



**GOVERNMENT OF JAMMU AND KASHMIR**  
**GENERAL ADMINISTRATION DEPARTMENT**  
Civil Secretariat, Jammu.

No. GDC/416/CM/2011  
Dated: 29-03-2012.


Subject:-Settlement of Compassionate appointment cases under SRO-43 of 1994.

As per SRO-332, dated 28.10.2011 read with Government Order No. 257-F of 2011, dated 27.10.2011, pay of direct recruits to Class IV, Class III and other non-gazetted posts appointed against the vacancy advertised after 1<sup>st</sup> November, 2011 by the Jammu and Kashmir Services Selection Board (JKSSB), Police Recruitment Board (PRB), District/Divisional Level Committees constituted for appointment to Class IV posts under various Government Orders issued from time to time or any other Board or Committee, shall be regulated as per the fixed monthly salary. However, the Government Order No. 257-F of 2011, dated 27.10.2011, was stayed by the Hon'ble High Court at Srinagar as well as at Jammu.

Queries have been raised as to whether pay of a person appointed under the provisions of SRO-43 of 1994 would also be regulated as per the fixed monthly salary scheme. The matter was examined in the General Administration Department and referred to the Department of Law, Justice and Parliamentary Affairs. The Department of Law, Justice and Parliamentary Affairs has opined as under:-

“Compassionate appointments are made under the Jammu and Kashmir Compassionate Appointment Rules, 1994 which is an exception to the normal mode of appointment and, as such, they are not regulated by the notification SRO-332 of 2011, dated 28.10.2011, as the latter regulates only such appointments as are made on the basis of advertisement notices issued after 1<sup>st</sup> November, 2011. These appointments, like the appointments by promotion, are outside the purview of the said notification. Such appointees/ promotees are entitled to the pay scales as envisaged under the Jammu and Kashmir Civil Services (Revised Pay) Rules, 2009 and not the fixed salary”.

All the Administrative Departments are requested to dispose of the cases of compassionate appointment under SRO-43 strictly in accordance with the aforesaid opinion.

  
29.3.12  
(Sheikh Mushtaq Ahmad) IAS  
Secretary to Government  
General Administration Department.

All Administrative Secretaries.

Copy to the:-

1. Divisional Commissioner, Kashmir/Jammu
2. All Head of Departments.  
All Deputy Commissioners.