



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

**Notification
Jammu, the _____ January , 2018.**

SRO .- In exercise of powers conferred by Section 40 of the National Food Security Act, 2013, the Government hereby intends to makes the following rules; namely:-

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement

- (1) These Rules may called the J&K Food Security Rules, 2018..
- (2) These rules shall come into force from the date of publication in the Government 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) %Competent Authorityq means the Administrative Secretary, Department of Food, Civil Supplies and Consumer Affairs, Government of Jammu and Kashmir.
- f) %Designated Authority+ Means Director, Joint Director, Deputy Director and Assistant Director Department of Food, Civil Supplies

and Consumer Affairs, or any other officer designated by the Competent Authority.

- g) ~~%~~Government+means the Government of Jammu and Kashmir;
- h) ~~%~~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;

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.

- i) ~~%~~Rules+ means ~~%~~The Jammu and Kashmir Food Security Rules 2018.+
 - j) ~~%~~State+means State of Jammu and Kashmir.
- (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**

3. Identification of priority households:- (1)The State Government shall identify the eligible beneficiaries entitled for allocation of subsidized food grains in terms of the Act, in the following manners:-

(a) The State Government shall conduct an identification process of the households to be covered under the Antodaya Anna Yojana as per the criteria prescribed by the Government of India in this behalf from time to time, among the sections of people belongs to the following categories in rural and urban areas :-

- (i) The inclusion parameters for **Rural areas** are:
 1. Homeless Households and Households without shelter.
 2. Destitute Households which are dependent predominantly on alms for survival.
 3. Manual Scavengers.
 4. Households with only one room, Kucha walls and Kucha roof.
 5. All household headed by Minor.

6. All Households with no adult member between age 15 and 59 including all households headed by a person of 60 years of age or more with no assured means of subsistence or-social support.
 7. Household headed by disabled member and with no able bodied adult member.
 8. Landless households deriving a major part of their income from manual casual labour
 9. Any member of the household who is a bonded labourer.
 10. All household headed by a widow or a single woman.
 11. Households with no literate adult above 25 years.
- (ii) The inclusion parameters for **Urban areas** are:
- A. Residential Vulnerability;
 1. If the household is ~~houseless~~ [Households who do not live in buildings or census houses (Structure with roof) but live in the open on roadside, pavements, in hume pipes, under fly-overs and staircases, or in the open in places of worship, mandals, railway platforms, etc. are treated as Houseless households .
 2. If the household has a house of roof and wall made of plastic/polythene.
 3. If the household has a house of only one room or less with the material of wall being grass, thatch, bamboo, mud, un-burnt brick or wood and the material of roof being grass, thatch, bamboo, wood or mud.
 - B. Occupational Vulnerability
 1. If the household has no income from any source, then that household will be automatically included.
 2. Any household member (including children) who is engaged in a vulnerable occupation like beggar/rag picker, domestic worker (who are actually paid wages) and sweeper/sanitation worker/mali should be automatically included.
 3. If all earning adult members in a household are daily wagers or irregular wagers, then that household should be automatically included.
 - C. Social Vulnerability
 1. Child-headed household i.e. if there is no member of the household aged 18 years and above.
 2. If all earning adult members in a household are either disabled, chronically ill or aged more than 65 years then that household should be automatically included.
 3. Single women (including widows, unmarried and separated and deserted women), living in household as dependent or as head of household.
 4. Households with no literate adult above 25 years.

(b) For the purpose of sub-section (1) of section 10 of the Act the identification of the ~~Priority households Category~~ for the entitlements of subsidized foodgrains under sub-section (1) of section 3 of the Act, other than the beneficiaries identified as ~~Antodaya Anna Yojana category~~ under sub- clause (a), shall be fixed in the following manners:-

- i. The annual family Income for issue of subsidized foodgrains under ~~priority household category~~ shall not exceeds Rs. 1.50 Lakhs in Rural Areas and Rs. 2.00 Lakhs in Urban Areas.
- ii. The landed property shall not exceed the limit of 30 Kanals for wet land and 50 Kanals for dry land.

