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

NOTIFICATION
Srinagar, the 21st of July, 2011

SRO 223 .- In exercise of the powers conferred by section 17 of the Jammu and Kashmir Public Services Guarantee Act, 2011 (Act No. IX of 2011), the Government hereby makes the following rules, namely:-

1. **Short title and commencement.-** (1) These rules may be called the Jammu and Kashmir Public Services Guarantee Rules, 2011.

(2) They rules shall come into force from the date of their publication in the Government Gazette.

2. **Definitions:** (1) In these rules, unless the context otherwise requires –

a. "Act" means the Jammu and Kashmir Public Services Guarantee Act, 2011 (Act No. IX of 2011);
b) "Form" means the Form appended to these rules;
c) "Government" means the Government of Jammu and Kashmir;
d) "Section" means the section of the Act.

(2) The words and expressions used in these rules but not defined shall have the same meaning as assigned to them respectively in the Act.

3. **Authorization by Designated Officer for receiving the application,-** The designated officer may, by order, authorize any of his sub-ordinate officer or employee to receive the application and to issue the acknowledgement thereof.

4. **Issuing of acknowledgement to the applicant.-** The designated officer or any official authorized under rule 3 shall give acknowledgement to the applicant in Form - 1 and in case any necessary documents have not been annexed with the application, the same shall be clearly mentioned on the

acknowledgement and in such acknowledgement stipulated time limit shall not be mentioned:

Provided that if all necessary documents are annexed with the application and the application is complete in all respects, then the stipulated time limit shall be mentioned in the acknowledgement;

Provided further that in the event any service is denied or delayed, the designated officer shall communicate to the person eligible and/or applying for the service:

(i) the reason for such denial or delay,
(ii) the period within which an appeal against such denial be preferred and;
(iii) the particulars, including all available contact information of the competent appellate authority under the provisions of the Act.

5. Public holidays not included in the stipulated time limit.- In computing the stipulated time limit in providing the services, the public holidays shall not be included.

6. Display of information on the notice board.-(1) The designated officer shall, for the convenience of general public, cause to display all relevant information related to services on the notice board installed at a conspicuous place of the office for public knowledge and also on the public domain and the necessary documents to be attached with an application for obtaining notified services shall also be displayed .

(2) In the event of non-display of such information in the public domain, the competent authority shall initiate appropriate action against the designated officer.

7. Exemption of payment of Fees.- No fees shall be payable along with an application, appeal or revision, as the case may be.

8. Contents of application for Appeal and Revision.- The following information shall be included in an application for appeal or revision, as the case may be, filed to the first appellate authority, second appellate authority or the revisional authority, namely :-

(i) name and address of the applicant or person filing first appeal, second appeal or revision;
(ii) the name and address of the designated officer, first appellate authority or second appellate authority, as the case may be, against whose decision the appeal or revision is filed;
(iii) particulars of the order against which the appeal or revision lies;
(iv) if the appeal is against the refusal of acknowledgement of the application by the designated officer, then the date of application, refusal of information, and the name and address of the designated officer, to whom the application was presented;
(v) the grounds for appeal or revision;
(vi) the relief sought, and
(vii) any other relevant information which is necessary for the disposal of appeal or revision.

9. Documents to be annexed with appeal or revision.- The following documents shall be annexed with every application for appeal or revision, namely:-

(i) self-attested copy of the order against which the appeal or revision is made;
(ii) the copies of the documents, if any, mentioned in the application for appeal or revision;
(iii) the index of the documents annexed with the application for appeal or revision; and
(iv) the proof of depositing penalty, in case of application for revision.

10. Procedure for deciding appeal or revision.- In deciding the application for appeal or revision the appellate or revisional authority :-

(i) shall inspect the relevant documents, public documents or copies thereof;
(ii) authorize any officer to conduct appropriate inquiry, if required; and
(iii) may hear designated officer, first appellate authority or the second appellate authority, as the case may be.

11. Service of notice of hearing.- The notice of hearing of application for appeal or revision shall be served in any one or more of the following manners; namely :-

(i) by the party itself;
(ii) by hand delivery (dasti) through process server;
(iii) by the registered post with due acknowledgement; or
(iv) through the department.

