital)."

19. In Rule 29, for the words "Wife or Husband", the word "Spouse" shall be substituted.

20. In the first line of Rule 29, for the words "who has retired from service on or after 1-4-1965, and has on the date of issue of these orders, a surviving wife or husband, (as the case may be) may apply in Form 14-A to the authority who sanctioned his service pension for grant of family pension to his surviving wife/husband after his/her death", the words "and has married/remarried after retirement may apply in Form-14 A (Digital) to the authority who sanctioned his service pension for nomination & grant of Advance family pension to his/her surviving spouse", shall be substituted.

21. In Jammu & Kashmir Family Pension-Cum-Gratuity Rules, 1964 as contained under Schedule XV of Jammu & Kashmir Civil Services Regulations Vol. (II), the following shall be substituted; namely:-

- i) Form A (referred to in Article 240-E) titled as "Nomination of Death Gratuity (when the officer has a family and wishes to nominate one member thereof), shall be substituted by Form-A (Digital) titled as "Nomination for Death Gratuity or Retirement Gratuity (in the event of death of retired Government servant before receiving gratuity) when the officer has a family and wishes to nominate any member or members of his family referred to in Article 240-C (ii)".

(v)



ii) **Form B** (referred to in Article 240-E) titled as "Nomination of Death Gratuity (when the officer has a family and wishes to nominate more than one member thereof)", shall be substituted by **Form-B (Digital)** titled as "Nomination of Death Gratuity/Retirement Gratuity, when the officer has no family and wishes to nominate any person or persons".

iii) **Form C & Form D**, shall be deleted.

iv) In Article 240-E, after the words "while in service", the symbol & words "/after retirement" shall be incorporated.

v) In Article 240-E, for the words "(Form A & Form B of Schedule XV)", the words **[Form-A (Digital) and Form-B (Digital) of Schedule XV]**, shall be substituted.

22. In Civil Pension (Commutations) Rules, as contained under Schedule X of Jammu & Kashmir Civil Services Regulations Vol. (II), the following shall be substituted; namely:-

i) **Form A** titled as "Form of Application for Commutation of Pension, shall be substituted by **Form-A (Digital)** titled as "Form of Application for commutation of Pension after one year of retirement with Medical examination".

ii) **Form B** titled as "Commutation of Civil Pension", shall be substituted by **Form-B (Digital)** titled as "Forwarding Letter to the Medical Board for Medical Examination of the Pensioner for Grant of Commutation".

iii) **Form C** titled as "Commutation of Civil Pension", shall be substituted by **Form-C (Digital)** titled as "Form for Medical Examination for Commutation".

iv) **Form D** titled as "Form of Application for commutation of Pension without Medical examination, shall be substituted by **Form-D (Digital)** titled as "Application for Commutation of Pension without Medical Examination when the Government servant/ pensioner desires that the payment of the commuted value should be authorized through the Pension Payment Order or after issuance of Pension Payment Order within one year from the date of retirement".

v) **Form F**, shall be deleted.

23. In Note below Rule 7-A, the words "the report from audit officer will have to be called for in Part II of Form A for commutation of Civil Pension twice", shall be deleted.

(vi)

24. For the existing Rule 13 of Schedule X, the following shall be substituted;

13. Eligibility.

An applicant who is authorized –

- a) a superannuation pension under Article 225 of J&K CSR Vol.I; or
- b) a retiring pension under Article 230 of J&K CSR Vol.I; or
- c) a compensation pension on abolition of permanent post under Article 207 of the Pension Rules ; or
- d) a pension on premature retirement in terms of Article 226(2)
- e) an Invalid pension in terms of Article 215, excluding the category retired on Invalidation due to any disease referred in Rule 12 of this schedule.

25. For the existing Rule 15, the following shall be substituted;

15. Application for commutation of pension -

(1) An applicant, who is in receipt of any pension referred to in Rule 13 (a to d) and desires to commute a percentage of that pension any time after the date following the date of his retirement from service, but before the expiry of one year from the date of retirement, shall -

- (a) apply to the Pension Sanctioning Authority in **Form-D (Digital)** after the date of his retirement;
- (b) ensure that the application in **Form-D (Digital)**, duly completed, is delivered to the Pension Sanctioning Authority as early as possible but not later one year of the date of his retirement :

Note: An applicant who applies for commutation of pension within one year of from the date of his retirement but his application in **Form-D (Digital)** is received by the Pension sanctioning Authority after one year of the date of his retirement, shall not be eligible to get his pension commuted, without medical examination. Such an applicant, if he desires to commute a fraction of his pension, shall apply afresh in **Form-A (Digital)** to PSA in accordance with the procedure laid down in sub-rule 5 of this rule.

