



GOVERNMENT OF JAMMU AND KASHMIR
GENERAL ADMINISTRATION DEPARTMENT
(Administration Section)
Civil Secretariat, Jammu/Srinagar

Subject:- Implementation of the Jammu and Kashmir Public Services Guarantee Act, 2011.

Circular No. 25- GAD of 2011
Dated: 23.08.2011

The Jammu and Kashmir Public Services Guarantee Act, 2011 has come into effect from 10th of August, 2011. The Act provides for the delivery of public services by the designated officers to the eligible persons of the State within the specified time limit. To carry out implementation of the Act, the State Government has notified the rules for the purpose vide SRO 223 of 2011. Further vide SRO 224 of 2011 the State Government notified the services to be delivered to the eligible persons under the Act, time limit for providing the notified services, particulars of the designated officers, first appellate authorities and second appellate authorities.

Under section 5 (2) of the Act any eligible person can file application with the designated officer for providing of notified service within the stipulated time. The designated officer shall within the specified time limit as provided in SRO 224 of 2011, either provide the service or reject the application with reasons to be recorded for the same.

Under section 6 (1) of the Act any person, whose application has been rejected by the designated officer or who does not receive the public service within the specified time limit or where the service received is deficient in any manner can file an appeal to the first appellate authority, as notified in SRO 224 of 2011, within 30 days from the date of such rejection or expiry of the time limit or receipt of deficient service. The first appellate authority shall dispose of the appeal within 45 days and may direct the designated officer to provide the public service within such time as it may specify or to remove the deficiency in the service provided or reject the appeal, as he may deem fit.

Under Section 7 (1) of the Act any person aggrieved by the order passed by the first appellate authority may file an appeal to

the second appellate authority, as notified in SRO 224 of 2011, within sixty days from the date of the order passed by the first appellate authority. The second appellate authority shall within 45 days dispose of the appeal directing the designated officer to provide the public service within such time as he may specify or to remove the deficiency in the service provided or reject the appeal, as he may deem fit. Where the second appellate authority is of the opinion that the designated officer has failed to provide service to the eligible person or has caused delay in providing the service or has provided a service which is deficient in any manner, he shall impose a fine of ₹ 250/- for each day of such delay or ₹ 5000/- whichever is less, in case of non providing of service or delay in providing service and ₹ 2000/- in case of deficiency in service.

Under Section 10 of the Act, if the designated officer does not comply with the orders or directions passed by the first appellate authority or the second appellate authority the aggrieved person may file an application before the second appellate authority. The second appellate authority may impose a fine on designated officer which shall not be less than ₹ 500/- but may extend upto ₹ 5000/- if the second appellate authority is of the opinion that the designated officer has not complied with the orders or directions without reasonable cause.

Under Section 11 of the Act, if the second appellate authority is of the opinion that the first appellate authority has failed to decide the appeal within the time specified without any reasonable cause, he may impose a fine which shall not be less than ₹ 500/- and not more than ₹ 5000/- on the first appellate authority. Further, under Section 13 of the Act, the second appellate authority may also direct that such portion of the fine imposed on designated officer or the first appellate authority shall be awarded to the applicant/appellant, as compensation as he may deem fit.

Under Rule 4 of the Jammu and Kashmir Public Services Guarantee Rules, 2011 (SRO 223 of 2011) the designated officers shall acknowledge receipt of every application on form 1 annexed with SRO 223 of 2011.

Under Rule 6 of the Jammu and Kashmir Public Services Guarantee Rules, 2011 (SRO 223 of 2011) the designated officers shall display all relevant information related to the notified services to be provide by him under the Act on the notice board installed at a conspicuous place of the office for public knowledge. In the event of non display of such information appropriate action shall be initiated against the designated officer. The information shall be displayed on form 2 annexed with SRO 223 of 2011.

Under Rule 16 of the Jammu and Kashmir Public Services Guarantee Rules, 2011 (SRO 223 of 2011) the designated officers, first appellate authorities and second appellate authorities shall maintain the records on form 3, 4 and 5 annexed with SRO 223 of 2011 respectively.

The Jammu and Kashmir Public Services Guarantee Act, 2011 alongwith the Rules and notified services is available on the website of General Administration Department (www.jkgad.nic.in). However, copies of the same are enclosed for ready reference. All the concerned Administrative Secretaries are requested kindly to personally supervise implementation of the Act in letter and spirit. They shall make suitable arrangements for monitoring the implementation of the various provisions of the Act and for adherence to the time schedule for delivery of notified services. A massive programme shall be undertaken by the individual departments for capacity building and for providing stationary for maintenance of records consistent with the relevant provisions of the Act and Rules. A status report shall be furnished by each concerned Administrative Secretary to the General Administration Department within a period of one month detailing out the infrastructure and other logistic arrangements for facilitating the proper monitoring of the implementation of the Act and Rules.

