



INDIAN INSTITUTE OF PUBLIC ADMINISTRATION J&K REGIONAL BRANCH



News Letter

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EDITORIAL

"Capacity building for Good Governance" is the motto of the Indian Institute of Public Administration, our parent body. This is being achieved by the J&K Regional Branch through academic events like lectures, seminars and conferences; outreach, training and awareness activities like workshops for Managers in the public and private sector and publication of a Newsletter; and close linkages with the academia and young students through programmes in the Universities.

The Regional Branch in its existence of over 35 years has provided a platform for interaction between academics and practitioners of public administration and management. Ours has been an effort with a therapeutic effect on the polity not easy to quantify. It has often been debated why our programs do not quickly influence the policy. Our answer to this is that we are mandated to build capacity for good governance and not interfere with day to day governance or take the place of policy framers. We are targeting to our membership, workshops and training programmes those individuals who can influence policy systematically and can make a difference in improving governance in the long run. We are making our presence felt by our skills to build capacity which is why the Government fully supports the endeavour and voluntarily deputed officers for training programmes run by the Branch. Workshops on RTI, Ethics in Public Service, Harassment of women at work places, Medical solid waste management, Public Services Guarantee Act, Police Reforms and State Vigilance Act

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AGM ON JANUARY 05, 2013

Annual General Meeting of the Regional Branch is scheduled for Jan 05, 2013 (Saturday) at 7 pm. AGM will be preceded by a lecture on "Industrial Policy" by Shri Vikrant Kuthiala, our Joint Secretary and noted industrialist.

POLICE REFORMS AND DRAFT POLICE ACT

A Brainstorming Session on Police Reforms and Draft Police Act was held jointly by IIPA J&K Regional Branch Srinagar and Police Department at Police Headquarters Srinagar on 20th July 2012. Earlier, two similar sessions were held in Jammu.

The prominent civil society members invited by the IIPA were Justice (Retd.) B. A.Khan former Chief Justice of J&K High Court, Shujaat Bukhari, Senior Journalist, Prof Dilafroze Jan, Associate Professor of Law, Central University of Kashmir, Hafeez Akhtar and B.A.Dar former DIGs of Police. A.M.Watali, Vice Chairman Kashmir, Prof. Mehraju Din and G. M. Indrabi, member Executive Committee and Joint Secretary respectively were also present. J&K Police was represented by Sh. K. Rajindra Kumar I/C DGP and a number of officers of the rank of Adl. DGPs, IGP, DIGs., SSPs and Dy SPs.



Dr. S.P.Vaid, Adl. DG, Shri K.Rajindra Kumar, DGP, Justice (Retd.) B.A.Khan and Shri A.M.Watali during the session on Police Reforms.

After the welcome address by the DGP, ADGP Dr. S. P. Vaid gave the background of the reforms.

A.M Watali gave a detailed presentation pointing out some of the provisions in the draft Act particularly Secs 12, 13, 24 and 28 which are likely to be misused and are unnecessary. These provisions, he pointed out, were arbitrary and outside the domain of powers of police as laid down in the CrPC. He also felt that despite its high profile, the state Police Accountability Authority was only "toothless" as it will only be able to recommend a

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were particularly well received. We must make these and more a regular feature of our activities. In recognition to our performance, the J&K Regional Branch has been, for the second consecutive 2-year term (2012-14), co-opted to the Executive Council of IIPA New Delhi.

Research and field studies constitute a core area where we have to focus on. This should be at the top of our future agenda. Government sponsored projects will not only help the Branch financially, it will make use of the large resource pool that exists.

The dream of starting "J&K Journal of Administration and Management" has yet to be achieved. Our colleagues from the academia can make this possible.

POLICE REFORMS AND DRAFT POLICE ACT

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departmental enquiry. The Authority should have powers to inflict punishment on the delinquent. The police officers acting under these provisions are also likely to get involved in litigations. The DGP and Addl DG headquarters were convinced by the arguments advanced by A.M.Watali and informed the participants that these apprehensions will be addressed appropriately.

