

GOVERNMENT OF JAMMU AND KASHMIR
Department of food, Civil Supplies and Consumer Affairs
Civil Secretariat, Srinagar.

Subject: Notification of rules in terms of Section 40 of the
National Food Security Act, 2013

No.36424/FCSCA/LegI/66/2021

Date 26 -08-2021

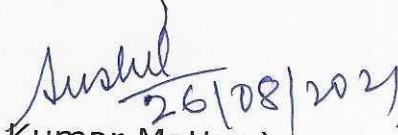
Whereas, the Draft Jammu and Kashmir National Food Security Rules, 2021 have been prepared in consultation with Finance Department and Department of Law, Justice and Parliamentary Affairs.

Whereas, there is a statutory requirement of pervious publication of the said rules in terms of Section 40 of the National Food Security Act, 2013. The operative part of the said section is reproduced as under:-

"40. Power of State Government to make rules.—(1) The State Government may, by notification, and subject to the condition of previous publication, and consistent with this Act and the rules made by the Central Government, make rules to carry out the provisions of this Act."

Now, therefore, draft Jammu and Kashmir National Food Security Rules, 2021, forming annexure to this notice are hereby put in public domain for inviting views/suggestion from general public before finalizing the draft rules. The views/suggestion can be sent in writing on email fcslegsjk@gmail.com or to the Office of Commissioner/

Secretary, Food Civil Supplies and Consumer Affairs
Department, Room No. 213, Civil Secretariat, Srinagar via
post or in person within a period of 21 days from the date of
publication of this notice. No views/suggestion will be
entertained thereafter.


(Sushil Kumar Mattoo)
Under Secretary to Government,

Copy to:-

1. Director Information, J&K for giving wide publicity to the draft rules in leading dailies both at Srinagar and Jammu.
2. Incharge Website, Department of Food, Civil Supplies and Consumer Affairs.
3. Incharge Website GAD.

**Government of Jammu and Kashmir
Department of Food, Civil Supplies and Consumer Affairs
Civil Secretariat, J & K, Srinagar.**

Notification

Jammu, the _____ July, 2021.

S.O. .- In exercise of powers conferred by sub-section (1) of section 40 of the National Food Security Act, 2013, the Government hereby publishes the following rules for information of all persons likely to be effected thereby and notice is hereby given that the said draft rules would be taken into consideration after expiry of thirty days from the date of its publication in the official Gazette.

Any views/ suggestion should reach to the office of Administrative Secretary, Food, Civil Supplies and Consumer Affairs Department, Room No. _____ Civil Secretariat, Srinagar or by email at _____ within the stipulated time.

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**- (1) These Rules may be called the Jammu and Kashmir Food Security Rules, 2021.

(2) These rules shall come into force from the date of their publication in the Official Gazette.
2. **Definitions:** (1) In these rules, unless the context otherwise requires:-
 - a. "Act", means the National Food Security Act, 2013;
 - b. "Appellant" means a party which makes an appeal against the order of the District Grievance Redressal Officer;
 - c. "Chapter" "Section and Schedule" means respectively Chapter, Section of, and Schedule to the Act;
 - d. "Complaints" means and includes a representation in writing or through electronic means containing a grievance alleging deficiency/shortcomings in the implementation of the Act;
 - e. "Entitled person" means a person belonging to eligible households identified as such under the Act by the Government and in possession of a valid ration card;
 - f. "Government" means the Government of Jammu and Kashmir;
 - g. "Household " means a domestic unit consisting of the members of a family with one or more persons living in the same dwelling and who share meals from a common kitchen and having a common living accommodation;

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Provided that the family who is living under a common roof and having a separate kitchen or Chullah shall be treated as a separate household for the purpose of these rules.

- h. "Nodel officer" means an officer designated as such by the Government under section 14.
- i. "Rules" means "The Jammu and Kashmir Food Security Rules 2021."
2. Words and expression used but not defined in these rules shall have the same meaning respectively as assigned to them in the National Food Security Act, 2013, Essential Commodities Act, 1955 (10 of 1955), or any other relevant Act.

