

GOVERNMENT OF JAMMU & KASHMIR



INFORMATION HANDBOOK UNDER RIGHT TO INFORMATION ACT, 2009 WITH RESPECT TO HOUSING & URBAN DEVELOPMENT DEPARTMENT

| Chapters | Contents | Page No |
|------------|---|---------|
| | Introduction | 2 |
| Chapters-1 | Particulars of Organization, Functions and Duties | 3 – 7 |
| Chapters-2 | Powers and Duties of Officers and Employees | 8 |
| Chapters-3 | Rules, Regulations, Instructions, Manual and Records for Discharging Functions | 9 – 10 |
| Chapters-4 | A statement of boards, Corporations and other bodies constituted as its part | 11 |
| Chapters-5 | Names, Designations and other particulars of Public Information Officers (PIOs) and 1 st Appellate Authority | 12 |
| Chapters-6 | Monthly remuneration received by each of the officer and employees of H&UDD | 13 |

INFORMATION HANDBOOK UNDER RIGHT TO INFORMATION ACT, 2009 WITH RESPECT TO HOUSING & URBAN DEVELOPMENT DEPARTMENT

INTRODUCTION

The J&K Right to Information Act, 2009 as passed by the Jammu and Kashmir State Legislature received the assent of the Governor on 20th March, 2009. The Act provides for setting out the regime of Right to Information for the people of the State to secure access to information under the Control of Public Authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a State Information Commission and for matters connected therewith or incidental thereto.

The objective of this handbook is to provide information to the intended users regarding different functions being delivered by the Housing & Urban Development Department.

Chapter - 1

Particulars of Organization, Functions and Duties

The business of the Government of Jammu and Kashmir is transacted in accordance with the Jammu and Kashmir Business Rules. These rules have been framed under section 43 and subsection 2 of Section 45 of the Constitution of the State. The Council of Ministers headed by the Chief Minister is the highest executive authority of the State under the Constitution. Each Minister is In charge of one or more Administrative Departments. At the Secretariat level, the business of the Government is transacted through various Departments, each one or more Department headed by an Administrative Secretary.

In terms of Rule 4 (i) of the **Business Rules**, the following subjects and field departments/ agencies are assigned to the Housing & Urban Development Department.

1. Housing.
2. Urban Development.
3. Local Self Governments.
4. Srinagar Municipal Corporation (SMC)
5. Jammu Municipal Corporation (JMC)
6. Srinagar Development Authority (S.D.A.)
7. Jammu Development Authority (J.D.A.)
8. Directorate of Urban Local Bodies, Kashmir /Jammu (DULB, K/J)
9. Katra Development Authority, (KDA).
10. Lakes and Waterways Development Authority (LDA).
11. J&K Housing Board.
12. Urban Environmental Engineering Department (UEED).
13. Town Planning Organization, Kashmir / Jammu.
14. J&K Architect Organization.
15. Urban Development Agencies (UDAK/JUDA/DUDAs)

The **HOUSING & URBAN DEVELOPMENT DEPARTMENT** by virtue of its duties is the nerve center of the administration of its subordinate offices. The Department functions under the supervision and guidance of the Hon'ble Deputy

Chief Minister (Minister In-Charge, Housing & Urban Development Department) Minister of State (MoS) and the Administrative Secretary of Housing & Urban Development Department, who at present is of the rank of Commissioner/Secretary to Government.

The Department is mandated to frame policies, prepare plans and schemes for growth of urban areas and to provide civic amenities in urban areas. Further, the Department is also entrusted with the responsibility of strengthening urban local self governments enabling them to discharge their functions effectively in terms of providing quality municipal services to the people. The Department is also responsible for framing of Housing policy; create Legal, Institutional and Procedural changes to encourage investment in housing sector and to facilitate creation of adequate housing stock etc. The Housing and Urban Development Department has been in existence since 1970 to look after the important sectors of Housing, Urban Development and Local Self-Government. For better appreciation of the cases involving policy decisions relating to subordinate Departments, the matters are placed before the Hon'ble Minister for advice/guidance. The cases after thorough examination at different levels are submitted for orders of the Competent Authority as provided under rules. However, depending upon the delegation of powers, the cases are submitted to the Chief Secretary, the Hon'ble Chief Minister or the Cabinet, as the case may be. The cases listed in Schedule III of the J&K Government Business Rules are submitted to the Hon'ble Chief Minister through Chief Secretary.

The Administrative Secretary of the Department is assisted by a team of officers of the rank of Special Secretaries/Director Finance/Joint Director(P&S)/ Additional Secretaries and Deputy Secretaries.

