

**AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
CIVIL SERVICES PENSION RULES, 1971**

**CHAPTER – I
GENERAL**

- 1.1 Short title:** These rules may be called the Azad Kashmir civil Services Pension Rules, 1971.
- 1.2 Commencement:** These rules shall have effect from 18.3.1969 in respect of Non-Gazetted Government servants and from 1.7.1970 in respect of Gazetted Officers.
- 1.3 Extent of application:** Unless in any case it is otherwise expressly provided, these rules shall apply to:
- (i) All Non-Gazetted Government servants under the Rule-making control of the Azad Government of the State of Jammu and Kashmir who entered Government service on or after 18.3.1969.
 - (ii) All Gazetted Government servants under the rule-making control of Azad Government of the State of Jammu and Kashmir who entered Government service on or after 1.7.1970.
 - (iii) All Non-Gazetted Government servants who were in service on or before 18.3.1969 and all Gazetted Government servants who were in service on or before 1.7.1970, unless they opt to continue to be governed by the existing rules applicable to them;
 - (iv) All pensioners who retired from Government service after 18.3.1969 (in case of Non-Gazetted Government servants) or after 1.7.1970 (in case of Gazetted Government servants), but before the date of publication of these rules, if they opt to be governed by these rules.

Note: In the case of Government servants or pensioners who were in service on and after the date of commencement of these rules but died before publication of these rules, it will be assumed that they opted for these rules.

- 1.4 Option:** Government servants and pensioners mentioned in clauses (iii) and (iv) of rules 1.3 above may exercise option within a period of six months from the date of publication of these rules in Azad Kashmir Gazette. The option shall be communicated in writing to the Accountant General Azad Government of the State of Jammu and Kashmir as well as the appointing authority in the case of Gazetted or retired Gazetted officers, and to the appointing authority in the case of Non-Gazetted or retired Non-Gazetted staff, and the option once so exercised shall be final. Government servants who fail to exercise option within the stipulated period shall be assumed to have opted for the Azad Government of the State of Jammu and Kashmir Civil Service pension rules.

Note: The Accounts officer should acknowledge the receipt of option Communicated to him by Gazetted officers.

- 1.5** These rules shall not apply to:
- (i) Government servants paid from Contingencies or born on Work charge Establishment.
 - (ii) Government servants engaged on contract which contains no stipulation for pension under these rules.

- (iii) Any person for whose appointment and conditions of service special provision is made by or under any law for the time being in force.
- (iv) Any Government servant or class of Government servants who may be excluded by a competent authority from the application of these rules;
- (v) Any Government servant who holds a post which has been declared by a competent authority to be non-pensionable;
- (vi) Any person whose whole-time is not retained for public service but is merely paid for work done such as Public Prosecutors and Advocate General not debarred from private practice;
- (vii) Any person who is not paid from the Azad Kashmir Government revenues but is paid from a fund held by Government as a Trustee, or from a local fund, or is remunerated by fees for the gram of a tenure of land or any other source of revenue or of a right to collect money.

1.6. Definitions:

- (i) Unless expressly specified otherwise in these rules the terms "used" in these rules have the same meaning as defined in Azad Kashmir Service Regulations;
- (ii) **“Pension”** except when the term "pension" is used in contradiction to Gratuity, pension includes Gratuity;
- (iii) **“Class IV Services”** Class IV Services means any kind of Service which, may be specifically classed as such by the Government.
- (iv) **“Superior Service”** Superior Service means any kind of service which is not class IV service.
- (v) **“Ordinary Pension”** Ordinary Pension means pension other than extraordinary pensions;
- (vi) **“Full Pension”** Full pension means the amount of ordinary pension admissible including $\frac{1}{4}$ th of the surrendered portion of the pension.
- (vii) **“Pay”** Pay means the amount drawn monthly by Government servant as:
 - (1) the pay other than Special Pay or pay granted in lieu of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and
 - (2) technical pay, special pay and personal pay; and
 - (3) any other emoluments which may be specially classed as pay by the President.

1.7. In anywhere pension or gratuity is not admissible under these rules, the competent authority may grant a pension which will, not save in most exceptional circumstances, exceeding Rs. 100/- a month or a Gratuity not exceeding the equivalent value of that amount, provided that general spirit of the rules is observed.

1.8. (a) Good conduct is an implied condition of every kind of pension. Government may withhold or withdraw a pension or any part of it if the pensioner be convicted of serious crime or be found to have been guilty of grave misconduct either during or after the

completion of his service, provided that before any order of this effect is issued, the procedure regarding imposition of the penalty of removal from service shall be followed.

- (b) Government reserves to themselves the right of recovery from the pension of Government pensioner on account of losses found in judicial or departmental proceedings to have been caused to Government by the negligence, or fraud of such Government pensioner during his service, provided that such departmental proceedings shall not be instituted after more than a year from the date of retirement of the Government pensioner.
- (c) In case the amount of pension granted to a Government servant be after-wards found to be in excess of that to which he is entitled under the rules, he shall be called upon to refund such excess.

1.9. No pension may be granted to a Government servant dismissed or remove for misconduct. Corruption, subversive activities or inefficiency, but if he deserves special consideration he may be granted a compassionate allowance not exceeding 2/3rd of the pension which would have been admissible to him had he retired on invalid pension.

CHAPTER – II
SERVICE QUALIFYING FOR PENSION

2.1. Conditions of qualifications: The service of a Government servant does not qualify for pension unless it conforms to the following three conditions:

First	The service must be under Government
Second	The service must not be non-pensionable
Third	The service must be paid by Government from their revenues

Note: (1) For the previous service of displaced Government servants who qualify for pension see Chapter VII.

Note: (2) Service rendered after retirement on superannuation pension retiring pension shall not count for pension or gratuity.

2.2. Beginning of Service: Subject to any special rules, the service of a Government servant begins to qualify for pension when he takes over charge of the post to which he is first appointed.

2.3. Temporary and officiating service: Temporary and officiating service shall count for pension as indicated below:

- (i) Government servants borne on temporary establishment who have rendered more than five years continuous temporary service shall count such service for the purpose of pension or gratuity; and
- (ii) temporary and officiating service followed by confirmation shall also count for pension or gratuity.

2.4. Service in a temporary post on abolition of a permanent post: If a permanent post on which a Government servant holds a lien, is abolished under circumstances entitling him to get a compensation pension or gratuity, his service thereafter in a temporary post under Government qualifies for pension.

2.5. Apprentices and probationers:

- (1) One-half of the periods of apprenticeship qualify for pension.
- (2) The service of a probationer who is subsequently confirmed in a permanent post without interruption qualifies for pension.

2.6. Training: The time spent by a Government servant in approved training shall count as service qualifying for pension.

Note: The period of training before actual appointment to Government service shall not count for pension.

2.7. Leave: All leave (other than extraordinary leave without allowances) counts as qualifying service for purposes of pension.

2.8. Military service: Military pensionable service rendered after attaining the age of 20 years, which terminates before a pension has been earned in respect of it, when followed by civil pensionable service, counts as part of such service, provided that any bonus or gratuity received in lieu of pension on or since discharge from military service shall be refunded in lump sum or in monthly installments not exceeding 36.

2.9. Deputation: Time spent by a Government servant, holding pensionable post on deputation to:

- (1) Another Government
- (2) Foreign service, or
- (3) Service in a temporary or non-pensionable post under Government counts for pension as if it were a time spent under the Government.

2.10. Suspension: If a Government servant is suspended from service pending enquiry into his conduct, the period of suspension counts for pension if it is immediately followed by reinstatements, unless the Government servant is reinstated with forfeiture of a part of his pay or allowances for the period of suspension,

2.11. Forfeiture of past service: A Government servant forfeits his past service in the following cases:-

- (a) Resignation of a post unless it is to take up another post service in which counts for pension.
- (b) Removal or dismissal from service.
- (c) Absence from duty without leave.

Note: The authority which sanctions the pension may commute retrospectively period of absence without leave into extraordinary leave.

2.12. Condonation of interruptions and deficiencies:

- (1) The Administrative Department may for purpose of pension condone all gaps between periods of service, of a Government servant.
- (2) The Administrative Department may condone deficiency in qualifying service for pension up to 6 months provided the service is meritorious, and the condonation, if allowed, will bring the service up to 25 completed years of qualifying service.

2.13. A Government servant who has rendered service in the Army and later in the Civil will be governed by pension rules of the Department under which he has put major portion of his service. If the Government has rendered equal period of service in both the Departments then his pension will be governed by pension rules of civil or military at his option.

CHAPTER – III

DIFFERENT KINDS OF ORDINARY PENSION AND CONDITIONS FOR THEIR GRANT

3.1. Classifications of pension: Pensions are divided into four classes:

- (a) Compensation Pension.
- (b) Invalid Pension.
- (c) Superannuation Pension.
- (d) Retiring Pension.

Note:- Special additional pension is also granted to certain classes of Government servants under special circumstances.

3.2. Compensation pension: If a permanent Government servant is selected for discharge owing to the abolition of his permanent post or owing to a change in the nature of the duties of that post, he shall, unless he is appointed to another post the conditions of which are deemed to be at least equivalent to those of his own, have the option:

- (a) of taking any compensation pension and/or gratuity to which he may be entitled for the service he has already rendered; or
- (b) of accepting another post or transfer to another establishment even on a lower pay, if offered and continuing to count his previous service for pension.

3.3. Invalid pension: (1) An invalid pension is awarded on his retirement from Government service, before reaching the age of superannuation to a Government servant who by bodily or menial infirmity is permanently incapacitated for further service on production of a medical certificate prescribed in sub-rule (3).

(2) A Government servant who wishes to retire on invalid pension, should apply to his head of Office or Department/ Attached Department who should direct him to present himself before a Medical Board or an Invaliding Committee or a Medical Officer for obtaining a medical certificate of incapacity for further service in the following forms:-

Certificate that I (we) have carefully examined A.B., son of C.D., a.....in the.....His age is by his own statement.....years, I (we) consider A.B., to be completely and permanently incapacitated for further service of any kind (or in the department to which he belongs) in consequence of.....(here state disease or cause).