(2) An applicant who applies for commutation of pension after one year from the date of his retirement, he/she shall have to apply in **Form-A (Digital)** to PSA in accordance with the procedure laid down in sub-rule 5 of this rule.

(Vii)

(3) A Government servant who is due to retire on superannuation and desires payment of the commuted value of pension being authorized at the time of issue of the pension payment order, shall be eligible to apply for commutation of a portion of pension up to maximum limit of 40% of Pension along with pension papers prior to the date of retirement provided:-

(a) The Government servant retires on superannuation pension only;

(b) The application is submitted to the Head of office in the prescribed **Form-D (Digital)** so as to reach the Head of Office not later than three months before the date of superannuation;

(c) The Government shall have no liability for the payment of the commuted value of pension if the Government servant dies before the date of superannuation or forfeits claim to pension before such retirement.

(4) A Government servant who Retire on Invalidation, in terms of Article 215 of J&K CSR Vol. I, shall apply to Pension Sanctioning Authority in **Form-A (Digital)** to PSA for commutation of a percentage of his pension in accordance with the procedure laid down in sub-rule 5 of these rules, however, retirement on Invalidation due any disease referred to in Rule 12 are not eligible for commutation.

(5) The PSA on receipt of application for commutation from the Pensioner in **Form-A (Digital)**, shall instruct the pensioner to appear before the Medical Authority and shall request the Medical Authority in **Form-B (Digital)**, to conduct the Medical examination of the Pensioner on appropriate date and place within three months from the date issue of this letter.

The Pensioner shall produce himself/herself before medical authority on the decided date and shall take the duly filled Form-C (Digital) Part I to the Medical Authority. Medical Authority shall subject the applicant to strict medical Examination, enter the results in Part II of Form-C (Digital) and shall complete the certificate in Part-III of Form C (Digital).

Subject to the certificate of fitness provided by the Medical Authority, the PSA may forward the application in Form A, along with medical fitness Certificate in Part-III of Form-C obtained from the Medical authority to the Office of the Accountant General for authorization of Commutation of Pension.

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The Accountant General on receipt of the completed "Form D (Digital)" in case of Rule 15(1) & 15(3) and "Form A and Part-III of Form C" in case of Note under rule 15(1), Rule 15(2) & 15(4) from the Head of Office/PSA shall make necessary verification of the information furnished by the retiring Government servant / Pensioner and shall issue necessary authorization to the Treasury Officer under intimation to the Government Servant and the Head of Office.

Treasury officer, after receipt of necessary authorization from the Accountant General shall draw the bill on account of commuted value of pension. For the cases mentioned at Rule 15(3), the Treasury officer shall draw the bill on account of commuted value of pension "Not payable before----- (date following the date of retirement)".

26. For the existing Rule 19, the following shall be substituted:-

"On receipt of an application for commutation from the Pensioner after one year, the sanctioning authority, shall instruct him/her to appear before the said Medical Authority in Form-B (Digital) within 3 months from the date of the order, or if he has applied for commutation in advance in case of Retirement on Invalidation, within 3 months from that date of retirement. This intimation shall lapse if the medical examination does not take place within the period of 3 months from the issue of letter in Form-B (Digital). If the applicant does not appear for examination before the Medical Authority within the prescribed period, the sanctioning authority may at his discretion extend it for a further period of 3 months without obtaining a fresh application for commutation. The applicant can, however, withdraw his/her application for commutation by a written notice dispatched at, any time before the medical examination is due to take place and this option will lapse as and when the applicant appears for examination before a Medical Authority, provided that if the Medical Authority directs that his/her age for the purpose of commutation shall be assumed to be greater than his/her actual age, the applicant may withdraw his/her application by written notice dispatched within 2 weeks from the date, on which he/she, received intimation of the revised sum payable on commutation, or if this sum is already stated in the sanctioning order (within two weeks from the date on which he/she receive intimation of the finding of the Medical Authority). If the applicant does not withdraw in writing his/her application within the period of two weeks prescribed above he/she shall be assumed to have accepted the sum offered".

