

Nagapattinam oil spill: NGT orders CPCL to pay penalty of Rs 5 crore

■ STATE TIMES NEWS

CHENNAI: The National Green Tribunal (NGT) on Wednesday penalised CPCL over an oil spill in Tamil Nadu's Nagapattinam last year, and levied a penalty of Rs five crore on the IOCL group company.

"Whether the damage is man-made or natural, the hazards of it are known in crude oil transportation and such incidents underscore the justification for imposing no-fault liability," the NGT's Southern Zone Bench of Justice Pushpa Sathyanarayana, Judicial Member Dr Satyagopal Korlapati, an expert member; said.

The bench had taken up the matter on its own, based a media report.

"The leak was from a 9km-long 20-inch diameter pipeline from the Chennai Petroleum Corporation Limited (CPCL) Cauvery Basin Refinery (CBR) crude storage tanks at Nagapattinam to Karaikal Port," it was reported.

The NGT said that though it noted the stand of the Indian Coast Guard and the CPCL

that there was not much damage to seawater due to the oil spillage, the bench felt it appropriate to direct an investigation to ascertain whether any remedial measures were required.

Therefore, a joint committee comprising the Central Pollution Control Board, Tamil Nadu Pollution Control Board, District Magistrate of Nagapattinam, Indian National Centre for Ocean Information Services (INCOIS) and National Centre for Sustainable Coastal Management (NCSCM) was constituted.

Based on the reports of the various experts, the committee noted that no crude oil spill was observed, the visual observation of the shoreline was clean and no fish deaths were reported due to the incident, the NGT bench said.

The counsel appearing for TNPCB stated that as per the spill pattern, 10,000 litres of oil had leaked, whereas only 9,000 litres were removed or recovered.

"The CPCL has not accounted for 1,200 litres which has

either mixed with the seawater or sand. These kinds of incidents/accidents are prone to occur in future also. Merely because the reports of the various institutions have given a no-impact report, the CPCL cannot be absolved of its liability. Even though the leakage in the pipeline happened not because of the negligence or mistake of the CPCL, but only due to an external force, the CPCL is liable," the bench noted.

The environmental law has seen a significant shift from fault-based to no-fault liability principles. This transition aims to address inherent challenges in holding polluters accountable for certain exceptions relating to reasonable case, third party risks, and victim negligence, the bench said.

The applicability of no-fault liability in cases involving hazardous materials like crude oil serves a dual purpose, as it upholds the duty of care for entities in control of such materials even in the absence of proven negligence, it added.

"Secondly, it ensures that

compensation is commensurate with the actual damages occurred. This theory is not new to the legal system, as several countries, including United States of America, has the Comprehensive Environmental Response, Compensation and Liability Act, 1980 commonly known as 'Superfund' to address the cleanup of hazardous waste sites and respond to environmental emergencies involving pollutants and contaminants," the bench noted.

"Therefore, we hold that the CPCL is to be subjected to the principle of no-fault liability, and impose a penalty for improvement of the environment and health of the people of the (Nagapattinam) district," it said.

Holding CPCL liable for the incident, the NGT directed it to pay an amount of Rs five crore within a period of two months and said that it should be deposited with the TNPCB.

"The said amount collected should be utilised for improvement of the environment and health of the people of the district," it ruled.

Kejriwal says wife Sunita has no interest in politics, will not contest elections in future



■ STATE TIMES NEWS

NEW DELHI: Delhi Chief Minister Arvind Kejriwal made it clear on Wednesday that his wife Sunita is not likely to contest elections in the future, saying she has no interest in active politics even though she came out aggressively in public after his arrest.

In an interview to PTI, Kejriwal spoke at length on a variety of subjects, including the "humiliation" he suffered during his incarceration, accusations against

him, what his family is going through and the prospects of the opposition INDIA bloc in the 2024 Lok Sabha elections.

"In every stage of my life, Sunita has supported me. I am fortunate to have a partner like her. To tolerate an eccentric person like me is not easy," Kejriwal said.

He recalled that in 2000 he took leave from his job as an income tax commissioner to work in Delhi's slums, and then resigned to devote himself full time to the

social work.