Note 1: If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made:

I am (we) are of opinion that A,B is fit for further service of a less laborious character than that which he has been doing (or may after resting for..... months, be fit for further service of a less laborious character than that which he has been doing).

Note 2: A medical certificate from a Medical Board or an Invaliding Committee shall be required in the case of a gazetted Government servant.

Note 3: A Government servant who has submitted a medical certificate of incapacity for further service should be invalidated from service on receipt of the medical certificate, or from the date of expiry of leave if already on leave, or has been granted leave as a special case.

3.4. Superannuation Pension: A superannuation pension is granted to a Government servant who retires or is retired from Government service on or after attaining the age of 55 years in case of superior service or Class IV service followed by superior service, and on or after, attaining the age of 60 years in case of Class IV service.

3.5. Retiring Pension:- A retiring pension is granted to a Government servant who:

- (i) Opts retire after 25 years qualifying service or such less time as may for any special class of Government servant be prescribed; or
- (ii) is compulsorily retired from service by the authority competent to remove him from service on grounds of inefficiency, misconduct or corruption.
- (iii) is retired on completion of 25 years of Government service or earlier in the public interest.

CHAPTER – IV

AMOUNT OF ORDINARY PENSIONS

SECTION I

GENERAL

4.1. (1) The amount of pension that may be granted is determined by length or completed years of qualifying service of a Government servant as set forth in rule 4.4;

(2) pension is fixed in rupees and should be calculated to the nearest paisa.

4.2. If the service of a Government servant has not been thoroughly satisfactory the authority sanctioning the pension may make such reduction as it may think proper the amount of pension.

SECTION – II
AMOUNT OF FULL PENSION

- 4.3. **Amount of full pension:** (1) After a qualifying service of not-less than 10 years, full superannuation, retiring, invalid or compensation pension may be granted not exceeding the maximum limits prescribed below:-

Completed years of qualifying service	Scale of pension expressed as fractions of average emoluments	Maximum limits of pension per months (Rs)
1	2	3
10	10/50	250
11	11/50	275
12	12/50	300
13	13/50	325
14	14/50	350
15	15/50	375
16	16/50	430
17	17/50	485
18	18/50	540
19	19/50	595
20	20/50	650
21	21/50	695
22	22/50	740
23	23/50	785
24	24/50	830
25	25/50	875
26	26/50	900
27	27/50	925
28	28/50	950
29	29/50	975
30 and above	30/50	1000

Note:- Any amount in excess of Rs. 600 P.M. calculated in accordance with the scale shown in column (2) of this Table shall be reduced by 50% and the maximum limits shown in column (3) shall be applied thereafter.

- 2) The term average emoluments of a Government servant means the average of the pay that he drew, or would have drawn had he not been on leave with leave salary or on Joining time or under suspension which is not adjudged as a penalty, during the last 3 years immediately before his retirement. If during the last 3 years of his service a Government servant has been absent from duty on leave without pay or has been under suspension as a form of penalty, the periods so passed should be disregarded in the calculation of the average emoluments and an equal period before the three years should be included.

SECTION – III
A-GRATUITY AND PENSION BENEFITS

- 4.4. (1) Every Government servant in pensionable service shall surrender $\frac{1}{4}$ th of the full monthly pension admissible to him under the rule 4.3.
- (2) In the case of a Government servant who has rendered 5 years' service or more but less than 10 years qualifying service, a gratuity equal to 10 months emoluments subject 10 a maximum of Rs. 10,000, shall be granted to him on retirement or to his family in the case of his death while in service.
- (3) In the event of retirement or death of a Government servant who has rendered qualifying service for 10 years or more:
- (a) A gratuity shall be granted to him or to his family in the case of his death calculated at the following rate for each rupee of his pension surrendered under sub-rule (1) above.
- | | |
|--|--------|
| If qualifying service is 10 years or more 140 but less than 15 years | 187.00 |
| If qualifying service is 15 years or more 140 but less than 20 years | 173.00 |
| If qualifying service is 20 years or more 140 but less than 25 years | 160.00 |
- (b) In the event of his death before retirement payment shall be made to his family for 5 years at the rate of 50 per cent of the full pension calculated as in sub-rule (3) and in the case of death after but within 5 years of retirement payment shall be made to his family at the rate of 50 per cent of the reduced pension i.e. the amount of pension remaining after surrendering $\frac{1}{4}$ th thereof under sub-rule (1) above and after commutation, if any, for the unexpired portion of 5 years.
- (4) In the event of death before retirement pension for the purposes of this rule shall be calculated as if the Government servant retired on invalid pension on the date of his death but it shall be admissible from the day following the death of the Government servant.

Note 1: The commutation of pension subject to the general limitation will be allowed up to half of full pension.

Note 2: The gratuity payable in lieu of $\frac{1}{4}$ th of the pension surrendered is exempt from Income-tax.

Note 3: Gratuity payable under sub-rule (3) (a) of this rule should be worked out on the fraction of a rupee of the surrendered pension calculated 10 the nearest Paisa.

Note 4: Anticipatory pension will also be admissible to the family of the Government servant in the event of his death before retirement. In such cases the gratuity admissible to the family under sub-rule (3) (a) of this rule will be calculated on 25 per cent of the amount of pension on which the anticipatory pension to the family is based.

Note 5: This rule will also apply to the compassionate allowance.

B-GRATUITY

- 4.5. (1) The term "family" for the purpose of payment of gratuity under this section shall include the following relatives of the Government servants:
- (a) Wife or wives, in the case of a male Government servant;
 - (b) Husband in the case of a female Government servant;
 - (c) Children of the Government servant;
 - (d) Widow or widows and children of a deceased son of the Government servant,

Note 1: A Child means a legitimate child or an "adopted child" if under the personal law of the Government servant concerned adoption is legally recognised as conferring the status of a natural child.

Note 2: If it is proved that the wife has been judicially separated from the Government servant, or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she will no longer be deemed to be a member of the family unless the Government servant has himself intimated in writing to the Accountant General/head of the Office that she will continue to be so regarded.

Note 3: In the case of a female Government servant if the wife intimates in writing to the Accountant General/Head of the Office that her husband should not be included as a member of family, then he will no longer be considered a member of the family unless subsequently she cancels in writing her intimation excluding him.

- (2) A Government servant may, as soon as he/she completes 5 years qualifying service, make a nomination centering on one or more members of his/her family, or if he/she has no family, on one or more persons, the right to receive any gratuity that may be sanctioned under rule 4.4. and any gratuity which having become admissible to him/her has not been paid to him/her before death.

Explanation: It is not mandatory for a Government servant to make a nomination.

- (3) A nomination in favour of a person not a member of the family made when the Government servant had no family shall lapse on the Government servants acquiring family.
- (4) If a Government servant nominates more persons than one under sub-rule (2) above, he/she shall specify in the nomination the amount or share payable to each nominee in such manner as to dispose of the whole amount of gratuity mentioned therein.
- (5) A Government servant may provide in a nomination:
- (a) in respect of any specified nominee, that in the event of his/her predeceasing the Government servant the right conferred upon that nominee in sub-rule (2) above shall pass to such other member or members of the Government servant's 'family' as may be specified in the nomination;
 - (b) that the nomination shall become void in the event of happening of a contingency specified therein.
- (6) Every nomination shall be in Form IV (Pen.), or Form 2 (Pen.) as may be appropriate in the circumstances of the case;

- (7) A government servant may, at any time, cancel a nomination by sending notice in writing to the appropriate authority, and send a fresh nomination if he/she so desires, along with such notice.
- (8) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under sub-rule (5) (a) above or on the occurrence of any event by reason of which the nomination become void under sub-rule (3) or sub-rule (5) above, the Government servant shall send to the appropriate authority a notice in writing formally cancelling, the nomination together with a fresh nomination, if any.
- (9) Every nomination made, and every notice of cancellation given by a Government servant under this rule shall be sent by the Government servant to Accountant General as well as to the Appointing Authority in the case of a Gazetted Officer and to the Head "of his/her office in the case of a Non-Gazetted officer. Immediately on receipt of a nomination from a Non-Gazetted Government servant, the Head of the Office shall countersign indicating the date of receipt and keep it in his custody.
- (10) Every nomination made and every notice of cancellation given by a Government servant shall, to the extent that it is valid, take effect from the date of which it is received by the authority mentioned in sub-rule (9) above.

4.6. When the amount of gratuity has become payable, it shall be the duty of the Accountant General to make payment according to the following procedure:-

- (a) The amount of the gratuity or any part thereof, to which the nomination relates, shall become payable to his/her nominee or nominees in the proportion specified in the nomination.
- (b) If nomination relates only to a part of the amount of the gratuity, the part which it does not relate shall be distributed equally only among the members of the family other than the nominees;
- (c) If no valid nomination subsists, the whole amount of the gratuity shall become payable to the members of his/her family in equal shares;

Provided that in case of (b) above no share shall be payable to:

- (i) sons who have attained the age of 24 years;
- (ii) sons of a deceased son who have attained the age of 24 years;
- (iii) married daughters whose husbands are alive; and
- (iv) married daughters of a deceased son whose husbands are alive;

If there is any member of the family other than those specified in sub-clauses (i) (ii) (iii) and (v) above;

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived that Government servant and had been exempted from the operation of the first proviso.

(d) When the Government servant leaves no family and the whole or part of the gratuity is not covered by valid nomination, the amount of gratuity shall be payable to the following surviving relatives, if any, of the Government servant in equal shares:-

- (1) brothers below the age of 21 years;
- (2) unmarried and widowed sister;

- (3) father, and
- (4) mother.

Note:- In the absence of any other eligible claimant gratuity would be payable to the sons and daughters of the deceased Government servant in equal shares even if the sons are over 24 years old and the daughters are married and their husbands are alive.

- 4.7. No gratuity will be payable by Government after the death of a Government servant if he/she does not leave a valid nomination or a family as defined in sub-rule (1) or rule 4.5. or an eligible dependent relative or relatives specified in clause (d) of rule 4.5.

