

!! Continuations from Page 1 !! Thousands of dauntless...

Lieutenant Governor Manoj Sinha, Union Minister of State for Ayush (Independent Charge) and Minister of State in the Ministry of Health and Family Welfare Prataprao Jadhav, along with other dignitaries.

Lieutenant Governor Manoj Sinha expressed his gratitude to the Prime Minister for selecting Jammu and Kashmir, particularly Srinagar, as the venue for the 10th International Yoga Day main event. He mentioned that this event has brought a new perspective to the development journey of the Union Territory.

The Lieutenant Governor commended PM's efforts in promoting Yoga on an international level, stating that Yoga embodies the spirit of VasudhaivaKutumbakam. He emphasised the significance of this year's theme, highlighting the importance of individuals protecting and supporting each other. He quoted Puman Pumansam ParipatuVishwatah' and 'VyashemDevahitamYadayu' to stress the importance of charity and unity among humanity. Referring to Maharishi Patanjali's teachings, he emphasised on the unity of body and mind in Yoga practice. He concluded by acknowledging the global impact of PM's vision of 'One Earth One Health' and expressed his appreciation for the Prime Minister's efforts in restoring the ancient glory of Jammu and Kashmir over the past decade.

In his welcome address, Union Ayush Minister Prataprao Jadhav extended his congratulations to the citizens on International Yoga Day and expressed his delight in addressing the Yoga enthusiasts in Srinagar. "The Yoga Yatra, initiated in 2015 under the leadership of the Prime Minister, has been progressing with ever increasing enthusiasms without any interruptions," he observed. He said that the theme for this year, "Yoga for Self and Society," effectively showcases the transformative influence of Yoga. Yoga serves as a unifying force across all segments of society, injecting vitality into the community. Not only does Yoga contribute to our physical, mental, and spiritual well-being, but also it fosters unity and welfare within society. Furthermore, Yoga aids in boosting our confidence and morale. The Minister expressed his joy regarding the new initiatives launched on Yoga Day 2024, labelling it as a distinctive global occasion. He encouraged everyone to incorporate yoga into their daily routines, emphasising the importance of integrating yoga into our lives for personal and societal benefits.

The entire nation celebrated this year's ceremony with immense joy and enthusiasm. This year, the International Day of Yoga (IDY) is hosting various events, including the "Yoga for Space" initiative, which is being supported by the Indian Space Research Organization (ISRO). The program, which focusses on the practice of Common Yoga Protocol (CYP), was conducted simultaneously at all ISRO centres and units. Additionally, the team involved in the Gaganyaan project actively took part in the program.

Various embassies and Indian missions around the world also celebrated IDY, highlighting the extensive reach of yoga.

The CCRYN, under the Ministry of Ayush, in collaboration with PGIMER, Chandigarh, has been recognized by the Asia Book of Records for involving the highest number of healthcare professionals performing Common Yoga Protocol in IDY 2024.

The Ministry of Ayush in Delhi has collaborated with NDMC, ASI, and DDA to organise large-scale yoga events. In order to engage a wider audience, the Ministry of Ayush has introduced various competitions and activities, such as the "Yoga with Family" Video Contest in partnership with the Indian Council for Cultural Relations (ICCR) on the MyGov and MyBharat platforms. This contest aims to inspire families worldwide to demonstrate the joy of yoga and strengthen familial bonds. Submissions for this contest must be made by June 30, 2024.

Participants in the #YogaWithFamily Video Contest have the opportunity to win exciting prizes while promoting the message of health and unity through yoga. Notable hashtags for the event include #InternationalDayofYoga2024, #YogaForSelfAndSociety, #YogaWithFamily, and #IDY2024. Individuals from all corners of the globe are encouraged to utilise these hashtags and join in this global celebration of yoga.

Govt orders inquiry...

Jammu Municipal Corporation, shall be the Presenting Officer in the case." it stated and added, "The Inquiry Officer shall submit the report within a period of 15 days from the date of issuance of this order."

Delayed revaluation results...

with the students because of the incompetence of the staff engaged with examinations. "It would not have been too much for the concerned staff to prepare and issue the result notification of re-evaluated papers before the issue of the date sheet on June 12, 2024", some of the aggrieved students said while questioning the motivation behind deliberate delay.

NEET row: SC...

Priyanka Gandhi Vadra launched a scathing attack on the government, saying the issue has become a national problem under the BJP rule which has "ruined the future" of crores of youth.

The protests came a day after Pradhan ruled out any immediate action towards cancelling the NEET, saying the government cannot jeopardise careers of lakhs of students who cleared the exam rightfully because of isolated incidents of malpractices.

According to NTA officials, the re-exam for 1,563 candidates scheduled on Sunday would be conducted at seven centres.

