

Anti-polythene campaign reaches KCIS, Hr Sec Paloura

Jammu Mayor educates students on hazards of using plastic made materials

■ STATE TIMES NEWS

JAMMU: The Mayor of Jammu city, Rajinder Sharma on Saturday took the ongoing anti-polythene and anti-plastic campaign to KC International School and Government Higher Secondary School Paloura and educated the students on hazards of using polythene and plastic made materials in daily life.

The Mayor congratulated the students for achieving success in 10th and 12th class examinations.

The students and staff of these schools joined the anti-polythene campaign and pledged their full support for the success of the move.

They said that they will feel proud for becoming a part of history by joining the movement.

"As this movement if pro-



Mayor Jammu, Rajinder Sharma addressing students during a programme.

ceeding with awareness and enforcement and has an alternate floated by prestigious DRDO in form of carry bags made of cellulose and starch, so the success rate here is more," they said.

School authorities of these institutions assured that their 100 students shall participate in the walk scheduled for May 26 to aware masses to stop

use of polythene and plastic made materials.

JMC Councillors Mahinder Kumar was present at KC International School while Councillor Rajni Bala was present at Government Higher Secondary School Paloura.

On this occasion many students and staff members filled the Commitment Certificate

using the app to join the campaign.

Students and the staff of these schools said that they shall now use carry bags made of biodegradable materials to lower the hazards to environment.

Responding to the overwhelming support the Mayor expressed confidence with that such motivated students and staff of educational institutions

supporting the campaign, Jammu will be free from polythene and plastic made things within a month.

A debate on 'Hazards of Polythene Products' was also organised in these schools. At KC

International School Principal, Anupama Sinha also addressed the students and winners of debate were awarded.

Thus, Ananya Sharma got 1st prize, Saachi Sundeep Bhat, 2nd while the third prize was shared by Avish Bhat and Ridhima Khajuria.

At Govt Higher Sec School Paloura the Principal Sunita Chadda and Vice Principal, Anjana Gupta distributed prizes among the winners. Thus, Pooja won 1st prize, Ashish, 2nd while the third prize was shared by Nandini and Arti.



CCI delegation calls on Addl Commissioner STD, discusses traders issues

■ STATE TIMES NEWS

JAMMU: A delegation of office bearers of Chamber of Commerce & Industry (CCI) under the Presidentship of Arun Gupta called on Additional Commissioner State Taxes Department (STD) Namrata Dogra and discussed with her various issues confronting the Trade and Industry including the issue of unnecessary harassment of traders by enforcement wing of the State Taxes Department.

Arun Gupta told the Additional Commissioner that some officers of the Enforcement Wing of State Taxes Department are unnecessarily harassing and penalizing the traders due to technical mistakes.

Further, he said that the officers on duty are penalizing the traders on the pretext that the traders have not obtained GST Invoice in their name and have purchased the goods on cash memo.

In this matter, Arun Gupta also said that if a dealer is not getting a GST Invoice he is not applying for input tax.

It is our request that on these small bills there should be no penalty.

In some places, he said, the officials of the Enforcement Wing of checking each and every vehicle and even those who have invoice of below Rs. 30,000 are not being spared.

"As they have no proper



CCI delegation calling on Additional Commissioner STD, Namrata Dogra at Jammu.

GST invoice and they have only cash bills we are of the opinion that unnecessary harassment should be avoided," he said.

During interaction the matter of enhancement of time limit of e-way bills was discussed wherein Arun Gupta said that taking into consideration the climatic and the demographic conditions the parties whose e-way bill has expired should not be penalized rather they should be given time to explain the reason behind the delay.

Further sometimes the vehicles in which the goods are dispatched to some far-away places gets stranded due to mechanical fault and the party has to change the goods from one vehicle to another vehicle. The enforcement wing of the State Taxes Department should take lenient view rather than penalizing the concerned parties, he said.

Arun Gupta President CCI also brought into her

notice the matter relating to shop to shop checking by the State Taxes Department which is not acceptable as it will create undue panic and unnecessary harassment to the business community.

The Additional Commissioner assured the Chamber team that the official of the State Taxes Department shall visit the premises of the traders to check their registration certification only which should be displayed by the traders at a visible place of their business premises. There will be no harassment by the State Taxes Department to the members of the business community.

The others who accompanied the delegation include Anil Gupta, Sr. Vice President CCI, Rajeev Gupta, Jr. Vice President CCI, Manish Gupta, Secretary General CCI, Rajesh Gupta, Secretary CCI and Rajesh Gupta, Treasurer CCI.

National Lok Adalat held on pan-India basis across J&K

■ STATE TIMES NEWS

SRINAGAR: Under the aegis of National Legal Services Authority, the J&K Legal Services Authority on Saturday organized 2nd National Lok Adalat of the calendar year 2023 throughout the UT of J&K, under the zestful leadership of Justice N. Kotiswar Singh, Chief Justice, High Court of J&K and Ladakh & Patron-in-Chief, J&K Legal Services Authority, Justice Tashi Rabstan, Executive Chairman, J&K Legal Services Authority and also under the guidance of Justice Sindhu Sharma, Chairperson, High Court Legal Services Committee.