Prof Mehraj-ud- Din lauded the preamble of the draft Act but pointed out that the same is not reflected in the provisions of the draft Act and a large number of definitions incorporated in the Act were unnecessary. He cautioned that the provisions of the draft Act cannot



A view of the participants

WELCOME TO OUR NEW MEMBERS

S/Shri Sameer Rekhi, Irshad Ahmed Jan, Rakesh Wazir, K.B.Jandial and Bimal Tickoo have been approved by IIPA for enrolment as life members and Dr. Anil Gupta, Dr. Komal Nagar and Moti Lal Goja as Associate Members. We welcome the new members to the IIPA fraternity. The Regional Branch will be enriched by their presence and contributions.

And we must start working to write the history of the Regional Branch. It will be a useful compilation for the posterity.

The strength of the Branch lies in reaching and pooling the skills of members to achieve organisational goals. The Branch has 343 members as on March 31, 2012. The programmes have to be well attended for best results. Possibly for want of correct addresses and email ids, communications are not received or received late. We are addressing this area and updating the mailing list. All members are requested to help us in this. Members based in Kashmir have made a good beginning by revising the list and resuming activities.

We look forward to meeting you in future programmes as well as the AGM on Jan 5, 2013.

supersede the provisions of CrPC.

Prof Dilafroza pointed out that some of the provisions could be harshly used against public. Mr Shujaat Bukhari, said that for want of copies of the draft it was not possible to comment on various provisions of the Act and suggested that a high powered expert committee may be constituted to go into each provision of the draft Act, before it is sent to legislature. He hoped that the draft is put in public domain to elicit public opinion.

Justice B.A. Khan, while appreciating the effort made in drafting a new law after about 150 years, suggested that each and every provision has to be examined carefully because the proposed law is likely to survive another 150 years, if not more. He said that the provisions of the Act should be simple and people friendly. He said that most of the cases fail in courts because of defective legislation. Unfortunately, the drafting of laws is left to lower functionaries and not to experts. He suggested that a high level drafting committee of experts should be engaged in drafting of the proposed law and that there should be pre legislative debate on each provision of the Act. Police should not be given powers beyond their domain, he cautioned. A simple Police Act needs to be enacted which is suited to the conditions of our state.

Winding up the discussion DGP said that present police is product of colonial rulers with powers given to suit their interests. He said that from a mere "force" police has to change themselves into a "service". The British police, which was a force, became a service when people rose to support them against anti social elements.

The session concluded with a vote of thanks by A.M.Watali.

The programme was organized with the joint efforts of Shri G.M. Indrabi, Joint Secretary IIPA and Shri Shakeel Baig, DIG Police Hqrs.

LECTURE ON "MICRO HYDRO ELECTRIC PROJECTS"

Er. P.N. Daftari presented a paper on "Micro-Hydro Electric Projects" on April 30, 2012. Er. D.S. Pawar, Member SERC presided over the function and Er. Ashok Koul, Chief Engineer, participated as a panelist.

Er. Daftari shared his experiences in handling the work of a Micro Hydro Electric Project of 3 MW capacity on Sa Nallah in District Chamba of Himachal Pradesh in IPP mode.

Er. Pawar in his presidential remarks pointed out that un-electrified villages are in the difficult terrain or located in remote and far flung areas. Therefore it is desirable to electrify those villages through decentralized generation schemes like mini-micro hydel. He cautioned that capital costs must be kept as low as possible by using standardized hardware and local engineering material and load factor should be high enough to make the project viable.

Er. Ashok Koul highlighted the new policy of the State



Er. Ashok K. Koul, Er. D.S. Pawar, Er. P.N. Daftari and Er. Vikram Gour on the dais during the programme.

Government to promote Micro-Hydro Electric Projects in IPP mode.

The lecture was attended by Dr. Ashok Bhan, Sh. JBS Johar, Sh. V.N. Sharma, Sh. Vikrant Kuthiala and members of IIPA and the civil society.

DEVELOPMENT OF MICRO, MINI AND SMALL HYDRO PROJECTS IN JAMMU AND KASHMIR

Er A. K. Koul, Chief Engineer, JKSPDC

A rough estimation of power potentials available in the state is to the tune of 20,000 MW out of which only 12% has been exploited, thereby leaving a huge gap of unutilized potential.