"While all other examination centres have changed, one centre in Chandigarh, where only two candidates will appear, will remain the same. Besides, officials from the agency and Union education ministry will also be present at these centres. The step has been taken to ensure smooth conduct of the re-exam," a senior NTA official added.

Assembly Polls: ECI...

becoming the prime minister for the third consecutive term, Modi emphasised the importance of enabling the people of Jammu and Kashmir to elect their representatives for the assembly.

"Witnessing the huge participation of the people of Jammu and Kashmir in the recently concluded Lok Sabha elections, the Commission has also directed for the updation of electoral rolls in the UT with July 1, 2024 as the qualifying date," the poll authority said.

In an indication that assembly polls in Jammu and Kashmir are imminent, the Election Commission had on June 7 said it has decided to accept applications seeking allotment of 'common symbols' from registered unrecognised parties in the Union Territory with immediate effect.

An official had explained that under Para 10 B of the Election Symbols (Reservation & Allotment) Order, 1968, any registered unrecognised political party can apply for a 'common symbol' six months prior to the end of the term of a House.

But since no assembly is functional in Jammu and Kashmir, the EC has issued a press statement inviting applications for symbols.

While recognised national and state parties have their 'reserved symbols', registered unrecognised parties have to apply for one to field candidates. When free symbols are allocated to unrecognised parties, the returning officer allocates the remaining unclaimed symbols to Independents "on the spot".

Enthusied by the voter participation in Jammu and Kashmir in the just-held Lok Sabha polls, Chief Election Commissioner Rajiv Kumar had recently told PTI that the poll panel will "very soon" initiate the process of holding assembly polls in the Union Territory. While announcing the schedule for the Lok Sabha elections in March, Kumar said holding assembly and parliamentary elections simultaneously was not practical due to logistical and security reasons.

Whenever assembly elections are held in Jammu and Kashmir, they will be the first since the August 2019 abrogation of Article 370 of the Constitution and the bifurcation of Jammu and Kashmir into two Union Territories.

The electoral exercise in Jammu and Kashmir is usually spread over a month.

Following a delimitation exercise, the number of assembly seats has gone up from 83 to 90, excluding those allocated to Pakistan-occupied Kashmir.

In December, the Supreme Court directed the poll panel to hold assembly elections in Jammu and Kashmir by September 30.

The EC said pre-updation activities will begin from June 25 to set up or rationalise polling stations at locations most convenient to electors in group housing societies, slums, city outgrowths and rural areas.

Three held for...

personnel and two policemen. Police have arrested "terror associates" Sadar Wani, Mubashir and Sajjad, all residents of Draman village in Tanta Panchayat of the Gandoh Sub Division, the Doda SSP said.

They provided food and logistics to Pakistani terrorists in exchange for money, Iqbal said. He said two terrorist groups are responsible for the Chattergalla and Kota Top attacks.

Without Legal Aid...

High Court of J&K and Ladakh and Patron-in Chief, J&K and Ladakh Legal

Services Authorities.

Justice Tashi Rabstan, Judge, High Court of Jammu & Kashmir and Ladakh and Executive Chairman, J&K Legal Services Authority along with Justice Atul Sreedharan, Judge, High Court of J&K and Ladakh and Executive Chairman, Ladakh Legal Services Authority and Justice Sanjeev Kumar; Judge, High Court of J&K and Ladakh and Chairperson, Governing Committee, J&K Judicial Academy were the guests of honour.

Other Judges of the High Court of J&K and Ladakh who were also present physically and virtually include Justice Sindhu Sharma, Justice Rajnesh Oswal, Justice V.C. Koul, Justice Sanjay Dhar, Justice Puneet Gupta, Justice Javed Iqbal Wani, Justice Mohammad Akram Chowdhary, Justice Rahul Bharti, Justice Moksha Khajuria Kazmi, Justice Wasim Sadiq Nargal, Justice Rajesh Sekhri and Justice Mohd. Yousuf Wani.

The Conference was split into two sessions, first session focused on interaction of Justice Khanna with the Judges of High Court and district judiciary of UT of J&K and Ladakh and the second session dealt with the working of Legal Services Institutions in the UTs of J&K and Ladakh.

In his presidential address Justice Khanna highlighted the role of District Judiciary in coming to the rescue of poor litigants as they are the first point of contact to them for resolution of their issues and have direct connect with people at the grass root level. He further said that there is a misconception in the district judiciary regarding their powers in upholding the constitutional rights of a citizen.

Justice Khanna emphasized that confidence reposed by the society in the Indian Judicial system is only because of fair and impartial approach adopted by the judges of district judiciary while dispensing justice which needs to be strengthened further.