C-FAMILY PENSION

- 4.8. (1) Family for the purpose of payment of family pension shall be as defined in sub-rule (1) of rule 4.5. It shall also include the Government servant's relatives mentioned in clause (d) of rule 4.6;

- (2) (A) A family pension sanctioned under this section shall be allowed as under:-
- (i) (a) To the widow of the deceased, if the deceased is a male Government servant, or to the husband, if the deceased is a female Government servant.
 - (b) If the Government servant had more than one wife, and the number of his surviving widows and children do not exceed 4, the pension shall be divided equally among the surviving widows and eligible children. If the number of surviving widows and children together is more than 4, the pension shall be divided in the following manner viz, each surviving widow shall get $\frac{1}{4}$ th of the pension and the balance (if any) shall be divided equally among the surviving eligible children. Distribution in the above manner shall also take place whenever the Government servant leaves behind surviving children of a wife that has predeceased him in addition to the widow and her children, if any.
 - (c) In the case of a female Government servant leaving behind children from a former marriage in addition to her husband and children by her surviving husband, the amount of pension shall be divided equally among the husband and all eligible children. In case the total number of beneficiaries exceeds four, the husband shall be allowed $\frac{1}{4}$ th of the pension and the remaining amount distributed equally among the eligible children.
- (ii) Failing a widow or husband, as the case may be, the pension shall be divided equal among the surviving sons not above 24 years and unmarried daughters.

Note:- In working out the " share of the various heirs under sub-clause.

- (B) (i) and (ii), the amount should be calculated to the nearest paisa.
- (iii) Failing (i) and (ii), to the eldest widowed daughter.

- (iv) Failing (i) to (iii), to the oldest widow of a deceased of the Government servant.
 - (v) Failing (i) to (iv), to the eldest surviving son of a deceased son of the Government servant.
 - (vi) Failing (i) to (v), to the eldest unmarried daughter of deceased son the Government servant.
- (C) If the family pension is not payable under clause (A), it may be granted:
- (i) to the father;
 - (ii) Failing the father, to the mother;
 - (iii) Failing the father and the mother, to the eldest surviving brother below the age of 21 years;
 - (iv) Failing (i) to (iii), to the eldest surviving unmarried sister; if the eldest sister marries or dies then the next eldest;
 - (v) Failing (i) to (iv), to the eldest surviving widowed sister.
- (3) No family pension shall be payable under this section:
- (a) to an unmarried female member of a Government servant's family in the event of her marriage.
 - (b) to a widowed female member of a Government servant's family in the event of her remarriage.
 - (c) to the brother of a Government servant on his attaining the age of 21 years.
 - (d) to a person who is not member of a Government servant's family.
- (4) A family pension awarded under this section shall not be payable to more than one member of a Government servant's family at the same time except as provided for in sub-clause (A) (i) and (ii) of sub-rule (2) above.
- (5) (a) If the pension ceases to be granted before the expiry of the period for which it is admissible on death or marriage of the recipient or on account of other causes to persons falling under sub-clauses (A) (i) and (ii) of sub-rule (2) above, the amount shall be granted to other recipients in equal shares.
- (b) If a family pension awarded under this section other than that mentioned in clause (A) (i) and (ii) of sub-rule (2) of this rule ceases to be payable before the expiry of the period up to which it is admissible on account of death or marriage of the recipient or other causes, it shall be regranted to the person next lower in order mentioned in sub-rule (2).
- (6) Government shall have discretion to make such modification in the mode of allotment or conditions set forth in sub-rules (2) to (5) above as they may consider desirable to suit the special circumstances of the beneficiaries.
- (7) A family pension sanctioned under this section shall be payable in addition to any extraordinary pension or gratuity that may be planted to the members of a Government servant's family under any other rules in force for the time being.

- (8) Future good conduct of the recipient is an implied condition of every grant of a family pension under this section.

D-GENERAL

- 4.9. (i) The rules which apply to the grant of ordinary pension to Government servants shall also apply in respect of gratuity and pension that may be sanctioned in favour of their families under this section in so far as such rules are not inconsistent with the provisions of this section.
- (ii) Government shall have the right to effect recovery from such gratuity or pension in the same circumstances as recoveries can be effected from ordinary pension and gratuity granted to Government servants.
- (iii) A gratuity or pension to the family may be sanctioned under this section by the authority competent to sanction pension to the Government servant concerned after giving the regard to the provisions of Rule 4.2.

Note:- The sanctioning authority may allow the payment of family pension and/or shares of gratuity admissible to minor children of a deceased Government servant to their mother. In case the mother is not alive or wife judicially separated from the Government servant in his life time, the sanctioning authority may nominate any suitable person to be the guardian of such minor children for the purpose of receiving payment of pension and/or shares of gratuity on their behalf. In case the deceased Government servant was a female, the sanctioning authority may under similar circumstances allow the payment of pension and/or shares of gratuity of minor children of the deceased to their father, or if the father be not alive to such guardian as may be appointed by the sanctioning authority.

CHAPTER – V
APPLICATIONS FOR GRANT OF PENSION

- 5.1. All authorities dealing with applications for pensions under these rules should bear in mind that delay in the payment of pensions involves peculiar hardship. It is essential to ensure, therefore, that a Government servant begins to receive his pension; on the date on which it becomes due.
- 5.2. The responsibility for initiation and completion of pension papers is that of the Head of Department Attached Department concerned in the case of gazetted Officers, and of the Head of Office concerned in the case of non-gazetted Government servants. The action should be initiated one year before a Government servant is due to retire, so that pension may be sanctioned a month before the date of his retirement. For this purpose every Government servant should be asked to submit his pension application in Form 3 (Pen.) 6 months in advance of the date of his retirement;

Provided that in cases in which the date of retirement cannot be foreseen 6 months in advance, the Government servant may be asked to submit his pension application immediately after the date of his retirement is known.

- 5.3. (1) The following certificate shall be recorded by the Government servant in the pension application:

“I Hereby declare that I have neither applied for nor received any pension or gratuity in respect of any portion of the service included in this application and in respect of which pension or gratuity is claimed herein, nor shall I submit an application hereafter without quoting a reference to this application and to the orders which may be passed there on”.

- (2) The Head of Department/Attached Department/Office concerned shall, certify in the pension application form whether the character, conduct and past services of the Government servant concerned are such as to entitle him to the favorable consideration of Government. He shall also record there his own opinion whether the service claimed has been established and should be admitted or not.
 - (3) All periods of leave, suspension, etc. which is not reckoned as service qualifying for pension shall be carefully recorded on the form?
 - (4) If that application is for an invalid pension, the requisite medical certificate shall be attached to the application.
- 5.4.**
- (1) After completing the application in the manner prescribed in the preceding rule it shall be forwarded along with the necessary documents to the Audit Officer through the authority empowered to sanction the pension.
 - (2) The applicant for pension gratuity shall submit the last pay certificate and No demand certificate as soon as possible after the submission of the application for pension gratuity. The Audit Officer shall not issue the pension gratuity payment order until these certificates have been received by him.
 - (3) The authority competent to sanction the pension shall record on the application after due consideration of the facts of the case his provisional recommendation shall whether the pension claimed should be admitted or not.
- 5.5.**
- (1) The non-gazetted service of a Government servant in the application form shall be by the Head of Office concerned from official records, for example service book or roll, pay bill or acquaintance rolls, etc.
 - (2) If it be found impossible to verify the service otherwise a written statement of the applicant shall be taken on plain paper, and such collateral evidence as may be procurable shall be collected, for instance, certificates given by an officer to a subordinate on his leaving the office and the testimony of contemporary Government servants.
- Note:** The power to admit service verified under this clause may be exercised by all authorities empowered to sanction pension.
- (3) In cases where some portion of pensionable service was rendered in occupied Jammu and Kashmir State but certificate of local verification of service was not recorded in the service book for any particular period, steps shall be taken to verify that service from available records, if any, such as personal files, gradation lists, pay bills, acquittance rolls etc. Where none of the records are available, a written statement of the Government servant concerned should be taken on a plain paper accompanied by the testimony of contemporary Government servants as in sub-rule (2) above. Such declaration should be placed on record in service book in lieu of local verification for service for that period.
 - (4) The Head of Office/Department/Attached Department concerned shall then arrange with the application all the documents relied upon for the verification, of non-gazetted service claimed in such manner that they can be conveniently consulted, and forward them together with the Government servant's service book or service roll as the case may be, and the state;?'ant in the second page of the pension application form duly completed up-to-date (and the last pay certificate, if necessary) through the authority empowered to sanction the

- 5.6. On receipt of the pension papers the Audit Officer shall apply the requisite checks, If in cases in which the authority competent to sanction the pension has recorded its provisional recommendation under sub-rule (3) of rule 5.4. the Audit Officer finds that the claim is in order, he shall prepare the pension payment order forthwith in Form 4 (Pen.) but shall not issue it more than a fortnight in advance of the date on which the Government servant is due to retire, intimating the fact of issue to that authority. In other cases he shall certify as to the correctness of the calculations of service and pension, and return the pension papers to the authority competent to sanction the pension with a report on the claim for pension and the rules applicable to the case. He shall retain the last pay certificate unless the pension is to be paid in another circle of audit in which case he shall forward the certificate to the Audit Office of that circle along with a copy of the orders sanctioning the pension.
- 5.7. (1) A pension/gratuity which is certified by the Audit Officer shall be sanctioned by the authority competent to sanction the pension.
- (2) Orders sanctioning the pension may issue not more than one month in advance of the due date of retirement and the Audit Officer may issue the pension/pension payment order not more than a fortnight in advance thereof to the Treasury Officer who is to pay the pension/gratuity.
- 5.8. **Date of commencement of pension:** Apart from special orders, an ordinary pension is payable from the date on which the pensioner ceases to be in Government service. A gratuity (other than anticipatory gratuity) shall be paid in a single sum.
- 5.9. **Place of Payment:** A pension/gratuity is payable in rupees at any Government Treasury in Azad Kashmir.

CHAPTER – VI ANTICIPATION PENSION/GRATUITY

- 6.1. When a Government servant is likely to retire before his pension can be finally assessed and sanctioned in accordance with the rules, the authority competent to sanction pension may sanction an anticipatory pension in the manner shown below:
- (i) Where pension does not exceed Rs. 100 per mensem, the anticipatory pension may be allowed in full on the basis of the calculations made by the authority sanctioning the pension.
- Note:** The authority responsible for sanctioning the pension and the Audit Officer concerned should finalize the pension case quickly so that there is no excess payment, and if any, it is adjusted as quickly as possible.
- (ii) In case where the pension exceeds Rs. 100 per mensem, the anticipatory pension is to be restricted to 4/5th of the amount calculated during the initial period of 3 months. After three months full amount admissible as calculated shall be paid even if the case is not finalized.
- Note:** If the pension papers are not verified by the Audit Officer till one month before the retirement of the Government servant in question, the action as in rule above shall be taken by the sanctioning authority.

