



Government of Jammu and Kashmir  
PHE/I&FC Department  
(HRM Branch)  
Civil Secretariat  
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Subject: - Filling of Annual Property Returns by the Public Servants within a stipulated date every year-regarding.

Circular No. 06 -PW (Hyd) of 2019  
Dated: 02.08.2019

Attention of all the officers of the department is invited to Sub Section 2 of Section 9 of the Jammu & Kashmir Public Men and Public Servants Declaration of Assets and other Provisions Act, 1983, wherein it is enshrined that it shall be incumbent on every public servant to submit Annual Returns of the assets held by him and his family members in the month of January every year and shall indicate the reasons for increase, if any, in the assets and source thereof.

Section 11 read with Rule 5 of the Jammu & Kashmir Public Servants Declaration of Assets Act and Rules made there under provides a provision for imposing a penalty for non submission of the property returns by public servants. The relevant section/rule is reproduced as under:-

“Section 11 – Penalty for non submission of returns:- if any public servant without any reasonable cause which he shall be required to show fails to submit the return annually, he shall be guilty of committing criminal mis-conduct as specified in clause (e) of sub-section (1) of Section 5 of the prevention of Corruption Act, Samvat 2006 and shall be punishable under the said Act.”

“Rule 5- Penalty for non submission of returns:- (1) In case a public servant fails to submit the return within the stipulated period, the prescribed authority shall serve a notice upon such public servant asking him to explain within a period of 21 days cause of non submission of returns.

(2) After considering the reply, if any, tendered by the public servant, the prescribed authority may, if cause shown is found justified, allow such public servant to file his returns within a period of seven days or proceed against him under section 11 of the Act in case the cause shown is found unjustified.”

The matter regarding non-submission of Annual Property Returns by the officers of the department has been viewed seriously by the Authorities.

Accordingly, all the officers working under the Administrative Control of PHE, I& FC Department are advised to immediately furnish their Annual Property Returns for the year ending 31.12.2018 to the Administrative Department (HRM Branch, Room No. 61, Ground Floor Civil Secretariat, Srinagar), within 15 days positively, failing which appropriate action under rules shall be taken against the defaulters.

(Majid K.A. Drabu)KAS  
Special Secretary to the Government,  
PHE/ I&FC Department

Dated 02 .08.2019

No: PHE/ I&FC/HRM/554/2019

Copy to the:-

1. Managing Director, J&K State Power Development Corporation.

2. Chief Executive Officer, J&K Economic Reconstruction Agency.
3. Chief Engineer, PHE Department, Jammu/Kashmir.
4. Chief Engineer, Irrigation & Flood Control Jammu/Kashmir.
5. Chief Engineer, RTIC, Jammu.
6. Chief Engineer, UEED, J&K.
7. Director, Information, J&K. **He is requested to get the circular published in the two daily leading local news papers of the State.**
8. OSD to Advisor (S) to the Hon'ble Governor
9. District Superintending Engineer, PWD Circle Leh/Kargil.
10. Executive Director, Communication and Capacity Development Unit, (CCDU), J&K.
11. PS to Commissioner/ Secretary to the Government, PHE/I&FC Department for information
12. I/c Website with the advice to upload the same on the official website of the PHE/I&FC Department.
13. Circular file/ stock file.