

DB treats writ as PIL regarding failure to frame municipal bye-laws

■ STATE TIMES NEWS

JAMMU: Division Bench of Jammu & Kashmir High Court comprising Chief Justice Pankaj Mithal and Justice Rajnesh Oswal treated LPA seeking framing of Bye-Law of Municipality as Public Interest Litigation and arrayed Chief Secretary and Commissioner Secretary as respondents and directed Sr AAG to inform the status/ progress of bye-laws within six weeks.

It is worthwhile to mention here that earlier Division Bench of Jammu and Kashmir and Ladakh High Court comprising Justice Dheeraj Singh Thakur and Justice Puneet Gupta while deciding a Letter Patents Appeal after hearing Advocate Vilakshan Singh for appellant and Advocate S S Nanda Sr. AAG and Advocate Suresh Sharma for respondents has taken a serious note of the failure of the Municipal Committees and Municipal Councils to frame Building Bye-Laws Regulations, master plans or building Schemes. The court observed that while Building Bye-Laws, Master Plans have been framed for cities of Jammu and Srinagar but some of the smaller towns governed by Municipal Committees and Municipal Councils are still having no building Bye-Laws, master plans or Schemes. The court also found it understandable as to how in the absence of a building scheme, master plan, building Bye-Laws and regulations, Municipal Committee Sunderbani, to which matter pertained, was proceeding to exercise powers sanctioning the plans and compounding the Building violations.

The court held that the net result of the omission to frame Bye-laws, regulations, schemes on the part of Municipal Committees or the Deputy Commissioners of the Districts in which the Municipal Committee/ Councils fall is that the large scale construction activity is being permitted to go on without any sort of regulation whatsoever. The Court further observed that there was no justification in denying the citizens living in smaller towns civil rights which ought to be protected by framing/enforcing the building bye-laws and by regulating the construction activity for planned development. The court further observed that right to enjoy civil rights in a locality in a peaceful and orderly manner having adequate amount of sunshine, free flow of air and access/use of public roads and utilities is not a right which can be denied to citizens living in smaller cities and towns. The court also made an observation that omission on the part of Municipal Committees and the concerned Deputy Commissioners to enforce

framing of a scheme in terms of Section 205 of the Municipal Act has resulted in encouraging totally unregulated construction activities with total disregard to the interest of citizens living in that area.

Keeping in view the seriousness of the matter the court directed all the Deputy Commissioners other than the Deputy Commissioners of Jammu and Srinagar also the Chief Executive officers/ executive officers of Municipal committees and Municipal councils to file affidavits as to whether the provisions of the Municipal Act 2000 have been complied with in their respective districts/ municipal committees/ municipal councils by way of framing of town planning schemes/ master plans and building Bye-Laws for an orderly development and regulations of building activities in their respective regions. The court further directed that the affidavits so filed should state reasons for inaction and proposed time lines within which the same shall be framed. The court directed the matter to be registered and taken up as a PIL.

Division Bench of Jammu & Kashmir High Court Comprising Chief Justice Pankaj Mithal and Justice Rajnesh Oswal after hearing Adv Vilakshan Singh appearing for the appellant Som Nath whereas Sr. AAG SS Nanda for the Housing Department observed that a Division Bench of this Court while hearing LPA No.75/2021, Som Nath vs State of J&K in its judgment has observed that in the absence of the Rules/ Regulations/Bye-laws/ Schemes governing the construction activity in some of the areas covered by the Municipalities, large-scale activity is going on in an illegal way disturbing the entire infrastructure of the cities and causing serious problems with regard to civic amenities. The court, therefore, opined that the matter be dealt with as a public interest litigation for the purposes of getting the necessary Rules/Regulations/ Bye-laws framed for the purposes of controlling the building activities in such areas.

Division Bench, after going through the judgment directed registry that the PIL be registered as 'Court on its own motion vs Union Territory of J&K through its Chief Secretary and Commissioner/ Secretary, Housing and Urban Development Department. Sr. AAG S S Nanda, appearing for respondents, submitted that in respect of some municipalities, building bye-laws are already in place and in respect of all other urban bodies; the Union Territory has framed a set of bye-laws which are in the final stage. DB granted six weeks' time to inform of the status/progress of the said bye-laws.

