

MOST IMMEDIATE

No. 18016/2/2008-Estt.(L)
Government of India
Ministry of Personnel, P.G. & Pensions
[Department of Personnel & Training]

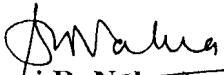
North Block, New Delhi.
Dated, the 27th March, 2009.

OFFICE MEMORANDUM

Subject:-Special Concessions/facilities to Central Government employees working in Kashmir Valley in attached/subordinate offices or PSUs falling under the control of the Central Government.

The undersigned is directed to refer to this Department's O.M. No.18016/1/2007-Estt.(L) dated 29th October, 2007 on the above subject and to say that the Department of Jammu & Kashmir Affairs, Ministry of Home Affairs has reviewed the matter in consultation with the Ministry of Finance and this Department and it has been decided that the package of concessions/facilities earlier extended to Central Government employees working in Kashmir Valley upto 30/06/2008 may be continued for a further period upto 31/12/2009. A copy of the details of the package of special concession is enclosed in the Annexure to this O.M. for ready reference.

2. The package of special concession are uniformly applicable to all Ministries/Departments and PSUs under the Government of India and they should ensure strict adherence to the rates prescribed in the package. The concerned Ministries/Departments should ensure implementation and monitoring of the package in conformity with the approved package, and therefore, all Court cases in which verdicts are given contrary to the package would have to be contested by the Ministries/Departments concerned.


(Simmi R. Nakra)
Director(P&A)

To

All Ministries/Departments of the Government of India, etc.

Copy also forwarded to:

- (1) Office of the Comptroller & Auditor General of India.
- (2) Secretaries to : Union Public Service Commission/Supreme Court of India/ Election Commission/Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet Sectt./Central Vigilance Commission/President's Sectt./Vice-President's Sectt./ Prime Minister's Office/ Planning Commission.
- (3) Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
- (4) All Officers/Sections of DOPT/Deptt. of Administrative Reforms & Public Grievances/Department of Pensions & Pensioners Welfare/PESB.
- (5) Ministry of Finance, Department of Expenditure, E.II(B) Branch.
- (6) Official Language Wing (Legislative Deptt.), Bhagwan Dass Road, New Delhi.
- (7) Railway Board, New Delhi.
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- (9) 50 spare copies.

(Simmi R. Nakra)
Director(P&A)

Details of package of Concession/Facilities to Central Government employees working in Kashmir Valley in Attached/Subordinate Offices or PSUs falling under the control of Central Government :-

I. Additional H.R.A. and other concessions :

(A) Employees posted to Kashmir Valley:

- (i) These employees have an option to move their families to a selected place of their choice in India at Government expense. T.A. for the families allowed as admissible in permanent transfer inclusive of transportation of personal effects, lump-sum payment for packing etc.
- (ii) Departmental arrangements for stay, security and transportation to place of work for employees.
- (iii) HRA as for Class 'A' city applicable for employees exercising option at (i). Such employees will be eligible for drawing the normal HRA as well at their place of posting provided Departmental arrangement is not made for his/her stay.
- (iv) The period of temporary duty extended to six months. For period of temporary duty daily allowance at full rate is admissible, apart from departmental arrangements for stay, security and transportation.

(B) Employees posted to Kashmir Valley who do not wish to move their families to a selected place of residence:

A per diem allowance of Rs. 10/- is paid for each day of attendance to compensate for any additional expense in transportation to and from office etc. This will be in addition to the transport allowance, which the employee is otherwise eligible for under Ministry of Finance order No. 21(2)/2008-E.II(B) dated 29.8.2008.

II. MESSING FACILITIES :

Messing Allowance to be paid to the employees at a uniform rate of Rs. 15/- per day by all Departments, or in lieu messing arrangements to be made by the Departments themselves. This rate of allowance will have to be adhered to uniformly by all the Ministries/Departments with effect from 01.07.1999. The slightly higher rate of Rs. 25.50 adopted by the Department of Telecom and Posts and allowed to be continued as a special case by the Department of Personnel in consultation with the Ministry of Finance, would, however, continue to be paid at the said rate.

III. ADJUSTMENT OF MIGRANT EMPLOYEES :

As a purely temporary measure, the employees migrated from the Kashmir Valley are accommodated to the extent possible in the available vacancies under the respective Ministries/Departments in offices located outside but adjacent to the union Territory of Delhi.

IV. PAYMENT OF LEAVE SALARY/AD HOC FINANCIAL ASSISTANCE:

Arrangements were made for payment of leave salary for the period upto 30th April, 1990 in respect of employees who may not have received their emoluments after migration. Such employees were allowed to be given either leave salary at the minimum of the scale or some ad-hoc financial assistance as an advance to be adjusted from their dues after they join duty. Further the migrant employees who were unable to join their respective places of posting in the Valley due to the prevailing circumstances, were extended this facility till they were adjusted in accordance with (iii) above.

V. REGULARISATION OF THE PERIOD OF ABSENCE OF J&K MIGRANT EMPLOYEES :

In August, 1992, it was decided that the period of migration of a Central Government employee, who migrated from Kashmir Valley in view of the disturbed conditions would be treated as Earned leave to the extent which may have been due to him on the date of proceeding for migration. However, the position was reviewed by the Ministry of Personnel in April, 1997 and it was decided that the Earned Leave which was at the credit of the Central Government migrant employee at the time of migration will not be adjusted against the migration period, but will remain available for the purpose of leave encashment on the date of their retirement in respect of the employees who had already retired or would retire in future. The period of absence would however count in the service for the purpose of pension, but shall not count for earning any kind of leave. During the period of absence, a migrant employee is entitled to his pay (excluding special pay and local allowances) dearness allowance, which he would have been otherwise paid from time to time including benefit of increment had he reported for duty immediately after expiry of his Earned leave.

VI. PAYMENT OF MONTHLY PENSION TO PENSIONERS OF KASHMIR VALLEY

Pensioners of Kashmir Valley who are unable to draw their monthly pensions through either Public Sector Banks or PAO treasuries from which they were receiving their pensions, would be given pensions outside the Valley where they have settled, in relaxation of relevant provisions.

- NOTE:-**
1. The package of concession/facilities shall be admissible in Kashmir Valley comprising of six districts, namely Anantnag, Baramulla, Budgam, Kupwara, Pulwama and Srinagar.
 2. The package of concession/facilities shall be admissible to Temporary Status Casual labourers working in Kashmir Valley in terms of para 5(i) of the Casual Labourers(Grant of Temporary Status and Regularization) Scheme of Government of India, 1993.
 3. The benefit of additional HRA admissible under the Kashmir Valley package shall be admissible to all Central Government employees posted to Kashmir Valley irrespective of whether they are natives of Kashmir Valley, if they choose to move their families anywhere in India subject to the conditions governing the grant of these allowances.
 4. The facilities of Messing Allowance and Per Diem allowance shall also be allowed to natives of Kashmir Valley in terms of the Kashmir Valley package.