CHAPTER-II

IDENTIFICATION OF BENEFICIARIES

2. **Identification of priority households:-** (1) The priority households to be covered under the Targeted Public Distribution System to receive the entitlement under sub section(1) of Section 3 of the Act shall be as under:-

I. Criteria for Inclusion

(i) For Urban Areas:

- (a) All Antyoaya Anna Yojana families;
- (b) Households without shelter;
- (c) Households with destitute person who is living on alms;
- (d) Household headed by a widow or a single woman (unmarried/separated/deserted);
- (e) Households headed by differently abled persons or Individual having disability of above forty percent or terminally ill;
- (f) Transgender person;
- (g) A household headed by Minor or orphan;
- (h) Households dependent on daily wage labour;
- (i) Household with old persons, aged sixty years or above with no regular income, support or no assured means of subsistence;
- (j) If all earning adult members in a household are irregular wagers, then that household shall be included; and
- (k) Other vulnerable households such as slum dwellers, rag-pickers, unskilled workers, Shikara walas, Ponny Walas, domestic workers, Sweepers, etc.

(ii) For Rural Areas:-

- (a) All Antyoaya Anna Yojana families;
- (b) Households without shelter;

- (c) Households with destitute person who is living on alms;
- (d) Household headed by a widow or a single Woman(unmarried/separated/deserted);
- (e) Households headed by differently abled persons or Individual having disability of above forty percent or terminal ill;
- (f) Transgender person;
- (g) A household headed by Minor or orphan;
- (h) Household with old persons, aged sixty years or above with no regular income, support or no assured means of subsistence;
- (i) Households dependent on agricultural labourers;
- (j) Tribal Households with no regular source of income;and
- (k) Other vulnerable households such as Shikara walas,Ponny walas, potters, cobblers, domestic workers, Sweepers, etc.

II. Criteria for Exclusion

- (a) Households with at least one member as income or professional tax payer;
 - (b) Businessmen having business turnover of Rs.25 lacs per year;
 - (c) Persons having land holding above 10 kanals in case of individuals and 20 kanals in case of joint family in urban areas. In rural areas the same shall be 30 kanals & 50 kanals respectively.(All based on self declarations);
 - (d) All gazetted officers or equivalent rank in corporations, boards, PSU's etc;
 - (e) All persons holding constitutional authority positions;and
 - (f) Any household having annual family income of more than Five lacs.
- (2) All the households, who are not included in either of the above criteria groups, shall be included in Non Priority Category.
- (3) The Government reserves a right to fully or partially amend these eligibility criteria any time as and when deemed necessary or on the instructions/guidelines/orders of the Government of India. Further, above classification of households shall also be subject to any uniform guidelines issued by the Government of India in respect of any category.

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CHAPTER-III GRIEVANCE REDRESSAL MECHANISM

(4). **Internal Grievance Redressal mechanism:-**(1) For the purpose of section 14 of the Act, all the Inspectors or TSOs of Department of Food, Civil Supplies and Consumer Affairs in their respective block or tehsil, the Assistant Directors, Department of Food, Civil Supplies and Consumer Affairs in the respective district, and the officer in charge of the Food Distribution section in Director Department of Food, Civil Supplies and Consumer Affairs not below the rank of Deputy Director Department of Food, Civil Supplies and Consumer Affairs in the respective Division, shall function as Nodal officer for Internal Grievance Redressal Mechanism.

(2) The Nodal Officer under sub-rule (1) shall monitor all the complaints received through online ePDS portal available on the department's website or through the telephonic help line setup in this regard or personally and forward the same to the concerned District Grievance Redressal Officer for their redressal.

(3) Any person; or body of persons; or institution dealing with the matter of Consumer Welfare can lodge a complaint with the concerned block or tehsil level Nodal Officer, as the case may be.

(4) There shall be a call center based help line with toll – free number to be established in the offices of Director Department of Food, Civil Supplies and Consumer Affairs for registering complaints and providing information to the public:

Provided that the complaints relating to Non-Distribution of entitled food grains received by the concerned block level or tehsil level Nodal Officer, as the case may be, shall be referred to the concerned District Grievance Redressal Officer (DGRO) within seven working days with intimation to the complainant.