The state Government has prioritised the harnessing of Hydro Power potential to make the state self sufficient in power. Various steps taken in this regard include construction of

- ◆ Micro and Mini hydro power schemes upto 2 MW through Jammu and Kashmir Energy Development Agency in the state on BOOT basis
- ◆ Mini and Small/Medium schemes above 2 MW upto 100 MW, through the nodal agency JKSPDCL
- ◆ Medium and large projects through EPC, IPP mode (850 MW Rattle) and joint ventures (Pakal Dhool, Keeru and Kawar).

New Hydro Power Policy has been announced to harness power potential of Projects up to 100 MW, under IPP on BOOT basis. Special features of the Policy are:

- ◆ Such Hydro power projects/stations of estimated installed capacity of 2-100 MW as may be notified by JKSPDCL for execution by IPP
- ◆ Projects above 100 MW shall not be covered under this policy
- ◆ Projects up to 10 MW shall be reserved for execution by IPPs that are permanent residents of

Jammu and Kashmir. This would include such IPPs in which permanent residents of J&K hold majority stakes.

The policy is very investment friendly and incentives given include:

- ◆ No entry tax on power generation/transmission equipments, building material and construction equipment
- ◆ Exemption from income tax
- ◆ IPP may pursue CDM benefits from the project at its own risk and responsibility
- ◆ Projects shall be exempted from water usage tax for first 10 years of operation
- ◆ The projects up to 25 MW can avail incentives from MNRE

Carrying forward the process of harnessing Hydro Power Resources and inviting private investment in the state JKSPDCL has issued Request for Qualification (RFQ) in respect of 18 projects with an installed capacity of 244.50 MW.

There still is a vast potential that needs to be explored for IPP investment in the state in near future as well. Since the Hydro Power Projects are site specific there are numerous challenges to be faced from the conceptualisation of the scheme up to its commissioning leading to certain issues and apprehensions in the minds of investors. The issues are minor and can be addressed with due diligence and an expert appraisal about the period features.

ANNUAL DEBATE AT UNIVERSITY OF KASHMIR

The annual debating contest organised by IIPA Regional Branch in collaboration with Department of Students Welfare, University of Kashmir, was held on 13th September 2012 in Gandhi Bhavan Auditorium at Srinagar. The topic was "Civil Services provide better opportunity for youth to serve the society". 13 teams consisting of 32 students from various departments of university/colleges participated in the debate generating lot of interest among the participants and the audience.

Prof. Tej Pratap Singh, Vice Chancellor of SKUAST, was the Chief Guest and Sh. M S Pandit IAS (Retd), former Chairman J&KPSC, was the Guest of Honour at the Valedictory/ Prize distribution function was presided over by Sh. A.M.Shah, Dean Academic Affairs, University of Kashmir. The Jury consisted of G J Nahvi IAS (Retd.), Bashir Ahmed Khawja IAS (Retd.), Prof Mufti Mudasir and Dr Shahid Rasool. Dr Shahid Rasool of DSW office assisted by Mr Jasim Malik anchored the event.



Ms Syed Bushra of Govt. Medical College, Srinagar won the 1st prize, Mohd Shahkar Mehraj of Department of Business and Financial Studies 2nd prize and Ms. Asma Zahoor of Women's College, M.A.Road, Srinagar the 3rd prize. Consolation prizes were given to Ms.Sayed Samreen Gilani, Ms. S.Rameen Zehra and Ms. Seerat Zehra.

SEMINAR ON "POWER SECTOR REFORMS"

The Regional branch in collaboration with the State Electricity Regulatory Commission, organized a seminar on "Power Sector Reforms vis-à-vis Voluntary Load Disclosure Scheme (VLDS)" at IIPA complex Jammu on September 19. Shri Sudhanshu Pandey, IAS, Prpl. Secretary to Government, Power Development Department, was the Chief Guest and Shri S.M. Desalphine, IAS (Retd), Chairman J&K State Electricity Regulatory Commission, presided over the function. Senior Officers of Power Development Department including, Secretary to Government, Power Development Department, Development Commissioner Power, J&K, Chief Engineer Power Development Department Jammu, Executive Engineers and Officers from SERC, senior citizens, members from Consumer Forum and members of IIPA J&K Regional branch attended the seminar.

