

Spl Court set-aside order of attachment of property of KAS

STATE TIMES NEWS

JAMMU: Special Judge Anticorruption Jammu Mohan Singh Parihar set-aside the order of attachment of property of Noor Alam KAS officer and directed to release the attached property.

The facts of the case giving rise to the filing of these appeals are that on 23.09.2019 a case vide FIR no. 21 of 2019 offence under Section 5(1)(e) read with Section 5(2) of Prevention of Corruption Act Samvat 2006 came to be registered at Police Station ACB Jammu against the appellant Noor Alam for possessing huge movable/immovable property disproportionate to his known sources of income.

Before registering the above FIR, ACB on the basis of report of joint surprise checks carried out by ACB in the offices of Rural Development/RDD in Rajouri, Poonch and Reasi District for the period 2015 to 2017 regarding allegations that the officers/officials of RDD have purchased flex hoardings from blue eyed persons for installations in various districts which has resulted in huge loss to State exchequer; a case vide FIR No. 08/2018 was registered for commission of offence under Section 5(1)(d) read with Section 5(2) PC Act, Section 120-B RPC at Police Station ACB Jammu against various public servants including Noor Alam and investigation was initiated. During the course of investigation, the residential houses of the accused were searched after obtaining the search warrants from this Court. The house of appellant Noor Alam was also searched and during the search of residential house situated at Bathindi, Jammu various incriminating documents relating to acquisition/possession of huge movable/immovable property were found. Thereafter ACB conducted verification about the possession of disproportionate assets by the appellant Noor Alam.

The verification revealed that the appellant Noor Alam has amassed huge movable/immovable property disproportionate to his known source of income. One double storey residential house over about one kanal land at Bathindi, A residential house at Gargal, was registered against the appellant Noor Alam and the investigation was entrusted to Inspector Sadeeq of ACB, who has conducted the investigation of the case from 23.09.2019 to 15.01.2021. During the course of the investigation, Inspector Sadeeq had sent a questionnaire to appellant Noor Alam asking him to submit the reply within seven days, along with relevant record. On 03.02.2021, Ayaz Sheikh SP received the reply of questionnaire submitted by the appellant. As per the record of the case and case diary, on 15.01.2021, Ayaz Sheikh SP ACB took over the investigation of the case.

Akhnoor, Land measuring 3 kanal 19 marlas in Khasra no. 207 min, khata no. 45, khewat no. 5 situated in Village Narwal Bala, Tehsil Bahu, Jammu, Land measuring 10 marlas in khasra no. 237 min, khewat no. 17, khata no. 190 situated at Chack Changarwan, Tehsil Jammu North, Land measuring 01 kanal 15 V marlas in khasra no. 673 min, khata no. 868 min, khewat no. 13 in Village Barn, Tehsil and District Jammu, Land measuring 02 kanal in khasra no. 2673 min, khata no. 1427 min, khewat no. 18 in Village Pargal, Tehsil Akhnoor, Land measuring 10 marlas in khasra no. 225 min, khata no. 164, khewat no. 14 situated at Village Narwal Bala, Tehsil Jammu, Vehicles, one Micra car bearing registration No. JK02BL-8228, One JCB, two Tippers, one Bolero. It also revealed that the public servant/appellant had made investment to the tune of Rs. 37.5 lakhs for purchase of Flat at Palm Spring apartments Srinagar, Flat at Golden Palm Apartments, Jammu and land measuring 16 kanals in Khasra no. 311 situated in Village Seri Panditan, Tehsil and District Jammu. The assets thus found in the possession of the appellant Noor Alam KAS are disproportionate to his known source of income which constitute offence of criminal misconduct punishable under Section 5(2) read with Section 5(1)(e) of PC Act 2006 and accordingly FIR No. 21 of 2019 was registered against the appellant Noor Alam and the investigation was entrusted to Inspector Sadeeq of ACB, who has conducted the investigation of the case from 23.09.2019 to 15.01.2021. During the course of the investigation, Inspector Sadeeq had sent a questionnaire to appellant Noor Alam asking him to submit the reply within seven days, along with relevant record. On 03.02.2021, Ayaz Sheikh SP received the reply of questionnaire submitted by the appellant. As per the record of the case and case diary, on 15.01.2021, Ayaz Sheikh SP ACB took over the investigation of the case.

