

Government of Jammu and Kashmir
General Administration Department
Civil Secretariat, Srinagar

Subject: Transaction of Government Business of Union territory of Jammu and Kashmir-procedure thereof.

Government Order No. 811-JK(GAD) of 2020

Dated: 01.09.2020

In exercise of the powers conferred by Presidential Order S.O.No.3937 (E) dated 31st October, 2019 read with the third Proviso to Rule 7 and with Rule 43 of the Transaction of Business of the Government of Union territory of Jammu and Kashmir Rules, 2019 and also any other provision enabling in this behalf, the Lieutenant Governor is pleased to direct that:-

- (i) In respect of the Departments allocated to Advisors vide Government Order No. 809- JK (GAD) of 2020 dated 01.09.2020, all the cases which are required to be submitted to the Administrative Council in terms of the SECOND SCHEDULE, to the Transaction of Business of the Government of Union territory of Jammu and Kashmir Rules, 2019, listed in ANNEXURE 'A' to this Government Order, shall be submitted by the Administrative Departments with the prior approval of the concerned Advisor to the Administrative Council through the Chief Secretary.
- (ii) In respect of cases listed in ANNEXURE-'B' to this Government Order, all matters shall be submitted to the Lieutenant Governor through the Chief Secretary in coordination before issuance of orders.
- (iii) In respect of the Departments allocated to Advisors vide Government Order No. 809- JK (GAD) of 2020 dated 01.09.2020, all cases which are required to be submitted to Lieutenant Governor through Chief Secretary in coordination, as listed in ANNEXURE-'B' to this Government Order, shall be submitted by the Administrative Secretary concerned with the prior approval of the Advisor to the Lieutenant Governor through the Chief Secretary in coordination.
- (iv) In respect of departments of which papers are to be routed by the concerned Administrative Secretaries through the Chief Secretary, the matter listed in ANNEXURE-'A' (Second Schedule of The Transaction of Business of the Government of Union territory of Jammu and Kashmir Rules, 2019), shall be submitted by the Chief Secretary to the Administrative Council.



Similarly, the matters listed in **ANNEXURE-‘B’** of this Government Order shall be submitted by the Chief Secretary in coordination to Lieutenant Governor.

- (v) In respect of departments of which papers are to be routed by the concerned Administrative Secretaries through Financial Commissioner, Finance Department, the matters listed in **ANNEXURE-‘A’** (Second Schedule Of The Transaction of Business of the Government of Union territory of Jammu and Kashmir Rules, 2019), shall be routed by the Financial Commissioner, Finance Department through Chief Secretary to the Administrative Council.

Similarly, the matters listed in **ANNEXURE-‘B’** of this Government Order shall be submitted by the Financial Commissioner, Finance Department through Chief Secretary in coordination to the Lieutenant Governor.

- (vi) Cases involving major policy decisions or having substantial financial implications shall be submitted by the Administrative Secretary to the Chief Secretary after approval of the Advisor.

Further, Chief Secretary and Administrative Secretaries shall exercise the powers delegated to them vide Government Order No. 810- JK (GAD) of 2020 dated 01.09.2020.

By order of the Lieutenant Governor.



(Manoj Kumar Dwivedi) IAS

Commissioner/Secretary to the Government

No.GAD (Adm)40/2020-I

Dated: 01.09.2020

Copy to:

1. Shri K. K. Sharma, Advisor to the Lieutenant Governor.
2. Shri Farooq Khan, Advisor to the Lieutenant Governor.
3. Shri Rajeev Rai Bhatnagar, Advisor to the Lieutenant Governor.
4. Shri Baseer Ahmad Khan, Advisor to the Lieutenant Governor.
5. Shri B. V. R. Subrahmanyam, IAS, Chief Secretary, J&K.
6. Dr. Arun Kumar Mehta, IAS, Financial Commissioner, Finance Department.