BEFORE THE HON'BLE HIGH COURT OF JAMMU, KASHMIR AND LADAKH (UT) at JAMMU From Office Of The Advocate Sibgatullah Lic. No.500/19

In the case of
1. Rabiya kousar W/o Zahoor Ahmad Shah, R/o 126 vakeel colony zabarvan enclave srinagar
2. Sibgatullah S/o Rabiya Kousar, R/o Vakeel colony brane
3. Safullah Shah S/o Zahoor Ahmad Shah R/o 126 Vakeel colony Zabaran enclave Srinagar
4. Saba Shafi wani D/o Late Muhammad Shafi Wani R/o Baghiyas Chattabal.
(Caveators)

V/S
PUBLIC AT LARGE
(Non-Caveators)

In the matter of : Caveat petition in terms of section 148-A of C.P.C
The caveator has reason to believe/ apprehension that non caveator may file a suit of any other type of proceeding before the Hon'ble court and on the ground of Distorted facts/misrepresent and cooked story and may succeed in obtaining some relief/order at irreparable loss and inconvenience it would be proper that caveator is given opportunity of being heard by the Hon'ble court before passing any order.

BEFORE THE HON'BLE DISTRICT COURT AT JAMMU From Office Of The Advocate Rabiya Shah Lic. No.489/87

In the case of
1. Rabiya kousar W/o Zahoor Ahmad Shah, R/o 126 vakeel colony zabarvan enclave srinagar
2. Sibgatullah S/o Rabiya Kousar, R/o Vakeel colony brane
3. Safullah Shah S/o Zahoor Ahmad Shah R/o 126 Vakeel colony Zabaran enclave Srinagar
4. Saba Shafi wani D/o Late Muhammad Shafi Wani R/o Baghiyas Chattabal.
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सत्यमेव जयते

UNION TERRITORY OF JAMMU & KASHMIR
IRRIGATION & FLOOD CONTROL DEPARTMENT
Office of the Executive Engineer Irrigation Division No.II Jammu
E-Mail: ifcmuxenir2@gmail.com, Tel/Fax: 0191-2457756

SHORT TERM NOTICE INVITING E- TENDERS

E-NIT No.: 13 of 09/2021-22

For and on behalf of Lieutenant Governor of Union Territory of Jammu and Kashmir, Executive Engineer Irrigation Division No-II, Jammu invites e-tenders in two cover system **Cover 1st** containing prequalification documents and **Cover 2nd** containing Price Bid from registered contractors of appropriate Class for the below mentioned works.

S.No	Name of work	Advertised cost of work (Rs. in lacs)	Additional Performance Security	Period of Contract	Class of Contractor	Cost of Tender Documents (Rs.)
1.	Maintenance/Repair works including Petty works to be executed at site as per the necessity/demands/emergent nature for up keeping of D-9 from RD 3900 to 10960 Mtr & RD 16340 to 25900 Mtr including Syphons & Minors under Stage Contract 2021-22.	2.00	3% of the advertised cost to be deposited afterward by lowest bidder.	3 Months (upto Closure of MRC)	B,C,D	200

Position of A.A.A : Approved under ARD 2021-22.
Position of T. S : Under Process
Position of Funds : Budgetary Provision in Non Plan

i) Date of Publishing from : 05-10-2021 (09:00 AM)
ii) Downloading from : 05-10-2021 (10:00 AM)
iii) Uploading from : 05-10-2021 (10:00 AM)
iv) Uploading stops on : 11-10-2021 (06:00 PM)
v) Tender opens on : 12-10-2021 (12:00 Noon - Subjective)

1. The bidding documents can be downloaded from the website <http://jktenders.gov.in> w.e.f. **05-10-2021 from 10:00 AM** onwards.
2. The bids shall be uploaded/ submitted in electronic format on the website <http://jktendersgov.in> w.e.f **05-10-2021 from 10:00 AM** onwards.
3. The complete bidding process will be **ONLINE**.
4. The tender uploaded on the website up to due date will be opened on **12-10-2021 (12:00 Noon - Subjective)** in the office of the **Executive Engineer Irrigation Division No-II, Jammu** in the presence of the bidders who wish to attend. If the office happens to be closed on the date of opening of the bids as specified, the bids will be opened on the next working day at the same time and venue.
5. Bidding documents can be seen and downloaded from the website <http://jktenders.gov.in> Bidding documents contain qualifying criteria for bidders and other details such as terms and conditions etc.
6. Other relevant details can be seen in the bidding documents so downloaded.