- 6.2. The payment of anticipatory pension shall be made only after the declaration given in Form 5 (Pen) has been obtained duly signed from the retiring Government servant.
- 6.3. The authority sanctioning pension shall ensure that pension is finally sanctioned as soon as possible.
- 6.4. The letter sanctioning the anticipatory pension in Form 5 (Pen) shall be addressed by the sanctioning authority to the Audit Officer. A copy of the sanctioning letter shall also be endorsed to the retiring Government servant and the Treasury Officer of the Treasury at which the pension is to be drawn.

This letter will constitute sufficient authority for drawal of anticipatory pension at the Treasury in question pending finalisation of the pension case. The pension payment orders appended to such letter should be dealt with in accordance with the instructions contained in West Pakistan Subsidiary Treasury rules and a Register of anticipatory pension payment order maintained in the same form prescribed for regular pensions.

Note: Before forwarding pension papers to the Audit Officer for scrutiny the sanctioning authority should enter brief particulars of the case in a register to be maintained specially for this purpose. The register should indicate the name of the Government servant due to retire the date of his retirement and the amount of pension due to him as per details passed on to the Audit Officer.

- 6.5. If the authority competent to sanction pension considers it likely that in a case contemplated in Rule 6.1. above, the Government servant would be entitled to a gratuity, one-sixth of 65 per cent of the amount of such probable gratuity should, upon a similar declaration be disbursed to him monthly for a maximum period of six months until the amount is finally settled. Rule 6.2. to 6.4. above would mutatis mutandis apply in such cases.
- 6.6. The payment of the anticipatory pension/gratuity shall be arranged to that it is not delayed beyond the first day of month following the month in which the Government servant is due to retire.
- 6.7. If, upon the completion of regular investigation, it be found that pension. This summarily assigned differs from the pension finally settled, the difference must be adjusted in the first subsequent payment. Further, if anticipatory gratuity proves to be larger than the amount round actually due upon completion of the enquiries, the Government servant shall be required to refund any excess actually paid to him.

CHAPTER –VII

GRANT OF PENSIONARY BENEFITS TO DISPLACED GOVERNMENT SERVANTS

- 7.1. A displaced Government servant who migrated to Pakistan or Azad Kashmir Territory prior to 31-12-1961 shall be entitled to count his previous service towards pension under Azad Government of the State of Jammu and Kashmir provided the service rendered by him under Dogra Regime was pensionable under the rules of that Government.
- 7.2. Leave taken with or without allowances during the service with Dogra Regime shall be counted towards pension in accordance with rules enforce in Azad Kashmir.
- 7.3. The break in service occurring between termination of employment under the Dogra Regime and first appointment in Azad Kashmir shall be treated as condoned.
- 7.4. (i) (a) A displaced Government servant claiming the benefit of his previous pensionable

service should furnish a statement showing the details of the service to the authority competent to sanction his pension in Azad Kashmir. The statement should be accompanied by documentary evidence such as Service book, extract from History sheet or other equivalent record.

- (b) A statement of leave taken on full pay or half average pay or without pay, unless this information is already available in service record.
 - (c) A certificate that no pension in respect of previous service was sanctioned.
 - (i) In case the records mentioned at 'A' in sub-rule (1) are not available a written statement of the Government servant concerned should be taken on plain paper accompanied by the testimony of the two contemporary Government officers duly attested by a Magistrate 1st class.
- 7.5. The authority competent to sanction the pension should check the statement and forward it to the Accountant General after authentication.
- 7.6. The prescribed check of pensionable service against Establishment Return is specifically waived in the case of displaced Government servants in respect of service rendered by, them under Dogra Regime.

CHAPTER – VIII

COMMUTATION OF CIVIL PENSION

- 8.1. A competent authority may sanction the commutation for lump sum payment of a portion not exceeding one half (including $\frac{1}{4}$ th of the surrendered portion) of any pension which has been or is about to be granted under these rules.
- 8.2. (1) An application for commutation should be submitted in Part I of Form 6 (Pen) through the Head of the office in which the applicant is or was employed or if he is or was himself the Head of the Office through the Head of the Department/Attached Department.
- (2) The Head of the Office or the Head of the Department/ Attached Department shall forward the applications to the Accountant General.
- (3) The Accountant General shall complete Part II of Form 7 (Pen) without delay and transmit it to the authority competent to sanction the commutation.
- 8.3. (1) The authority competent to sanction commutation shall thereupon accord its administrative sanction in Part III of Form 6 (Pen) and transmit to the applicant on Form 7 (Pen) a certified copy of the Accounts Officer's certificate contained in Part II of Form 6 (Pen) of lump sum payable on commutation and one copy reported by the proper medical authority to be fit subject for commutation and one copy of Form 8 (Pen) Part I of which is to be filled in by the applicant before his medical examination and handed to the medical authority.
- (2) The sanctioning authority shall further instruct the applicant to appear for examination before the said medical authority within three months from the date of its order, or if he

has applied for commutation in advance of the date of his retirement, within three months of the date, but in no case earlier than the actual date of retirement.

- (3) The sanctioning authority shall forward to the Health Department in original the completed Form 6 (Pen) together with a copy of Form 8 (Pen) and an extra copy of Part III of that form; and if the applicant has been granted an invalid pension, or has previously commuted any portion of the pension or declined to accept commutation on the basis of an addition of years to his actual age, or has been refused commutation on medical grounds, copies of the previous medical reports of statement of his case.

8.4. The Health Department shall arrange for the medic examination of the applicant by the proper medical authority at the nearest available station to that named by the applicant in Part I of form 6 (Pen) and as early as possible within the period prescribed and inform the applicant direct. The form and other documents should be transmitted by the Health Department to the examining medical authority.

Note: The term 'medical authority' means:

- (i) the Standing Medical Board or the Standing Invaliding Committee in the case of Gazetted Government servants and also in the case of Non Gazetted Government servants drawing pay not less than Rs. 400 at the time of retirement; and
- (ii) the Medical Superintendent District Health Officer in the case of all other Non-Gazetted Government Servants.

8.5. (1) The medical authority after obtaining from the applicant, a statement in Part I of Form 8 (Pen) (which must be signed in its presence) shall subject him to a strict examination enter the results in Part II and complete the certificate contained in Part III of Form 8 (Pen) and in the case of Non-Gazetted Government servants other than those specially exempted by Government, obtain in its presence the left hand thumb and finger impressions.

- (2) If the examination is conducted by a single medical officer, the applicant shall himself pay the medical officer's fee for examination.

If he is examined by a medical board or committee he shall pay a fee of Rs.4 into a Government treasury and make over the receipt for the fee to the Medical Board or committee before examination together with an additional fee of Rs. 12 in cash to be retained and divided by the members of the Board of the committee as the case may be, among themselves.

Note: No fee will be payable for medical examination in case the full pension, of the applicant does not or is not likely to exceed Rs. 100 per mensem.

- (3) The medical authority shall without delay forward the completed Form 6 (Pen) and 8 (Pen) in original to the Accounts Officer who gave the certificate contained in part II of Form 6 (Pen) regarding the Commutation amount admissible to the applicant, and certified copy of the completed Form 8 (Pen) to the sanctioning authority. A certified

copy or the medical certificate in Part III of Form 8 (Pen) should be given to the applicant on the spot after medical examination.

- 8.6.** If the medical examination does not take place within the period prescribed in the sanctioning order, or if the applicant does not appear for examination before the medical authority within the prescribed period the sanctioning authority may renew administrative sanction for a further period of three months without obtaining a fresh application for commutation of pension. The applicant may without obtaining a fresh application for (1) commutation of pension. The applicant may withdraw his application by written notice dispatched at any time before the medical examination is due to take place, but his option shall expire on his appearance before a medical authority, provided that if the medical authority direct that his age for the purpose of commutation shall be assumed to be greater than his actual age, the applicant may withdraw his application by written notice dispatched within two weeks from the date on which he receives intimation of the received sum payable on commutation, or, if the sum is already stated in the sanctioning order, within the finding of the medical authority. If the applicant does not withdraw in writing his application within period of two weeks prescribed above he shall be assumed to have accepted the sum offered.
- 8.7.** Subject to the provisions contained in rule 8.8 and to the withdrawal of an application under rule 8.6. the commutation shall become absolute, that is, the title to receive the commuted portion of the pension shall cease and the title to receive the commuted value shall accrue on the date on which the medical authority signs the medical certificate.
- 8.8.** If the applicant makes any statement found to be false within his knowledge or willfully suppresses any material fact in answer to any question written or oral put to him in connection with his medical examination, the sanctioning authority may cancel the sanction at any time before payment is actually made; and such a statement or suppression may be treated as grave misconduct for the purpose of rule 1.8.
- 8.9.** (1) The Accountant General on receipt of the completed Forms 6 (Pen) and 8 (Pan) shall arrange forthwith for the payment of the appropriate commuted value and for the corresponding reduction of the pension. He shall also forward to the disbursing officer Form 8 (Pen) containing the signature and thumbs impressions of Non-Gazetted Government servants, taken in the presence of the medical authority, with introductions that they should be verified with those received with the pension payment order.
- (2) If the applicant on receipt of the sanctioning order withdraws the application within the period prescribed in rule 8.6. he should intimate his intention in writing to the Accountant General direct and to the sanctioning authority simultaneously.
- (3) The payment of the commuted value shall be made in rupees in Azad Kashmir as expeditiously as possible, but in the case of an impaired life no payment shall be made till either a written acceptance of the commutation has been received or the period within which the application for the commutation may be withdrawn has expired whatever the date of actual payment the amount paid and the effect upon the pension shall be the same if the commuted value were paid on the date on which commutation became absolute. If the commuted portion of the pension has been drawn after the date on which the commutation became absolute, the amount drawn shall be deducted from the amount payable in commutation.