(5) On receipt of complaint through any mode, it shall be entered into complaint register and printed acknowledgment slip bearing date and number shall be issued to the complainant or his authorized representative forthwith, as the case may be.

(6) The block level Nodal Officer shall immediately place all such complaints received from any person; or body of persons; or institution, as the case may be, before the concerned District Grievance Redressal Officer for disposal.

(7) The complainant shall be informed in writing or through e-mail or telephonically, as the case may be, about the manner in which grievance has been redressed.

5. **District Grievance Redressal Officer:-**(1) For the purpose of section 15 of the Act, the concerned Deputy Commissioner or an Officer designated by Deputy Commissioner not below the rank of Assistant Commissioner, Revenue, shall function as ex-officio District Grievance Redressal Officer in the respective jurisdiction for expeditious and effective redressal of grievances of the aggrieved persons in matter relating to distribution of entitled food grains under Chapter-II of the Act.

(2) The District Grievance Redressal Officer shall hear complaints referred to him by the Nodal Officers, under sub-rule (6) of rule 4 or directly lodged with him or taken suo-motto by him, for expeditious and effective redressal of grievance of aggrieved persons in the matters having nature of deficiency; short coming; corruption or mismanagement in distribution of entitled foodgrains to the entitled household and matters relating to distribution of entitled food grains under Chapter II of the Act:

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Provided that the District Grievance Redressal Officer in case of complaint(s) received either in writing through post or through Helpline Call Centre Toll free number or through e-mail, as the case may be, shall cause verification of the Complaint received in order to avoid ambiguous complaint by issuing notice to the complainants in writing.

6. **Procedure for disposal of complaints** - (1) For every complaint received, the District Grievance Redressal Officer shall verify whether there is a prima-facie substance in the complaint to proceed in the matter.

(2) If the District Grievance Redressal Officer is satisfied, that there is prima-facie substance in the complaint, he shall seek explanation in the matter from concerned officer(s) against whom complaint has been made, alongwith relevant documents. The requisite explanation and documents shall be furnished by the concerned officer(s) against whom complaint has been made, to the District Grievance Redressal Officer, within fifteen days.

(3) Based on the explanation of concerned officer(s) against whom complaint has been made, and the available documents, if the District Grievance Redressal Officer is satisfied about the veracity of the grievance, he shall issue necessary order for its redressal within thirty days from the date of receipt of the complaint. District Grievance Redressal Officer shall dismiss the complaint, in case no merit is found.

(4) In the case of genuine grounds for disagreement between the parties on the claims made in the complaint, the District Grievance Redressal Officer shall issue notices to all parties in the matter about fixing date, time and place for the hearing. The officer may also, at the request of the parties or suo-moto, adjourn the proceedings to some other date with or without cost.

(5) On the date fixed for hearing the District Grievance Redressal Officer shall hear the parties and take such evidence as may be presented by them. After hearing all the parties and taking into consideration the evidence during the hearing, the officer shall pass suitable order within sixty days from the date of receipt of complaint.

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Provided that, if, on the date of hearing fixed by the District Grievance Redressal Officer, the complainant is absent, he may dismiss the complaint. However, if, on the date fixed by him the defending party is absent, he may proceed to enquire the matter ex-parte and decide accordingly.

(6) The complainant must be informed of the decision on his complaint in writing through electronic mode , E-mail , by post or personally.

(7) If grievance redressal officer is of the opinion that the disposal of the complaints requires more than prescribed time under sub-rule (3) and (5) above, the complainant shall be sent an interim reply citing the reasons for delay.

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(8) The District Grievance Redressal Officer shall have all the powers of a Civil Court while trying a suit under the Code of Civil Procedure, 1908, and in particular, in respect of the following matters; namely-

- a. Summoning and enforcing the attendance of any person and examining him on oath;
- b. Discovery and production of any document;
- c. Receiving evidence on affidavits;
- d. Requisition of any public record or copy thereof from any court or office; and
- e. Issuing commissions for the examination of witnesses or documents.