12. Hearing of appeal or revision.-

(1) In every case, the appellant or the person at revision shall be intimated with the date of hearing, at least seven clear days prior to such date of hearing.

(2) The appellant or the person at revision, as the case may be, may present in person in the hearing of application for appeal or revision, or may opt not to be present in the hearing.

(3) If the appellate authority or revisional authority is satisfied that the circumstances exist due to which the appellant or the person at revision is prevented to be present at the hearing, then before taking the final decision an opportunity of hearing shall be given to the appellant or the person at revision.

(4) If any party remains absent after due service of notice of the fixed date of hearing, then appeal or revision, as the case may be, shall be disposed in his absence or dismissed due to non-appearance/ non prosecution.

13. Order in appeal or revision.- (1) The order of appeal or revision shall be pronounced in open proceedings and shall be in writing by the first appellate authority, second appellate authority or revisional authority, as the case may be.

(2) The copy of order passed in first appeal or second appeal, as the case may be, shall be given to the appellant, designated officer and first appellate authority, free of cost and ordinarily on the date of pronouncement of the order.

(3) In case of imposition of penalty, the appellate authority or the revisional authority, as the case may be, shall endorse a copy of order to the competent authority with instructions to deduct the amount from the salary/honorarium/remuneration of the designated officer/appellate authority;-

(4) In the case of recommendation for the departmental enquiry against the designated officer or the appellate authority, as the case may be, the

provisional authority shall send the order passed against him/her to the concerned competent authority.

(5) Where the revisional authority, after hearing the revision, amends the order of the appellate authority, then he/she shall send a copy of the order to the appellate authority and the competent authority.

14. Recovery of penalty: (1) On receiving the order of imposition of penalty under sub-rule (4) of rule 13, the competent authority shall direct the drawing and disbursing officer to recover the amount of penalty from the next salary of the designated officer or first appellate officer, as the case may be, and deposit it under the concerned head and send a copy of challan to the concerned appellate authority.

(2) In case any amendments are made in the order of appellate authority during revision, the concerned authority shall cause to ensure that such orders are implemented.

15. Payment of compensation.-In the case of order of payment of compensation to the applicant under section 13, the second appellate authority shall order to make payment within thirty days:

Provided that whenever revision is filed against the order of second appellate Authority, the period of thirty days for payment of compensation shall be reckoned from the date of passing of order by the revisional authority.

16. Maintenance of record of disposed cases under the Act.- The designated officer, first appellate authority, second appellate authority and revisional authority shall maintain the record of the cases in Form 3, 4, 5 and 6 respectively.

17. Monitoring and inspection.- (1) The Government may issue the directions from time to time for effective implementation of the provisions of the Act, superintendence of the cases filed under the Act and for the inspection of the offices of the first appellate authority, second appellate authority, revisional authority and drawing and disbursing officers.

(2) The State Government may after every six months review services notified under the Act and may include or exclude any service, for purposes of the Act.

(3) The Government shall introduce a system for centralized monitoring of the timely delivery of notified services, including service delivery through use of Information and Communication Technologies, and for monitoring various provisions of the Act.

18. Interpretation:- If any question of interpretation of these rules arise, the decision of the Government in General Administration Department, in consultation with Department of Law, Justice & Parliamentary Affairs shall be final.

By order of the Government of Jammu and Kashmir.

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

No:GAD (Adm)66/2011-V dated: 21.07.2011

Copy to the:-

1. All Principal Secretaries to Government
2. Director General of Police, J&K.
3. Commissioner of Vigilance, J&K.
4. Chairman, J&K Special Tribunal.
5. Director General, J&K Institute of Management, Public Administration and Rural Development.
6. Principal Resident Commissioner, J&K Government, New Delhi.
7. Financial Commissioner, Revenue.
8. Principal Secretary to Hon'ble Chief Minister.
9. Principal Secretary to H.E. the Governor.
10. All Commissioners/Secretaries to Government
11. Divisional Commissioner, Kashmir/ Jammu.
12. All Heads of Departments/Managing Directors.
13. Secretary, J&K Legislative Assembly/ Council.
14. Secretary, J&K Public Service Commission
15. All Deputy Commissioners.
16. Director Estates.
17. Concerned officers.
18. Director Information.
19. Director Archives, Archaeology and Museums.

