

JKPS Panjtirthi celebrates World Earth Day



Glimpses of World Earth Day celebration at JK Public School Panjtirthi.

STATE TIMES NEWS

JAMMU: World Earth Day was celebrated at JK Public School (JKPS) Panjtirthi in a befitting manner to sensitize the children to become the cru-

saders for environmental conservation. Suman Jamwal, the celebration incharge shared her views about the importance of saving Earth and the measures that

can be adopted to save our planet. A hand-out was given to the students based on the significance of our planet and the steps to keep our environment

clean and green. The children were made aware that 'Every day is an Earth Day' and the purpose of celebrating Earth Day is to keep our grass green and our

skies blue with more trees and less pollution. A role play was performed by Jakiains about various environmental issues and how all of us can make a difference by mak-

ing small adjustments in our daily rituals & habits. The Principal of JKPS Panjtirthi, Suman Banbah encouraged the students and motivated them to think

globally and act locally to heal Planet Earth. A mass quiz on Earth day was organised by the quiz master, the Principal herself. It was a treat to see

children well prepared and almost everyone wanted to answer the asked questions. The winners of the quiz were rewarded by the Principal.

Complaint highlighting Mismatch/ Discrepancy/Non-Disclosure in Affidavit of Ex-MP and Candidate for Jammu-Reasi Parliamentary Constituency Matter referred to ECI by Chief Electoral Officer, J&K for appropriate action

STATE TIMES NEWS

JAMMU: In a major development, the Chief Electoral Officer, J&K, P. K. Pole has referred the Complaint/Representation of Advocate Sheikh Shakeel Ahmed to the Secretary, Election Commission of India, New Delhi (Consisting of 52 pages) for appropriate action in the matter by the Commission.

The said representation has highlighted the mismatch/discrepancy/Non-Disclosure in the Election Affidavit of Jugal Kishore, BJP Candidate for Jammu-Reasi Parliamentary Constituency.

Advocate Sheikh Shakeel Ahmed on April

12th, 2024 had submitted a comprehensive representation in the Office of Chief Electoral Officer, J&K against the Returning Officer Sachin Kumar Vaishya, Deputy Commissioner, Jammu who according to him failed to take action on his complaint dated April 4th, 2024 directed against Jugal Kishore, BJP Candidate for Jammu-Reasi Parliamentary Constituency, as according to the Whistle-Blower there was mismatch/variation in the affidavits dated March 23, 2019 and March 30, 2024, as the Former Member Parliament had indicated his liability towards the Banks/Financial Institutions to the tune of

Rs.34,53,14,232 (Rupees Thirty Four Crores Fifty Three Lakh Fourteen Thousand Two Hundred and Thirty Two only) in his previous affidavit dated March 23, 2019, however, in the latest affidavit, the Former Member Parliament mentioned his current liability to the tune of Rs.20,42,956.81 (Rupees Twenty Lakh Forty Two Thousand Nine Hundred Fifty Six and Paise Eighty One only).

According to Advocate S.S. Ahmed, the Returning Officer at the time of scrutiny in terms of Section 36 of the Representation of People Act, 1951 was under an obligation to consider and decide the objections raised by

directing the candidate concerned to clarify the mismatch/variation as projected by the objector.

However, the Returning Officer mechanically informed Advocate Ahmed on April 7th, 2024 to approach the Court of Law in the matter thereby not considering the objections raised by him which simply means that he failed to perform his duties entrusted to him being a Returning Officer as per the Representation of People Act, 1951 and the conduct of the Returning Officer by shunning his responsibility also amounts to dereliction of duties in view of the mandatory requirements of Section 36

of Representation of People Act, 1951.

Being aggrieved of the casual approach of the Returning Officer and non-consideration of his objections by the Returning Officer, Advocate S.S. Ahmed lodged a comprehensive representation in the Office of the Chief Electoral Officer, J&K and the Chief Electoral Officer, J&K vide his No. CEO-Est/DGF/13/2024-1/5048 dated April 15, 2024 has forwarded the representation of Advocate S.S. Ahmed to the Secretary, Election Commission of India, Nirvaahan Sadan, Ashoka Road, New Delhi for appropriate action by the Commission.