Provided that mere possession of land shall not alone be the criteria for deciding the eligibility to subsidized foodgrains, the income on the land prescribed under sub- clause (i) of this clause shall also be taken into consideration.

Provided further that in case the income from the said land is less than the income ceiling prescribed under sub- clause (i), of this clause , the family shall be entitled for subsidized foodgrains in terms of the Act.

(c) The families whose income is exceeding to the limit prescribed under sub-clause (b) shall be known as ~~non-priority household category~~+

Provided that the families which falls in any of the following categories shall be excluded from the non-priority household category and to be known as ~~exclusion~~ category:-

- (i) Businessman having business turnover of Rs. 25.00 lakhs per year.
- (ii) Income tax payees of slab @ 30% or highest tax slab.
- (iii) Person(s) having land holding above 80 kanals in case of wet land and 100 Kanals in case of dry land.

Provided that mere possession of land shall not alone be the criteria for excluding the person(s) from the eligibility of subsidized foodgrains, the income on the land prescribed under sub- clause (ii) of this clause shall also be taken into consideration.

Provided further that in case the income from the said land is less than the income ceiling prescribed under sub- clause (ii), of this clause , the family shall be entitled for subsidized foodgrains in terms of the Act.

- (iv) All gazetted officers or equivalent ranks in corporations, boards, PSUs as the case may be.

(2) The Government may, at such intervals or any other time, it may deem fit, re-identify the eligible households by conducting a fresh survey and by order, may issue the guidelines from time to time for the identification of eligible households as and when considered necessary.

(3) Only bonafide citizens of the State of Jammu and Kashmir shall be eligible for consideration to get subsidized foodgrains under the Act.

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 Joint 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 **receive personally and** forward the same to the concerned District Grievance Redressal Officer for their redressal.

(3) Any person; or body of persons; are institution dealing with the matter of Consumer Welfare can lodge a complaint in Form- A 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 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 in Form-B and printed acknowledgment slip bearing date and number

in Form-C 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 not below the rank of Additional Deputy Commissioner shall be 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.

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.

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 or through electronic mode.

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

(8) District Grievance Redressal officer shall have all the powers of a Civil Court while trying a suit under the code of Civil Procedure . SVT. 1977 (1929 AD), 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 DGROs 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 DGROs shall resort to summary procedure and will dispose of the complaint by giving all concerned and opportunity of hearing.

(11)The DGROs 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 DGROs 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 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 competent authority 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.

8. Monitoring the disposal of complaints - Disposal of complaints shall be monitored by the Administrative Secretary to the Government Department of Food, Civil Supplies and Consumer Affairs, at least once in a month.

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 State Government.

CHAPTER-IV
STATE FOOD COMMISSION

10. The Government, by notification shall establish, a commission to be known as the State Food Commission, as per provisions of Section 16 of the Act.

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: -

- | | |
|--|----------|
| (a) Chief Secretary - | Chairman |
| (b) Administrative Secretary to the Government
Department of Law Justice and
Parliamentary Affairs . | Member |
| (c) Administrative Secretary to the Government,
FCS&CA Department- | Member |

(3) 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.

(4) 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, but shall not indicate any order of preference.

12. Resignation of Chairperson and other Members of the State Food Commission. - The Chairperson or a Member may, by writing under his hand addressed to the Government, resign from the office of the Chairperson or Member at any time, as the case may be.

13. Salaries, Allowances and other conditions of service. – (1) The Chairman shall be entitled to the same salary and allowance as that of the Secretary to the Government and the members shall be entitled to the same salary as that of the Additional Secretary to the Government.

Provided that if the Chairperson or a Member, at the time of his appointment is , in receipt of a pension, other than a disability pension, in respect of any previous service rendered under State Government, his salary in respect of the service as the Chairperson or Member shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity:

Provided further that where the Chairperson or Member if, at the time of his appointment is, in receipt of retirement benefits in respect of any previous service rendered in a Corporation established by or under any Central Act or State Act or a Government Company owned or

controlled by the Central Government or State Government, his salary in respect of the service as the Chairperson or Member shall be reduced by the amount of pension equivalent to the retirement benefits:

Provided also that the salaries, allowances and other conditions of service of the Chairperson or Member shall not be varied to their disadvantage after the appointment.

