

STATE TIMES NEWS

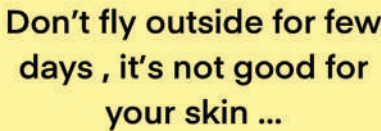
The visit commenced with a warm welcome by Prof. B.S. Sahay, Director of IIM Jammu, who accompanied Kewal Kumar Sharma on the campus tour.



Kewal Sharma was briefed on the various academic and infrastructural advancements that the institute has achieved in recent years.

Kewal Kumar Sharma mentioned, "It is a pleasure to visit IIM Jammu and witness the impressive infrastructure and academic environment. The institute's commitment to excellence is evident in every aspect of the campus. I am confident that IIM

Prof. Sahay mentioned "We are happy to have Kewal Kumar Sharma visit our campus today. His vast experience and insights are invaluable to us. The state-of-the-art facilities at IIM Jammu are designed to provide our students with the best possible environment for learning and development. We are committed to fostering an academic culture that promotes excellence and innovation."



Additional District Magistrate Ansuya Jamwal chairing a meeting.

STATE TIMES NEWS

Speaking at the meeting, Ansuva Jamwal emphasised the importance of preparation and general awareness about disaster management among the members of society. "We should foresee any and all prospective calamities and pre-

Deputy Controller Civil Defence Jammu Anita Pawar, Dy SP provided valuable insights during the meeting. She highlighted the necessity of preparedness in case of disaster, which involves regular reviews of required measures, periodic mock exercises to ensure efficiency and effectiveness and a clear understanding of the risks involved. She emphasised the need for simple,

The meeting was attended by the Director of Fire & Emergency Services, Superintending Engineers of PWD, ARTO, District Social Welfare Officer and other stakeholders.

STATE TIMES NEWS

The event was also graced by Central Council Members, ICAI, CA Durgesh Kabra, CA (Dr.) Sanjeev Kumar Singhal,



CA Priya Seht, Secretary of the J&K Branch, CA. Khateeb Yousaf, Convener and CA. Mujtaba Joo Deputy Convenor of the Kashmir CPE Chapter, conducted the proceedings.

Both sessions significantly contributed to the attendees' understanding of cru-

Participants of five-day Crash Course posing with senior police officers at closing ceremony.

The crash course was organized under the directives of the Police Headquarters J&K, the primary objective of this course

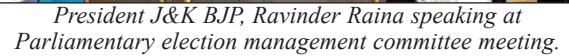
SSP Jammu underscored the significance of familiarizing oneself with all three new Criminal Laws, namely Bharatiya Nyaya Sanhita-2023 (BNS), Bharatiya Nagarik Suraksha Sanhita-2023 (BNSS), and Bharatiya Sakshya Adhiniyam-2023 (BSA), stressing their crucial role in enhancing law enforcement

District Police Jammu is committed to foster continuous learning and professional development among its personnel to ensure the highest standards of service delivery and community policing.

STATE TIMES NEWS

Ravinder Raina, President, J&K BJP, chaired the meeting, while he, along with Ashok Koul, General Secretary (organization), J&K BJP, discussed and sought detailed reporting about the Parliament election 2024 from the State Incharges of various departments under BJP State Election Management Committee.

Tarun Chugh, National General Secretary BJP & Prabhari of J&K BJP also addressed the meeting through virtual mode.



Dy. CM, Cluster Incharge
for
Parliamentary
Constituencies of Jammu &
Kashmir, Shamsher Singh
Manhas, former MP (Rajya
Sabha), Sunil Sharma,
General Secretary J&KK
BJP. Adv. Vibodh Gupta,
General Secretary J&KK
BJP, Dr. Devinder Kumar
Manyal, General Secretary

J&K BJP & State Convenor
J&K BJP Parliament
Election Management
Committee also addressed
the meeting.
Pawan Khajuria, Vice-
President J&K BJP & Co-
convenor J&K BJPP
Parliament Election
Management Committee
coordinated the proceedings.

He said that the party cadre worked relentlessly which will result into the massive win of the party on both the Parliament seats contested by BJP in

Later in the evening, a review meeting of the J a m m u - R e a s Parliamentary Constituency was also held, which was addressed by Ravinder Raina, Ashok Koul, Jugal Kishore Sharma, Sunil Sharma, Balwant Singh Mankotia, Chander Mohan Gupta and Bharat Bhushan.

