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PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Srinagar, the 5th June, 2018.

SRO-258.—In exercise of the powers conferred by the proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to make the following rules, namely :—

1. *Short title and commencement.*—(1) These rules shall be called the Sher-e-Kashmir Institute of Medical Sciences Faculty Members (Revised Pay) Rules, 2018.

(2) They shall come into force from 1st day of January, 2016.

2. *Application.*—Save as otherwise provided by or under these rules, these rules shall apply to the persons who as on 01-01-2016 were holding permanent or temporary posts of Faculty Members of Sher-e-Kashmir Institute of Medical Sciences, Srinagar as Assistant Professors, Associate Professors, Additional Professors or Director in a substantive, temporary or officiating capacity or who have been appointed as such on or after 01-01-2016 to the issuance of these rules, and also those who may hereinafter be appointed against any of these posts or any other posts which may be treated as a teaching post and the incumbent thereof may be treated as a faculty member of the Institute in terms of Rule 3(b).

3. *Definitions.*—In these rules unless the context otherwise requires,—

- a. “Institute” means the Sher-e-Kashmir Institute of Medical Sciences, Srinagar ;
- b. “Faculty Member” means and includes Directors, Professors, Additional Professors, Associate Professors, Assistant Professors and any other teaching posts of the Institute which the Government on the recommendation of the Governing Body of the Institute may decide to include therein ;
- c. “Existing basic pay” means the pay drawn in the prescribed existing Pay Band and Grade Pay or Pay drawn in the existing pay scale ;
- d. “Existing Pay Band and Grade Pay” means the Pay Band and the Grade Pay applicable to the post held as on the date immediately before the commencement of these rules ;
- e. “Existing scale” means the pay scale applicable to the post held as on the date immediately before the date of commencement of these rules ;

- f. “Existing pay structure” means the present system of Pay Band and Grade Pay or the Pay Scale applicable to the post held as on the date immediately before the commencement of these rules ;
- g. “Existing emoluments” mean the sum of (i) existing basic pay and (ii) existing dearness allowance as on 1st day of January, 2016 ;
- h. “Pay Matrix” means Matrix specified in the Schedule, with Levels of Pay arranged in vertical cells as assigned to corresponding existing Pay Band and Grade Pay or existing scale ;
- i. “Pay Level” in the Pay Matrix means the Level corresponding to the existing Pay Band and Grade Pay or existing scale as specified in the Schedule ;
- j. “Pay in the Pay Level” means pay in the appropriate Cell of the Level as specified in the Schedule ;
- k. “Revised pay structure” in relation to a post means the Pay Matrix and the Levels specified therein corresponding to the existing Pay Band and Grade Pay or existing scale of the post unless a different revised Level is notified separately for that post ;
- l. “Basic pay” in the revised pay structure means the pay drawn in the prescribed Level in the Pay Matrix ;
- m. “Revised emoluments” means the pay in the Level in the revised pay structure ; and
- n. “Schedule” means the Schedule appended to these rules.

4. *Revised Pay for faculty members and equivalent positions.*—
The pay structure for different categories of Faculty Members and equivalent positions of the Institute is revised as under :—

Revised pay for Faculty Members and equivalent positions of SKIMS :

Designation	Existing Pay Band + Grade Pay	Corresponding Levels
Assistant Professor	PB-3 15,600 -39,100+ GP 6000	Level 11 (67700-208700)
Assistant Professor	PB-4 37,400-67,000+ GP 8700	Level 13 (123100-215900)
Additional Professor	PB-4 37,400-67,000+ GP 8900	Level 13-A (131100-216600)
Professor	PB-4 37,400-67,000+ GP 10000	Level 14 (144200-218200)
Director	Fixed 80,000	Level 17 (225000) :

Provided that 25% of posts of Professors shall be placed in the pay Level 15 (182200-224100) and the placement of the existing incumbents in this pay Level shall be made in pursuance of the prescribed selection process.

5. *Pay Fixation method.*—(1) The fixation of pay of the faculty members and equivalent of the Institute is to be carried out in the revised pay structure strictly as per the relevant provisions of Jammu and Kashmir Civil Service (Revised) Pay Rules, 2018 notified vide SRO-193 of 2018 dated 24-04-2018, moving from the concept of Pay Band and Grade Pay to that of Pay Levels and Cells.

(2) A Faculty Member appointed as such from 01-01-2016 to the date of issuance of these rules, shall be deemed to have been appointed

under these rules and shall be placed directly in the corresponding Revised Pay Level applicable to the post to which he has been so appointed with effect from the date of such appointment.

6. *Non-Practicing Allowance (NPA).*—(1) With effect from 01-04-2018, the doctors including Faculty Members of the Institute shall be entitled to Non-Practicing Allowance @ 20% of Basic Pay, subject to the condition that the Basic Pay+NPA shall not exceed to ₹ 225000/- (fixed pay of the Director). However, the NPA for the period 01-01-2016 to 31-03-2018, shall be admissible/drawn at the existing rates in the existing pay structure (existing Pay Band and Grade Pay).

(2) The NPA shall count as Pay for all service and retirement benefits.

7. *Increments.*—The increments in the revised pay structure shall also be regulated as per the relevant provisions of Jammu and Kashmir Civil Service (Revised) Pay Rules, 2018.

8. *Fixation of Pay on Promotion.*—The pay on promotion in the revised pay structure shall also be regulated as per the relevant provisions of Jammu and Kashmir Civil Service (Revised) Pay Rules, 2018.

9. *Creation of new Posts.*—No post shall be created in future under the Government except in one of the revised Pay Levels shown in the Schedule appended to these rules. All posts created or upgraded on or after 01-01-2016 to the date of issue of these rules shall be deemed to have been created or upgraded in the corresponding Pay Levels for those posts.

10. *Mode of payment of arrears of pay.*—The payment of arrears on account of the revision of pay under these rules from 1st day of January, 2016 to 31st day of March, 2018 shall be regulated as per the pattern adopted in respect of the State Government employees and notified vide Government Order No. 220-F of 2018 dated 24-04-2018.

11. *Overriding effect of rules.*—The provisions of the Jammu and Kashmir Civil Services Regulations, the SKIMS Faculty Members (Revised Pay) Rules, 2000 and the SKIMS Faculty Members (Revised

Pay) Rules, 2009, shall not, save as otherwise provided in these rules, apply to cases where pay is regulated under these rules, to the extent they are inconsistent with these rules.

12. *Powers to Relax Rules.*—Where the Government is satisfied that the operation of all or any of the provisions of these rules causes undue hardship in any particular case, the Government may, by order, dispense with or relax requirements of that rule(s) to such extent and subject to such conditions as may be considered necessary for dealing with such a case in a just and equitable manner.

13. *Interpretation.*—If any question arises relating to interpretation of any of the provisions of these rules, it shall be referred to the Government in Finance Department for decision, the decision whereof shall be binding and final.

By order of the Governor.

(Sd.) NAVIN K. CHOUDHARY, IAS,
Principal Secretary to Government,
Finance Department.