(2) The Chairperson and other Members shall not be entitled to any pension for their service rendered in the State Food Commission.

(3) The Chairperson, Members and Member-Secretary shall be entitled to leave, travelling allowances, conveyance, residential accommodation and facility for medical treatment as admissible to the Government Servants of their counterpart.

14. 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 for building awareness about benefits and entitlements under the Act and define measures for redressal of grievance;

(d) appoint, in consultation with the Government, consultants and technical Staff to assist the State Food Commission ; and

(e) lay down procedure for day-to-day functioning.

15. Headquarters of State Food Commission. (1) The headquarters of the State Food Commission shall move alongwith annual Darbar Move from Jammu to Srinagar and vice-versa.

(2) The working days, office hours of the State Food Commission shall be the same as that of the State Government.

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

(4) Place of sitting of the State Food Commission shall be decided by the Chairperson and he may hold its sitting at other suitable place within the State with prior approval of the Government.

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

(2) The quorum for the meeting of the State Food Commission shall be four.

(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.

17. Duties of the Member Secretary. . The Member-Secretary shall, in addition to 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 of the State Food Commission;
- (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 the 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;
- (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 funds, 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;
- (k) incur no expenditure exceeding twenty-five thousand rupees without the sanction of the Chairperson; and
- (l) shall be the appointing and disciplinary authority in respect of officers and other employees of the State Food Commission.

18. 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.

(3) The Chairperson shall obtain prior approval of the Government in the matters of creation of posts, revision of pay scales, procurement of vehicles, 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 abroad and such other matters as may be determined by the State 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 the Government from time to time in this behalf.

19. Procedure for hearing Appeal. . (1) When the Memorandum of Appeal is presented after expiry of thirty days as provided under rule 7, such Memorandum of appeal shall be accompanied by an application supported by an affidavit setting forth the fact on which the Appellant relies 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 consisting of two or three 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 member of a Bench consisting of an even number differ in opinion on any point, they shall state 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) 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

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

i. Composition of Village/Ward level committee.-The Village/Ward level vigilance Committee shall be constituted as follows:-

Rural	Urban
Sarpanch of Panchayat concerned	Concerned Member Municipal Ward
Lambardar of Village	Ex- Member Municipal Ward

Prominent Educated Person of the Village to be nominated by the concerned AD FCS&CA Department.	Prominent Educated Person of the ward/Locality to be nominated by the concerned AD FCS&CA Department.
---	---

- ii. Composition of Block Vigilance Committee:-The Block level Committee shall be headed by the Ex. MLA/MLC (to be nominated by the Government) as its Chairman and will **comprise** of other five-six prominent ration card holders attach to the FPS, local bodies, social workers etc.(to be nominated by the TSO concerned) as members. The Block Level Vigilance Committee shall perform the functions as prescribed under section 29(2) of the Act, and accordingly shall submit their report about the functioning of FPS and other related problems.
- iii. Composition of District Level Vigilance Committee:- Each District Level Committee will comprise of about 10 members from the different segments like beneficiaries groups, social/consumer organizations, peoples elected representative to be nominated by the Director Department of Food, Civil Supplies and Consumer Affairs of the respective division and shall be presided over by the Ex- Ministers of the respective District or senior most Ex-MLA/MLC to be nominated by the Government. The Chairman of District Level Committee has also been authorized to redress/solve the problems at his level to the maximum extent and whenever, it is not possible, he would refer the same with his recommendation to the State Level Committee.
- iv. Composition of State Level Vigilance Committee:- The State level Vigilance Committee shall be headed by the Minister Incharge for Department of Food Civil, Supplies and Consumer Affairs and 20-25 other members representing each district and having due representation to the local authorities, the scheduled Castes, the scheduled Tribes, women and destitute persons to be nominated by the Government shall perform the functions enumerated under section 29(2) of the Act.

