

CAT Jammu Bench disposes of record number of 15,537 cases: Dr Jitendra

STATE TIMES NEWS
NEW DELHI: Central Administrative Tribunal (CAT) Jammu Bench has achieved a record of sorts by disposing of as many as 15,537 number of cases in a brief period since it was set up in 2020 during the height of Covid pandemic. This was disclosed by Union Minister, Dr Jitendra Singh after he was briefed by Chairman CAT Justice Ranjit More, about the current status and working of the Tribunal.



Chairman, CAT, Justice Ranjit More calling on Union Minister Dr. Jitendra Singh at New Delhi.

The meeting focused specifically towards the infrastructural setup, manning position and institution/disposal of cases in the recently created Bench in the city of Jammu, Union Territory of J&K in the backdrop of Writ Petition (Civil) No. 877/2020 titled Aehal Sharma Vs Union of India & Ors filed in Supreme Court of India.

Dr. Jitendra, credited the continued support and guidance provided by the Union Government under the leadership of Prime Minister Narendra Modi. He emphasized the priority given to the region and the well-being of its government officers and staff, aiming to keep them motivated and

contribute to the accelerated development of the Union Territory of Jammu and Kashmir.

The Bench of the Central Administrative Tribunal in the city of Jammu was established on 8th June 2020, during the peak corona period with one Division Bench, which later on was increased to two Division Benches on 10th January 2023 by the Central Government, after considering the transfer of large number of long pending cases from the High Court of J&K to the Benches of the Tribunal established in the UT of J&K.

As of now, both the Division Benches in Jammu Bench comprising 2 Judicial Members and 2 Administrative Members are functioning with full strength and vigour. Since the inception of the Jammu Bench, the total number of cases transferred from the Hon'ble High Court of J&K are 11792, out of which 9275 have already been disposed of, including cases, which have been pending for years.

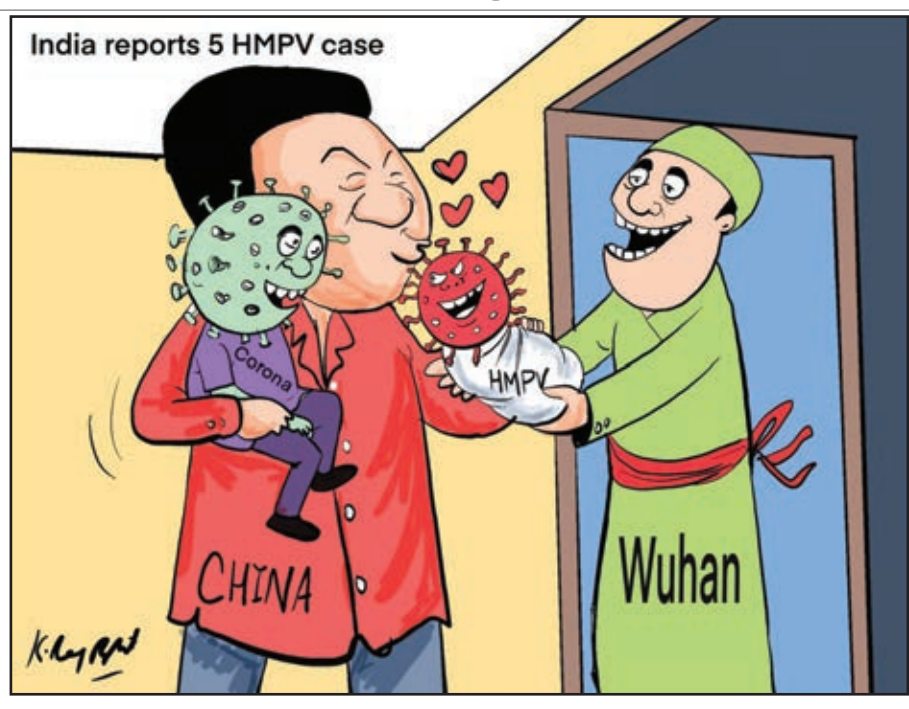
In addition to these 8745 cases have been freshly instituted in CAT, Jammu Bench since inception and out of this, 6262 cases have already

been disposed of. This means that a total of 15,537 cases have been disposed of by the CAT, Jammu Bench since inception.

Dr. Jitendra Singh also referred to, circuit sitting of CAT, Jammu Bench at Leh was also started on 19th June 2024 in order to facilitate the employees of UT of Ladakh and address their grievances.