In order to boost amicable settlements amongst the parties in cases like MACT, Matrimonial disputes, cheque bounce under NI Act, Money recovery, etc., pre-Lok Adalat sittings and pre-counselling sessions were organized well before the date of National Lok Adalat so that the parties may get more chances for negotiation/dialogue with the opposite parties to arrive at a consensus.

Apart from that, webinars and virtual meetings were organized to sensitize the officers of Legal Services Authorities/Committees, Panel Lawyers and PLVs about the importance of Lok Adalat as a mode for Alternate Dispute Resolution.

Justice N. Kotiswar Singh, Chief Justice, High Court of J&K and Ladakh & Patron-in-Chief, J&K Legal Services Authority was received at Baramulla by Addl. District Judge alongwith other Judicial Officers and Deputy Commissioner as well as SSP Baramulla.

A Ceremonial Guard of



Justice Tashi Rabstan, Judge, High Court of J&K and Ladakh inaugurating the office of Legal Aid Defense Counsel at District Court Complex Bharderwah.

honour was accorded to Chief Justice before inauguration of the 2nd National Lok Adalat at District Court Complex, Baramulla. After inaugurating the Lok Adalat the Chief Justice inspected different benches constituted to have first-hand information about the cases being taken up for disposal in the said Lok Adalat.

Chief Justice on this occasion also delivered Cheques besides distributing Hearing Aids and Tricycles to the beneficiaries and urged upon the litigants to take maximum benefit of the Lok Adalat. Thereafter, the Chief Justice also visited Court Complex Uri where SDM Uri along with Sub Judge and other officers of police and Civil Administration received the Chief Justice who inspected the progress of Lok Adalat there also. Subsequently, the Chief Justice inaugurated an awareness programme on the Topic "Lok Adalat an effective tool of ADR Mechanism" at Govt. Degree College Uri and addressed the gathering educating them about the

benefits of Lok Adalat.

Likewise, Justice Tashi Rabstan, Judge, High Court of J&K and Ladakh and Executive Chairman, J&K Legal Services Authority visited District Court Complex, Bharderwah, where he was accorded a warm welcome by Pr. District & Sessions Judge, Bharderwah along with other judicial officers and Addl. SP Bharderwah.

Justice Tashi was given ceremonial guard of honour, where after, he inaugurated the office of Legal Aid Defense Counsel at District Court Complex Bharderwah. Taking stock of the progress of 2nd National Lok Adalat going on in the Court Complex Bharderwah, the Executive Chairman himself joined the Bench No.01 with PDJ Bharderwah to persuaded the parties entangled in a civil litigation from past 7 years to settle the dispute amicably in the Lok Adalat in order to preserve the family relations between them.

Justice Tashi also delivered cheques of awarded compensation to the beneficiaries present there. While interacting with the

Advocates and the litigant public, Justice Tashi urged them to take maximum benefit of the Lok Adalat in settling their disputes and said that settlement of matter in Lok Adalat leads to win-win situation for both the litigating parties.

Later, in the afternoon, Justice Tashi visited District Court Complex, Kishtwar, where a warm reception was accorded to Justice Tashi by the Judicial Officers, Advocates, officers of Police and Civil Administration including Pr. District & Sessions Judge, Deputy Commissioner and Addl. SP Kishtwar. The compensation money regarding the cases settled in the Lok Adalat was paid to the beneficiaries in shape of cheque on the spot.

As per the information received from different Legal Services Institutions of various districts of UT of J&K, out of a total number of 1,96,780 cases taken up by 144 Benches in the day long National Lok Adalat at various courts across the UT of J&K, 1,12,289 cases were disposed of and an amount of Rs. 58,10,98,054 /- was awarded as compensation/settlement amount in Motor Accident Claims, civil, criminal, labour disputes, Electricity and Water Bills cases, Land Acquisition, Family matters, cheque dishonour and Bank Recovery cases.

Member Secretary, J&K Legal Services Authority, Amit Kumar Gupta, while talking to media persons appreciated the efforts of all the Judicial Officers, Secretaries DLSA's, Advocates, staff of the district and tehsil courts as well as Legal Services Institutions besides litigants for their whole

hearted participation in the National Lok Adalat and playing an important role in settlement of cases.

He also highlighted the role of Para Legal Volunteers and the media, both print and electronic, in creating and spreading awareness amongst the masses regarding the initiatives of Legal Services Authority and about welfare schemes launched by the Govt. and Legal Services Authority. The 3rd National Lok Adalat is scheduled to be held on Saturday, September 09, 2023.

