CJM directs SSP Crime to apprise court to proceed against complainant for giving false information

■ STATE TIMES NEWS

JAMMU: Chief Judicial Magistrate, Jammu Amarjeet Singh Langeh has directed SSP Crime Branch Jammu to apprise the court by next date of hearing as to what steps Investigating Agency (Crime Branch) has taken in order to proceed against complainant under sections 182 and 211 of RPC for giving false information and making false charge of offence with intent to injure.

This significant order has been passed by the court in Final Report arising out of FIR no. 3/2015 registered with Police Station Crime Branch, Jammu for offences under sections 420, 465, 466,467,468,471 and 120-B of the Penal Code and 5(2) of the Prevention of Corruption Act in case titled "State through Crime Branch, Jammu Vs. karam Dad Khan & Ors" in which after investigation, Crime Branch filed final report on 29.03.2019 before the court of Additional Sessions Judge (Anti Corruption) Jammu describing therein that it did not find sufficient evidence or reasonable ground of suspicion to file charge-sheet against accused and case was accordingly closed (as not admitted). Investigating Officer concluded in the final report that during investigation it was established that complainant in the case namely Yograj Singh S/O Abhey Singh R/O Kalu Chak, Jammu is very astute, hypocritical and uses different modus operandi to dupe innocent persons on the pretext of deadly disease "Cancer" and sells out his land at low price and after receiving handsome amount, he immediately cancels Power of Attorney without genuine reasons. Investigating agency prayed that case be closed as "not admitted" and complainant be proceeded against under sections 182/211 of RPC.

It is pertinent to point out that the court of Additional Sessions Judge (Anti Corruption) Jammu not only agreed with the conclusions reached by Investigating Officer on the basis of material collected during investigation but the protest petition was also dismissed by the Anti Corruption court. Anti Corruption Court, however observed that because offences under sections 182 and 211 of Penal Code are cognizable by Judicial Magistrate of First Class and triable by him, therefore the final report was transferred to this court to deal with plea of Crime Branch regarding initiation of proceedings against complainant. While asking SSP Crime Branch Jammu to submit the steps taken by Investigating Agency in order to proceed against complainant under sections 182 and 211 of RPC, the court observed "While it still remains to be seen as to whether Investigating Officer was required to seek leave of court supra to initiate proceedings under sections 182 and 211 of Penal Code against complainant once the court concurred with the conclusion of the Investigating Officer and also dismissed the protest petition of the complainant, yet it needs to be placed on record as to what steps Investigating Agency (Crime Branch) has taken in order to proceed against complainant under sections 182 and 211 of RPC in face of order of court of Ld. Additional Sessions Judge (Anti-Corruption) Jammu" adding "Once the final report seeking closure of case as "not admitted" is accepted by competent court, then what prevents investigating agency from proceeding ahead against complainant for aforesaid offences, if it so wishes." With these observations court posted the case for 19.05.2022 and directed that copy of order shall go to SSP Crime Branch Jammu for compliance.

Court directs police to register FIR in custodial death case

■ STATE TIMES NEWS

JAMMU: In one of the sensational cases of custodial murder in Distt Jail Jammu of an Asst Garrison Engineer - Judge Umesh Sharma Presiding Officer of the Court of Special Excise Mobile Magistrate Jammu has directed SHO Police Station PaccaDanga investigate the complaint of murder in custody under section 156 (3) CrPC filed by complainant - Gulnaz Waheed Wd/o Mohd Imran Ullah of Prayagraj, UP where the complainant/applicant had alleged murder in Distt Jail of her husband Mohd Imran Ullah who was an AGE (in the office of Garrision Engineer) and was lodged in Distt Jail Jammu in a case FIR by the CBI ACB.

Spl. Excise Magistrate Jammu Umesh Sharma after hearing Aseem Kumar Sawhney Advocate with Manzar Muneer and Tahseena Bukhari Advocates appearing for the complainant, observed in his order that complainant's husband was found dead in the jail and the complainant through her counsel Aseem Kumar Sawhney has alleged foul play and is suspecting murder or abetment to suicide over a co accused and the complainant has moved a complaint to the SHO Police Station PaccaDanga and also to SSP Jammu but no FIR has been registered.

The Court perused the Status Report Police which revealed that inquest proceedings were going on and were undertaken by the Tehsildar Jammu.