(9) The District Grievance Redressal Officer(s) may refer the complaints to any related authorities for causing enquiries and report to him or he may call for explanation to any authority under his jurisdiction including the Nodal Officer or may issue summon to any such authority or the complainant to appear before him/her for personal hearing.

(10) The District Grievance Redressal Officer(s) shall resort to summary procedure and will dispose of the complaint by giving all concerned and opportunity of hearing.

(11) The District Grievance Redressal Officer(s) shall after causing enquiry and hearing both the parties in person or on records, pass a speaking order, against which appeal may be preferred by the aggrieved party in State Food Commission.

(12) The District Grievance Redressal Officer(s) shall take all necessary administrative assistance from, the concerned Assistant Directors; inspector; or TSO of Department of Food, Civil Supplies and Consumer Affairs, as the case may be, while disposing of such complaints.

7. **Powers of District Grievance Redressal Officer** - (1) The District Grievance Redressal Officers, while enquiring into complaints, shall have powers to require any person-

(a) to produce before, and allow to be examined such books, accounts, documents or any other material in custody or under control of the persons so required as may be specified in the requisition.

(b) to furnish such information as may be required.

(2) The District Grievance Redressal Officer can issue appropriate orders in disposing of the complaints received under sub-section (1) of section 15 of the Act.

(3) While deciding a complaint, the District Grievance Redressal Officer can recommend the action to be taken by the Government against the Fair Price Shop owner or the employee of the Department concerned, if found to be responsible, according to the provisions of these rules.

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8. **Monitoring of the disposal of complaints** - Disposal of complaints shall be monitored by the Administrative Secretary to Government, Department of Food, Civil Supplies and Consumer Affairs, at least once in every quarter.
9. **Appeal.**-(1) Any person aggrieved from an order passed by the District Grievance Redressal Officer may prefer an appeal before the State Food Commission within 30 days from the date of the order.
- (2) An appeal under sub-rule (1) shall be accompanied by such documents and fee as may be prescribed by the Government.

CHAPTER-IV
STATE FOOD COMMISSION

10. **State Food Commission.**-The Government, may by notification establish, a commission to be known as the State Food Commission, as per provisions of Section 16 of the Act or if considers it necessary, by notification, designate any other statutory commission or a body to exercise the powers and perform the functions of the State Food Commission.

11. **Appointment of Chairperson and other Members of the State Food Commission.** -(1)The Chairperson, other Members and the Member-Secretary of the State Food commission shall be appointed by the Government on the recommendation of the Search Committee consisting of:-

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|---|----------|
| (a) Chief Secretary - | Chairman |
| (b) Administrative Secretary to the Government
FCS&CA Department | Member |
| (c) Administrative Secretary to the Government,
Law, J&PA. | Member |

(2) The Search Committee having regards to the provisions contained in sub-sections (2) to (4) of section 16 of the Act shall recommend suitable names for appointment as Chairperson, Members and Member-Secretary of the State Food Commission on the vacancy to be notified by the Government.

(3) The Search Committee shall forward to the Government the suitable names, for appointment of Chairperson and other Members, prepared by it together with a concise statement showing the requisite qualification, eligibility criteria and other relevant materials of each person, in order of merit and suitability.

12. **Terms and Conditions of appointment of Chairperson and other Members of the State Food Commission.**- (1) The Chairperson and other Members shall hold office for a term of three years from the date on which he enters upon his office unless removed earlier.