(2) 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

21. 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**

- 22. Social Audit:-** (1) For the purpose of section 28 of the Act, the Vigilance Committees constituted under Rule 20 shall conduct the periodic Social Audit on the functioning of the Fair Price Shops and Government sale depots as the case may be.
- 23. Process for conducting social audit.-** (1) In order to ensure transparency in the implementation of Public Distribution System ,all targeted Public Distribution System related records shall be make available to the general public. The social audit shall be conducting in the following manner:-
- (i) 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 on 15th August and 26th January every year for social audit.
 - (ii) In rural areas, documents of intervening period between the village level meetings specified in the sub clause (i), shall be placed in the next village level meeting of vigilance committee by Fair Price Shop owner and Food Inspector in . charge for social audit.
 - (iii) 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 block level vigilance committee, recommendation shall be forwarded to district level vigilance committee for further necessary action.
 - (iv) In urban areas, the urban local body shall hold meeting on the fixed date and shall conduct social audit. The meeting at ward level shall be conducted at least once in six months for social audit compulsorily.
 - (v) Documents of last 06 months shall be submitted by Fair Price Shop owner and Food Inspector in-charge to the ward level vigilance committee for social audit in urban areas.

- (vi) After audit of documents at ward level meeting in urban areas, the report along with recommendation shall be submitted to block level vigilance committee. After examination by block level vigilance committee, recommendation shall be forwarded to district level vigilance committee for further necessary action.
- (vii) After compiling the social audit report of Fair Price Shop, necessary examination shall be made at district level and concerned District Magistrate shall take further necessary action. Action taken on the social audit report shall be forwarded to concerned Directorates and Administrative Department.

(2) 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**

27. The concerned Assistant Director Department of Food, Civil Supplies and Consumer Affairs shall--

- i. Verify, at the end of every month and at each Fair Price shop/Government Sale Depots, the status of supply of food grains to the entitled persons covered under each Fair Price shops/ Government Sale Depots, as per the entitlement under the Act.
- ii. Record in writing, the reasons for non-supply of entitled quantity of food grains to any entitled person.
- iii. Ensure payment of food security allowance to the entitled person in every case where entitled quantity of food grains has not been supplied due to non-availability of food grains at the Fair Price shop or for any unforeseen reasons, by the end of 3rd week of the month in which the non-supply occurred.
- iv. Ensure that a bank account is opened by such person within one month from the date of initial payment of the food security allowance.
- v. Register a complaint with the District Grievance Redressal Officer forthwith where food grains have not been supplied due to any willful lapse of any Fair Price shop dealer.

(2) The food security allowance shall not be payable to an entitled person who does not visit the Fair Price shop to claim his entitlement during the month.

Provided that the Assistant Director may exempt a person from visiting the Fair Price shop and claiming his entitlement, for reasons to be recorded in writing.

Provided further that the food security allowance shall not be payable to an entitled person who refuses to claim his entitlement on the ground of quality of foodgrains.

- 28. Report:** A monthly report on complaints received and disposed off shall be sent by the District Grievance Redressal Officer to the Government.
- 29. Publicity :-** There shall be a wide publicity for grievance redressal at all levels for information of the general Public.
- 30. Keeping records on public domain;** (1) All records related to targeted public Distribution system, guidelines notified by the State 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.
- 31. Payment of Food Security Allowance:-** In case of failure to provide the entitlements as required the Act the beneficiary shall be paid such Food Security Allowance as notified by the Central Government under the provision of section 8 and section 39 of the Act.
- 32. 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.
- (2) The entitlement shall be automatically re-instated 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 reinstated after giving proper justification and the said authority shall do so with immediate effect.
- 33. 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 State Government.

34. 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.

By order of the Government of Jammu and Kashmir.

**Commissioner/Secretary to the Government
Department of Food, Civil Supplies
& Consumer Affairs.**