After hearing Aseem Kumar Sawhney with Mandar Muneer and Tahseena Bukhari at length and perusing the file and judgments cited by the Advocate Court observed that having regard to the facts and circumstances of the case and case law cited it is clear that an inquest cannot be a bar to investigation of a cognizable offence and directions under section 156(3) CrPC can be issued.

The Spl Excise Mobile court Jammu directed SHO Pacca Danga to investigate the complaint under section 156(3) CRPC which means an FIR has to be registered.

It is worthwhile to mention that the complainant had filed the complaint/ application seeking direction to register FIR under sections 302,120B IPC & Other penal offence as made out in investigations through Advocates Mr A K Sawhney, Mr Aseem Kumar Sawhney Mr Dheeraj Singh Advocates.

It was submitted that complainant/Applicant namely GulnazWaheed is the wife of late Mohd. Imran Ullah S/o Late Mohd.Ghazan Far Ullah who was posted as AGE (Civil)- Assistant Garrison Engineer, Satwari, MES, J&K and the husband of the complainant was falsely booked in a case FIR by the CBI ACB Jammu and was arrested on 7.1.2022. He was sent on judicial remand on 8.1.2022 and was lodged in District Jail Amphalla Jammu on 8.1.2022 where on 24.2.2022 he was murdered, got murdered or abetted to committed suicide as the complainant suspects foul play in the case.

It was submitted in the complaint that on 24.2.2022 at 5.15 PM approx the complainant received a call on her mobile phone from one official of the Police Post Rehari, who introduced himself to be Police official and informed complainant that her husband was unwell and asked to reach GMC Hospital Jammu. That complainant rushed to the GMC Jammu at the same time and reached the hospital where the complainant reached the Police Post GMC Jammu and met the Incharge there and asked whether Mohd Imran Ullah has been brought to GMC Jammu on which responded that said person has died. She was shattered and broken down, and started wailing and crying when shown the body of deceased for identifying the body.

On 25.2.2022 the body of the deceased husband of the complainant was provided after post mortem and the body was taken to Pragyraj (Allahabad) i.e. the place where the deceased belonged and on 26.2.2022 the last rites as per customs took place.

Sawhney Advocate submitted that complainant is suspecting foul in the death of the deceased as neither the deceased was under pressure, nor was broken emotionally nor chicken hearted and the bail application was still pending in the Hon'ble High Court therefore there was no reason for the deceased to commit suicide, but it seems that the murder was committed or got committed by someone and being given the colour of suicide. As a matter of fact the complete reports from FSL and Pathology deptt have yet to come and final opinion yet to be arrived but the officers/ officials at the helm of affairs have termed the same as suicide. It seems that either the same is a case of murder or abetment to suicide as the complainant had personally met the deceased 22.2.2022 i.e. 2 days before the incident of murder and was strong and discussed the chances of getting bail etc. He also spoke on phone on 23.2.2022 with the complainant from jail and was pretty normal and health of fine and his sugar reports were normal etc.

It was submitted that the complainant had suspected a co accused Mahesh Chandra Gangwar as he gave different versions of the incident. Firstly he got the message delivered that he was not the same barrack with deceased on the day of incident but turned to be false and then he changed his statement saying that he was in the barrack but sleeping during that time when the deceased was killed or abetted to committed suicide whileas as per Jail officials the detenues are not permitted to sleep during day. Another angle was that the co accused wanted to come out of the case by shifting the whole burden on the deceased, thus had the motive to commit murder or see the deceased dead.

It was submitted that the cord of the trousers was no so strong that it could bear the weight of the deceased more so that the same was tied with ventilator as per the version of jail authorities however that version seems very strange as to what triggered at day time about 3 PM or before that , thus all this seems quite unnatural and thus being a case of unnatural death/ homicide the same is required to be thoroughly investigated but till date the Police has not done anything or registered any FIR or open FIR, thus compelling to file the written complaint in the matter.