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- (2) A person who held the office of the Chairperson or other Member shall be eligible for re-appointment, but a re-appointed Chairperson or other Member shall hold office for a period not exceeding one year from the date of his re-appointment.
- (3) The Chairperson or any other Member may, by writing under his hand addressed to the Government, resign from the office of the Chairperson or the Member, as the case may be, at any time.
- (4) An officer, who has been selected for appointment as Member-Secretary under sub-rule (1) of rule 11, shall hold such office on deputation.
13. **Salaries, Allowances and other conditions of service.** – (1) The status, pay, allowances and other facilities of Chairperson and other Members of State Food Commission shall be as decided and notified by the Government:
- Provided that the salaries, allowances and other conditions of service of the Chairperson and members shall not be varied to their disadvantage after their appointment.
- (2) Any person who, on the date of his appointment as Chairperson or other member is holding a post under the Government shall be deemed to have retired from such post with effect on and from the date on which he enters upon his office as the Chairperson or other member of the Commission.
- (3) The Chairperson and other Members shall not be entitled to any pension for their service rendered in the State Food Commission.
14. **Staff of State Food Commission-** The Government shall make available to the commission adequate staff for the discharge of its functions under Section 16 of the Act.
15. **Powers of the State Food Commission.** – The State Food Commission shall have the following powers, namely:-
- (a) Constitute bench for deciding the appeal filed against the orders of District Grievance Redressal Officer;
- (b) Inspect or cause to be inspected, the non-compliance of policy decisions of the Government relating to the Act;
- (c) Organize regional camps in coordination with the Government for building awareness about benefits and entitlements under the Act and define measures for redressal of grievance; and
- (d) Lay down procedure for day-to-day functioning.
16. **Headquarters of State Food Commission.** (1) The headquarters of the State Food Commission shall be as notified by the Government.
- (2) The working days, office hours of the State Food Commission shall be the same as that of the Government or as may be decided by the Government.

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(3) The official seal and emblem of the State Food Commission shall be such as the Government may specify.

(4) The place of sitting of the State Food Commission shall be decided by the Government.

17. Procedure for meeting. (1) The State Food Commission shall meet once in every month in its office at such time as the Chairperson may think fit.

(2) The quorum for the meeting of the State Food Commission shall be as decided by the Chairperson.

(3) The Member Secretary, along with such officers as the Chairperson may direct, shall assist in holding the meeting of the State Food Commission.

(4) The Member Secretary shall, in consultation with the Chairperson, prepare the agenda for each meeting of the State Food Commission.

18. Duties of the Member Secretary. – The Member-Secretary shall, in addition to the functions as provided in the Act and rules and in accordance with the direction of the Chairperson, have the following duties, namely:-

(a) Execute all decisions taken by the State Food Commission in exercise of its powers and functions;

(b) Exercise and discharge such powers and perform such duties as may be required for the proper administration of the affairs of the State Food Commission and its day to day management;

(c) Convene meetings of the State Food Commission in consultation with its Chairperson and cause service of notices of the meetings to all concerned;

(d) Prepare, in consultation with the Chairperson, the agenda for each meeting of the State Food Commission and have notes prepared, which shall be self-contained;

(e) Make available records covering the agenda items to the State Food Commission for reference;

(f) Ensure that the agenda papers are circulated to the members at least three clear working days in advance of the meeting, except in cases when urgent attention is required;

(g) Prepare the minutes of the meetings of the State Food Commission and shall execute the decisions of the State Food Commission taken in the meeting and shall also ensure placing of the Action Taken Note of the decisions of the State Food Commission before the State Food Commission in its subsequent meetings;

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(h) Ensure that the procedure of the State Food Commission is followed by it in transaction of its business;

(i) Take up all such matters with the Government for release of grants, creation of posts, revision of scales, procurement of vehicles, appointment of staff, laying of annual and audit report in Assembly, re-appropriation of fund, residential accommodation and any other matter requiring the approval of the Government;

(j) Exercise such financial powers as may be delegated to him by the Chairperson on behalf of the State Food Commission; and

(l) Shall be the disciplinary authority in respect of officers and other employees of the State Food Commission.

19. Financial Powers of the State Food Commission. (1) The State Food Commission shall be responsible for expenditure for the funds received by it for the purposes of the implementation of the Act.

(2) The Chairperson shall have all powers relating to financial transaction of the State Food Commission, except in cases which require prior approval of the Government or where the Government so decides.

(3) The Chairperson shall obtain prior approval of the Government in the matters of procurement of any item of office use or furniture exceeding delegated powers, re-appropriation of funds from one head to another, permitting any officer of the State Food Commission to participate in seminars, conferences or training programme outside Union territory of Jammu and Kashmir and such other matters as may be determined by the Government, by order.

(4) The Chairperson shall, subject to such conditions and limitations, control and supervision, have powers to delegate his financial powers to the Member-Secretary of the State Food Commission or to any officer of the said State Food Commission.