- 8.10.** If pensioner part of whose pension has been commuted, dies on or after the date on which the commutation became absolute but before receiving the commutation value, this value shall be paid to his family or eligible relatives in the same manner as gratuity is payable under rules 4.5. and 4.6.
- 8.11.** The lump sum payable on commutation shall be calculated in accordance with the table of present values given below:

²⁰⁶**Revised Table for calculating the commuted value of pension**

²⁰⁷ Age next birthday	Numbers of years	Age next birthday	Number of years
20	40.5043	51	17.6526
21	39.7341	52	17.0050
22	38.9653	53	16.3710
23	39.1974	54	15.7517
24	37.4307	55	15.1478
25	36.6651	56	14.5606
26	35.9006	57	13.9888
27	35.1372	58	13.4340
28	34.3750	59	12.8953
29	33.6143	60	12.3719
30	32.8071	61	11.8632
31	32.0974	62	11.3684
32	31.3412	63	10.8872
33	30.5869	64	10.4191

²⁰⁶ The “commutation table” under Rule 8.11 of Azad Kashmir Civil Service Pension Rules, 1969 has been revised / substituted vide Finance Department’s letter No. 15538-87/81, dated 05.11.1981, this revision was given effect from 01.01.1970, the said table is hereby reproduced:

Age next birthday	Numbers of years purchases	Age next birthday	Number of years purchase	Age next birthday	Numbers of years purchase
20	24.265	41	18.956	62	11.104
21	24.061	42	18.641	63	10.713
22	23.853	43	18.318	64	10.327
23	23.640	44	17.988	65	9.146
24	23.424	45	17.650	66	9.570
25	23.203	46	17.307	67	9.200
26	22.978	47	16.956	68	8.836
27	22.747	48	16.596	69	8.478
28	22.513	49	16.231	70	8.127
29	22.273	50	15.859	71	7.783
30	22.028	51	15.481	72	7.448
31	21.777	52	15.096	73	7.121
32	21.522	53	14.707	74	6.802
33	21.260	54	14.313	75	6.494
34	20.993	55	13.915	76	6.194
35	20.720	56	13.513	77	5.906
36	20.442	57	13.109	78	5.627
37	20.157	58	12.702	79	5.360
38	19.867	59	12.294	80	5.104
39	19.570	60	11.886		
40	19.267	61	11.497		

²⁰⁷ The Commutation table provided under “Revision of Basic Pay Scales and Fringe Benefits of Civil Employees (BPS-1 to 22) of the Azad Jammu and Kashmir Government (2001)”, issued vide Finance Department’s Notification No. FD/R-I(550)/2001, dated: 13.11.2001, as given in the relevant chapter of this book, has been corrected to the extent of substitution of words “Commutation Factor” instead of Number of years purchase” vided Corrigendum No. FD/R-I(550)/2001 Dated 08.05.2002.

34	29.9343	65	9.9639
35	29.0841	66	9.5214
36	28.3362	67	9.0914
37	27.5908	68	8.6742
38	26..8482	69	8.2697
39	26.109	70	7.8778
40	25.3728	71	7.4983
41	24.6406	72	7.1314
42	23.9126	73	6.7766
43	23.1840	74	6.4342
44	22.4713	75	6.1039
45	21.7592	76	5.7858
46	21.0538	77	5.4797
47	20.3555	78	5.1854
48	19.6653	79	4.9030
49	18.9841	80	4.6321
50	18.3129		

CHAPTER – IX
EXTRAORDINARY PENSION

- 9.1.** (a) The rules of this chapter apply to all pensions in civil employ of the Provincial Government, whether their employment is permanent, temporary or casual and whether remunerated by fixed pay or by piece work rates; provided that in case of a person to whom, the Workman's Compensation Act, 1923, applies:
- (1) an award shall be paid under the provisions of this chapter only if the authority competent to sanction it considers that the compensation payable under the Act is in the particular case inadequate; and
- (2) the amount of award paid to any Such person shall not exceed the difference between the amount otherwise admissible under the rules of this chapter the amount of compensation payable under the Act.
- (b) Pay for the purpose of this chapter means the pay which a person was drawing on the date of his death or injury, provided that in the case of a person remunerated by piece work rates, pay means the average earning of the last six month ending with the date of his death or injury.
- 9.2.** The extraordinary pension may be granted to a Government servant even if he is not invalided from service as a result of the disability on account of which the award is made. The grant of extraordinary pension to a Government servant is no bar to the grant of any ordinary civil pension or gratuity for which he may be eligible under the rules.
- 9.3.** Every grant of extraordinary pension under this Chapter is subject to the provision of rule 1.8.
- 9.4.** In case where considerable delay has occurred in applying for an extraordinary pension, the grant, if any will take effect only from the date of the report by the Medical Board, or, in the case of family pension from such date as the sanctioning authority may decide. Otherwise the grant may be made with effect from the date of wound, injury or death. The family pension granted to a posthumous child should commence from the date of his/her birth.

- 9.5. No extraordinary pension shall be sanctioned by a competent authority except with the prior concurrence of Finance Department.
- 9.6. An injury pension to a Government servant, or in case of his death, a family pension may be sanctioned under any of the following conditions on the merits of each case up to half the amount of pay or Rs. 500 per mensem, whichever is less subject to the minimum of Rs. 100 per mensem or the amount of pay whichever is less.
- A Government servant, who receives injury (including wound) or is killed-while performing any particular duty which has the effect of increasing his liability to injury beyond the ordinary risk of the post which he holds.
- 9.7. For extraordinary family pension, the provision or ordinary family pension shall be applicable to the extent that they are not inconsistent with the rules in this Chapter.
- 9.8. When a claim for any injury pension or family pension arises, the Head of the Department Attached Department/Office in which the injured or deceased Government servant was employed, shall forward the claim through the usual channel to the Finance Department with the following documents:
- (1) A full statement of circumstance in which the injury was received, the disease was contracted or the death occurred.
 - (2) The application for injury pension in Form 9 (Pen) or the application for family pension in Form; 10 (Pen).
 - (3) In the case of an injured Government Servant or one who has contracted disease a medical report in Form 11 (Pen). In the case of a deceased Government Servant, medical report as to the death or reliable evidence as to the actual occurrence of death, if the Government servant lost his life in such circumstances that a medical report cannot be secured.
- 9.9. In making an award under this Chapter, the competent authority may take into consideration, the degree of default or contributory negligence on the part of the Government servant who sustains an injury or dies as a result of an injury or is killed.
- 9.10. All awards under this Chapter shall be made in Azad Kashmir in Rupees.

Note 1: The original text of these rules as published in the official Gazette of AJ&K contains nine chapters in all but the ninth one carries figures showing rule numbers as 10.1 to 10.10. As per sequence of serial numbers it should have contained numbers as 9.1 to 9.10. A deliberation was made and concluded that AJ&K rule-making authority precluded intentionally Chapter IX of West Pakistan Civil Servants Pension Rules, 1963 and Chapter X thereof was numbered as IX, but copying the serial numbers shown as 10.1 to 10.10, mistakenly under Chapter IX of these rules which have been rectified accordingly.

Note 2: For the forms of pension as referred to in these rules please see P.L.D., 1964 Statutes (West Pakistan) pages 83-111.

No. FD/2020-60/72
AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
FINANCE DEPARTMENT

Muzaffarabad
Dated: the May 24th, 1972

To

All Secretaries to Government,
All Heads of Departments,
Azad Government of the State of Jammu and Kashmir.

Subject:- **Azad Kashmir Civil Service Pension Rules, 1972.**

Sir,

I am directed to convey the approval of the President, Azad Government of the State of Jammu and Kashmir to the effect that the gratuity table under sub-rule 3(a) of Rule 4.4. of Azad Kashmir Civil Service Pension Rules, 1971 be substituted as under:-

If qualifying service is 10 years or more but less than 15 years	Rs. 187.00
If qualifying service is 15 years or more but less than 20 years	Rs. 173.00
If qualifying service is 20 years or more	Rs. 160.00

2. This order will have effect from 1.1.1970 in case of Non-gazetted employees and 1.7.70 in case of Gazetted Government servants.

Your obedient servant,
Sd/-
(S. Habeeb Hussain)
Secretary Finance.

No. FD/2061/72 Dated 24-5-1972.

FD/R/ 15438-86/81

**AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
Dated: 5th Nov. 1981

Subject: Condonation of Deficiency in Qualifying Service

I am directed to say that under the rule 2.12 of the Azad Kashmir Civil Services pension Rules, 1969, a deficiency up to six months in qualifying service for pension can be condoned by the Administrative Department provided the service is meritorious and the condonation, if allowed, will bring the service up to 25 completed years of qualifying service. A question has arisen whether a deficiency up to six months shall be deemed to have been condoned at any stage of qualifying service, or is the condonation restricted to a particular stage of qualifying service. Finance Department have, after thorough examination of the matter and the modification made by the Government of the Punjab vide No. SO (Sr-V-1805)/67 dated 29 July, 1967 decided that the intention is not to restrict the operation of the concession to any particular stage but to allow condonation of a deficiency at any stage up to the 30th year. To illustrate this intention, a deficiency of six months or less will be deemed to have been condoned so as to make 4 years and 6 months qualifying service as 5 years qualifying service, 9 years and six months qualify service as 10 years qualifying service, 24 years and six months qualifying service as 25 years qualifying service and 29 years and six months qualifying service as 30 years qualifying service. Similarly, deficiencies exceeding six months but less than one year may be condoned by the competent authority in consultation with the Finance Department if both the conditions mentioned below were satisfied:

- (a) If the government servant dies while in service or retires under abolition of his permanent post and his eventual selection for discharge and, but for such contingency, he would have completed another year of qualifying service; and
- (b) The service rendered by the Government servant was meritorious.

Sd/--
(Abdul Rashid Baig)
Section Officer Finance

FD-R1-(22)/85
AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 21.10.1986

Subject: Restoration of 1/4th Amount of Gross Pension Surrendered Compulsory in lieu of Gratuity under the Pension-cum-Gratuity Scheme 1955.