NOTICEINVITINGTENDER

e-NITNo. 139 OF2022-23Dated: 23-04-2022

For and on behalf of Lt.Governor of UT of J&K, Chief Engineer Jal Shakti (PHE) Department, Jammu invite se-tenders from reputed and resourceful Bidders/Firms/Companies/Joint Ventures/ Consortiums between bidder/firm andFinancierofallclassesregisteredinJKPWD/CPWD/Railways or any other state Government for "Construction, Testing and Commissioning of 5000 GPH Slow Sand Filtration Plant (depending on safe bearing capacity), Pump room, 10000 Gallons Sump Tank and Boundary wall / Chain Link Fencing along with other allied works in District Udhampur of Jammu Province under Jal Jeevan Mission (JJM)" under Jal Jeevan Mission (JJM)".

The bidding process shall be completed online on **www.jktenders.gov.i**n in two covers viz. Cover 1st consisting of Pre-Qualification Criteria, General Terms and Conditions and Technical Specifications and Cover 2nd consisting of Financial Bid on percentage rate basis, in the prescribed BOQ.

Sr No	Particulars of the work	Estimated Cost (Lacs)	Tender fee (in Rs)	Earnest money Deposit	Bid Validity	Time of Completion of work (days)
1	2	3	4	5	6	7
1.	"Construction, Testing and Commissioning of 5000 GPH Slow Sand Filtration Plant (depending on safe bearing capacity), Pump room, 10000 Gallons Sump Tank and Boundary wall / Chain Link Fencing along with other allied works in District Udhampur of Jammu under JalJeevan Mission (JJM)" for the Water supply schemes as per the List of works annexed as ANNEXURE-I to this bid document.	As per ANNEXURE-I to this bid document.	1000/-	Rs. 50000/-	90 days	As per ANNEXURE-I to this bid document.

Position of funds: Approved Under Jal Jeevan Mission (JJM)
The tender inviting authority is Chief Engineer, Jal Shakti (PHE) Department Jammu.
The awarding authority is District Jal Jeevan Mission (DJJM).

Critical Dates:

i	Publish Date	25.04.2022
ii	Document Download/sale start Date	25.04.2022
iii	Date of Pre-bid meeting	02.05.2022 (1:00 PM)
iv	Bid submission start date	04.05.2022
v	Bid submission end date	17.05.2022 (1:00 PM)
vi	Date and time of Bid opening	17.05.2022 (4:00 PM onwards)

1. Bid documents can be accessed and downloaded from the website **www.jktenders.gov.in**
2. The pre-bid meeting will be held in the office chamber of the Chief Engineer, Jal Shakti (PHE) Department Jammu, through virtual/online mode.
3. The whole bidding process shall be completed online on tender portal **www.jktenders.gov.in.**The intending bidders can download the bid document from the tender portal and can submit their bids by uploading themon the tender portal.
4. The valid bids received shall be opened online in the office of the Chief Engineer, Jal Shakti (PHE) Department Jammu, Bids must be accompanied by bid security declaration and cost of Tender Document as specified in column 4 & 5 of the table and shall be payable at Jammu.

a. Bid Security for an amount of Rs. 50000/- (Rs. Fifty Thousand only) shall be attached with the Bid by the Bidder inshape of CDR/FDR/BG in favour of FA/CAO, Jal Shakti (PHE) Department Jammu.

b. The cost of tender documents should be in form of DD/TR/e challan in favourofFA/CAO, Jal Shakti (PHE) Department Jammu,.

5. The hard copies of cost of tender document in shape of TR/e-challan, Earnest money in shape of CDR/FDR/BG and other relevant documents shall be obtained from the bidder who is declared as L1 after opening of financial cover.
6. The bid shall remain valid for aperiod of 90 days from the last date of submission of bids. If any bidder withdraws his bid before the said periodor makes any modifications in the terms and conditions of the bid, the same shall be considered to be in violation of bid security declaration and shall be dealt with accordingly andthebid shall be declared non-responsive.
7. Other details can be seen in the bidding documents from the website **www.jktenders.gov.in.**
8. Queries by email if any should be made at **phecejmu@gmail.com**