"At that time I had no inkling that I would become a chief minister or set up a party, contest elections. I was just driven and worked for 10 years. Even then she supported me. Think what she must have gone through then!" he said.

Kejriwal was arrested on March 21 in connection with a money laundering case and alleged irregularities linked to the Delhi government's liquor excise policy from 2001 to 2002. He was released on interim bail on May 10 to campaign for his Aam Aadmi Party in the ongoing general elections.

Soon after he was arrested, Sunita Kejriwal, also a former income tax officer, took the political centre stage of the party. She read out Kejriwal's message from jail, conducted road shows

and gave speeches at opposition rallies.

Asked if she will continue her political role, Kejriwal replied, "When I was arrested, she was a bridge between me and Delhi's residents. It was a temporary phase. She has no interest in active politics. In future also, it is not like she will contest elections."

On whether Sunita Kejriwal will continue his work once he is back in jail, the chief minister answered, "We will approach court to be provided facilities in jail so that I can continue my work as chief minister of Delhi."

Kejriwal described his wife as a brave and strong woman, adding his two children are also becoming strong and brave.

Such allegations not in good taste: BJP on Mehbooba's remarks against Apni Party

■ STATE TIMES NEWS

MENDHAR/POONCH: Jammu and Kashmir BJP president Ravinder Raina on Wednesday hit out at PDP chief Mehbooba Mufti for her "Hawala money from Pakistan" barb at the Apni Party, saying it is better to fight elections by propagating "your party agenda and policies" rather than making "bitter" comments.

The Altaf Bukhari-led Apni Party, which is being supported by the BJP, has fielded Zafar Iqbal Khan Manhas from the Anantnag-Rajouri parliamentary constituency against Mehbooba and National Conference leader Mian Altaf. Bukhari, a former PDP leader, was expelled from the party in January 2019.

In a veiled attack on Bukhari and the Apni Party, Mehbooba, a former J-K chief minister, on Wednesday alleged that the BJP is supporting a party which has been involved in Hawala money pumped in from Pakistan to fund militancy in Kashmir.

She made the remarks while talking to reporters in Poonch district, which falls in the Lok Sabha seat that goes to polls on May 25 in the sixth round of the general elections.

"I respect Mehbooba and everyone else. Such allegations by her are not in good taste. Opposing one another on the political turf should be on the basis of agenda, manifesto and election programmes," Raina told reporters in Mendhar in Poonch district.

The BJP leader was canvassing for Apni Party's Manhas. Besides him, Mehbooba and Mian Altaf, there 17 others in the fray from the south Kashmir seat.

Referring to the PDP-BJP coalition government between 2015 and 2018, Raina said Mehbooba was a part of it.

National Conference vice president Omar Abdullah was a foreign minister in the Atal Bihari Vajpayee-led BJP government between July 2001 to December 2002, he said.

"There is no bitterness in politics. The showdown between rival parties is imperative and everyone should try to win elections but we should not reach the level of enmity," Raina said.

He said that "it is better to propagate your party agenda, policies and past performances of your government among the people and let them decide whom to vote for".

The BJP leader said Prime Minister

Narendra Modi took over in 2014 and worked for the welfare of every section of society under the slogan of "Sabka Saath, Sabka Vikas and Sabka Vishwas".

"Jammu and Kashmir tasted peace, progress and prosperity. There was a time when Lal Chowk (city centre in Srinagar) used to shut down at 4 pm daily but now normal activities continue till 2 am in the night. Modi also ensured justice to deprived sections," he said.

Raina expressed confidence in the Modi-led government returning to power for a third term and said "we are supporting a candidate who wins from here (Anantnag-Rajouri) and extending support to Modi so that the development of the region continues without any hindrance."

He also thanked the people of Srinagar and Baramulla for registering record-breaking turnouts of 38 and 58 per cent on May 13 and 20, respectively, and said "this is a beginning of new Kashmir where people have faith in democracy."

"The bumper voting turnout will be reflected in the Anantnag-Rajouri seat as well to strengthen peace," Raina said.