I am directed to state that under the existing rules a civil pensioner is eligible to commute at his option 50% of his gross pension. He has also the option to draw 1/4th amount of gross pension as gratuity and 1/4th thereof as commutation. According to this department's order No. FD-R (53)/P/85-C dated 12th August 1985, 1/4th amount of commutation was restored to the pensioners outliving the period of commutation. The President, Azad Jammu and Kashmir, has now been pleased to decide that those pensioners who availed the benefit of gratuity only and has not drawn commutation shall also be restored the amount of gratuity (1/4th of gross pension) only as and when they out-live the period for which the gratuity was paid.

2. In restoring the amount of gratuity, the rate of gratuity would be divided by 12 to arrive at the period of gratuity. For instance, if a pensioner had received the gratuity at the rate of Rs. 160, his period of gratuity would work out to 13.33.
3. While restoring the amount of gratuity, a fraction of a year, which is less than 6 months, will be ignored and that of 6 months and more will count as one year.
4. No arrears on account of restoration of the amount of gratuity will be payable in any case of the period prior to 01.07.1986 due to the completion of period for which the gratuity was paid.

Sd/--
(Ch.Muhammad Latif)
Joint Secretary Finance (Reg.)

FD/R1-(47)/82

AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 17.11.1986

Subject: Admissibility of Ordinary Family pension to Army pensioners.

The President Azad Jammu and Kashmir is pleased to order that, with effect from 1st July 1983, on death of the Army pensioners drawing pension from Azad Kashmir Government, their widows shall be allowed Family pension for life until re-marriage whichever is earlier at 50% of the net pension. In the case of death or re-marriage of the widow, the pension shall be admissible to the sons if any until they attain the age of 21 years and to the un-married daughters, if any, until they are married or attain the age of 21 years whichever is earlier.

2. Amendment issued vide Notification No. FD/R/1-(47)/82, dated 19.10.1986, is hereby withdrawn.

Sd/--
(Ch.Muhammad Latif)
Joint Secretary Finance (Reg.)

FD/R/1 (33) 89 PIII/99/2002
AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
July 04, 2002

Subject: Grant of Commutation to the Widow of Government Servant Compulsorily Retired from Service but expired before signing his Pension/ commutation Claims.

The under signed is directed to refer to finance Department letter No. FD/R-I(33) part-III/99, dated 14.12.1999, and to state that commutation up to 50% of gross pension was admissible to a civil pensioner at his option. Under the existing procedure, as contained in finance Department No. FD/R-1(550)/2001, dated 13.11.2001 regarding to Revision of Pay 2001 the entitlement of commuted value up to 40% of gross pension becomes valid as and when a Government Servant, while in service or on retirement exercises his option for commuted value of pension on prescribed form/ Few references have been received in Finance Department wherein Government servant, while having retired compulsorily, could not sign their pension papers due to their death, consequently the bereaved families of deceased pensioners were not given benefit of the commuted value of pension under the existing rules and orders.

2. the case has been considered, and it has been decided that the family of a deceased Government servant, who after having compulsorily retired, could not sign his pension papers due to death, will also be entitled for the commuted value of pension henceforth.

Sd/--
(Mumtaz Ahmed Mir)
Deputy Secretary Finance (Regs.)

FD/R/1 (303)/2002
AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
October 04, 2002

Subject: Restoration of Pension Surrendered in Lieu of Commutation/ Gratuity.

The undersigned is directed to refer para 16 (e) of Finance Department's Office Memorandum No. FD/R-1 (550)/2001, dated 13.11.2001, vide which the benefit of restoration of surrendered portion of pension in lieu of commutation/ gratuity was withdrawn w.e.f. 01.12.2001 irrespective of an employee's date of retirement. The old pensioners have requested for re-consideration of this decision; in so much as that it may not be made applicable to government servants who retired prior to 01.12.2001.

2. The case has been reconsidered and it has been decided that all those government servants who retired prior to 01.12.2001, and who have opted to remain in pay scale of 1994, shall be entitled to the restoration of surrendered portion of pension in lieu of commutation/ gratuity.
3. It has also been decided that all other benefits available under the 1994 scales shall continue for those who availed the benefit of presumptive fixation of pay in the 2001 scales, i.e. those who retired between 01.07.2001 to 01.12.2001 shall be governed by the pay and pension package of the 2001 scales.

Sd/--
(Mumtaz Ahmed Mir)
Deputy Secretary Finance (Regs.)

No. FDR/(587)/2004

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
September 12, 2006

OFFICE MEMORANDUM

Subject: Assistance Package for Families of Government Employees who die in Service

The undersigned is directed to refer to the subject noted above and to convey the approval of President of Azad Jammu and Kashmir to the following assistance package for Government employees who die in service :

ITEM	IN SERVICE DEATHS	
Lump Sum Grant	Up to Rs. 1.0 million, according, to following scales:	
	BS	Amount
	1-4	Rs. 20,0000
	5-10	Rs. 30,0000
	11-15	Rs. 40,0000
	16-17	Rs. 50,0000
	18-19	Rs. 80,0000
	20 and above	Rs. 1,00,0000
Employment	Employment for posts in BS 01 to BS-15 on two years contract without advertisement.	
House Building Advance	In case of advance against salaries sanctioned by the AG office, the unpaid balance to be waived.	

Sd/--
Section Officer (Regs.)

XXXXXXXXXXXX

FDR/471/08

**AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
November 05, 2008

OFFICE MEMORANDUM

Subject: Minimum pension

The undersigned is directed to refer to this Department’s circular No FD/R/1 (33)/81/88, dated: 27.10.1998 and No. FD/R/1361-1461/89, dated: 17.01.1989 on the subject cited above and to state that the President of Azad Jammu and Kashmir has been pleased to sanction with effect from 1st July, 2008 the increase in Minimum Pension from Rs. 300/- p.m. to Rs. 2000/- p.m. to Civil pensioners of the Government of AJ&K including Army Pensioners drawing pension from the Azad Government of the State of Jammu & Kashmir.

2. Similarly, family pension allowed to the family of a retired government employees under the Pension-cum-Gratuity Scheme 1955, and Liberalized Pension Rules, 1977 including army pensioners drawing pension from the Azad Government of the State of Jammu and Kashmir has also been increased from 150/- p.m. to Rs. 1000/- p.m.
3. Commutation of any part of the increase allowed vide this Office Memorandum will not be admissible.

Sd/--
(Riaz Javed)
Deputy Secretary (Regs)

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FD/R/(303)/09
AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
December 26, 2009

OFFICE MEMORANDUM

Subject: Restoration of Pension Surrendered in Lieu of Commutation/ Gratuity

The undersigned is direct to refer to Finance Department's O.M No. FD/R/303/2002 dated 04.10.2002 on the above subject and to state that in light of Government of Pakistan, Finance Division (Regulations Wing) O.M No. F.13 (16)-Reg-6/2003 dated 29.02.2009, it has been decided that increase in pension admissible in the respective financial year be allowed on the restored commuted portion of pension to all those Government servants who retired on or before 30-06-2001 with effect from the date on which the commuted value of pension has been restored.

Sd/--
(Riaz Javed)
Deputy Secretary (Regs)

FD/R/14907-60/2010

**AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
November 24, 2010

To:

All the Administrative Secretaries to the Government
Azad Government of the State of Jammu & Kashmir, Muzaffarabad

Subject: Submission of Cases of Extraordinary Pension

It has been observed that the cases of Extraordinary Pension are sent to the Finance Department without necessary documents and with sketchy description. Moreover the cases are not submitted with the signature of the Secretary concerned. Rule 9.8 of Azad Jammu and Kashmir Civil Servants pension Rules, 1971, Chapter IX, elaborates the procedure regarding submission of cases of Extraordinary pension, which is as follows :-

- 9.8 When a claim for any injury pension or family pension arises, the Head of Department/Attached Department/Office in which the injured or deceased Government servant was employed, shall forward the claim through the usual channel to the Finance Department with the following documents :-
- (1) A full statement of circumstance in which the injury was received, the disease contracted or the death occurred.
 - (2) The application for injury pension in Form 9 (Pen) or the application for family pension in Form 10 (Pen).
 - (3) In case of an injured Government Servant or one who has contracted disease of medical report in form 11 (Pen): In the case of a deceased Government Servant, medical report as to the death or reliable evidence as to the actual occurrence of death, if the medical report cannot be secured.

It has been observed that the incomplete documents lead to delay in processing the case and cause much hardship to the injured person or to the family of the deceased. In view of the above, it is requested that in future the cases of Extraordinary pension may be submitted to Finance Department in the form of a summary signed by the administrative Secretary keeping in view the requirement of Rule 9.8 of Azad Kashmir Civil Servants Pension Rules, 1971. Moreover, the instructions already issued vide this department's circular No. FD/R/21607-90/2008 dated 06.12.2008 (copy enclosed), may be followed.

Sd/--
Deputy Secretary (Regs.)

FD/R/6700-50/2011

**AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
May 3rd, 2011

NOTIFICATIONS:

The undersigned is directed to refer to para (5)I of this department’s Notification No. FD/R/464/94, dated 24.07.1994 and to state that it has been decided to restore the amounts of the Secretariat/Personal Allowance of those retired civil servants in BPS-17 to 22 whose Secretariat/ Personal Allowance was adjusted in annual increments during 01.06.1994 to 30.11.2001 i.e. till the date of discontinuation of Secretariat/ Personal Allowance vide Finance Department’s Office Memorandum No. FD/R-1 (550)/2001, dated 13.11.2001.

Sd/--
Deputy Secretary (Regs.)

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FDR/9797-9850/2011

**AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
June 10, 2011

Subject: Assistance Package for Families of Government Employees who Die in Service.

The undersigned is directed to refer to this Department’s Office Memorandum No FDR/(587)/2004 dated 12.09.2006 on the above subject and to say that definition of the family with regard to Lump sum grant under the Assistance Package is as under:-

“Husband/Wife, child or step-child whether residing with the deceased government servant or not”

Provided that wife who has been legally separated from the government servant or a child or step child whose custody, the government servant has been deprived of by law, shall not be entitled for such lump sum grant.