In his keynote address Shri S.M. Desalphine, stated that the consumers want reliable and continuous supply of quality power. Citing statistics of the PDD, he said that the connected load in J&K during 2011-12 was 1718 MW against the unrestricted peak demand of 2500 MW. Taking into consideration the diversity in use of load, the actual connected load should be 3 times of the peak demand. On

this criterion the connected load in J&K should be in the range of 7500 MW. Overloading of the system is leading to system breaks down and disruption in the supply. On the other hand, concealment of the actual load by the consumers and the distribution system not matching the actual load results in poor reliability and quality of power. Shri Sudhanshu Pandey, appealed to people to cooperate by availing the amnesty scheme. He further said that the assessment of actual load would help to identify the shortfall in the existing system and will strengthen it as per the requirements. Shri Pandey asked the SERC and the PDD functionaries to put in sincere efforts in educating the people about the VLDS.

Shri D.S.Pawar, Member (Technical), SERC, highlighted the importance of the VLDS and requested the public to participate in it to enable the department to improve the infrastructure for regular and better quality of supply. Er. Ashwani Kumar, Superintending Engineer, also dwelt at length on connected load, diversity factor, contract load and their role in power sales. J.S. Sudan Superintending Engineer (Retd) PDD discussed tariff policy-normal and penal tariff, role of utility/supplier and consumer interface.



Er. D.S.Pawar addressing the audience with Er. J.S.Sudan, Shri S.M.Desalphine, IAS (Retd), Shri Sudhanshu Pandey, IAS and Er. Ashwani Kumar on the dais.



A view of the audience.

PANEL DISCUSSION ON “PUBLIC SERVICE GUARANTEE ACT – THEORY AND PRACTICE”

Panelists including former Advocate General Shri D.C.Raina, Former Sessions Judge, Shri B.L. Saraf and Prof. K.L. Bhatia discussed the provisions and implementation of Public Service Guarantee Act (PSGA) in a programme organized by the Regional branch on 2 June 2012. Joint Director Seminars Prof. Alka Sharma conducted the proceedings and Director Seminars Prof. Versha Mehta introduced the subject. Senior Officers from public utility departments of Electricity, PHE, CAPD, Revenue etc participated in the deliberation. Others present included Dr. S.S. Bloeria, Vice Chancellor, Central University of Jammu, Dr Ashok Bhan, Chairman, JBS Johar, Hony

Secretary, Members of IIPA and Civil Society.

Appreciating the State Legislature for enacting a very useful legislation in the form of PSGA, Shri D.C.Raina stressed the need for educating people about the utility of this Act. He was of the view that the number of departments under the purview of the Act should gradually increase from the present six.

Shri B.L. Saraf felt the need for bridging the gap between the law and its implementation for effective use and benefit to the society.

In his presidential remarks Prof. K.L.Bhatia emphasized upon co-ordination between various departments in providing services to the citizens.

THE J&K PUBLIC SERVICES GUARANTEE ACT -2011

B. L. SARAF SESSION JUDGE (RETD.)

Aims & Objects : The Public Service Guarantee Act (PSGA) is an important tool, aimed at streamlining delivery of Public Services and reduce corruption, indolence and malfeasance in the lower levels of administration . It envisages providing public service within a fixed time frame. The Act must be seen as a guideline for appropriate behaviour of the concerned public functionaries, to attain standards of good citizenship.

Salient Features :

- The State government has initially notified 45 services in six departments of Public Health Engineering (PHE), Power, CAPD, Revenue, Transport and Housing to come under the Act .
- The Act provides for punishment in the form of fine to the erring official for not providing the service within the fixed time limit. A part of the fine shall be given to the complainant as compensation for delay in receiving the service .

- Vide S R O 224, Dated 21st July, 2011, the State government has notified the services which an eligible person can be provided with; as also the Designated Officer whom he can approach to have the service. Besides, a time frame is also prescribed in which the officer should deliver the required service.

The Rural Development Department has provided all information to Panchayats about the services notified under the Act and the time frame fixed for delivery.

The piece of legislation is undoubtedly a beneficial one .But it will be good if it is made to be so. Therefore, the proper implementation of Act is of paramount importance.



Prof. Versha Mehta, Director Seminar, Panelists D.C.Raina, K.L.Bhatia and B.L.Saraf with Jt. Director Seminars Dr. Alka Sharma.