2nd National Lok Adalat of the year 2023 was held in District Jammu under the directions of Justice N. Kotiswar Singh, Chief Justice, High Court of J&K and Ladakh (Patron-in-Chief, J&K Legal Services Authority) and Justice Tashi Rabstan Executive Chairman, J&K Legal Services Authority. Total 24 benches were constituted in different courts to deal with the matters of Civil nature, criminal compoundable offences, 138 Negotiable Instruments Act, cases of petty offences, Motor Vehicle Act, Revenue cases, Land Compensation Act, etc. A total 30,325 cases were taken up by different benches out of which 29,074 cases were settled and an amount of Rs. 10,80,13,659 was also settled. One special bench of Revenue authorities was also constituted under the supervision of Deputy Commissioner Jammu Avny Lavasa and Collector Land Acquisition Act, to deal with the cases pertaining to Land Compensation. The bench settled 105 cases pertaining to Land Compensation and an amount of Rs. 1,19,26,928 crore was paid as compensation to different land owners.

Ambedkar focussed on powers resting in elected 'Legislature' but also with a check on elected leaders

■ DAYA SAGAR

To be specific, The 'uncoded' British Constitution where the head of the State, the King Emperor is only a nominal head of State with roots in the Monarchy of earlier times (may call Parliamentary Monarchy) and the head of Government is the Prime Minister, the British Parliament though comprises of the House of Lords and the House of Commons but the full unlimited constitutional authority rested in the House of Commons (an elected body) which could pass and enact any act/law/ amendment / addition in constitution.

The Constitution of United States of America has President as the Head of State as well as head of the Government where as the Parliament there comprises of two houses i. e. Senate and the House of Representatives. The house of representatives has to initiate all revenue bills and the senate must also confirm many major appointments made by the President.

On face of it, it is very difficult to

amend the constitution of US where as there is no constitutional restriction on the House of Commons of UK to enact any law and once passed by the House of Commons that is a law. In case an Act of the President of USA is not made through by the House of Representatives the President still stays as President and in case the President office is vacated before term/ is vacant the Vice President becomes the President till next President is elected.

Constitution of India emerged out of a well reasoned draft sketch which had taken the leads more particularly from the British Constitution and the Constitution of United States & the Government of India Act 1935 and the 'drip in wisdom' of drafting committee headed by Dr. Bhim Rao Ambedkar for giving to people of India a democratic republic.

The Constitution of India as adopted in 1949 although focussed on all the powers resting in the representatives elected by the common citizen of India but at the same time it also kept an

inherent check on the elected representatives /their elected leader to prevent them from unfairly curving the authority of common man as a unit of republic at any later date with President of India there as protector & defender of Constitution..

In the Indian Constitution the President of India is head of the State (Union) & part of Parliament along with the two houses of elected members (Sabha & Rajay Sabha) and Supreme Commander of the defence forces. President of India though was incorporated as an 'elected office' but he/she is elected peoples representative through indirect method of election i.e. voted by the members of Lok Sabha (elected by citizens of India directly), voted by the members Rajay Sabha (elected indirectly by citizens of India through their members in legislative Assemblies of States (elected by citizens directly) and the members of Legislative Assemblies of the States (elected by the citizens by



A Look through the Mist Part-II

direct election) The executive head of the Government is designated as Prime Minister who has to be leader of party / group that enjoyed the confidence of simple majority of total members in Lok Sabha and is appointed by the President.

A very typical and unique feature of the constitution of India that was drafted & adopted by the Constituent Assembly of India on 26 November 1949 has been that though The President of India for general legislative purposes / governance appeared like a nominal head of 'State' but he/she was in a way given the responsibility under oath to Protect & Defend the Constitution of India on oath { Art-60 of COI }. <Oath of affirmation by the President "I, A, B., do swear in the name of god/ solemnly affirm that I will faithfully execute the office 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." > Not only that although like US the Vice President of India can hold the office of the President during his/ her absence but the vacancy , if there, has to be ultimately filled by a fresh election with in prescribed time (6 months). No doubt in Art-74 of the 1st edition of COI it was provided that there will be council of ministers with Prime Minister as head to aid and advice the President but the president was not bound to accept the advice of the Council of Ministers. (Art-74 of the COI < (1) 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. (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> so the authority of the President to protect & defend the Constitution even by over ruling the elected government / parliament was

ultimate to some extent. So keeping in view principles enshrined in the constitution of India , the Constitution of India as adopted in 1949 could be rated as a very considerate and well meaning document that could be made by anyone with the resources in hand as could be there in 1949 to possibly give the people of India , that is Bharat, a meaningfully safe &rightful environment of in 'Independent Democratic Republic wherein although the power (in a way constituent power) to amend the constitution 'was' enshrined in Art-368 but that was/ is not / cannot be taken as ultimate by the Parliament which is slated for constitution every five years under the provisions of Constitution (1949). But the 42nd and 44th amendments made during '1975' days have not been fair to the office of president of India as protector and defender of Constitution.

(the author is a Sr Journalist & analyst of J&K Affairs. dayasagr45@yahoo.com).