2. All Secretariats/Departments are requested to take further necessary action in the matter accordingly.

Sd/--
Deputy Secretary Finance (Regs)

FD/R/12005-12104/2011

**AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
July 16th, 2011

OFFICE MEMORANDUM

Subject: Inclusion of Cost of Living Allowance @ 7% in pensionable Emoluments.

The undersigned is directed to refer to the Finance Department's Circular No. FD/R/1(4770)/95, dated 02.08.1955, read with para 3(i) of Finance Department's Office Memorandum No. FD/R-1(550)/2001, dated 13.11.2001, on the above subject and to state that the president, Azad Jammu and Kashmir has been pleased to accord approval to treat the cost of living allowance admissible @7% of basic pay as emolument reckonable towards pension for all those employees in BPS 1-22 who were in receipt of the said allowance at the time of their retirement and who had not availed the benefit of Revised Basic Pay Scales, 2001.

Sd/--
(Inayat Ali Qazi)
Deputy Secretary (Regs)

آزاد حکومت ریاست جموں و کشمیر، مظفر آباد
(بورڈ آف ریونیو)

"مظفر آباد"

مورخہ: 12 مئی 2012

نوٹیفکیشن

نمبر آر/9689-97/2012 جناب صدر آزاد جموں و کشمیر نے سول سروس پنشن رولز 1971 کے قاعدہ 7.1 میں نرمی کرتے ہوئے حسب رضامندی محکمہ مالیات سال 90-1989 کے دوران اور اس کے بعد مقبوضہ کشمیر سے ہجرت کر کے آزاد کشمیر میں آنے والے مہاجر ملازمین کی مقبوضہ کشمیر میں کی گئی سرکارم ملازمت کو آزاد کشمیر میں اختیار کی گئی سرکاری ملازمت کے لیے بغرض مفاد پنشن شمار کیے جانے کے علاوہ دوران ہجرت ملازمت کے دوران تسلسل میں واقع رخنہ (Gap) کو نافذ العمل قواعد کی روشنی میں نظر انداز (Condone) کیے جانے کی بھی منظوری صادر فرمائی ہے

دستخط /--

اسسٹنٹ سیکرٹری (اول)

بورڈ آف ریونیو

نقل بالا بجمت:-

- 1- سیکرٹری صاحب برائے جناب صدر گرامی، آزاد جموں و کشمیر۔
- 2- سیکرٹری صاحب برائے جناب وزیر اعظم، آزاد حکومت ریاست جموں و کشمیر۔
- 3- پرائیویٹ سیکرٹری صاحب ہمراہ جناب وزیر بحالیات، آزاد حکومت ریاست جموں و کشمیر۔
- 4- پرائیویٹ سیکرٹری صاحب ہمراہ جناب چیف سیکرٹری، آزاد حکومت ریاست جموں و کشمیر۔
- 5- جناب سیکرٹری مالیات بحوالہ آپ کی مالیاتی رضامندی موصولہ زیر نمبر 23151 مورخہ 10.10.2012 معہ دو فاضل نقول برائے محکمہ حسابات۔
- 6- پرائیویٹ سیکرٹری صاحب ہمراہ جناب سینئر ممبر بورڈ آف ریونیو، آزاد حکومت ریاست جموں و کشمیر۔
- 7- جناب کمشنر ریلیف و بحالیات، آزاد حکومت ریاست جموں و کشمیر۔
- 8- جناب ناظم اعلیٰ حسابات مظفر آباد۔
- 9- مہتمم صاحب سرکاری چھاپہ خانہ مظفر آباد۔
- 10- ماسٹر فائل۔

دستخط /--

اسسٹنٹ سیکرٹری (اول)

بورڈ آف ریونیو

FD/R/11400-99/2012
AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
May 15th, 2012

OFFICE MEMORANDUM

Subject: Restoration of Pension Surrendered in Lieu of Commutation/ Gratuity

The undersigned is direct to state that in partial modification of Finance Department’s Office Memorandum No. FD/R/(303)/02/09 dated 26.12.2009 on the above subject is has been further decided to allow 15% increase in pension (allowed vide para 16(g) of finance Department’s Office memorandum No. FD/R-1(550)/2001 dated 13.11.2009) on the restored commuted portion of pension to all those Government servants whose commuted portion of pension has been restored in the financial year 2002-2003.

Sd/--
(Mehrban Hussain Chaudhry)
Deputy Secretary (Regs.)

GOVERNMENT OF PAKISTAN
FINANCE DIVISION (REGULATIONS WING)

No. F.13 (13)-Reg.6/2011

Islamabad, the 21st January, 2013

Subject: Order Passed in Appeal No. 887 to 890, 912 to 915, 922 to 925 & 930 to 934 (R) CS-2011, 1166, 1265, 1416 to 1420, 1455, 1575, & 1794 (R) CS-2011 filed by Mirza Muhammad Ishaque, Ghulam Mustafa & others vs. Ministry of finance.

The undersigned is directed to say that M/S Mirza Muhammad Ishaque, Ghulam Mustafa & others filed appeals in the Federal Service Tribunal, Islamabad praying that he respondents may be directed to allow all increases sanctioned by the Government of Pakistan during the period from their retirement till restoration of commuted portion of pension with all consequential benefits. The Federal Service Tribunal accepted the appeals vide its Judgment dated 05.01.2012 and directed to determine the pension of the appellants from the date of restoration of their commuted pension at the rate at which they were drawing 50% remaining pension and that the arrears should also be paid to them. It was also clarified by the Federal Service Tribunal that the appellants shall not be entitled to claim arrears for the period prior to restoration of their commuted pension. The Supreme Court of Pakistan vide its order dated 24.04.2012 in Civil petition No. 549 to 559 & 575 to 589 of 2012 upheld the judgment of Federal Service Tribunal dated 05.01.2012. The review petition filed by the Finance Division in the Apex Court was

FD/R/17155-17254/2014

**AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
18 August, 2014

OFFICE MEMORANDUM

Subject: Minimum Pension

The undersigned is directed to refer to the Finance Department’s Office memorandum No. FD/R/20400-99/2013, dated 28.11.2013, on the subject cited above and to state that the President Azad Jammu & Kashmir has been pleased to sanction with effect from 1st July, 2014 the increase in minimum pension from Rs. 5000/- p.m. to 6000/- p.m. to civil pensioners of the Government of AJ&K including Army pensioners drawing pension from the Azad Government of the State of Jammu and Kashmir.

2. Similarly, family pension allowed to the family of a retired government employees including Army Pensioners drawing pension from the Azad Government of the State of Jammu and Kashmir under the Pension cum-Gratuity Scheme 1955, and Liberalized Pension Rules, 1977 has also been increased from current rate of Rs. 3750/- p.m. to Rs. 4500/- p.m.
3. Commutation of any part of the increase allowed vide this Office Memorandum will not be admissible.

Sd/--

(Qazi Inayat Ali)

Deputy Secretary (Regs.)

FD/Regs./7681-7780/2015

**AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
28th April, 2015

OFFICE MEMORANDUM

Subject: Order Passed in Appeal No. 887 to 890, 912 to 915, 922 to 925 & 930 to 934 (R) CS-2011, 1166, 1265, 1416 to 1420, 1455, 1575, & 1794 (R) CS-2011 filled by Mirza Muhammad Ishaque, Ghulam Mustafa & others vs. Ministry of finance.

The President of Azad Jammu & Kashmir has been pleased to accord approval to the adoption of Finance Division (Regulation Wing), Government of Pakistan’s O.M No. F.13 (13)Reg.6/2011 dated 21.01.2013 w.e.f. 01.07.201, the contents of said O.M shall be applicable to the pensioners of Azad Government of the State of Jammu & Kashmir in the same manner and to the same extent as are applicable to their counterparts in Government of Pakistan.

Sd/--

(Qazi Inayat Ali)

Deputy Secretary (Regs.)

FD/Regs./11241/2015
AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
29th May, 2015

To: The Additional Accountant General (Pension)
Azad Jammu and Kashmir,
Muzaffarabad

Subject: **Clarification of the Office Memorandum Dated 28.04.2015**

I am directed to refer to your letter No. 1730/AG Pension/2015 dated 04.05.2015 on the subject cited above and to enclose herewith joint report regarding payment of arrears submitted by Mr. Abdul Hamid Chaichi Deputy Secretary Budget-II and Mr. Nazir-ul-Islam Deputy accountant General on 18.03.2016 after consulting office of AGPR Islamabad. I am further directed to clarify the issue as under:-

- (i) This department's Office Memorandum No. FD/Rgs.7681-7780/2016 dated 28.04.2016 is meant for all such pensioners of Azad Govt. of the State of Jammu & Kashmir who were drawing 50% remaining pension.
- (ii) Govt. of AJ&K has adopted Finance Division's O.M No. F.13(13)-Reg.6/2011 dated 21.01.2013 w.e.f. 01.07.2015 in view of the fact that budgetary cover has not been provided in the current financial year for these unforeseen expenses. The date i.e. 01.07.2015 does not affect the direction contained in para-1 of said Office memorandum of finance division regarding determination of pension from the date of restoration of commuted pension and payment of arrears. The pension of all such pensioners of Govt. of AJ&K shall be determined in accordance with finance Division's said O.M from the date of restoration of their commuted pension at the rate at which they were drawing 50% remaining pension and that the arrears shall also be paid to them. However, they shall not be entitled to claim arrears for the period prior to restoration of their commuted pension.

Sd/--
(Qazi Inayat Ali)
Deputy Secretary (Regs.)

NO. FD/R/14361-419/2015
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 27th July, 2015

OFFICE MEMORANDUM

Subject: GRANT OF MEDICAL ALLOWANCE TO CIVIL PENSIONERS OF AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR.

The undersigned is directed to refer to Finance Department's O.M. No. FD/R/11145-11244/2010 dated 16-08-2010 and to state that Medical Allowance was introduced with effect from 1st July, 2010 for all civil pensioners of Azad Government of the State of Jammu & Kashmir.

2. In terms of para-21 of Finance Department's O.M. No. FD/R/(340)07/2011 dated 25-07-2011, it was decided that:-

- (i) Medical Allowance admissible to the existing retired Civil Servants in BPS-1 to BPS-15 and BPS-16 to BPS-22 @ 25% and @ 20% of the net pension respectively shall continue to be admissible at the frozen level of its admissibility as on 30-06-2011 till further order.
- (ii) All the Civil Servants in BPS-1 to BPS-15 and in BPS-16 to BPS-22, who shall retire on or after 01-07-2011 onwards, shall be allowed Medical Allowance @ 25% and @ 20% of the net pension respectively and shall stand frozen at the same level.