Below the Deputy Secretary, there is an established non-gazetted administrative hierarchy headed by the Section Officer/AAO/Sts. Officer. The procedures for dealing with the cases and the functions of the non-gazetted staff have been defined in the **Secretariat Manual**. As per the Secretariat Manual, the Section Officer is empowered to dispose of certain issues at his own level or seek

information from the concerned offices which he feels would be relevant for decision making.

With a view to dealing with the different issues pertaining to the Housing & Urban Development Department, different Sections have been set up. The brief description is as under: -

- 1) Administrative Section
- 2) Planning Section
- 3) Accounts Section
- 4) General Section
- 5) Legal Section

ADMINISTRATIVE SECTION

The Section is headed by an officer of the rank of Special Secretary/ Deputy Secretary of Housing & Urban Development Department. The issues relating to the Housing & Urban Development as indicated below are being dealt with by the Section.

1. All Subordinate Departments
2. Establishment (Gazetted/non-gazetted)
3. Housing Policy

PLANNING AND STATISTICS SECTION

This section is headed by Joint Director (P&S) and deals with the collection of data which may be required for framing policies by the Government and also implementation of the State Plan of the Department and Centrally Sponsored Schemes of Government of India. During the Legislative Session, the Section plays a coordinating role in collecting information from different Departments for preparing replies to the Questions raised by Hon'ble Members.

ACCOUNTS SECTION

There is a full-fledged Accounts Section headed by Director Finance, Housing & Urban Development Department in the Housing & Urban Development Department which deals with the issues pertaining to the accounts matters of the Department.

LEGAL SECTION

There is a full-fledged Legal Section headed by Law Officer in the Housing & Urban Development Department which deals with the legal issues like providing opinion/advice on legal matters pertaining to the H&UD Department. The Section attends to the litigation in the cases where either H&UD is directly involved or where the Commissioner/Secretary has been arrayed as a respondent. The Section also provides advice on the policy formulation of the Government which may become subject matter of litigation before any Competent Court of the State/Country.

GENERAL SECTION

Housing & Urban Development Department receives communications from different Departments of the State Government and the Government of India on various issues. These include issues of general nature not otherwise specifically defined and such matter is being dealt with by the General Section. It also attends to day to day administrative matters of urgent nature. This Section has also coordinating role over the subordinate Departments functioning outside the Secretariat.

The representative of the Housing & Urban Development Department not below the rank of Deputy Secretary also attends the various Departmental Promotion Committee meetings of subordinate Departments of Housing & UD Department.

THE PUBLIC INFORMATION OFFICER (PIO) & 1ST APPELLATE AUTHORITY

Any citizen can seek information pertaining to Housing & Urban Development Department in terms of the relevant provisions of J&K Right to Information Act-2009 and Rules notified there under vide SRO 199 of 2010 dated 29.04.2010.

PUBLIC INFORMATION OFFICER (PIO) & 1ST APPELLATE AUTHORITY OF HOUSING & URBAN DEVELOPMENT DEPARTMENT IS AS BELOW:

| Public Information Officer | 1st Appellate Authority |
|---|--|
| Mr. Thannaji Bhat Under Secretary to Govt. | Mr. Rakesh Kumar Gupta, KAS Additional Secretary to Govt. |
| | |

The officers of the Housing & Urban Development Department are available for public hearing on every working day between 3 to 5 p.m. Any person can approach the officers for redressal of grievances/enquire about the status of pending case, if any, in the Housing & Urban Development Department.

OFFICE TIMINGS

Morning Hours of the office = 09.30 A.M

Closing Hours of the office = 05.00 P.M

Chapter - 2

Powers and Duties of Officers and Employees

The Housing & Urban Development Department plays a lead role in formulation of policies for smooth functioning of the subordinate Departments. It monitors and coordinates their working. For better appreciation of the cases involving policy decisions relating to various Departments, the matters are placed before the Competent Authority for advice/guidance. The cases after thorough examination at different levels are submitted for orders of the Competent Authority as provided under rules. However, depending upon the delegation of powers, the cases are submitted to the Principal Secretary, the Hon'ble Minister and the Hon'ble Chief Minister or the Cabinet, as the case may be. The cases listed in **Schedule III** of the J&K Government Business Rules are submitted to the Hon'ble Chief Minister.

The Administrative Secretary of the Department is assisted by a team of officers of the rank of Special Secretaries/Director Finance/Joint Director (P&S)/Additional Secretaries and Deputy Secretaries.

Below the Deputy Secretary, there is an established non-gazetted administrative hierarchy headed by the Section Officer/AAO/Sts. Officer. The procedures for dealing with the cases and the functions of the non-gazetted staff have been defined in the **Secretariat Manual**. As per the Secretariat Manual, the Section Officer is empowered to dispose of certain issues at his own level or seek information from the concerned offices which he feels would be relevant for decision making.