No: JID/II/2757-2794
Dated: 01-10-2021
DIP/J-7715/21
Dated:- 08/10/2021
Sd/-
(Er. Tirath Ram)
Executive Engineer
Irrigation Division No.II
Jammu

JAMMU MUNICIPAL CORPORATION
DIVISION-V
Division No. V, JMC, e-NIT No. 32of 2021-22

For and on behalf of The Commissioner, Municipal Corporation, Jammu, The Executive Engineer, Division No. V, Jammu Municipal Corporation (JMC) invites online tenders from registered class of Contractors / Firms as per the prescribed format for the works shown here under:-

Sr. No	Name of work	Advertised Amount (In lacs)	Tender Fee (In Rs.)	Bid Securing Declaration	Class of contractor	Time of completion (In Days)
1.	Face-filling of Rotary intersections in Jammu city under Jammu municipal Corporation.	15.10	600	Bid Securing Declaration Form as per format enclosed at Annexure "C"	A,B&C	60

• Position of AA: **Accorded**

• Position of TS: **Sanctioned**

• The Complete bidding process will be online.

• The bids shall be uploaded in electronic format on the website <http://jktenders.gov.in>

• **Published Date05.10.2021.**

• **Document Download / Sale Start Date06.10.2021. at 10.00 AM**

• **Bid Submission Start Date06.10.2021. at 10:00 AM**

• **Bid Submission End Date 12.10.2021 at 04:00 PM**

• **Bid Opening Date 13.10.2021 at 12:00 PM**

• Other details and terms/Conditions contained in the NIT can be downloaded from the site www.jktenders.gov.in

• **Documents required to be uploaded online for Technical Bid:**

- The bidder shall have to submit the Bid Securing Declaration Form.
- Cost of bidding document in shape of e-challan/single window challan of JMC pledged to Executive Engineer, Division. V, JMC/tender fee receipt **mentioning the e-NIT No. & Serial No.** of the work through online payment through the JMC link <http://www.jmcjammu.org/online-payment.html>.
- Contractor Registration card renewed upto 31-03-2021
- Scanned Copy of GST Card
- Scanned Copy of duly filled Annexure "A" & "B"
- Scanned Copy of PAN Card

Note: Non-submission of any of the above documents online shall render the bidder as non-responsive and his financial bid shall not be opened.

No.:JMC/V/1817-26
Dt:05-10-2021
DIP/J-3445-P/21
Dated:- 08/10/2021
Sd/-
(Er. Harvinder Singh)
Executive Engineer (V)
Jammu Municipal Corporation

Office of the Executive Engineer
Civil Maintenance Division
BHEP Civil Chanderkote
xendambhep@gmail.com
e- NIT No: 06 of 2021-22
Date: 05-10-2021

1. For and on behalf of the Managing Director JKPCD; e-tenders from registered PWD/PDC/CPWD/MES contractors are invited for below mentioned works:

S.No.	Name of the Work	Estimated Cost (In Lakhs)	Cost of Tender Document (In Lakhs) (Non-Refundable)	Bid Security/ EMD (In Lakhs) (Refundable)	Time Allowed for Completion	Class of Contractor
1	2	3	4	5	6	7
	Repair works at stage I, BHEP Chanderkote	498.00	0.05	NIL	130 days	A & Above

2. Scope of the worksmentioned above is defined in the Tender Document/ BoQ of the work. Further, minimum requisite eligibility and the terms & conditions applicable for each work are also laid down in the Tender Document.

3. The Tender Document for the works mentioned above can be downloaded from e-tendering portal of J&K Government www.jktenders.gov.in and the official website of JKPCD www.jkspdc.nic.in.

4. The quantities in the BOQ are tentative and actual quantities shall be firmed up during approval of drawings by JKPCD and same shall be used for regulation.

5. The tendering process shall proceed as per the following Schedule of Events:

S.No.	Event	Date & Time
1.	Tender publish date on www.jktenders.gov.in and www.jkspdc.nic.in .	06:10:2021 at 16:00 Hrs
2.	Bid document download start date	06:10:2021 at 16:00 Hrs
3	Last date of receipt of queries through e-mail only	18:10:2021 upto 16:00 Hrs
4	Replies to Bidders Queries through return e-mail only	21:10:2021 upto 17:00 Hrs
5	Bid uploading start date	06:10:2021 at 10:00 Hrs
6	Bid uploading end date	25:10:2021 upto 16:00 Hrs
7	Opening of the Technical Bids	28-10-2021 at 15:00 Hrs
8	Opening of the Financial Bids	After the evaluation of technical bids

6. Any corrigendum/modification to Tender Document shall be available on JKPCD official website www.jkspdc.nic.in .The Applicants are advised to visit these sites before deadline for submission of bids.

7. Price bids/ Financial Bids of only technically qualified bidders shall be opened.

8. JKPCD reserves the right to reject all or any of the e-NIT or any subsequent bids without assigning any reason thereof and shall not be bound to accept the lowest or any other Bid or to give any reason for such decision.