During the course of the investigation, the investigating officer SP Ayaz Sheikh found that appellant Noor Alam during his service career by indulging in corrupt practices has amongst other properties acquired and possessed a house situated at Gujjar Nagar, Jammu valued Rs. 80,00,000/-, plot of land measuring 10 marlas in Khasra No. 237 min, Khewat No. 17, khata no. 190 situated in Chack Changarwan, Tehsil Jammu North Valued Rs. 50,000/-, A plot of land measuring 3 kanals 19 marlas in Khasra No. 207 min, Khata no. 45, Khewat No. 05 situated in Narwal Bala, Tehsil Bahu Jammu valued Rs. 5,06,027/-, plot of land measuring 10 marlas in Khasra No. 1533 min, khata no. 214, khewat no. 01 in Village Raipur Domana, Tehsil Jammu, Vehicles, one Micra car bearing registration No. JK02BL-8228, One JCB, two Tippers, one Bolero. It also revealed that the public servant/appellant had made investment to the tune of Rs. 37.5 lakhs for purchase of Flat at Palm Spring apartments Srinagar, Flat at Golden Palm Apartments, Jammu and land measuring 16 kanals in Khasra no. 311 situated in Village Seri Panditan, Tehsil and District Jammu. The assets thus found in the possession of the appellant Noor Alam KAS are disproportionate to his known source of income which constitute offence of criminal misconduct punishable under Section 5(2) read with Section 5(1)(e) of PC Act 2006 and accordingly FIR No. 21 of 2019 was registered against the appellant Noor Alam and the investigation was entrusted to Inspector Sadeeq of ACB, who has conducted the investigation of the case from 23.09.2019 to 15.01.2021. During the course of the investigation, Inspector Sadeeq had sent a questionnaire to appellant Noor Alam asking him to submit the reply within seven days, along with relevant record. On 03.02.2021, Ayaz Sheikh SP received the reply of questionnaire submitted by the appellant. As per the record of the case and case diary, on 15.01.2021, Ayaz Sheikh SP ACB took over the investigation of the case.

The investigating officer sought the approval of the Director Anti Corruption Bureau vide Communication No. SP/Central/ACB/2021/355 dated 08.02.2021 for attachment of the said property (one house and three plots of land referred above). The approval was given by Director ACB vide letter No. ACB-FIR- 21/2019/2499 dated 09.02.2021. Thereafter, the investigating officer passed order of attachment dated 10.02.2021, attaching the above property in terms of Section 8-B of Prevention of Corruption Act Svt. 2006. The investigating officer directed the appellant i.e. Noor Alam and his wife Sultana Bibi not to transfer

or otherwise deal with the attached properties without the prior permission of Director ACB or of the Designated Authority. The investigating officer submitted a report to respondent no. 1 vide No. SP/Central/2021/416-17 dated 12.02.2021 as envisaged under Section 8-B subsection (2) of the PC Act, for confirmation of the order of attachment. The Designated Authority after hearing both the parties and on perusal of the record produced in the matter, came to the conclusion that the attached/seized properties prima facie appear to have been acquired by the appellant Noor Alam by resorting to acts of omission and commissions which attract the provisions of Section 8-B of the PC Act. The order passed by the investigating officer in exercise of power conferred by Section 8-B of the Act is reasonable and does not suffer from any infirmity and needs to be confirmed. Accordingly in exercise of powers conferred under Section 8-B(3) of the Act, the order of seizure/attachment issued by the investigating officer was confirmed by Designated Authority vide order dated 07.05.2021.

Special Judge Anticorruption Jammu Mohan Singh Parihar after hearing both the sides observed that the investigating officer while passing the order of attachment has not given any reasons to believe that the property in question relating to which he was conducting investigation has been acquired by the appellant no. 1 Noor Alam by the Designated Authority be returned through APP.