No: PHEJ/JJM/12203-214
Dated: 23/04/2022
DIP/J-1077/22
Dated: 04/05/2022

Sd/-
Chief Engineer,
Jal Shakti (PHE) Department
Jammu

सत्यमेव जयते

UNION TERRITORY OF JAMMU & KASHMIR
OFFICE THE EXECUTIVE ENGINEER PWD (R&B) DIVISION UDHAMPUR

SHORT NOTICE INVITING TENDER
e-NIT No. 07 of 2022-23 Dated 27-04-2022

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	Advertised Cost (Rs. in lacs)	Cost of document (in Rs.)	Earnest Money (in Rs.)	Time Allowed for complete-on	Time and date of opening of tender	Class of Contractor
1.	2.	3.	4.	5.	6.	7.	8.
1.	Macadamization of the various roads in Sub- Division Barmeen for the year 2022-23 (Under City & Town):- Part "A" Const. of interlocking tiles from the house of Sh. Sanjay Sharma to back side of the house of Sh. Parshotam Singh W. No. 11 New Jail road near Forestry Office Udhampur.	4.88	600/-	(2% of the Advertised Cost)	30 Days	10-05-2022 (1200 hours)	Hot Mix Plant Holder / "A" Class
2.	Macadamization of the various roads in Sub- Division Barmeen for the year 2022-23 (Under City & Town):- Part "A" Const. of road from Badali to High School Badali by way of providing & laying WBM G-III, WMM, 50 mm thick BM & 25 mm thick OGPC. PART "B" Const. of road from Channi Morh Dhar road towards Kashirah by way of providing & laying WBM G-III, WMM, 50 mm thick BM & 25 mm thick OGPC. PART "C" Const. of road from official residence of Session Judge towards Degree College Boys by way of providing & laying WBM G-III, WMM, 50 mm thick BM & 25 mm thick OGPC. PART "D" Blacktopping of road near Vikas Palace PART "E" Const. of road from Rathian Baley road to house of Dewan Chand Metadoor Stand Pyt. Rathian East by way of providing & laying WBM G-III, WMM, BM & 25 mm thick OGPC. PART "F" Improvement/ upgradation of road from Panchayat Ghar Barta to Proach Mohalla (Kullan) by way of Providing & laying WBM G-III, WMM, BM & 25 mm thick OGPC. PART "G" Improvement/ upgradation of approach road to SC Mohalla at Village Badali Udhampur by way of providing & laying WBM G-III, WMM, BM & 25 mm thick OGPC.	72.88	1500/-	(2% of the Advertised Cost)	45 Days	10-05-2022 (1200 hours)	Hot Mix Plant Holder / "A" Class
3.	Macadamization of the various roads in Sub- Division Ramnagar for the year 2022-23 (Under City & Town):- Part "A" Const. of Approach road to Dehari Targan Bridge by way of providing & laying WBM G-II, WBM G-III in stretches, 50 mm thick BM & 25 mm thick OGPC & other allied works. PART "B" Const. of Badakh Morh to Badoie road km 1st & 2nd by way of providing & laying WBM G-III in stretches, 50 mm thick BM & 25 mm thick OGPC incl. other allied works.	92.22	1500/-	(2% of the Advertised Cost)	45 Days	10-05-2022 (1200 hours)	Hot Mix Plant Holder / "A" Class
4.	Macadamization of various roads in Sub Division Udhampur for the year 2022-23 (Under City & Town roads) Group-I PART "A" Improvement/ const. of approach road to Shiv Mandir Sudhmahadev. PART "B" Improvement/ upgradation of road from Chenani Pattangarh road in km 1st RD 900-925 towards Shiv Chowk Chenani.	53.78	1500/-	(2% of the Advertised Cost)	60 Days	10-05-2022 (1200 hours)	Hot Mix Plant Holder / "A" Class
5.	Macadamization of various roads in Sub Division Landher for the year 2022-23 (Under City & Town roads) PART "A" Const. of Forest Link road. PART "B" Blacktopping of Approach road to Krimachi Temple (New Alignmant) at Krimachi PART "C" Providing & laying 25 mm thick premix carpet surfacing on Debrah to Chak road km 2nd & 3rd PART "D" Providing & laying 25 mm thick premix carpet surfacing on AT Gate to Dhanori road	124.76	3000/-	(2% of the Advertised Cost)	60 Days	10-05-2022 (1200 hours)	Hot Mix Plant Holder / "A" Class
6.	Macadamization of various roads in Sub Division Landher for the year 2022-23 (Under City & Town roads) PART "A" Macadamization of Gutyal Morh to Dhanu via Seen Brahmana road km 4th & 5th. PART "B" Macadamization of road from Amb Barh to Pail PART "C" Providing & laying 25 mm thick OGPC, 50 mm thick BM & 75 mm thick WMM on Tikri to Gole road PART "D" Providing & laying 25 mm thick OGPC, 50 mm thick BM & 75 mm thick WMM on Approach road to Govt. Higher Secondary School Garhi PART "E" Providing & laying 25 mm thick premix carpet surfacing on Magani Magiote road along with Kotli Pain road	148.97	3000/-	(2% of the Advertised Cost)	60 Days	10-05-2022 (1200 hours)	Hot Mix Plant Holder / "A" Class
7.	Macadamization of the various roads in Sub- Division Ramnagar for the year 2022-23 (Under City & Town) Part "A" Const. of Dalsar Barotu road km 3rd to 5th by way of providing & laying WBM G-III in stretches, 50 mm thick BM & 25 mm thgick OGPC incl. other allied works. PART "B" Const. of Chowki Kulwanta road km 1st by way of providing & laying WBM G-II, WBM G-III in stretches, 50 mm thick BM & 25 mm thick OGPC incl. other allied works.	116.35	3000/-	(2% of the Advertised Cost)	60 Days	10-05-2022 (1200 hours)	Hot Mix Plant Holder / "A" Class
8.	Macadamization of the various roads in Sub- Division Ramnagar for the year 2022-23 (Under City & Town) Part "A" Const. of Ramnagar Dudu road km 15th by way of providing & laying WBM G-III in stretches, 50 mm thick BM & 25 mm thick OGPC incl. other allied works. PART "B" Const. of Ramnagar Dudu road km 6th & 7th.	108.95	3000/-	(2% of the Advertised Cost)	60 Days	10-05-2022 (1200 hours)	Hot Mix Plant Holder / "A" Class