The General Administration Department shall monitor implementation of the provisions of the Act, superintendence of the cases filed under the Act and shall also conduct inspection of offices of the designated officers, first appellate authorities and second appellate authorities in due course.

The above instructions are brought to the notice of all the concerned for strict compliance.

Sd/-

(Mohammad Sayeed Khan) IAS

Commissioner/Secretary to Government,
General Administration Department

Encl: As above.

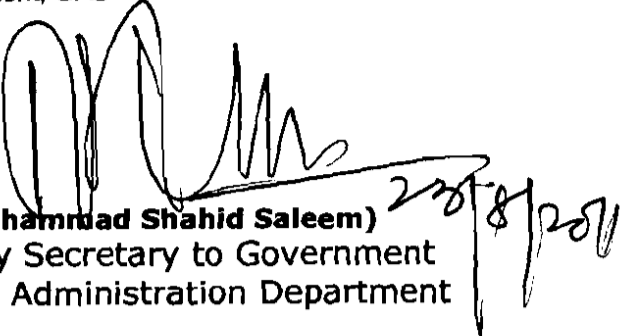
No: GAD(Adm)66/2011-V

Dated: 23.08.2011

Copy to the:-

1. All the Administrative Secretaries to Government.
2. Principal Secretary to Hon'ble Chief Minister/HEG.
3. Divisional Commissioner, Kashmir/Jammu.
4. All Heads of Departments.
5. All Deputy Commissioners.
6. General Manager, Government Press, Jammu/Kashmir.
7. Special Assistants/Private Secretaries to all Hon'ble Ministers/Ministers of State.
8. PPS to Chief Secretary

9. PS to Advisor to Hon'ble Chief Minister
10. OSD to Political Advisor to Hon'ble Chief Minister
11. PS to Commissioner/Secretary to Government, GAD
12. In charge Website GAD
13. Circular file/stock file.



(Mohammad Shahid Saleem)
Deputy Secretary to Government
General Administration Department



GOVERNMENT OF JAMMU AND KASHMIR
GENERAL ADMINISTRATION DEPARTMENT
(Administration Section)
Civil Secretariat, Jammu/Srinagar

Subject:- Implementation of the Jammu and Kashmir Public Services Guarantee Act, 2011.

Circular No. **29** - GAD of 2011
Dated: 13.09.2011

The Jammu and Kashmir Public Services Guarantee Act, 2011 has come into effect from 10th of August, 2011. The Act provides for the delivery of public services by the designated officers to the eligible persons of the State within the specified time limit. To carry out implementation of the Act, the State Government has notified the rules for the purpose vide SRO 223 of 2011. Further vide SRO 224 of 2011 the State Government notified the services to be delivered to the eligible persons under the Act, time limit for providing the notified services, particulars of the designated officers, first appellate authorities and second appellate authorities.

The Act inter-alia provides for imposition of fine on the designated officers for their failure to provide service to the eligible person or delay in providing the service or service provided is deficient in any manner or on the first appellate authorities if the second appellate authority is of the opinion that the first appellate authority has failed to decide the appeal within the time specified without any reasonable cause.

Following account head is therefore notified for crediting the fines imposed in terms of the J&K Public Service Guarantee Act, 2011 for information of all the concerned :-

Major Head: 0070-Other Administrative Services
Sub Major Head: 60-Other Services
Minor Head: 800-Other Receipts (Fines imposed in terms of Public Service Guarantee Act, 2011)

Sd/-

(Mohammad Sayeed Khan) IAS
Commissioner/Secretary to Government,
General Administration Department

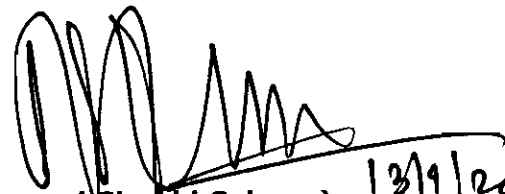
Dated: 13.09.2011

No: GAD(Adm)66/2011-V

Copy to the:-

1. All the Administrative Secretaries to Government.
2. Principal Secretary to Hon'ble Chief Minister/HEG.
3. Divisional Commissioner, Kashmir/Jammu.

4. All Heads of Departments.
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(Mohammad Shahid Saleem)
Deputy Secretary to Government
General Administration Department

13/9/2011