3. Now, the President Azad Jammu & Kashmir has been pleased to sanction w.e.f. 01-07-2015 until further orders, 25% increase in the amount of medical allowance being drawn by the civil pensioners of Azad Government of the State of Jammu & Kashmir including army pensioners drawing pension from AJ&K and to the future retirees on the medical allowance admissible to them at the time of retirement and shall stand frozen at same level.

Sd/---
(INAYAT ALI QAZI)
Deputy Secretary (Regs.)

NO. FDR/3212-90/2016
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 2nd Mar, 2016

OFFICE MEMORANDUM

Subject: Grant of Increment to the Pensioners in the Year of Retirement.

The President Azad Jammu & Kashmir has been pleased to allow the benefit of one increment to all those pensioners of Azad Government of the State of Jammu & Kashmir who were stuck up in the maximum stages of their pay scales and were not allowed increment beyond their maximum pay scales in the year of retirement (having at least six months service preceding the date of retirement at the maximum of the respective pay scales) subject to the condition that arrears shall not be allowed.

Sd/---
(Tasleem Kousar)
Deputy Secretary (Regs.)

AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
Dated: 26th December, 2016

NOTIFICATION

No. FDR/R/19394-19493/2016. The President Azad Jammu & Kashmir has been pleased to allow the benefit of periodical increases on surrendered portion of commuted value of pension after restoration, to those pensioners of Azad Govt. of the State of Jammu & Kashmir who retired on or after 01.12.2001 as has already been allowed to the pensioners who retired prior to 01.12.2001 in accordance with Finance Department's Office memorandum No. FD/Regs./7681-7780/2015, dated 28.04.2015. Due to sever financial crunch, the arrears will be paid on availability of funds.

Sd/---
(Tasleem Kousar)
Deputy Secretary (Regs.)

FD/R/ 12010-12110/2017

**AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)**

“Muzaffarabad”
Dated: 20th July, 2017

OFFICE MEMORANDUM

Subject: GRANT OF INCREASE IN PENSION TO CIVIL PENSIONERS OF AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR.

The President Azad Jammu & Kashmir has been pleased to sanction an increase @ 10% of net pension with effect from 1st July, 2017 until further orders to all civil pensioners of Azad Government of the State of Jammu & Kashmir including army pensioners drawing pension from AJ&K.

2. The 15% increase in pension as allowed vide para-1(ii) of the Finance Department's Office Memorandum No. FD/R/11045-11144/2010 dated 16.08.2010 shall be discontinued for those who would retire on or after 01-07-2017.

3. However, 15% increase in pension allowed vide para-1 (i) of the Finance Department's Office Memorandum No. FD/R/(340)/07/2011 dated 25.07.2011, 7.5% increase in pension as allowed vide para-1 of Finance Department's Office Memorandum No. FD/R/(340)07/2011 dated 25-07-2011, 10% increase in pension as allowed vide para-1 of Finance Department's Office Memorandum No. FD/R/13320-60/2015 dated 27-07-2015 and 10% increase in pension as allowed vide para-1 of Finance Department's Office Memorandum No. FD/R/12183-12283/2016 dated 07.09.2016 shall be admissible to the new pensioners who would retire on or after 01-07-2017.

4. The 10% increase in pension as mentioned at para-1 above will also be admissible to the pensioners who would retire on or after 01-07-2017.

5. For the purpose of admissibility of increase in pension sanctioned in this O. M. the term "Net Pension" means "Pension being drawn" minus "Medical Allowance".

6. The increase will also be admissible on family pension granted under the Pension-Cum-Gratuity Scheme, 1954, Liberalized Pension Rules, 1977, on pension sanctioned under the Azad Kashmir Civil Services Pension Rules, 1971, as well as on the Compassionate Allowance allowed under the AJ&K Civil Servants Act, 1976. This increase will also be admissible to the pensioners in receipt of Extraordinary Pension.

7. If the gross pension sanctioned by Azad Government of the State of Jammu & Kashmir is shared with any Government in accordance with the relevant rules, the amount of the increase in pension will be apportioned between the Azad Government of the State of Jammu & Kashmir and the other Government concerned on proportionate basis.

8. This increase in pension sanctioned in this Office Memorandum will not be admissible on Special Additional Pension allowed in lieu of pre-retirement Orderly Allowance and salary of a driver or an orderly sanctioned vide notification No. FD/R/8591-8690/2016 dated 25.05.2016.

(INAYAT ALI QAZI)
Additional Secretary (Regs.)

FD/R/12666-12765/2018
AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR
(FINANCE DEPARTMENT)

“Muzaffarabad”
09 August , 2018

OFFICE MEMORANDUM

Subject: MINIMUM PENSION

The undersigned is directed to refer to the Finance Department's O.M. No. FD/R/17155-17254/2014, dated 18.08.2014, on the subject cited above and to state that the President Azad Jammu & Kashmir has been pleased to sanction with effect from 01.07.2018 the increase in minimum pension from Rs. 6,000/- per month to 10,000/- per month to civil pensioners of Azad Government of the State of Jammu & Kashmir including Army pensioners drawing pension from the AJ&K.

2. Similarly, family pension allowed to the family of a retired government employee including Army Pensioners drawing pension from the AJ&K under the Pension cum-Gratuity Scheme 1955, and Liberalized Pension Rules, 1977 has also been increased from current rate of Rs. 4,500/- per month to Rs. 7,500/- per month.
3. It has also been decided that rate of minimum pension would be Rs. 15,000/- per month for the civil pensioners of the Government of AJ&K including Army pensioners drawing pension from AJ&K who are 75 years age or more on 01.07.2018 or who would attain the age of 75 years subsequently.
4. Similarly rate of minimum family pension would be Rs. 11,250/- per month for the family of civil pensioners of Azad Government of the State of Jammu & Kashmir including Army pensioners drawing pension from AJ&K under the Pension cum-Gratuity Scheme 1955, and Liberalized Pension Rules, 1977 who are 75 years age or more on 01.07.2018 or who would attain the age of 75 years subsequently.
3. Commutation of any part of the increase allowed vide this O.M. will not be admissible.

Sd/--

(Inayat Ali Qazi)
Additional Secretary (Regs.)

Copy to:-

1. Secretary to the President, Azad Jammu & Kashmir.
2. Secretary to Prime Minister, Azad Government of the State of Jammu & Kashmir.
3. Private Secretary to the Speaker, Azad Jammu & Kashmir Legislative Assembly.
4. Private Secretary to the Deputy Speaker, Azad Jammu & Kashmir Legislative Assembly.
5. PSs to all the Ministers/Advisors/Special Assistant, Azad Govt. of the State of Jammu & Kashmir.
6. PS to Chief Secretary, Azad Govt. of the State of Jammu & Kashmir.
7. PS to Additional Chief Secretary (Gen.), Azad Govt. of the State of Jammu & Kashmir.
8. PS to the Senior Member Board of Revenue, Azad Govt. of the State of Jammu & Kashmir.
9. PS to Additional Chief Secretary (Dev.), Azad Govt. of the State of Jammu & Kashmir
10. Chairman Prime Minister's Inspection & Implementation Commission
11. All Secretaries, Azad Govt. of the State of Jammu & Kashmir.
12. Registrar Supreme Court of Azad Jammu & Kashmir.
13. Registrar High Court/ Shariat Appellate Bench of High Court of Azad Jammu & Kashmir.
14. Ombudsman Azad Jammu & Kashmir
15. Secretary, Azad Jammu & Kashmir Legislative Assembly.
16. Secretary, Azad Jammu & Kashmir Election Commission.
17. Accountant General, Azad Govt. of the State of Jammu & Kashmir.
18. Director General Audit, Azad Govt. of the State of Jammu & Kashmir.
19. Registrar Services Tribunal.
20. All Heads of Attached Departments, Azad Govt. of the State of Jammu & Kashmir.
21. Director Local Funds Audit.
22. Controller Government Printing Press.
23. Director Information Technology Finance Department for upload on website.
24. All Officers of finance Department.
25. Master File

(Mahmood Ahmad)
Section Officer (Regs.-1)

FINANCE DEPARTMENT
AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
MUZAFFARABAD

“Muzaffarabad”
Dated: March 31, 2020

Notification

No. FD/R/4649-4748/2020. Consequent upon the decision of the cabinet in its meeting held on 23.01.2020, the President Azad Jammu and Kashmir has been pleased to accord approval with immediate effect for the following revised Assistant Package for families of the Employees of the Azad Government of the State of Jammu and Kashmir who die in service.

LUMP SUM GRANT

Grades	Rates (Rs.)
1-4	400,000/-
5-10	600,000/-
11-15	800,000/-
16-17	1000,000/-
18-19	1,600,000/-
20 & above	2,000,000/-

PENSION

100% PENSION TO THE FAMILIES OF THE DECEASED Government employees shall be provided as per their length of service and last pay drawn. Moreover, in case of less than 10 years service of the deceased employees, rate of minimum 10 years service shall be applicable.

ACCOMODATION

Family of a deceased Government Employee shall be allowed to retain the allotted Government House till the age of superannuation of deceased Government employee as per allotment policy of Azad Government of the State of Jammu and Kashmir.

EMPLOYMENT

The appointment of one child/widow of Government employees who die in service shall be made against the posts in BS-01 to BS-15 without advertisement of post, subject to the conditions below:-

- i. He/she must be having requisite qualification for the post concerned already prescribed under Rules.
- ii. The appointment shall be made (under death assistance package) initially for a period of 2 years and appointee shall be confirmed/regularized on satisfactory completion of 2 years term as probationary period.

HEALTH

Free health facilities to the family of the deceased Government servant shall be allowed under the provisions of the AJK Medical Attendance Rules.

2. All existing policies/ Notifications/Instructions/Circulations to the extent of the above shall stand modified accordingly.

Sd/--
(Raja Muhammad Latif)
Deputy Secretary Finance (Regs.)