Copy also to:

1. Financial Commissioner, Health & Medical Education Department.
2. Director General of Police, J&K.

3. All Principal Secretaries to the Government.
4. Principal Secretary to the Lieutenant Governor.
5. Principal Resident Commissioner, J&K Government, New Delhi.
6. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
7. All Commissioners/Secretaries to the Government.
8. Chief Electoral Officer, J&K.
9. Divisional Commissioner, Kashmir/Jammu.
10. Chairperson, J&K Special Tribunal.
11. Director General, J&K Institute of Management & Public Administration & Rural Development.
12. Director Information, J&K.
13. All Deputy Commissioners.
14. All Heads of Departments/Managing Directors/Secretary, Advisory Boards.
15. Secretary, Public Service Commission/SSB/BoPEE.
16. Director Estates, J&K.
17. Director, Archives, Archaeology & Museums.
18. Secretary, J&K Legislative Assembly.
19. General Manager, Government Press, Srinagar/Jammu.
20. Private Secretary to the Chief Secretary, J&K.
21. Private Secretary to Advisor (S)/(F)/(B) & (BK) to the Lieutenant Governor.
22. Private Secretary to Commissioner/Secretary to the Government, GAD.
23. Government Order/Stock file/Website, GAD.

Annexure 'A' to Government Order No. 811.-JK(GAD) of 2020

Dated 01.09.2020

THE SECOND SCHEDULE

(See Rule 7 and 8 of the Transaction of Business of the Government of Union territory of Jammu and Kashmir Rules, 2019)

CASES WHICH SHALL BE BROUGHT BEFORE THE COUNCIL

1. Proposals relating to summoning and prorogation and dissolution of the Legislative Assembly.
2. The annual financial statements to be laid before the Legislative Assembly and demands for supplementary, additional or excess grants.
3. Proposals for introduction of any resolution or Bill to be moved in the Legislative Assembly.
4. Proposals for the imposition of a new tax or any change in the method of assessment or the pitch of any existing tax or land revenue.
5. Proposals which affect the finances of the Union territory and do not have the consent of the Finance Minister.
6. Proposals for re-appropriation to which the consent of the Finance Minister is required and has been withheld.
7. Proposals involving the alienation, either temporary or permanent, or of sale, grant or lease of Government property or the abandonment or reduction of revenues except when such alienation, sale, grant or lease of Government property or the abandonment or reduction of revenues is in accordance with the rules or with a general scheme already approved by the Council.
8. The annual audit review of the finances of the Union territory and report of the Public Accounts Committee.
9. Proposals involving any important change in policy or practice.
10. Proposals for the creation or abolition of any public office for which the maximum remuneration is above Rs. 47600-15110 (Level -8).
11. Appointment of Committees of Inquiry on the initiative of the Department or in pursuance of a resolution passed by the Legislative Assembly and reports of such committees.
12. Proposal or matters required by the Lieutenant Governor or Chief Minister to be brought before the Council.
13. Draft Bills and proposals for legislation including issue of Ordinance.
14. Proposals to vary or reverse a decision previously taken by the Council.
15. The Council may at any time reconstitute the departments, create new departments, reclassify and distribute afresh the business of the Government between those departments.



**Annexure 'B' to Government Order No. 811-JK(GAD) of 2020
Dated 01.09.2020**

**CASES WHICH SHALL BE SUBMITTED TO THE LIEUTENANT
GOVERNOR THROUGH THE CHIEF SECRETARY IN
COORDINATION**

1. Cases raising questions of policy;
2. Matters which affect or are likely to affect the peace and tranquility of the Union Territory;
3. Matters which affect or are likely to affect the interest of any minority community, the Scheduled Castes, the Scheduled Tribes and the Backward Classes;
4. Matters which affect the relations of the Government with any State Government, the Supreme Court of India or the High Court of Jammu and Kashmir;
5. Proposals or matters required to be referred to the Central Government under the Act or under Chapter-V of the Transaction of Business of the Government of Union territory of Jammu and Kashmir Rules, 2019;
6. Matters pertaining to the Lieutenant Governor's Secretariat and personnel establishment and other matters relating to his office;
7. Matters on which Lieutenant Governor is required to make order under any law or instrument in force;
8. Matters relating to summoning, prorogation and dissolution of the Legislative Assembly;
9. Cases relating to issue of rules under an Act in force in the Union territory;
10. Any departure from the Transaction of Business of the Government of Union territory of Jammu and Kashmir Rules, 2019 which comes to the notice of the Chief Secretary or the Secretary of any Department;
11. matters relating to Annual Financial Statement and Plan evaluation; and
12. Any other proposals or matters of administrative importance which the Chief Minister may consider necessary.
13. Cases in respect of matters connected with 'public order', 'police', 'All India Services' and 'Anti Corruption Bureau'.
14. Cases involving formulation of statutory rules.
15. Proposals for the making or amending of rules regulating the recruitment and conditions of service of the members of services of the Union territory of Jammu and Kashmir including of those persons appointed to the



Secretariat staff of legislatures and officers and servants of High Court.