Provided that no such powers shall be delegated in respect of incurring an expenditure on an item exceeding rupees twenty five thousand.

(5) The Member Secretary shall have powers to execute all decisions taken by the Chairperson on his behalf relating to financial matters.

(6) All financial powers of the State Food Commission shall be governed by delegation of financial powers, rules and circulars, orders, instructions as may be issued by the Finance Department of J&K Government from time to time in this behalf.

20. Procedure for hearing Appeal. (1) When the Memorandum of Appeal is presented after expiry of thirty days as provided under rule 9, such Memorandum of appeal shall be accompanied by an application supported by an affidavit setting forth the

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fact on which the appellants rely to satisfy the State Food Commission that he has sufficient cause for not presenting the appeal within the period of limitation.

(2) Any Memorandum of Appeal so filed with the State Food Commission must be heard and disposed of within a period of sixty days of the filing of such appeal.

(3) The Memorandum of Appeal shall be filed in triplicate and accompanied by a true copy of the orders of the District Grievance Redressal Officer against which appeal has been preferred and such other documents as may be required to support ground of objections mentioned in the Memorandum of Appeal.

(4) The Chairperson shall have power to constitute a Bench of members and declare any member, as he deems fit, to preside over the Bench, where the Chairperson is not the member of such Bench:

Provided that the Chairperson may constitute or reconstitute Benches from time to time.

(5) The decision of the Bench is to be made according to the opinion of the majority of the Bench:

Provided that if the members of a Bench consisting of an even number differ in opinion on any point, they shall refer the point or points on which they differ and make a reference to the Chairperson who shall either hear the case or refer the case to another Bench for decision.

(6) While hearing the appeal, the Bench shall consider the grounds of appeal and shall decide the case accordingly.

(7) The orders of State Food Commission on appeal shall be signed and dated by the Members thereof hearing the appeal and shall be communicated to the parties free of charge.

CHAPTER-V

COMPOSITION OF VIGILANCE COMMITTEES

21. **Vigilance Committees:-** (1) For the purpose of section 29 of the Act, there shall be vigilance committee at Fair Price Shop Level, Block Level, District Level and State Level in the following manner namely;

i. Composition of Fair Price Shop Level Vigilance Committee in Village and Ward shall be as under:-

S.No.	Village	Ward
1	Sarpanch of Panchayat concerned-(Chairperson)	Concerned Corporator/ Councilor Municipal ward.-(Chairperson)
2	The TSO/Inspector of the area	TSO/Inspector of the area

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	(Member/Convener)	(Member/Convener).
3	Two ration card holders of the Village to be nominated one each by Halqa Panchayat & the TSO for one year on rotation basis.-(Members)	Two ration card holders of the ward to be nominated one each by Corporator/Councillor & the TSO for one year on rotation basis.-(Members)
4	One prominent educated Person of the Village to be nominated by the TSO.-(Member)	One prominent educated Person of the Ward to be nominated by the TSO.-(Member)

ii. Composition of Block Level and Urban Local Body Level Vigilance Committee shall be as under:-

S.No	Block Level Vigilance Committee	Urban Local Body Level Vigilance Committee
1	BDC Chairperson- (Chairperson)	President of Municipal Council or Municipal Committee or representative of the Mayor in areas falling under Municipal Corporations.- Chairperson
2	One BDC Member to be nominated by the Chairperson	One Corporator / Councillor to be nominated by Chairperson.
3	Block Development Officer Concerned- (Member).	Executive Officer (EO) Concerned Municipal body -(Member).
4	TSO Member/Convener	TSO Member/Convener
5	One member from SC & ST Community, if available, to be nominated by the Assistant Director, Food, Civil Supplies & Consumer Affairs.	One member from SC/ ST Community, if available, to be nominated by the Assistant Director, Food, Civil Supplies & Consumer Affairs
6	One woman to be nominated by the Chairperson	One woman to be nominated by the Chairperson.
7	One Specially abled to be nominated by the BMO concerned.	One Specially abled to be nominated by the BMO concerned
8	One Ration card holder well educated person, to be nominated by the TSO.	One Ration card holder well educated or prominent educated person to be nominated by the TSO.