The infrastructure of the CAT Jammu Bench has been enhanced through the joint efforts of the Union Government and the Government of UT of J&K. A new building, equipped with adequate amenities, is expected to be functional by the end of this month. Additionally, efforts are being made to build human resource capacity to improve efficiency, as briefed by the chairman.

Lauding the efforts of CAT, Dr. Jitendra said "Despite numerous constraints, the CAT Jammu Bench has been able to maintain satisfactory disposal rate so as to bring comparatively early settlement of grievances of the employees of the Union Territory of J&K. Thus, enabling them to shift their focus in developmental activities of the Union Territory".



Indo-Pak war veteran Havaldar Baldev Singh passes away in Rajouri at 93

STATE TIMES NEWS
JAMMU: Veteran soldier Havaldar (retd) Baldev Singh, who fought four wars against Pakistan, passed away at his residence in Jammu and Kashmir's Rajouri district, a defence spokesman said on Tuesday. He was 93.

The revered war hero passed away due to natural causes in his hometown Naushera on Monday, the spokesman said, adding that his last rites will be performed with full military honours at his village later on Tuesday.



Infantry Division) for an additional eight months before returning to civilian life, the spokesman said.

Born on September 27, 1931, at Naunihal village, Singh was just 16 when he volunteered to join the Bal Sena Force under the leadership of Brigadier Usman, Commander of the 50 Para Brigade, during the battle of Naushera and Jhangar in 1947-48.

The Bal Sena, a group of local boys aged 12 to 16, served as despatch runners for the Indian Army in the critical moments of these battles.

In recognition of their bravery, the then prime minister Jawaharlal Nehru honoured the Bal Sainiks, presenting them with gramophones, watches, and the opportunity to join the Army.

Singh enlisted in the Army on November 14, 1950, and served the force with dedication and valour for nearly three decades, the spokesman said.

His service spanned multiple wars, including the 1961, 1962, and 1965 India-Pakistan wars. Despite retiring in October 1969, Singh was recalled during the India-Pakistan war of 1971, when served in the 11 JAT Battalion (25

Through his career, Singh received numerous honours for his service, including recognition by Nehru, Prime Minister Narendra Modi, former vice-president Hamid Ansari, and several other distinguished leaders, he said, adding that Singh's contributions to the nation serve as an inspiring testament to patriotism and courage.

"Singh's legacy lives on as a living legend, deeply respected for his service to the country," the spokesman said.

NC should remove Aga Syed Ruhullah from party for making anti-people statement: Sunil Sethi

STATE TIMES NEWS
JAMMU: Adv Sunil Sethi, Chief Spokesperson, J&K BJP strongly condemned the statement of NC MP Aga Syed Ruhullah Mehdi, stressing that it is detrimental and dangerous to the tourism in the region.

Girdhari Lal Raina and YV Sharma, Spokespersons, J&K BJP were also present in the Press Conference addressed at BJP headquarters, Trikuta Nagar, Jammu.



Chief Spokesperson J&K BJP, Adv Sunil Sethi briefing media.

Adv Sunil Sethi questioned that whether NC supports Ruhullah's 'fear politics' attempting to instill fear in tourists and the common people. He asked the NC to take

action against Ruhullah's statement.

"The statement, in which MP Ruhullah stated that tourism causes cultural invasion in Kashmir is dangerous

for a democratic setup. It is harmful to peace and progress. Is this the new political strategy of NC, which historically runs on the politics of 'fear'. NC should tell, whether

it stands in favour of this statement", said Sethi.

"Tourism is the mainstay of the economy in Kashmir. The tourism revival in Kashmir has brought prosperity in Kashmir which has made the lives of Kashmiris easier. NC has a history of such 'loose cannons' from time to time like its leaders raising pro-Pakistan slogans in the house and now this anti-people statement", said Sethi.

This statement is to terrorize tourism and the people thus proving harmful for the tourism-based economy in Kashmir.

If the tourism industry gets hit by this statement, then NC

led by Umer Abdullah, and Dr. Farooq Abdullah should be held responsible for the loss.

If NC doesn't take any action against its leaders, then it is the party's nod to the statement. This is the start of 'political terrorism' in the Jammu & Kashmir. This political terrorism is being raised to instill the sense of 'fear' in the people by the NC government.

BJP will strongly resist any such move. The BJP's clear stance is to take legal and political action against such leader who is hell bent to destroy the tourism sector and hence economic activity in the region.