9. For any queries, the bidders should contact during office hours on following numbers:
7006435087, 9149837831, and 7006783227.
No:-CMD/BHEP/
Date:-05-10-2021
DIP/J-3451/21
Dated:- 08/10/2021
Sd/-
Executive Engineer
Civil Maintenance Division
BHEP Chanderkote

NORTHERN RAILWAY
E-Tender Notice
Sr.DEN-II/FZR acting for and on behalf of The President of India invites open tenders (E-Tenders) against below titled tenders and available on www.reps.gov.in with closing date **29.10.2021 up to 15:00 Hrs**. Bidders will be able to submit their original/revised bids up to closing date and time only. Manual offers are not allowed against these tenders, and any such manual offer received shall be ignored. In place of Earnest money deposit, "Bid Security Declaration" is to be submitted on prescribed format as available in document section on the portal.

Tender Type	Tendering Section	Bidding System	Date of Uploading Tenders	Bid Starting Date	Bid Closing Date/Time
Open	Works	Single Bid System	07.10.2021	15.10.2021	29.10.2021/15:00 hrs.

S.N./Tender No.	Details of Tender								
1	67/2021-22-PLMX-DRM-FZR Strengthening of protection works, flooring of bridges and rehabilitation of flume and syphon bridges on PTK-JDNX NG section underADEN/PLMX. <table border="1"><thead><tr><th>Advertised Value (Rs.)</th><th>Validity of Offer</th><th>Period of Completion</th><th>Similar nature of work:- Construction/ Rehabilitation of bridges</th></tr></thead><tbody><tr><td>2,22,19,157.70/-</td><td>45 days</td><td>06 Months</td><td></td></tr></tbody></table> Note1. Before bidding, bidders to check for any corrigendum issued against tender.	Advertised Value (Rs.)	Validity of Offer	Period of Completion	Similar nature of work:- Construction/ Rehabilitation of bridges	2,22,19,157.70/-	45 days	06 Months	
Advertised Value (Rs.)	Validity of Offer	Period of Completion	Similar nature of work:- Construction/ Rehabilitation of bridges						
2,22,19,157.70/-	45 days	06 Months							

Tender Notice No:- 770-W/169/WA-1/FZR/67-2021-22-PLMX-DRM-FZR Date : 08.10.2021
Serving Customers With A Smile
2306/2021

UNION TERRITORY OF JAMMU & KASHMIR
JAL SHAKTI DEPARTMENT
Office of Executive Engineer, Mechanical Irrigation Division, Jammu
Phone: 0191-2577745, Email: ifcj.xenmidjmu@gmail.com

ABSTRACT OF NOTICE INVITING E-TENDERS
e-NIT No. MID/J/e-NIT/2021-22/89 Dated: 04-10-2021

Executive Engineer, Mechanical Irrigation Division, Canal Road, Jammu, on behalf of Lt. Governor of J&K UT, invites tenders by e-tendering mode from registered and reputed Firms having workshops**Repair/replacement of worn out parts of 5 cusec x 18m head pumping unit no.3 along with allied works at LIS Upper Malpur, Repair/replacement of worn out parts of 5 cusec x 24m head pumping unit no. 3 along with allied works at LIS Batera and Repair/replacement of worn out parts of 3 cusec x 15m head pumping unit no.3 along with allied works at LIS Lower Malpur.**The bidding process shall be completed online in two covers viz.Cover 'I' –Tender fee and Earnest Money Deposit, fulfillment of prequalification criteria, technical specifications and acceptance of terms and conditions of the tender and Cover 'II' - Financial Bid in the prescribed BOQ.

S. No.	Name of Work	Qty.	Earnest Money	Cost of tender document	Period of completion	Validity of Rates
1	2	3	4	5	6	7
1.	Repair/replacement of worn out parts of 5 cusec x 18m head pumping unit no.3 along with allied works at LIS Upper Malpur, Repair/replacement of worn out parts of 5 cusec x 24m head pumping unit no. 3 along with allied works at LIS Batera and Repair/replacement of worn out parts of 3 cusec x 15m head pumping unit no.3 along with allied works at LIS Lower Malpur.	Complete job as per Scope of Work	3% of the contract value for L1 as per finance department circular	Rs200.00	10 Days	180 Days from date of opening of price bid

1. The tender documents can be viewed and downloaded from the website <http://www.jktenders.gov.in>from:**05-10-2021 (06:00PM)**.
2. Pre- bid meeting:**09-10-2021 (02:30PM)**.
3. Submission of online bids: **11-10-2021 (10:00AM) to 16-10-2021 (02:00 P.M)**.
4. Opening of Cover I online bids: **18-10-2021 (2:00 PM)**