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27. In Rule 21, the words "in Part III of Form A", shall be deleted.
28. In Rule 22, the words "on Form 'B' a certified copy of the Accountant General's certificate contained in Part II of Form 'A', shall be deleted.
29. In third line of Rule 22, for the words "Form C part" the words Form-C (Digital) - Part-I", shall be substituted.
30. For the existing Rule 28, the following shall be substituted:-

"The ultimate Medical Authority shall without delay forward the Certificate of fitness in Form-C (Digital), Part-III in original to the sanctioning authority who shall further forwards it along with Form-A (Digital) to the Accountant General as expeditiously as possible."

31. For the existing Rule 33, the following shall be substituted:-

The Accountant General on receipt of the complete Forms-A (Digital) and Form-C (Digital) mentioned above, shall subject to provisions of Rule 32 arrange forthwith for the payment of the appropriate commutation value and for the corresponding reduction in pension, if necessary.

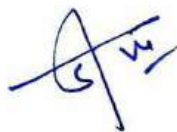
32. Rule 33-A, shall be deleted.

33. In Rule 34, for the word "Form E", the words "Form-E (Digital)", shall be substituted.

34. In Article 291 (1), for the word "Form A", the words Form-A (Digital), shall be substituted.

35. Form B [referred to in Article 291 (1)] titled as "(To be signed by legal heirs or members of the family of a deceased pensioner)", shall be substituted by Form-B (Digital) titled as "(To be signed by member/members of the family or legal heirs of a deceased Government servant/ Pensioner)."

36. In Article 303-C, for the words "the form annexed to this chapter" the words "Form-A (Digital)", shall be substituted.



(X)

37. The existing forms as referred above shall be deemed to have been replaced by the revised digital forms (Annexure-A).

By Order of the Lieutenant Governor.

Sd/-
(Nitu Gupta), JKAS,
Secretary,
Finance Department.

No. FD-Code/353/2021-02-Part(1)-13.

Dated: 01.12.2022

Copy to the:-

1. Advocate General, J&K High Court Srinagar/Jammu.
2. Principal Accountant General J&K Srinagar/Jammu.
3. All Financial Commissioners.
4. Director General of Police, J&K.
5. Principal Secretary to the Hon'ble Lieutenant Governor.
6. All Principal Secretaries to Government.
7. Jt. Secretary (J&K), Ministry of Home Affairs, Government of India.
8. Principal Resident Commissioner, 5-Prithvi Raj Road New, Delhi.
9. Chief Electoral Officer, J&K.
10. All Commissioner/ Secretaries to Government.
11. Divisional Commissioner Kashmir/ Jammu.
12. Principal Secretary to Chief Justice J&K High Court Srinagar/Jammu.
13. Registrar General, J&K High Court Srinagar/Jammu.
14. Director Anti Corruption Bureau, J&K.
15. Director General, Audit and Inspections.
16. Director General, Budget Division J&K.
17. Director General Accounts and Treasuries.
18. Director General Funds Organization.
19. Director Local Fund Audit & Pensions, J&K.
20. Director Information J&K.
21. All Head of Departments/ Managing Directors/Chief Executives of State PSU's/ Autonomous Bodies/ Societies.
22. Secretary J&K Public Service Commission.
23. All District Development Commissioners.
24. Secretary, J&K Legislative Assembly.
25. Director/Principal, Northern Zonal Accountancy Training Institute Jammu.
26. Director Accounts & Treasuries Kashmir/ Jammu.
27. All Directors of Finance/Financial Advisors & CAOs.
28. Principal Accountancy Training School Srinagar.

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29. Joint Director, J&K Funds Organization Srinagar/Jammu.
30. General Manager, Government Press, Srinagar/ Jammu for publication in Government Gazette.
31. Private Secretary to Hon'ble Advisor (B).
32. Private Secretary to Chief Secretary.
33. Private Secretary to Financial Commissioner (Additional Chief Secretary), Finance Department.
34. All Treasury Officers.
35. I/C website, FD (www.jakfinance.nic.in).
36. I/C website, GAD (www.jkgad.nic.in).
37. Government Order File (W2 scs).


(Sonika Arora)
Deputy Director (Codes),
Finance Department.