HC scraps OBC status of several classes in Bengal; benefits obtained already not to be affected

■ STATE TIMES NEWS

KOLKATA: The Calcutta High Court on Wednesday struck down the OBC status of several classes in West Bengal granted since 2010, finding such reservations to vacancies in services and posts in the state are illegal.

Passing judgment on petitions challenging the provisions of the Act, the court clarified that the services of citizens of the struck-down classes, who are already in service or have availed the benefit of reservation or have succeeded in any selection process of the state will not be affected by the order.

The number of enlisted persons under OBC in West Bengal after 2010 is likely to be above five lakhs, one of the lawyers representing the petitioners said.

The court struck down several classes for reservation as Other

Backward Classes (OBC) given under The West Bengal Backward Classes (Other than Scheduled Castes and Scheduled Tribes) (Reservation of Vacancies in Services and Posts) Act, 2012. The bench directed that the state's executive orders classifying several other classes as OBCs from March 5, 2010, to May 11, 2012, were also quashed, in view of the illegality of the reports recommending such classification.

The court said that the directions will be given prospective effect.

In the judgement, the division bench comprising justices Tapabrata Chakraborty and Rajasekhar Mantha clarified that the executive orders of the state government classifying 66 classes of OBC before 2010 were not interfered with, since these were not challenged in the

petitions.

A clause in the 2012 Act allowing inclusion of classes for OBC reservation by the state government through notification in the official gazette was also struck down.

Setting aside a provision in the Act of 2012 for distribution of percentage of reservation to the sub-classified classes, the court said, "sub-classified classes listed in two categories, namely OBC-A and OBC-B, are struck down from schedule 1 of the Act of 2012."

The bench said that the opinion and advice of the Backward Classes Commission is ordinarily binding on the state legislature under provisions of the West Bengal Commission for Backward Classes Act, 1993.

The court directed the Backward Classes Welfare Department of the state, in con-

sultation with the Commission, to place a report before the legislature with recommendations for inclusion of new classes or for exclusion of remaining classes in the state list of OBCs.

Concurring with the judgment penned by Justice Mantha, Justice Chakraborty observed, "The concept of equality of opportunity in public employment concerns an individual, whether that individual belongs to the general category or backward class." He said, "The society at large has a stake in proper application of the yardsticks pertaining to reservation."

Strict adherence to the rule of law is to be ensured and the same cannot be allowed to be flouted in the hands of the executives, he said.

A prayer by the state for a stay of the order was rejected by the bench.

Act, 1927 has been registered in this regard and further proceeding for confiscation of illegal timber/fuelwood under Sec-52 of the said Act are underway in the Court of Authorised Officer, (Divisional Forest Officer) Kathua. The team comprising of FPP officials and Territorial Forest staff of Block Mastgarh, was headed by Shiv Kumar Block Officer Mastgarh .

Pertinent to mention that the tendency of some unscrupulous elements to smuggle the timber/fuelwood outside the limit of UT of J&K is on an inclining trend which has been banned by Hon'ble Supreme Court's direction in writ petition (Civil) No:- 171/96 Judgement on dated 12/12/1996 and all out efforts are being put earnestly by available staff of Kathua Forest Division assiduously to curb the same.

Police's cyber cell solves online financial fraud amounting to Rs 1,98,000

■ STATE TIMES NEWS

JAMMU: Cyber Cell of DPO Jammu solved two separate online cyber crime complaints.

A complaint was received regarding financial fraud of Rs 1,37,000/-.The complainant joined a telegram page and was given task for review on Hotels and restaurants.Victim invested money and at last victim was removed from telegram group.

One complaint was received regarding financial fraud in which the complainant received a call from Jio customer care and asked for KYC of sim card and defrauded an amount of ₹61,000.

During the investigation, the Cyber Cell DPO Jammu, acted swiftly and exhibited hectic efforts which ultimately led to put on hold an amount of Rs 1,91,000 out of 1,98,000 in these two separate online cyber crime complaints . Further investigation is underway.

District Police Jammu, equipped with advanced technology and skilled personnel, remains at the forefront in the fight against cybercriminals.

Absconder evading arrest since 2022 apprehended

■ STATE TIMES NEWS

RAMBAN: Jammu and Kashmir Police apprehended an absconder in District Ramban.