DIP/J-7773/21
Dated:- 08/10/2021
Sd/-
(Er. Ajay Sharma)
Executive Engineer
Mechanical Irrigation Division
Jammu


UNION TERRITORY OF JAMMU & KASHMIR
OFFICE THE EXECUTIVE ENGINEER PWD (R&B) CONST. DIVN. NO. III, JAMMU
SHORT NOTICE INVITING TENDER
Short e-NIT No. CD-III/132 of 2021-22 Dated 05-10-2021

For and on behalf of the Lieutenant Governor, Union Territory of Jammu and Kashmir e-tenders are invited on percentage basis from approved and eligible Contractors registered with Union Territory of J&K, CPWD, Railways, MES and other State/ Central Governments for each of the following works :-

S. No	Name of Work	Name of Division	Advertised Cost (In lacs)	Cost of document (in Rs)	Earnest Money (in ₹)	Time Allowed for complete-on	Time and date of opening of tender	Class of Contractor
1	2	3	4	5	6	7	8	9
1.	Providing and laying 50mm thick BM and 25mm thick SDBC in stretches/Patches on following road (Under Pot Holes) 1) Dava Bazaar road Connecting Bakshi Nagar to State Guest House Jammu 2) Talab Tillo main road Jammu (Canal Head to patta Chowk Bohri.) 3) Talab Tillo main road Jammu (Patta Chowk to Sangrampur Chowk)	PWD (R&B) Const. Divn. No. III Jammu	91.32	1000/-	Bid Security Declaration on notarized affidavit	30 Days	(1700 Hrs) on or after 13-10-2021	"A", "F" "Hot Mix Plant Holder"
2.	Providing and laying Wet Mix Macadam, 50mm thick BM and 25mm thick SDBC in stretches/Patches on following road (Under Pot Holes) 1) UNO lane Talab Tillo and Allied links Jammu 2) Vikas lane and Gole Pully road Talab Tillo Jammu 3) Bhagwati Nagar to Revenue Complex road Jammu 4) Canal Head to Bhagwati Nagar Rotary via DIQC Jammu	PWD (R&B) Const. Divn. No. III Jammu	66.18	1000/-	Bid Security Declaration on notarized affidavit	30 Days	(1700 Hrs) on or after 13-10-2021	"A", "F" "Hot Mix Plant Holder"

Position of AAA :- Accorded
Position of T.S :- Sanctioned

The Bidding documents Consisting of qualifying information, eligibility criteria, specifications, Drawings, bill of quantities (B.O.Q), Set of terms and conditions of contract and other details can be seen/downloaded from the departmental website <http://jktenders.gov.in> as per below schedule :

1	Date of Issue of Tender Notice	05-10-2021
2	Period of downloading of bidding documents	From 06-10-2021 to 13-10-2021, 1600 Hrs
3	Date, Time and place of pre-bid meeting	07-10-2021 at 1300 Hrs. in the Office of Executive Engineer PWD (R&B) Const. Divn. No.III Jammu
4	Bid submission Start Date	06-10-2021
5	Bid Submission End Date	13-10-2021 up to 1600 Hrs
6	Date & time of opening of Technical Bids (Online)	13-10-2021 on or after 1700 Hrs in the Office of Executive Engineer PWD (R&B) Const. Divn. No. III Jammu
7	Date & time of opening of Financial Bids (Online)	To be notified after technical bid evaluation is completed

1. Bids must be accompanied with cost of Tender document in shape of e-challan through Treasury indicating Treasury Voucher No. & date, e-NIT No. and name of work duly crediting to 0059 (Revenue) favoring Executive Engineer PWD (R&B) Const. Divn. No. III Jammu uploading a copy of treasury challan/receipt, Bid Security Declaration as mentioned in the bid documents. The original instruments in respect of cost of documents, Bid Security Declaration on the notarized affidavit and relevant documents of L1 be submitted to the Executive Engineer PWD (R&B) Const. Divn. No. III Jammu at the time of award of contract.

2. Bidders can resubmit/withdraw the bids as specified.

3. The date and time of opening of Financial-Bids shall be notified on Web Site www.jktenders.gov.in and conveyed to the bidders automatically through an e-mail message on their e-mail address. The Financial-bids of Responsive bidders shall be opened online in the Executive Engineer PWD (R&B) Const. Divn. No. III Jammu. The date for same shall be intimated separately.

4. The bids for the work shall remain valid for a period of 120 days from the date of opening of Technical bids.

No:- 14058-79
Dated:- 05-10-2021
DIP/J-7778/21
Dated:- 08/10/2021
Sd/-
(Er. Balbir Singh)
Executive Engineer
PWD (R&B) Const. Div. No. III
Jammu