20. Secretary, J&K State Information Commission, Srinagar
21. Secretary, J&K State Accountability Commission, Srinagar
22. Secretary, J&K Services Selection Board.
23. General Manager, Government Press, Srinagar/ Jammu.
24. Special Assistant to Hon'ble Deputy Chief Minister.
25. Private Secretaries to all Hon'ble Cabinet Ministers/ Hon'ble Ministers of State.
26. Special Assistant to Advisor to Hon'ble Chief Minister.
27. OSD to Political Advisor to Hon'ble Chief Minister.
28. Principal Private Secretary to Chief Secretary.
29. Private Secretary to Commissioner/Secretary to Government, General Administration Department.
30. Private Secretary to Advocate General, J&K for information of Learned Advocate General.
31. Incharge website, GAD.
32. Government Order file/Stock file.

(Mohammad Shahid Saleem) 21/07/2021
Deputy Secretary to Government
General Administration Department

Form 1

(See rule 4)

FORM OF ACKNOWLEDGEMENT

Name of the Designated Officer and Office Address.	
Name and address of the applicant.	
Date of receiving application in the office of designated officer.	
Name of the service for which the application is given.	
Particulars of the documents which are essential for receiving service, but are not enclosed with the application.	
Last date of the stipulated time limit.	

Place: .....
Date: .....

Signature of Recipient

Name and Designation with seal

Note: In case of not receiving all the documents with the application, the last date of the stipulated time limit shall not be specified

Form 2

(See rule 6)

FORM OF NOTICE BOARD

Name, designation and Office of the designated officer						
S. No.	Notified service	Documents to be annexed with the application	Stipulated time limit for the services	Designation and address of the first appellate officer	Stipulated time limit for the disposal of first appellate	Designation and address of the second appellate authority.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Name of the person authorized to receive application in the office of designated officer	
Time limit for filing first appeal	Within thirty days from the decision of designated officer
Time limit for filing second appeal	Within sixty days from the decision of first appeal officer.

Form 3

(See rule 16)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF DESIGNATED OFFICER

Name of the Office of the designated officer					
Month					
Year					
S. No.	**Name and address of applicant**	**Service for which the application is given**	**Last date of the stipulated time limit**	**Application allowed / disallowed**	**Date and details of the order passed**
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**

Form 4

(See rule 16)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF FIRST APPEALLATE AUTHOROITY

Name of the Office of the First appellate officer					
S. No.	Name and address of appellant	Date of filing first appeal	Designation of the Designated Officer (Along with the name of officer) against whose decision the appeal is filed	Last date of the stipulated time limit	Date and detail of order in appeal
(1)	(2)	(3)	(4)	(5)	(6)

Form 5

(See rule 16)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF SECOND APPELLATE AUTHORITY

Name of the Office of the Second Appellate Authority								
S. No.	Name and address of appellant	Date of filing second appeal	Designation of the First Appeal Officer (Along with the name of offices) against whose decision the second appeal is filed	Details of disposal of second appeal (a)dismissal... (b) penalty. (c)recommendation of departmental enquiry (d) payment of compensation	Date of recovery of penalty	Date of payment of amount of compensa-tion	Follow up action regarding recommen-dations of Departmental Enquiry	Details of order of revision
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Form 6

(See rule 17)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF REVISIONAL AUTHORITY

Name of the Office of the Revisional authority					
S. No.	Name, designation and address of the Person in revision	Details of order against which the revision is made	Details of proof of depositing penalty	Details of order of revision	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

URGENT

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Email:-cctjk@jkcomtax.gov.in

GOVERNMENT OF JAMMU AND KASHMIR
DEPARTMENT OF COMMERCIAL TAXES
EXCISE & TAXATION COMPLEX,
RAILHEAD, JAMMU
***

Addl. Commissioner Commercial Taxes
Administration, Srinagar / Jammu

Subject: Issuance of Checklist of documents for newly specified services under J & K Public Service Guarantee Act 2011.

No. 287/Adm/1779-93/CCT Dated: 28/11/2013

I am directed to enclose list of designated officers/First Appellate Authorities/IInd Appellate Authority in terms of SRO-400 of 2013 dated: 13-09-2013 under J & K Public Service Guarantee Act, 2011 and request to kindly have displayed the services to be provided by the designated officers on the notice board (in form 2) in-front of the office complex under the said Act.