Shri D. C. Raina, Former Advocate General addressing the audience.

ATTENTION MEMBERS**HELP US UPDATE YOUR MAILING PARTICULARS**

The Regional Branch is not able to reach some of the Members due to non availability of their correct contact details. Members may please send their e-mail Id, postal address and contract numbers to iipajkbranch@gmail.com or jbsjohar@gmail.com or on our telephone 0191-2434006.

Workshop for Public Information Officers/ Controlling Officers under J & K RTI Act

J & K Regional Branch of the IIPA, jointly with State Information Commission, organised a workshop on June 16, 2012 at Srinagar which was attended by over 100 Public Information Officers, Controlling Officers and other key functionaries. The basic purpose of the workshop was to discuss with PIO's and CO's the provisions of the Act and operational difficulties faced by them in the implementation of Right to Information Act 2009. Prof Mehraj Ud-din, Dean, School of Legal Studies, Central University of Kashmir spelled out the objectives of the workshop and Sh S.G.M. Andrabi, coordinated the programme.



Chief Information Commissioner, Shri G.R.Sufi inaugurating the workshop with Justice (Retd) B.A.Khan and Vice Chairman Shri A.M.Watali seated on the dais.

Sh G R Sufi, Chief Information Commissioner, while inaugurating the workshop highlighted the importance of 'Right to Information' and traced its historical background to the Caliphate Regime in early Islam and also during Churchill's regime in Great Britain. He impressed upon the PIOs/COs that they have a vital role and can be of great help in bringing transparency in the governance of the State. He maintained that the Commission is conscious of the difficulties and hurdles but is ready to offer assistance for the effective implementation of the provisions of the Act. He enjoined upon the PIOs, that they need not obtain prior approval of their officers for providing the information as it is against the letter and spirit of the Act. He

J&K REGIONAL BRANCH CO-OPTED ON EXECUTIVE COUNCIL OF IIPA

For the second successive term, in recognition of our activities, the J&K Regional Branch has been coopted on the Executive Council of the parent body for a two year term (2012-14). A decision in this regard was taken in the first meeting of the new EC held on October 12, 2012. All members of the Regional branch deserve kudos for this honour.

admitted that sometimes the provisions of the Act are misused by some unscrupulous elements, but nevertheless such elements are eventually exposed.

Hon'ble Justice (Retd.) B. A. Khan, former Chief Justice of Jammu and Kashmir High Court and the Guest of honour of the function in his address explained that if the provisions of the Act are taken in its real spirit by both the 'information seeker' and 'information giver' the entire State machinery will gear up to deliver services in the best possible way with transparency. He impressed upon the bureaucracy that they must change their attitude from callousness to sensitivity, particularly when they are discharging their functions under the Act as the information is a 'trust' with them of which they are the 'trustees'.

Sh. A. M. Watali, Vice-Chairman of J & K Regional Branch in his presidential remarks emphasized the need to comply with the provisions of the Right to Information Act in letter and spirit. The PIOs/COs discharging their duties in various Public Sectors are on one hand important pillars in their respective Departments and on the other hand ambassadors of the Information Commission. They have an onerous but important responsibility of guarding the interests of their Department, but at the same time they have to recognize and respect the right of an individual to seek information.

During a brain storming session Khurshid Ahmed, S E, M&RE circle Srinagar (PDD Department) advocated protection of Intellectual Property Rights while providing information. Dr. Shamim Ahmed, Dy. Commissioner Stamps, suggested that information of all the Public departments should be centralized and only that Central Cell should be responsible to provide



Participants of the workshop on RTI.

information. Some of the other **recommendations of the workshop included**

- Awareness programmes must be organised for the public at large and they must be made conscious about the importance of the Right to Information Act.
- Training programmes for the PIOs/COs at District level on regular intervals must be organised.
- The information regarding various public issues must be kept in a consolidated mode, both in the 'hard form' as well as 'soft form' and must be placed on the web site of the Department concerned
- All Departments should impress upon all the Units/Sections to extend cooperation to the PIOs/Cos.