16. Proposals for the dismissal, removal, reduction in the rank or compulsory retirement of an officer whose proposals for appointment require to be submitted to the Lieutenant Governor including cases of disciplinary action against members of All India Services and KAS and disciplinary cases of such officers in respect of which action is proposed to be taken by the departments contrary to the advice of the Public Service Commission.
17. Grant of permission to take employment in commercial, industrial or other private concerns to all officers whose appointment is made with the approval of the Lieutenant Governor or the Administrative Council.
18. Cases involving relaxation of upper or lower, age limits for entry into government service.
19. Cases raising questions of policy and cases of administrative importance not already covered by the Second Schedule or such cases where specified delegations have not been made in any of the other rules and orders.
20. Constitution of an Advisory Board for the detention of persons without trial.
21. Proposals for the provisions of the representation to the scheduled castes and Scheduled Tribes in the services of the Union territory of Jammu and Kashmir.
22. Any communication from the Election Commissioner especially with reference to its requirements as to staff and action proposed to be taken thereon.
23. Cases relating to the appointment of officers of Legislature of the rank of Under Secretaries and above other than those falling within the purview of the Council.
24. Proposals involving the appointment, resignation, dismissal, removal or suspension of the Chairman, Members and officers of the Public Service Commission.
25. Cases involving proposals for relaxation of rules.
26. Premature retirement under Article 226(2) of the Jammu and Kashmir Civil Service Regulations.
27. Grant of advance increments not covered under rules/orders.
28. Extension in services or re-employment after retirement of any employee.
29. Proposals relating to rules to be made under Section 46 of the Jammu and Kashmir Reorganization Act, 2019.
30. Proposals for the making or amending of rules relating to sub-ordinate judiciary.
31. Proposals for the imposition of a new tax or any change in the method of assessment or the pitch of any existing tax or land revenue or irrigation rates

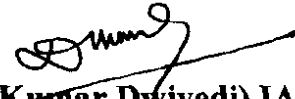


or for the raising of loans on the security of the revenue of the Union territory of Jammu and Kashmir or for giving of a guarantee by the Government of the Union territory of Jammu and Kashmir.

32. Proposals for the creation or the abolition of any post under the Government not covered under Second Schedule.
33. Appointment, resignation and removal of the Advocate General, Additional Advocate General and Assistant Advocate General or determining or varying the remuneration payable to them.
34. Proposals regarding appointment, resignation and removal of Chairman and Members of any other Commission not mentioned specifically and adhoc Commission and Members thereon.
35. (1) Proposals for the appointments/promotion of the following officers, namely:
 - (a) Additional Chief Secretary and other promotions of All India Service Cadre Officers to various scales of pay within the respective services.
 - (b) Heads of Departments (excluding DGP) and such other officers as are treated equivalent to a Head of Department like Advisors, Consultants; and
 - (c) KAS Officers.
- (2) Proposals for the posting of the following officers, namely:
 - (a) Secretaries to Government and above,
 - (b) Divisional Commissioners
 - (c) IGP's
 - (d) DIG's
 - (e) Heads of the Departments and Managing Directors of the PSUs.
 - (f) Deputy Commissioners
 - (g) SSP and equivalent.
- (3) Proposals for posting of following officers, namely:-
 - (a) Special Secretaries to Government.
 - (b) Additional District Development Commissioners.
 - (c) Additional Deputy Commissioners.
 - (d) Additional Secretaries to Government and equivalent levels.
36. (1) Cases of deputation of officers from the Central Government or other State Governments or any other agency outside the State Services/Cadres.
- (2) Cases of deputation of Government Officers outside the Union territory.

03

37. Report of the Public Service Commission on its work and any action proposed to be taken with reference thereto.
38. Proposals to vary or reverse a decision previously taken by the Cabinet/Council.
39. Cases regarding revision of scales of pay, either in general or in respect of an individual or group of posts.
40. Cases regarding attachment of special pay to any post.
41. Grant of dearness allowance, compensatory allowance, Local allowance or any other allowance not covered under rules/orders or any increase in wages of permanent daily wagers in Government Departments.
42. Proposals for review of cadre schedules of All India Services.



(Manoj Kumar Dwivedi) IAS
Commissioner/Secretary to the Government