DG, A&T launches JAKFAS Digital Calendar-2025

STATE TIMES NEWS
SRINAGAR: Jammu and Kashmir Finance and Accounts Society (JAKFAS) on Tuesday launched the Digital Calendar 2025. The Digital Calendar was unveiled by Director General Accounts and Treasuries, J&K Fayaz Ahmad Lone in presence of Mahesh Das, Director General Codes; Mohammad Sultan Malik, Director General Budget and President JAKFAS, Rashim Deepika while Neeraj Gupta Bakshi, Director General, Local Fund Audit & Pensions J&K had joined program virtually. Directors Finance, Joint Directors (FA/CAOs); Deputy Directors and Executive members of the JAKFAS also attended the launch ceremony of Digital Calendar 2025.

Crafted on the theme 'Digital J&K', the Calendar 2025 highlights the transformative digital initiatives undertaken by the Finance Department, Government of Jammu & Kashmir besides marking a milestone in integrating technology with governance. Tools such as e-Kuber, e-Gras, BEAMS, the Janbhagidari Portal, and the PROOF App are prominently featured alongside other initiatives, showcasing the Government's commitment to transparency, efficiency, and citizen-centric service delivery.

Ensure completion of SDHs Sunderbani, Nowshera within targeted time: Dy CM

STATE TIMES NEWS
JAMMU: Underscoring the need for providing better healthcare facilities to the people living in far flung areas, Deputy Chief Minister, Surinder Choudhary, on Tuesday directed the officers for speeding up the pace of work on the ongoing health related infrastructural projects.



Dy CM, Surinder Choudhary chairing a meeting on Tuesday.

The Deputy Chief Minister was addressing the officers during a review meeting convened to discuss the status of completion of under-construction Sub District Hospitals of Sunderbani and Nowshera in Rajouri district.

The meeting was attended by Principal Secretary, Power Development Department,

Secretary, PW(R&B) Department, Secretary, H&ME Department, MD JPDCL Jammu, Director Health Services, Jammu, Chief Engineers, PW(R&B) Zone Pir Panjal/ Mechanical and Hospital Engineering Department Jammu/

JPDCL Jammu and other senior officers.

The Deputy Chief Minister directed the officers to maintain close coordination for ensuring that the SDHs are completed within the stipulated time. He said that the bottlenecks, if any, should be

removed so that the work on the project is speeded up and people get benefitted from the initiatives undertaken by the government for providing better healthcare facilities to them. "Ensure the work on these ambitious healthcare projects is done in double

shifts for speedy completion of these projects", he asked the officers.

"We are committed for providing enhanced healthcare facilities to the people of Jammu and Kashmir with emphasis on rural and far-flung areas. Instructions have

already been passed for speeding up the pace of work on various healthcare related infrastructural works especially the under-construction Hospitals. Besides, strict monitoring is also being done so that they are completed as early as possible.", the Deputy Chief Minister maintained.

The meeting was told that the 50 bedded Sub District Hospital at Sunderbani is being constructed with an estimated cost of Rs. 18.57 crore and is expected to be completed by July, 2025. Similarly, upgradation of 100 bedded SDH at Nowshera is being taken up with an estimated cost of Rs. 18.8 crore which is expected to be completed by July, 2025.

After Art 74 was amended President cannot take any decision/issue any advice at his/her own Will!

Congress Government in 1976 & Morarji lead Janta Govt in 1978 constitutionally weakened Institution of President of India
Framers of COI were very particular for protecting-preserving-defending soul spirits of Constitution
Some may profess that Article 368 of COI gives unchecked amending power to Parliament, but it is not so!
Should not those who call for protection of COI unitedly work for undoing amendments made in 1976 & 1978 to Art-74 ?

DAYA SAGAR
Art 74 of constitution of India (COI) has been amended two times (1st edition 1949 Art-74 said <"There shall be a Council of Ministers with the Prime Minister as the head to aid and advise the President in the exercise of his functions. (2) The question whether any, and if so what advice was tendered by Ministers to the President shall not be inquired into in any court.">).