Deputations, individuals call on Advisor Baseer

STATE TIMES NEWS

Srinagar: Several deputations and individuals on Friday called on Advisor to Lieutenant Governor, Baseer Ahmad Khan at Civil Secretariat here and apprised him of their grievances and demands. A delegation of people from Magraypora Chadoora met the Advisor and demanded creation of 100 KVA sub-station in their area for better power supply. Similarly a delegation of people from Panchayat Halqa Trahpoo, Achabal also met the Advisor and raised several issues and sought their redressal. Another delegation of doctors also met the Advisor and raised several issues. Likewise several delega-

tions and individuals from Srinagar and other areas also called on Advisor and raised their matters pertaining to various departments like PDD, Rural Development, Tourism and other departments.

Advisor gave patient hearing to all the delegations and individuals and assured an early redressal of their genuine demands and issues. He said that the issues projected by them would be taken up with the concerned departments for immediate redressal. In some cases, Advisor also gave on spot instructions to the concerned officers for redressal of the grievances.

criminal misconduct as defined under Section 5(1)(e) of the PC Act and he has also not mentioned any relevant material on the basis of which he came to the conclusion during the course of investigation that the property in question is required to be attached in terms of Section 8-B of the PC Act. The Designated Authority also while deciding the matter has not given any reasons to arrive at the conclusion that the order of attachment is legally sustainable under law and does not suffer from any infirmity. The perusal of the impugned order passed by the Designated Authority shows that the same is not in consonance with law laid down by the Supreme Court and thus the order of attachment requires to be revoked.

Court further came to the conclusion that the order dated 07.05.2021 passed by the Designated Authority confirming the order of attachment of property is not sustainable under law and thus the appeals of the appellants are allowed. The impugned order is set aside and order of attachment dated 10.02.2021 is revoked and the attached property is ordered to be released. However, the investigating officer is at liberty to pass a fresh reasoned order of attachment strictly in accordance with the provisions of Section 8-B of the Prevention of Corruption Act Svt. 2006. These appeals stand disposed of accordingly. A copy of the judgment be placed on the file of the other appeal. The record of the Designated Authority be returned through APP.

Contractors has no claim to point out non-availability of instrs for bidders online after opening rejection of his bid: HC

STATE TIMES NEWS

JAMMU: The Jammu & Kashmir High Court holds that Contractor cannot claim that the important instructions for bidders were not available online after participating and rejection of his bid. The petitioner Mohd Shafi Khan has challenged the order/letter of allotment of contract issued under No. SEHU/2073-77 dated 2108-2014 pertaining to construction of flood protection work on both sides of Jager Narh Nallah (Pvt Dewal Doga) with the estimated cost/amount of work as per NIT Rs. 17.67 lacs, issued in favour of respondent No. 6, despite the fact that the petitioner has been the lowest tenderer in both the contracts mentioned above.

Justice Rajnesh Oswal after hearing AAG Aseem Sawhney for the UT observed that a perusal of the aforesaid instruction reveals that if after opening the tender, rates of the tenderers are found less than 15% of the advertised amount and additional CDR @ 5 per cent is not enclosed with the tender document, the tender is liable to be rejected.

It is admitted fact that the petitioner has not furnished the additional CDR @ 5 per cent along with the tender document. The contention of the petitioner is that the said Instructions were not available online at the time of casting of bids. The petitioner cannot claim that the important instructions for bidders were not available online, so he was not aware of the same because of the simple reason that a specific reference to the instructions to bidders has been made in both the e-NITs and further once the same were not available online at that point of time, he should have brought it to the notice of the official respondents and not having done so, the petitioner cannot raise the said issue now when the works have been allotted to the private respondents.

Government of Jammu & Kashmir(UT)

Office Of the Administrator

Auqaf Department Jammu

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Short Notice Inviting Tender (NIT) Advertisement Notification No. 22 of 2021, Dated: 28-09-2021

Sealed tenders affixed with Rs. 10/- Revenue Stamp is hereby invited on behalf of Construction Committee, Markazi Jama Masjid, Talab Khatikan, Jammu from the Registered All Classes (viz. A,B,C,D) Contractors for the work of Re-Construction of Markazi Jama Masjid, Talab Khatikan, Jammu as per the details mentioned below. The tender document complete in all respects shall reach the office of undersigned on or before **11-10-2021 upto 2.00 p.m** through registered post/courier only and shall be opened on the same day at 3.00 pm. in presence of the intending tenderers and Construction Committee:

S.No.	Name of the Work	Approx. amount (In Lacs)	Period of Completion	Earnest Money	Class of Contractor
1.	Re Construction of Markazi Jama Masjid, Talab Khatikan, Jammu by way of polishing, painting, primer on walls & wooden ventilators, emulsifying over primer and wall putty.	9.02	03 months	18,000/-	All Classes

Qualification conditions:

1. The contractor should have achieved a minimum annual financial turnover in all classes of Civil Engineering Building works of Rs. 3 lacs per year.
2. The contractor/firm should have completed a single work or a part work of construction of Civil Engineering not less than Rs. 3 lacs during the last year.
3. The contractor shall submit the detail of building work executive during last three years with value not less than 3 lacs duly counter signed by the Engineer in charge or any other officer not below the rank of Executive Engineer.
4. Income tax and sale tax clearance certificate.
5. Registration card should be renewed for the year 2021-22 before the date of receipt of tender.
6. The tenderer should write their rate in words and figures and in case of any variation found, the rates in words only shall be considered.
7. The tenderer should cover their quoted rates with a transparent cello tape.

Terms & Conditions:

1. Tender document containing complete details pertaining to work shall be issued on cash payment of Rs. 2,500/- (non-refundable) from the office of the undersigned on any working day during office hours upto **09-10-2021**.
2. The tenderer should quote their rates item wise.
3. Any item or items of work found necessary during execution but not covered by advertised schedule of items shall have to be executed by the tenderer at par with SSR of 2020.

No. AUQ-J/02/Admn./JM-TK/2044-49

Dated: 28-09-2021

DIP/J-7468/21

Dated: 01/10/2021

Sd/-
Mudassir Iqbal (KAS)

Administrator

Auqaf Dept. Jammu

THE J&K BOARD OF PROFESSIONAL ENTRANCE EXAMINATION (JBOPEE)	
TeleFax: 0191-2435860, 2437647 (Srinagar) 0191-2479371, 2470102 (Jammu)	
Subject:	Conduct of Physical Counselling for admission to (12 th based) Paramedical (PM) Diploma courses-2021.
References:	
(i)	Notification No. 052-BOPEE of 2021 dated 10-04-2021
(ii)	Notice No. 045-BOPEE of 2021 dated 05-05-2021
(iii)	Notice No. 051-BOPEE of 2021 dated 28-05-2021
(iv)	Notice No. 053-BOPEE of 2021 dated 13-06-2021
(v)	Notice No. 055-BOPEE of 2021 dated 29-06-2021
(vi)	Notification No. 072-BOPEE of 2021 dated 24-07-2021
(vii)	Notification No. 078-BOPEE of 2021 dated 20-08-2021
	Notification No. 097-BOPEE of 2021 Dated 27-09-2021

In pursuance of Notification No. 078-BOPEE of 2021 dated 20-08-2021 where under the Provisional Merit List (PML) of the candidates, for admission to various (12th Based) Paramedical Diploma Courses-2021 (PM/GNM/ANM/MRT) in the Government/Private Paramedical Institutions of the Union Territories of J&K/Ladakh, was issued as annexure "A" and made available on the Board's official website www.jkbopee.gov.in.

It is hereby notified for information of all eligible candidates who have applied for admission (PM) Paramedical Diploma Courses forming Annexure "A" to this Notification that the Board shall conduct Physical Round of Counselling of these courses at BOPEE Office Jammu / Srinagar for allotment of seats of Govt./Private Institutions of J&K/Ladakh as per the following schedule:-

COUNSELLING SCHEDULE FOR CANDIDATES WHO HAVE APPLIED FOR (PM) PARAMEDICAL DIPLOMA COURSES-2021

S.NO.	DATE	FROM RANK	TO RANK
1	11-10-2021	0001	0366
2	12-10-2021	0267	0739
3	04-10-2021	0743	1167
4	05-10-2021	1170	1657
5	06-10-2021	1658	2114
6	07-10-2021	2115	2525
7	08-10-2021	2528	3204
8	09-10-2021	3205	3843
9	11-10-2021	3842	4499
10	12-10-2021	4500	5175
11	13-10-2021	5176	5875
12	14-10-2021	5878	6575
13	15-10-2021	6576	