CAT warns stern action against DHSK for not complying orders

STATE TIMES NEWS

JAMMU: The Single Bench Central Administrative Tribunal Judicial Member M.S. Latif warned of stern action against Director Health Services Kashmir (DHSK) for his insensitive approach to comply with its orders in a service matter, observing that 'Justice delayed is justice denied and belated compliance is not countenanced by law.'

CAT after hearing Adv Paravizz Lone, expressed dismay while granting two weeks to the director to comply with its order dated February 23, 2024, subject to the condition that the Token Fine of Rs 1 will be deposited by the director in person from his pocket or be paid through his authorised representative. CAT said that on February 23, 2024, it was observed that despite pre-emptive order dated 23-02-2024, respondents have not filed their response. It was ordered that the case will be heard on its merits. However, Bikram Deep Singh submitted that he could not file his reply and the Court with all dismay observes that unnecessary delay by the respondents in filing replies/counter timely prolongs the disposal of the case and in view of the submissions of Bikram Deep Singh, he was granted one mercy chance to file his detailed reply subject to payment of costs of Re. 1/- which were to be deposited by Director Health Services Kashmir from his own pockets

within one week before the Registry of this Court and the same on deposit was ordered to be deposited in CAT Srinagar, Library Fund. CAT further observed that heavy costs could have been imposed but the purpose of imposing fine of Re. 1 was only to create a sense of responsibility in the head of the department which in this case is Director, Health Services Kashmir that the sufferings of the litigants are to be taken on priority. CAT further observed that no order of the Court should lose its efficacy because of its non-compliance or compliance at such a belated stage which would render the compliance as meaningless. It is non-compliance of the orders which compel the litigants/petitioners to invoke the contempt jurisdiction of the Courts. CAT is of conscious that Contempt Jurisdiction is a special jurisdiction to be exercised sparingly and non-compliance of the orders have the tendency of shaking the confidence of the public in the administration of justice. Long inaction and supine apathy towards compliance of the Court orders and directions in a given case, tantamount to obstruct the course of justice in as much as, the compliance of the Court's orders has to be viewed as an integral part of dispensation of justice and administration of justice. CAT further observed that the right of relief for a litigant consists in immediate and undelayed fructification of the

orders of the Court. The orders of the Courts so disregarded and neglected for their compliance bring out a situation where the public at large would view that the system has failed. It would be considered that the Courts have been losing their authority and their orders do not have any effect on the authorities of the Government. The Director Health Services, Kashmir and the peculiar facts and circumstances of the case was saddled with Re.1/- as costs to be paid from his own pocket just to create a sense of responsibility but it is with great anguish and dismay this Court is compelled to observe that the casual, lethargic and insensitive approach on the part of the Director, Health Services Kashmir towards the compliance of the orders and directions cannot be tolerated though the stern action deserves to be taken, as justice delayed is justice denied and belated compliance is not countenanced by law. Bikram Deep Singh, DAG candidly concedes that the order dated February 23, 2024 ought to have been complied with. He further submits that he is granted two weeks' time to comply with the order dated February 23, 2024. Prayer is allowed subject to the condition that the Token Fine i.e. Re.1/- to be deposited by Director Health Services, Kashmir in person from his own pocket or to be paid through his authorised representative.

HC grants final opportunity to comply judgement of DIG RP Range to appear in person

STATE TIMES NEWS

JAMMU: Justice Sanjeev Kumar of Jammu & Kashmir and Ladakh High Court while dealing with a contempt petition, granted one last and final opportunity to come up with compliance of the judgment in letter and spirit in light of the stand taken by them in the statement of facts filed on December 9, 2021.

It is made clear that in case, needful is not done by the next date of hearing, the respondent-Deputy Inspector General of Police, Rajouri-Poonch Range headquartered at Rajouri shall appear in person on the next date of hearing. This significant order has been passed in a contempt petition filed by Sanjeev Kumar Bali through Adv Vikram Rathore, observed that Judgment dated 24th May, 2017 passed in SWP No.1282/2017 is yet to be complied with by the respondent. It is true that in terms of the judgment dated May 24, 2017, respondent was directed to consider the claim of the petitioner for his absorption as Follower in the Jammu & Kashmir Police in accordance with the Rules and Regulation, Policy and recommendation, if any made, and take a decision in respect of entitlement of the petitioner to such claim. On being put on notice, the respondent has filed his statement of facts on

December 9, 2021 in which a clear stand was taken by the respondents that the case of the petitioner was considered and recommended to the higher authorities for his absorption as Follower in J&K Police. The case has also been processed for its placement before the Police Establishment Board.