SSP Ramban constituted special police teams to apprehend the absconders wanted in various cases. The dedicated police team apprehended an absconder wanted in an FIR of Police Station Batote. A case FIR No. 73/2022, U/S 188 IPC of Police Station Batote, was registered against Muntaz Ahmed son of Bashir Ahmed resident of Dani Baktha District Kathua. The accused , after the commission of the offense, was absconding and evading his arrest with a motive to avoid legal proceedings. A General Warrant of Arrest against the above named accused was issued by the Hon'ble Court of JMJC Batote on 19.12. 2022.The Police team of PS Batote headed by SHO Batote after hectic efforts, apprehended the absconder named above and produced him before the Court at Batote.



Crackdown on illegal mining, 5 vehicles seized

■ STATE TIMES NEWS

JAMMU: In a drive against illegal mining and to tighten noose against the violators, Jammu Police has initiated strict action against the criminals involved in illegal mining & mining money out of the public resources.

In a surprise operation which was carried out at different locations in Rural zone of District Jammu.

Border police post Sandwan detained one Dumper bearing registration no JK02CX-0930 Pound loaded with sand, since driver was without Form A, hence the said vehicle was detained.

Border police post Gajansoo detained Two Dumpers bearing Reg. No. JK02CU/8206 & JK02CX/6811 loaded with Tawi sand, since driver was without Form A.

Police station Nagrota detained two tractor trollies. 1. Tractor Trolley bearing Chassis number MBNAK48ACRTD27983, Engine number CJ.1354/AD001079, 2. Tractor Trolley bearing chassis number. MBNGAALDBNRJ04603, Engine number RNJ2GCA5459 found loaded with Sand and without Form-A.

After detaining of these vehicles District Mining Officer was informed for necessary legal actions.

While giving the details SP RuralJammu, conveyed that Jammu Police is commit-

ted for protecting the public property and to eradicate the menace illegal mining in the area.

HC upholds PSA of OGW

■ STATE TIMES NEWS

JAMMU: Justice Puneet Gupta of Jammu & Kashmir and Ladakh High Court today upheld the detention under PSA of Murtaza Munawar who is an alleged Over Ground Worker of banned Terrorist Organizations.

The petitioner has challenged the detention order No.62/DMP/PSA/22 dated June 29, 2022, passed under Public Safety Act, 1978 by the respondent No.2 on the ground that the petitioner is acting in a manner prejudicial to the security of the State.

The perusal of the detention order and the grounds mentioned in the same reveal that the respondent No.2-District Magistrate, Pulwama has purportedly relied upon the dossier provided by the SSP Pulwama. It is mentioned in the detention order that the petitioner is associated with various banned terrorist organizations and exploiting the religious sentiments of the people of the area and exhorting them to indulge in activities to the prejudice to the security of the State. The petitioner is extending logistic support to the terrorists as well as Over Ground Worker (OGW) of a banned terrorist organization. The petitioner was on the forefront of violent mobs, who were pelting stones on security forces are also mentioned in the detention order. The associate of the petitioner are active in the area and could influence the petitioner for joining the militancy.

Court after hearing both the sides observed that If the respondent No.2 has taken into consideration the report of the SSP of the concerned area and thereafter made its own opinion for passing the detention order no illegality can be found in it. The subjective satisfaction of the respondent No.2 cannot be questioned by the Court in the present petition as the subjective satisfaction recorded cannot be said to be completely unjust and unfounded. It cannot be said that the grounds mentioned in the detention order are vague and un-specific. It is trite proposition of law that the satisfaction recorded by the detaining authority is normally not to be assessed and analyzed as if the court is sitting in appeal while deciding the same. The constitutional court at the same time not debarred from lifting the veil if the court is apparently of the view after going through the detention order that it requires interference from the court.

Court further observed that Supreme Court of India in titled Union of India and another Vs. Dimple Happy Dhakad, wherein it has been held that the duty of the court to safeguard any against encroachment on the life and liberty individuals but at the same time the authorities who discharged functions under law the same should not be interfered without justification. The detention order has stated of the activities of the petitioner which affect the security of the nation. The argument raised of the ambiguity of the allegations in the detention order is rejected. It is specifically mentioned in the detention that he is over ground worker of banned terrorist organizations, exhorting the youth to join the terrorist activities and was part of mobs which pelted stones on security forces and enchanted anti national slogans during funeral procession of terrorists.