Yours faithfully
28/11/2013
(**Mohammad Ishaq Shah**, KAS)
Dy. Commissioner Commercial Taxes
Headquarter, Jammu

Copy to the:
1. Commercial Taxes Officer, Circle –Anantnag-I, Anantnag-II, Budgam, Kupwara, Pulwama, Sopore, Leh, Kargil for similar necessary action.
2. Commercial Taxes Officer, Udhampur – I, Udampur-II, Doda, Katua, Rajouri-Poonch for similar necessary action.

Designated officers / First Appellate Authority and second Apellate Authority of Commercial Taxes Department, Kashmir Division (In terms of SRO-400 dated: 13-09-2013 issued by General Administration Department)

Name of the service	Designated Officer	Stipulated time frame for providing service	First Appellate Authority	Second Appellate Authority
i Issuance of VAT 65 forms	Commercial Taxes Officer, Circle 'A', Srinagar	i Two working days from the receipt of application alongwith the proof of recent quarterly forms.	Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
ii Issuance of Statutory forms i.e C', 'H' and 'F' forms etc	Commercial Taxes Officer, Circle 'B', Srinagar	ii Two working days from the receipt of application alongwith the detail of consumption of previous forms.	Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
iii Tax Clearance Certificate for supply contracts in form VAT-46	Commercial Taxes Officer, Circle 'C', Srinagar	iii Ten working days from the receipt of application alongwith proof of copy of recent quarterly returns	Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
iv Tax clearance certificate for works contract in form ST-64	Commercial Taxes Officer, Circle 'D', Srinagar	iv Fifteen working days from the receipt of appication alongwith copies of Contract / supply order issued in favour of the applicant for the period for which tax clearance certificate is sought	Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'E', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'F', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'G', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'H', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'I', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'J', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'K', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'L', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'M', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K

	Commercial Taxes Officer, Circle 'N', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'O', Srinagar		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'Anantnag-I'		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'Anantnag-II'		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'Sopore'		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'Baramulla'		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'Budgam'		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle Pulwama'		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'Kupwara'		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'Leh'		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'Kargil'		Addl. Commissioner Commercial Taxes, Adm, Srinagar	Commissioner Commercial Taxes, J & K

28/11/2013

(Mohammad Ishaq Shah, KAS)
Dy. Commissioner Commercial Taxes
Headquarter, Jammu

Designated officers / First Appellate Authority and second Apellate Authority of Commercial Taxes Department, Jammu Division in terms of SRO-400 dated: 13-09-2013 issued by General Administration Department)

	Name of the service	Designated Officer	Stipulated time frame for providing service	First Appellate Authority	Second Appellate Authority
i	Issuance of VAT 65 forms	Commercial Taxes Officer, Circle 'A', Jammu	Two working days from the receipt of application alongwith the proof of recent quarterly forms.	Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
ii	Issuance of Statutory forms i.e C', 'H' and 'F' forms etc	Commercial Taxes Officer, Circle 'B', Jammu	Two working days from the receipt of application alongwith the detail of consumption of previous forms.	Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
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		Commercial Taxes Officer, Circle 'E', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
		Commercial Taxes Officer, Circle 'F', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
		Commercial Taxes Officer, Circle 'G', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
		Commercial Taxes Officer, Circle 'H', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
		Commercial Taxes Officer, Circle 'I', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
		Commercial Taxes Officer, Circle 'J', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
		Commercial Taxes Officer, Circle 'K', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
		Commercial Taxes Officer, Circle 'L', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
		Commercial Taxes Officer, Circle 'M', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K

	Commercial Taxes Officer, Circle 'N', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'O', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'P', Jammu		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'Doda'		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle Kathua'		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle 'Rajouri-Poonch'		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle Udhampur-I'		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K
	Commercial Taxes Officer, Circle Udhampur-II'		Addl. Commissioner Commercial Taxes, Adm, Jammu	Commissioner Commercial Taxes, J & K

20/11/2013

(Mohammad Ishaq Shah, KAS)
Dy. Commissioner Commercial Taxes
Headquarter, Jammu