Adv Vikram Rathore appearing for petitioner submits that the case of the petitioner has already been cleared by the Range Level Board and the petitioner has been found entitled to be regularized as Follower in the Police. On 28th August, 2023 and December 15, 2023, this Court granted further time to respondents to come up with the compliance but nothing has been done by the respondents.

Adv Karan Singh appearing vice Monika Kohli, Sr. AAG prays for and is granted one last and final opportunity to come up with compliance of the judgment in letter and spirit in light of the stand taken by them in the statement of facts filed on December 9, 2021. It is made clear that in case, needful is not done by the next date of hearing, the respondent-Deputy Inspector General of Police, Rajouri-Poonch Range headquartered at Rajouri shall appear in person on the next date of hearing, Court ordered.

CAT quashes DGP order rejecting OT, directs to consider petitioner's out to turn for DySP

STATE TIMES NEWS

JAMMU: A Bench of Central Administrative Tribunal comprising B. Anand (A) and Sanjeev Gupta (J), on Tuesday in a petition filed by Shakti Devi, quashed the PHQ Order No. 1339 of 2018 dated March 22, 2018 passed by the DGP, whereby the case of the petitioner for grant of 'Out of Turn' promotion from the post of Inspector to Dy. Superintendent of Police has been rejected.

It is also directed that the respondents should consider the case of the applicant for grant of 'Out of Turn' promotion based on her track record. This exercise shall be completed within a period of two months from the date of receipt of a copy of this order. The brief facts of the case are that the applicant Shakti Devi who is a Sub-Inspector in the Jammu & Kashmir Police is consistently having an exemplary track record having secured first position in 'Outdoor Best Cadet' after completion of Basic Training Course at Sheri-Kashmir Police Academy (SKIMS) and since then throughout her career has won a lot of accolades for her outstanding performance including being awarded the United Nations Special Service Medal for service with the United Nations Integrated Mission and cash awards to the tune of Rs. 10,000 along with commendation certificate Class-I awarded by the Director General of Police.

In the interest of brevity, the details of other awards won by the applicant are not being repeated here as details of the same are available in the file. CAT after hearing Adv Dinesh Singh Chouhan appearing for the petitioner whereas Deputy AG Hunar Gupta for the UT, observed that both the Government Orders only speak about granting approval in a positive sense to the exceptional and outstanding officials for grant of 'Out of Turn' promotion by the competent authority who is the Chief Minister, who will have to exercise his powers based on the recommendations of the Selection Committee comprising of the Chief Secretary as its Chairman and Home Secretary and DGP as its members.

CAT further observed that it appears that the respondents have taken the view that only such of those cases, which in their judgement merit consideration and final grant of 'Out of Turn' promotion is to be submitted to the competent authority (Chief Minister) and not so worthy candidates who do not deserve 'Out of Turn' promotion need not be placed before the competent authority. However, a careful reading of the above two Government Orders makes it quite clear that the procedure is only for granting approval for 'Out of Turn' promotion and not for rejecting 'Out of Turn' promotion to undeserving candidates. Therefore, if it is the view of the respondents that the higher executive authority of the

State i.e. Chief Minister need not be troubled with taking a decision whether to grant 'Out of Turn' promotion or not, then it should be clearly laid down in the same procedure that for rejecting claims of those candidates who do not deserve consideration for 'Out of Turn' promotion, it can even be done by the officialdom itself, at the appropriate level. CAT further observed that the extant rules contained in the two Government Orders clearly state that the Director General of Police is not the competent authority for grant of 'Out of Turn' promotion, therefore, he could not be treated as competent authority for rejecting the candidature of the applicant. The DGP ought to have placed the case of the applicant before the competent authority (Chief Minister) for his/her final decision. Therefore, we allow this Transferred Application and grant the prayer of the applicant and quash the PHQ Order No. 1339 of 2018 dated March 22, 2018 passed by the DGP, whereby the case of the applicant for grant of 'Out of Turn' promotion from the post of Inspector to Dy. Superintendent of Police has been rejected. It is also directed that the respondents should consider the case of the applicant for grant of 'Out of Turn' promotion based on her track record. This exercise shall be completed within a period of two months from the date of receipt of a copy of this order.