Court observed that the grounds agitated by the counsel for the petitioner to quash the detention order are without merit. The petition is, accordingly, dismissed.

Murder accused, absconder evading arrest from last 9 years arrested

■ STATE TIMES NEWS

MIRAN SAHIB: J&K Police in Jammu District succeeded in arresting an absconder who was evading his arrest for the past 9 years, the arrested person has been identified as Mohd. Mussa, son of Saraj Din, resident of Dak Banglow Maralian

It is pertinent to mention that he was involved in case FIR No. 56/2015 U/S 302/307/452 RPC of Police Station Kud.

The police team of Police Station Miran Sahib got some vital clues regarding this absconder and his whereabouts yesterday, there after the team led by SHO Police Station Miran Sahab apprehended the accused, who was later on handed over to the police team of Police Station Kud, District Udhampur.



CRIME REPORT

Three shops gutted in mysterious fire at Thathri

■ STATE TIMES NEWS

BHADARWAH: In tragic incident, three shops gutted in main market of Thathri in District Doda on Wednesday evening, said a police officer:

While confirming the fire incident, SDPO Bhaderwah Wasim Hamdani said that fire broke out in three shops in main market of Thathri in evening.

"Police team along with Fire tenders immediately rushed to the spot and with the help of locals controlled the fire from spreading to adjoining structures," SDPO added, saying that as of now Fire is under control and there is no loss of life reported in the incident.

The shops including a mobile shop of Adnan Zargar, son of Akther Hussain Zargar, resident of Jangalwar, Sweet Shop of Naresh Sharma, son of Des Raj, resident of Badanoo and Shah Furnishing shop of Zubair Alam Shah, son of o Abdul Hafiz Shah, resident of Phagsoo At main market Thathri.

2 bovine smugglers arrested, 12 bovines rescued

■ STATE TIMES NEWS

SAMBHA: Intensifying its drive against bovine smugglers and their propagators, Police has foiled bovine smuggling attempt in the jurisdiction of Police Station Samba, arrested two bovine smugglers and rescued twelve bovines from the clutches of bovine smugglers.

A police party of Police Post Mansar headed by Incharge Police Post Mansar has successfully foiled bovine smuggling attempt, arrested two bovine smugglers and rescued twelve bovines which were being smuggled by foot via Mansar-Surinsar road. All the rescued bovines have been shifted to safer place.

The arrested bovine smugglers have been identified as Abdul Majid, son of Babu Din, resident of Seuna tehsil Chenanidistrict Udhampur and Qayoom, son of Feroz Din, resident of Korga tehsil Dunsaldistrict Jammu.

A case FIR No. 144/2024 U/S 188 IPC has been registered at Police Station Samba and investigation started.

Forest Div. Kathua seizes illegal timber loaded truck

■ STATE TIMES NEWS

KATHUA : Truck loaded with illegally extracted timber/firewood seized by Jasrota Forest Range of Kathua Forest Division Range Jastota yesterday late night.

According to reports whole operation was successfully carried out under the overall supervision of Dr. Rajan Singh, DFO Kathua & closely monitored by Rakesh Sharma, Range Officer Jasrota on fateful night. With a view to abate imminent peril to Environment and Ecology owing to haphazard felling of green trees from private lands and subsequent smuggling of extracted stuff to outside the UT of J&K , a Joint naka was laid at Anna Danga Forest check post of Jasrota Range consisting of officials of Territorial Forest and Forest Protection Force , on a specific tip off on the intervening night of 21-22. May 2024 which yielded productive outcome by apprehending and seized a truck bearing registration no:- HP387F -9696 which clandestinely was transporting timber/fuelwood of Bombax spp. (Simbal) and Syzygium Spp. (jammun) under a counterfeited NOC generated through NTPS showing the loaded stuff to be of Eucalyptus(Spp.) which is an exempted entity under J&K Forest Produce Transit Rules-2020, A case under relevant Section (s) of the Indian Forest

