

**THE JAMMU AND KASHMIR PUBLIC SERVANTS
DECLARATION OF ASSETS AND OTHER PROVISIONS RULES,
1998**

General Administration Department Notification SRO-199 dated 29th June, 1998.— In exercise of the powers conferred by section 16 of the Jammu and Kashmir Public Men and Public Servants Declaration of Assets and Other Provisions Act, 1983 and in supersession of notification SRO-169 dated 03.05.1983, the Government hereby make the following rules, namely :—

1. *Short title and commencement.* —(1) These rules shall be called the Jammu and Kashmir Public Servants Declaration of Assets and Other Provisions Rules, 1998.

(2) These shall come into force from the date these are published in the Government Gazette.

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

- (i) “Act” means the Jammu and Kashmir Public Men and Public Servants Declaration of Assets and Other Provisions Act, 1983.
- (ii) “Form” means the form annexed to these rules.
- (iii) “Prescribed Authority” means :—
 - (a) General Administration Department (Vigilance) in relation to Gazetted Officers ; and
 - (b) Head of Department in relation to other public servants.
- (iv) Words and expressions used but not defined herein shall have the same meaning as assigned to them in the Act.

3. *Declaration of assets and submission of annual returns by public servants.* —²(1) Every Public Servant shall submit annual return through online mode using the portal <http://prs.jk.gov.in> for the calendar year, in respect of all the assets possessed by him and his family members which shall include the assets in respect of movable property, the value of which exceeds his two months basic salary in each case, giving full particulars regarding :—

1. Published in Government Gazette dated 29th June, 1998.

* Now Official Gazette.

2. Sub-rule (1) substituted vide S.O. 14 dated 11.01.2022.

- (a) Cash balance, saving bank deposits, shares, cash certificates, fixed deposits, debentures, security bond ;
- (b) Jewellery/ornaments ; and
- (c) Household items (electric and electronic items only).]

¹[x x x].

²[4. *Restriction to acquire and transfer of movable property.*— Every public servant shall bring to the notice of the prescribed authority the acquisition or transfer of movable property where the value of such property exceeds his two months basic salary in each case.]

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.

6. *Security of returns.* —(1) The prescribed authority shall scrutinize the returns soon after their receipt and shall satisfy itself about the genuineness of the returns. In case the prescribed authority has reasons to believe that any item of property shown in the return is doubtful or disproportionate to the known sources of income of a public servant, it shall by a notice afford a reasonable opportunity to him in the matter.

(2) The public servant shall explain his position to the prescribed authority within a period of twenty one days from the date of receipt of notice under sub-rule (1).

(3) In case the prescribed authority is not satisfied with the explanation tendered by the public servant, it shall refer the matter to the Vigilance Organization for enquiry.

(4) The Vigilance Organization after conducting an enquiry into the matter shall submit its report to the prescribed authority.

1. Sub-rule (2) omitted vide S.O. 14 dated 11.01.2022.

2. Rule 4 substituted *ibid*.

7. *Custody of returns.* —(1) The returns shall be treated as secret document and after scrutiny be kept under the custody of the prescribed authority in individual folders in respect of each public servant.

(2) The returns referred to in rule 3 shall not be open to scrutiny or inspection of any person other than the prescribed authority.