iii. Composition of District Level Vigilance Committee shall be as under:-

S.No.	District Level Vigilance Committee	
1	DDC Chairperson	Chairperson
2	Addl. District Dev. Commissioner(ADDC)	Member
3	The Assistant Director, FCS&CA Department of the concerned District.	Member/convener
4	One TSO to be nominated by the concerned Assistant Director, Food, Civil Supplies and Consumer Affairs.	Member

5	One member each from SC & ST Community amongst the DDC Councillors, if available, to be nominated by the Deputy Commissioner, for two years, on rotation basis. In case of non-availability of DDC Councillor of SC/ST category, two DDC Councillors from general category to be nominated by the Deputy Commissioner for two years, on rotation basis.	Members
6	One woman member to be nominated by the Deputy Commissioner.	Member
7	One specially abled or destitute person to be nominated by the Deputy Commissioner.	Member
8	Two Representatives from consumer or social organizations to be nominated by the Deputy Commissioner.	Members
9	Two prominent members from civil society to be nominated by the Deputy Commissioner..	Members

iv. Composition of State Level Vigilance Committee shall be as under:-

S.No	State Level Vigilance Committee	
1	Minister/Advisor In-charge of FCS&CA Department	Chairperson
2	Administrative Secretary, FCS&CA Deptt.	Member/ Convener
3	One Administrative Secretary to be nominated by the Chief Secretary	Member
4	Two Members of Legislative Assembly (one from Jammu & one from Kashmir Division) to be nominated by the Government.	Members
5	Two DDC Chairpersons (one from Jammu & one from Kashmir Division) to be nominated by the Government.	Members
6	Two members from Consumer related Organization to be nominated by the Government.	Members
7	Two members one each from SC & ST Community to be nominated by the Government.	Members
8	Two women to be nominated by the Government .	Members
9	Two prominent members from civil society to be nominated by the Government.	Members
10	Two Specially abled/ Destitute persons to be nominated by the Government.	Members

(2) In case of vacancy of Sarpanch, Ward member, Block Development Council Chairperson, Presidents- Municipal Committee or Council and District Development Council Chairperson, Tehsil Supply Officer of the concerned jurisdiction, Tehsildar, Addl. District Dev. Commissioner shall be the Chairpersons of the Fair Price Shops Level Committee, Block/Urban Level Vigilance Committee and District Level Vigilance Committee, respectively.

(3) The Vigilance Committees shall perform such functions and have such powers as are prescribed under section 29 of the Act.

CHAPTER-VI

ROLE OF PANCHAYATS AND URBAN LOCAL BODIES

22. **Responsibility of Panchayats and Urban Local Bodies:-** (1) The Government may choose to assign such duties at district, tehsil and village level to the Panchayats which in its opinion, cannot be conveniently carried out by existing arrangements of service delivery.

(2) The Government may choose to assign such duties in Municipal areas to the Urban local bodies which in its opinion cannot be conveniently carried out by existing arrangement of service delivery.

CHAPTER-VII

SOCIAL AUDIT

23. **Social Audit:-** (1) For the purpose of section 28 of the Act, the Vigilance Committees constituted under rule 21 shall conduct the periodic Social Audit covering overall functioning of the Targeted Public Distribution System as follows:-

- a. Regular opening of the Fair Price shop or Government ration depot;
- b. Timely receipt and distribution of food grains;
- c. Quality of food grains and correct weighment;
- d. Proper and correct maintenance of the records and equipments, such as PoS devices, Iris scanners or weightment scales;
- e. Display of stock, price, entitlement and other details by the Fair Price Shop Dealers;
- f. Availability of list of ration cards holders;
- g. Display of citizens charter and complaint box;
- h. Verification of at least five percent of the ration cards to ensure proper and timely distribution of PDS commodities;and
- i. Any other issues concerning fair price shops and distribution of food grains.

SK (2) All records related to allotment, storage and distribution of ration commodities under Public Distribution System at Fair Price Shops shall be placed in the village level meeting of vigilance committee to be held at least twice a year (August and January) for social audit.