Institution of President as Preserver Protector Defender of COI weakened after Art-74 was amended during 1970s Emergency

Amendments made to Art-74 through 42nd and 44rth CAAs are not fair to the spirits of Oath enshrined in Art-80 of COI

Team Ambedkar provided checks & balances on Elected Leadership going Undemocratic/ Autocratic

With President as Head of State' & Prime Minister as head of Govt. all actions are taken in name of President

President of India is designated on Oath as Preserver, Protector and Defender of Constitution.

DAYA SAGAR

Article 368 of the Constitution 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 Supreme Court can go for checks through reviews and has at occasions acted for suitable checks on legislative enthusiasm since independence. It has been only in that context, with the intention of preserving the

original ideals of the visionary constitution-makers enshrined there in, that the Supreme Court of India laid down in 1973 (through the Judgment 13 judge Constitution Bench in The Kesavananda Bharati judgment (Kesavananda Bharati Sripadagalavaru etc. v. State of Kerala and another etc. Writ Petitions Nos.135/70, 351-52/-73-74 and L±UO of 1972 , delivered on 24 April 1973) that Article 368 cannot be used by Parliament to amend the constitution so as to distort, damage or alter the basic features of the Constitution under the pretext of amending it. 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 Kesavananda Bharati case in 1973 as something like commonly understood as Doctrine of Basic Structure . But supreme court has in a way reserved the jurisdiction to 'self' to name the elements of basic structure



been amended 105 times by Parliament of India using constituent power resting in Art -368 . Some of the amendments have been made to explicitly project the spirits/principles enshrined in the hearts' of constitution like the insertions made in the text of the Preamble { using/substituting "Sovereign Socialist Secular Democratic Republic" by Forty-second Amendment Act, 1976, s.2, for "Sovereign Democratic Republic" (w.e.f. 3-1-1977). And using expression/ substituting "unity and integrity of the Nation " by s.2, *ibid.*, for "Unity of the Nation" (w.e.f. 3-1-1977) by making insertions } and some of the amendments have been made keeping in view implementation of welfare intentions laid down in some articles of the constitution/ directive principles / fundamental rights / like as through Constitution first the Constitution (First Amendment) Act, 1951 June 18 1951 where under Art 15,Art 19, Art

The substitutions made in the text of Preamble of Constitution of India have been very much within the powers of Parliament as laid in Art 368 of COI since the concerned section of the 42nd amendment Act of 1976 have very much within the doctrine of basic structure of COI as professed in The 13 Judge - Bench Judgment of the Supreme Court of India delivered on 24 April 1973 in Kesavananda Bharati Vs State of Kerala (His Holiness Kesavananda Bharati Sripadagalavaru etc. v. State of Kerala and another etc. had held that Parliament has powers to amend the Constitution using Art-368 but the Parliament cannot go beyond disturbing the basic structure of the Constitution of India and all amendments made to constitution are subject to judicial review).

Even Art 368 has been amended after

1950 like, < Constitution (Twenty-fourth Amendment) Act, 1971 s3 where under "Procedure for amendment of the Constitution" was substituted with the text Power of Parliament to amend the Constitution and procedure therefor (w.e.f. 5-11-1971; Clause-1 inserted by s3; Art. 368 re-numbered as cl. (2) thereof by s. 3, ibid. w.e.f. 5-11-1971; Clause -3 was added " Nothing in article 13 shall apply to any amendment made under this Article " inserted by the Constitution (Twenty-fourth Amendment) Act, 1971, s. 3 (w.e.f. 5-11-1971) ; vide s 55 of the Constitution (Forty-second Amendment) Act, 1976, s. 55 (w.e.f. 3-1-1977) ; Section 4 { No amendment of this Constitution (including the provisions of Part III) made or purporting to have been made under this article [whether before or after the commencement of section 55 of the Constitution (Forty-second Amendment) Act, 1976] shall be called in question in any court on any ground and Section-5 (For the removal of doubts, it is hereby declared that there shall be no limitation whatever on the constituent power of Parliament to amend by way of addition,

Elders who drafted the constitution of India were conscious enough that those who get elected for a term and constitute the two houses of Parliament of which President of India is also a part may in their wisdom "accidentally" operate upon the constitution through Art-368 or conduct the affairs of the State in a way that may not be in the spirits of the basic structure / common welfare intentions/ democratic parliamentary system and hence there may arise need for preserving , protecting and defending the COI even from two elected houses & may be from the "Executive" too. So has been installed in COI the President on oath under Art 60 to preserve, protect & defend the Constitution.

To be continued

(The writer is Sr Journalist, social activist and analyst J&K affairs).