Position of AAA :- Accorded
Position of TS :- Accorded
Major Head of Account :- Cities & Towns Programme 2022-23
SPECIAL Conditions:-

(i) If the contractor / firms fails to complete the work within the time mentioned in the NIT / Contract, then the allotted contract will automatically treated as cancelled after forfeiting the performance security of the contractor / firm and work put to fresh tender without serving any notice from this office.

(ii) The contractor/bidder who will participate in the tender/bid should have completed 75% of the allotted works under City & Town and Pot-hole Macadamization Programme for the year 2021-22 subject to the verification from the Divisional records, failing which the bidder will be treated as non responsive.

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	27-04-2022
2	Period of downloading of bidding documents	From 28-04-2022 to 09-05-2022 upto 1800 Hrs
3	Date, Time and place of pre-bid meeting	XXXXXXXX at XXXX Hrs. in the Office of Executive Engineer PWD (R&B) Division, Udhampur.
4	Bid submission Start Date	28-05-2022
5	Bid Submission End Date	09-05-2022 upto 1800 Hrs
6	Date & time of opening of Technical Bids (Online)	10-05-2022 on or after 1200 Hrs in the Office of **Executive Engineer PWD (R&B) Division, Udhampur.**
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) Division, Udhampur and upload the same i.e treasury challan/receipt, Earnest money/Bid security in shape of CDR/FDR/BG pledged to Executive Engineer PWD (R&B) Division, Udhampur. The CDR/FDR/BG shall be valid for 45 Days beyond the bid validity period. The original instruments in respect of cost of documents, EMD and relevant documents of L1 be submitted to the Executive Engineer PWD (R&B) Division, Udhampur at the time of allotment.
2. The electronic bidding system would not allow any late submission of bids after due date and time as per server time. Bidders may modify their bids by uploading their request for modification before the deadline for submission of bids. For this, the bidder need not to make any additional payment towards the cost of tender document. For bid modification and consequential re-submission, the bidder is not required to withdraw his bid submitted earlier. The last modified bid submitted by the bidder within the bid submission time shall be considered as the bid. For this purpose, modification/withdrawal by other means will not be accepted. In online system of bid submission, the modification and consequential- submission of bids is allowed any number of times. The bidders may withdraw his bid by uploading their request before the deadline for submission of bids; however, if the bid is withdrawn, the re-submission of the bid is not allowed. No bid shall be modified or withdrawn after the deadline of submission of bids.
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 Office of Executive Engineer PWD (R&B) Division, Udhampur. 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:- 2918-40
Dated:- 27-04-2022
DIP/J-1052/22
Dated:- 04-05-2022

Sd/-
(Er. Mohd. Zabir)
Executive Engineer
PWD (R&B) Division
Udhampur