W (3)The Fair Price Dealer shall be duty bound to produce all their records during Social Audit and to cooperate fully in the Social Audit process.

(4) After audit of documents by the village level vigilance committee, the report along with recommendation shall be submitted to block level vigilance committee. After examination by the block level vigilance committee, the recommendation shall be forwarded to district level vigilance committee for further necessary action.

(5) After audit of documents at ward level meeting in urban areas, the report along with the recommendation shall be submitted to block level vigilance committee. After examination by block level vigilance committee, the recommendation shall be forwarded to district level vigilance committee for further necessary action.

(6) In case any action found to have been taken contrary to the interest of the beneficiaries at the time of social audit, the same shall be brought forthwith to the notice of concerned authorities for taking action under applicable rules.

(7) After compiling the social audit report of Fair Price Shop, necessary examination shall be made at district level and concerned Deputy Commissioner shall take further necessary action. Action taken on the social audit report shall be forwarded to concerned Directorates and Administrative Department during each financial year.

(8) Social Audit shall not be conducted in a manner obstructing the normal work of any Government official or authority and efforts shall be made to cover as many Fair Price shops as possible.

(9) The action taken report relating to the previous social audit shall be read out at the beginning of the village level or ward level meeting, as the case may be, of each social audit.

CHAPTER-VII
MISCELLANEOUS

24. **Report.-** A monthly report on complaints received and disposed off shall be sent by the District Grievance Redressal Officer to the Government

25. **Publicity :-** There shall be a wide publicity for grievance redressal at all levels for information of the general Public.

26. **Keeping records on public domain;** (1) All records related to targeted public Distribution system, guidelines notified by the Government for identification of eligible priority households, list of beneficiaries under Anntyodaya Anna Yojana Households or eligible households for distribution under Targeted Public Distribution System under section 3 of the Act, shall be open for Public domain on the web portal maintained for this purpose and kept open for inspection to the public free of charge.

27. **Surrender of entitlements under the Act:-** (1) A beneficiary may, if he so desired by applying to the concerned local authority in writing surrender his right-entitlements either temporarily or permanently.

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(2) The entitlement shall be automatically revived, at the end of the period of such temporary surrender, unless such period of surrender is extended further in writing by the concerned beneficiary.

(3) Where right has been surrendered permanently by a beneficiary, he may at a subsequent date in writing apply to the concerned local authority for his entitlements to be in, after giving proper justification and the said authority shall do so with immediate effect.

28. Feed back of default in provision of entitlements:- The public authority is responsible for provision of entitlements as required by the Act shall, in cases where beneficiary does not turn up to claim the entitlements or has surrendered it under rule 27, report such event along with beneficiary wise list to Director Department of Food, Civil supplies and Consumer Affairs of respect to division as may be prescribed by the Government.

29. Utilization of Grievance Redressal Mechanism :- The Government may utilize the NFSA Grievance Redressal Mechanism for redressal of grievances under other Schemes or programmes of the Central Government or the Government of Jammu and Kashmir, as the case may be.

30. Power to Remove difficulties.- If any difficulty arises in giving effect to the provisions of these rules, the Government may, by order, publish in the Official Gazette by making such provisions, not inconsistent with the provisions of the Act and these rules, as appear to it to be necessary or expedient for removing the difficulty.

31. Repeal and savings :- (1) All rules, orders or circular instructions issued by Government, from time to time, which are covered under these rules shall stands repealed.

(2) Notwithstanding such repeal,—

- (a) anything done, any action taken or any identification of eligible households made; or
- (b) any right, entitlement or liability acquired, accrued or incurred; or
- (c) any guidelines framed or directions issued; or
- (d) any inquiry or any other legal proceeding initiated, conducted or continued in respect of such right, entitlement or liability ; or
- (e) any penalty imposed under the said orders/circular instructions

shall be deemed to have been done, taken, made, acquired, accrued, incurred, framed, issued, initiated, conducted, continued or imposed under the corresponding provisions of these rules.

By order of the Government of Jammu and Kashmir.

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