First with a Section of 42ndConstitutionAmendment Act of 1976 and Second vide a Section of 44th Constitution Amendment Act of 1978 (The text <" There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President in the exercise of his functions"> has been replaced by <" (1) There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President who shall, in the exercise of his functions, act in accordance with such advice: [Provided that the President may require the Council of Ministers to reconsider such advice, either generally or otherwise, and the President shall act in accordance with the advice tendered after such reconsideration. >) but where

under the authority / status of President of India as preserver, protector and defender of constitution in terms Oath taken by President under Art 60 (Original Art-60 < - "I, A.B., do swear in the name of God that I will faithfully execute the office solemnly affirm of President (or discharge the functions of the President) of India and will to the best of my ability preserve, protect and defend the Constitution and the law and that I will devote myself to the service and well-being of the people of India." >) has been very much "diluted" since President after that has to act only as per the advice of Council of Ministers where as in the original article President was not obliged to necessarily go only by the advice of the Council of Ministers but had the capacity to overrule even the parliament in case there were fears of damage to the basic structure of COI. Such like amendments surely are against the doctrine of basic structure of Constitution of India. Since the concerned sections of 42nd and 44th amendments to Constitution of India involve a big question of the status and authority of the President who is also part of Parliament of India in terms of Art -79 (Art 79 <"Constitution of

Parliament.-There shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the Council of States and the House of the People">) and is on oath preserver, protector and defender of Constitution of India (Original Art-60 < - "I, A.B., do swear in the name of God that I will faithfully execute the office solemnly affirm of President (or discharge the functions of the President) of India and will to the best of my ability preserve, protect and defend the Constitution and the law and that I will devote myself to the service and well-being of the people of India." >)

Art 74 was amended the President cannot take any decision / issue any advice on his/her own level and hence can not truthfully act as per the Oath taken in terms of Art-60 what to talk of his/her effective role under Art-53 { 53. (i) The executive power of the Union shall be vested in the President ... 53 (2) Without prejudice to the generality of the fore going provision, the supreme command of the Defence Forces of the Union shall be vested in



A Look through the Mist Part-VI

the President, and ensuring that all actions /programmes/ schemes of the Government are made/ conducted in the name of President { Art- 77 Conduct of business of the Government of India. 77. (1) All executive action of the Government of India shall be expressed to be taken in the name of the President}.

So amendments to Art 74 of COI by 42nd& 44th Acts of 1976 &1978 are surely violating the "Basic Structure" of Constitution of India.

Article 368 of the Constitution of India (COI) may give to some the impression that Parliament's amending powers are absolute and encompass all parts of the document but the position is not like that .The 'team framers' of the constitution comprised of a galaxy of intellectuals picked up very carefully who had wide knowledge /experience / feel of the socio - economic needs & aspirations of the Indian masses belonging to different regions / sects/ traditions / indigenous who had tried to provide a very comprehensive document but still they felt that at some time later may be some clarifications

are still needed wrt to different features of the constitution related to interrelated conceptual understandings over the welfare & democratic spirits laid in the chapters like fundamental rights / directive principles / welfare terms like ST/SC / social- educational backwardness / backwardness to had they incorporated Art-368 for making amendments to the constitution but that was surely not to go far even conceptually changing the constitution, it was for making some amendments in existing articles of the constitution / elements of the constitution to enable implementing the intentions enshrined in the constitution with more ease & clarity. In the constitution Institution of the President was installed as protector, preserver & protector of Constitution and The Supreme Court can go for checks through reviews of the actions taken by the legislature & executive for being with the provisions of the Constitution.Supreme Court of India has at occasions acted for suitable checks on legislative enthusiasm since independence for serving the original spirits enshrined there in Supreme Court of India has even laid down in black & white more clarity the "doctrine of basic structure of the

Constitution of India' in 1973 (through the Judgment of 13 judge Constitution Bench in The Kesavananda Bharati case (Kesavananda Bharati Sripadagalavaru etc. v. State of Kerala and another etc. Writ Petitions Nos.135/70, 351-52i-73-74 and L&UO of 1972 , delivered on 24 April 1973) that Article 368 can not be used by Parliament to amend the constitution so as to distort, damage or alter the basic spirits /features of the Constitution under the pretext of amending it using Art 368. Although the phrase 'basic structure' itself' is not found in the Constitution but The Supreme Court had placed before the citizens this concept in black & white for the first time in the Kesavananda Bharati case in as something like commonly understood as Doctrine of Basic Structure . Supreme Court has been the interpreter of the Constitution and . the arbiter for any amendments made by Parliament (Art- 124). Supreme court has in a way reserved the jurisdiction to 'self' to name the elements of basic structure as and when a case for review comes.

Continued
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