- The administrative order should be issued by each Department empowering PIOs/COs to furnish information even without the senior officers,
- Separate budgetary provisions should be made by all the Departments for the effective implementation of the Act.
- Direct liaison should be developed between the State Information Commission and PIOs/COs to make them more powerful and effective.

The Valedictory address was delivered by Sh. A.M.Watali, Vice Chairman, IIPA J&K Regional Branch summed up the day long deliberations of the workshop. The workshop concluded with a vote of thanks by Dr Mushtaq Ahmad Darzi Joint Director, Seminars, IIPA.

DISASTER PREPAREDNESS WITH SPECIAL REFERENCE TO J&K

J&K Regional Branch of IIPA organized a training programme on "Disaster Preparedness with special reference to J&K" at IIPA Seminar Hall on August 11, 2012.

Prof. Mohan Paul Singh Ishar, Vice Chancellor, Jammu University, was the chief guest on the occasion, while Divisional Commissioner Jammu, Pradeep Gupta was the guest of honour. Dr Ashok Bhan, Chairman of IIPA J&K Regional branch presided over the function.

More than 80 officers nominated by the department of Health, Home Guards/Civil Defence, Fire and Emergency Services, Shri Mata Vaishno Devi Shrine Board and Civil Administration attended the training programme.

Speaking on the occasion Prof. Ishar said that apart from proper training and awareness among general masses, availability of technology, adequate training and communication play a pivotal role in minimizing the adverse affect of natural disasters. He offered the

services of University academia to help Government agencies in formulating plans for preparing Disaster Management Schemes. "The deliberations of this training programme will go a long way in helping us to take steps to prepare ourselves for future disasters", Prof. Ishar said.

Pradeep Gupta, Divisional Commissioner, Jammu remarked that there is a need for focus on the National Disaster Management Act 2005 which provides funding to deal with natural disasters both at National and State level and also stressed upon the role of awareness in order to prepare the masses. He said that the Government of Jammu and Kashmir has provided and will be providing financial assistance to the University of Jammu which has already established a Disaster Management Centre for making people aware about the future disasters and formulating plans to prepare schemes with regard to their management.

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Prof MPS Ishar, Chief Guest at Disaster Management Training Programme.



View of the audience



View of the Dias and Audience in Disaster Management Programme

Dr. Ashok Bhan, Chairman, IIPA Regional branch stressed on the need for collaborative work to be done by administration and academia to improve governance in general. He said that IIPA has organized many programmes in connection with Disaster Management and will leave no stone unturned in organizing such and allied programmes in future also. Dr Bhan said that charity begins at home and each one of must contribute at the preparation stage to minimise damages by disasters.

Earlier, Prof. G.M.Bhat, Head, Department of Geology and Director, Institute of Energy Research and Training, University of Jammu, presented key note address in which he identified the earthquake prone areas of J&K State and threw light on the principles of disaster management. He cautioned that if urgent steps are not taken in disaster preparedness, the losses will be

colossal. "If you save yourself, people around you will come to your rescue", is the basic principle of Disaster Management, said Prof. Bhat.

This was followed by two Training Sessions in which eminent speakers including Aamir Ali, OSD with Divisional Commissioner, Kashmir, Prof. S.K.Pandita, University of Jammu, Dr. G.A.Bhat, DG Fire and Emergency Services, Dr. Narinder Singh, BMO Akhnoor and Yoginder Kaul, IGP, Home Guards and Civil Defence shared valuable information with the participants.

Earlier, JBS Johar, Hony Secretary IIPA, welcomed the dignitaries and participants on the occasion, while Dr. Renu Nanda, Associate Professor, PG Department of Education, conducted the proceeding and presented a vote of thanks.

SAD DEMISE OF DR. RAKESH HOOJA

The sad and sudden demise of Dr. Rakesh Hooja, Director, Indian Institute of Public Administration, New Delhi on September 07, 2012 is deeply mourned. A condolence meeting was held by the Regional Branch on September 08, 2012 to share our sorrow with the bereaved family. May his noble soul rest in peace.



FUTURE PROGRAMMES

11th Veeranna Aivalli Memorial Inter College/Department debate will be held at Brig. Rajinder Singh Auditorium, University of Jammu on December 15, 2012. The topic for the debate will be "In the opinion of the house, youth bulge can be exploited for the benefit of the country."

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