Chapter - 3

Rules, Regulations, Instructions, Manual and Records for Discharging Functions.

The list of rules, regulations, instructions, manual and records is hosted on the website of the Housing & Urban Development Department i.e <http://jkhudd.gov.in>

Rules, Regulations, instructions, Manual and records held by Department under its control.

Different functions of the Department are discharged at various levels in accordance with the following Acts, Rules, Bye-laws and Manuals:-

1. The Jammu and Kashmir Housing Board Act, 1976. Act No. VII of 1976
2. The Jammu and Kashmir Development Act, 1970. Act No. XIX of 1970.
3. The Jammu and Kashmir State Town Planning Act, 1963. Act No. XX of 1963.
4. The Jammu and Kashmir Building Operations Controlling Authority Act, 2001.
5. The Jammu and Kashmir Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 2010 Act No. XIX of 2010.
6. Apartment Ownership Act, 1989.
7. The Jammu & Kashmir Municipal Act, 2000 Act No. XX of 2000.
8. The Jammu & Kashmir Municipal Corporation Act, 2000 Act No. XXI of 2000.
9. The Jammu and Kashmir Municipal Laws (Second Amendment) Act, 2010.
10. The Jammu and Kashmir Municipal Ombudsmam Act, 2010 Act No. XX of 2010.
11. The Jammu and Kashmir Municipalities Public Disclosure Act, 2010 Act No. XXIV Of 2010.
12. Apartment Ownership Rules, 1991.
13. Housing Policy of J&K and rules made there under.
14. J&K Civil Service Rules.
15. The Jammu & Kashmir Municipal Election Rules, 2003.
16. The Jammu & Kashmir Municipality (Reservation of offices of Chairperson) Rules, 2005.

17. The Jammu & Kashmir Municipal Corporation (Election) Rules, 2003.
18. The Jammu & Kashmir Municipal Corporation (Procedure & Conduct of Business) Regulations, 2005.
19. Apartment Owners Association Model Bye-Laws.
20. The Jammu & Kashmir Municipality (Procedure for conduct of Meetings) Bye-Laws, 2005.
21. Building Bye-Laws, Srinagar / Jammu.
22. J&K Budget Manual
23. J&K Secretariat Manual.
24. J&K Municipal Accounting Manual 2010.
25. J&K Civic Law Amendment Act, 2017

Chapter - 4

A statement of Boards, Corporations and Other bodies constituted as its part.

The Housing & Urban Development Department, administers and monitors the functioning of the following Organizations/Statutory Bodies/Boards:

A) Autonomous Bodies under Development Act No. XIX of 1970

- i. Jammu Development Authority (JDA)
- ii. Srinagar Development Authority (SDA)
- iii. Lakes and Waterways Development Authority (LDA)
- iv. Katra Development Authority (KDA)

B) Statutory Bodies

- i. J&K Housing Board
- ii. Jammu Municipal Corporation (JMC)
- iii. Srinagar Municipal Corporation (SMC)
- iv. Directorate of Urban Local Bodies, Kashmir / Jammu.
- v. Municipal Councils: Anantnag, Baramulla, Sopore, Udhampur, Kathua and Poonch.
- vi. 70 Municipal Committees in remaining towns.

C) Autonomous Bodies under Societies Act No. XIX of 1970

- i. J&K State Urban Infrastructure Development Agency (J&K SUIDA)
- ii. State Urban Development Agency (SUDA)
- iii. Urban Development Agency, Kashmir (UDAK)
- iv. Jammu Urban Development Agency (JUDA)
- v. District Urban Development Agency (DUDA) :
Kathua, Udhampur, Doda, Rajouri, Poonch
Srinagar, Anantnag, Pulwama, Budgam & Kupwara.
- vi. Building Centers, Kashmir / Jammu.

Chapter - 5

The names, designations and other particulars of the Public Information Officers & 1st Appellate Authority.

| PUBLIC INFORMATION OFFICER (PIO) & 1ST APPELLATE AUTHORITY OF HOUSING & URBAN DEVELOPMENT DEPARTMENT IS AS BELOW: | |
|---|--|
| Public Information Officer | 1st Appellate Authority |
| Mr. Thannaji Bhat Under Secretary to Govt. | Mr. Rakesh Kumar Gupta, KAS Additional Secretary to Govt. |
| | |

Address: J&K Government Civil Secretariat, Jammu/Srinagar

Chapter 6

The monthly remuneration received all the officers and employees of Housing & Urban Development Department.

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