Commenting upon the working of legal services institutions Justice Khanna said that no where in the world, such a robust system exists where to prosecute a case and to defend the same, lawyers on government expense are provided to both the litigating parties, which is a unique feature in India. He appreciated the role of PLVs in reaching out to the legal aid seeker in every nook and corner of a region and urged the authorities to increase their number for ensuring outreach to remotest corner of UT of J&K.

Justice N. Kotiswar Singh in his address while welcoming the Chief Guest said that the judges of UTs of J&K and Ladakh are fortunate to have with them such a legal luminary not only to interact with them but also to share his rich experiences which shall guide them in dispensing justice to the litigants.

He further said that Justice Khanna's compassion for the jail inmates can be gauged from that fact that a couple of days ago, he visited the central jail, Srinagar not only to take stock of their living conditions but also to interact with them in order to understand the issues confronting them with regard to legal aid schemes and their benefits.

Justice Tashi Rabstan in his address gave an overview of the working of legal services institutions in the UT of Jammu & Kashmir and presented facts and figures showing the achievements. He informed the chief guest that efforts are being made to upgrade the infrastructure of legal service institutions and a roadmap has been prepared for computerization of legal aid clinics and their linking with each other to ensure prompt disposal of applications received in such clinics. He also appreciated the dedication with which the legal services institutions are working in UTs of Jammu and Kashmir and Ladakh which is not only commendable but also need to be applauded.

Justice Atul Sreedharan while proposing vote of thanks expressed gratitude to Justice Khanna for sparing valuable time during vacations to interact with judges and other stake holders involved in ensuring access to justice for all.

Those who attended the program include Y.P Bourney, Director J&K Judicial Academy, M.K. Sharma Principal Secretary to Chief Justice, Harshita Mishra OSD to Executive Chairman NALSA, Officers of High Court Registry, Judges of district Judiciary, Trainee Judges, LADCs, Penal Lawyers, PLVs, staff of J&K Legal Services Authority, DLSA, Srinagar and J&K Judicial Academy.

Shahzad Azeem Registrar General conducted the proceedings during the first session whereas Amit Kumar Gupta, Member Secretary, J&K Legal services Authority conducted the proceedings of second session.

Brand J&K successfully...

to see One District, One Product is encouraging economic opportunities," the Lt Governor said.

Our mantra of 'Reform, Perform and Transform' has brought a positive change in the lives of artisans, weavers, farmers, entrepreneurs and other stakeholders, the Lt Governor added.

Speaking on PM's recent visit to J&K, the Lt Governor said the Prime Minister leading the programmes like International Day of Yoga and 'Empowering Youth, Transforming J&K' has given a new momentum to the growth journey of Jammu Kashmir.

Highlighting the growth opportunities in sectors like industries, handicraft, handloom, agriculture & allied sector; food processing and agro-based industry, the Lt Governor called upon the artisans, weavers, buyers, producers and entrepreneurs to contribute in realising the potential of Jammu Kashmir.

Earlier, the Lt Governor visited the stalls put up by the artisans, weavers, growers and entrepreneurs, from J&K and other regions, showcasing their products to the buyers from India and abroad.

Atal Dulloo, Chief Secretary; Vidhi Kumar Birdi, IGP Kashmir; Vikramjit Singh, Commissioner Secretary, Industries & Commerce Department; Vijay Bidhuri, Divisional Commissioner Kashmir; Khalid Jahangir, Managing Director, JKTPO, senior officials, industry players, buyers, national and international exhibitors were also present on the occasion.

GST Council likely...

Standing Committee on Chemicals and Fertilisers in February to reduce GST on nutrients and raw materials in the interest of fertiliser manufacturing companies and farmers.

Currently, GST at a 5 per cent rate is charged on fertilisers, while raw materials like Sulphuric Acid and Ammonia face a higher GST at 18 per cent.

The issue of further reduce tax on fertilisers was placed before the GST council in its 45th and 47th meetings held in September 2021 and June 2022, though the council did not recommend any change in rates.

Saturday's Council meeting will be held after a gap of eight months. The 52nd GST Council meeting took place on October 7, 2023.

With regard to the online gaming sector, the council is likely to review the decision to levy 28 per cent GST on the full value of bets for online gaming companies, which came into effect on October 1, 2023.

In its meetings in July and August, the GST Council had approved amendments to the law to include online gaming, casinos and horse racing as taxable actionable claims, and clarified that such supplies would attract a 28 per cent tax on full bet value.

At that time, it was said that a review of the implementation would be carried out after six months.

The GST Council is likely to review the decision to levy 28 per cent GST on the full value of bets for online gaming companies that came into effect on October 1, 2023.

Following the council decision, over 70 show cause notices have been issued to online gaming companies for alleged GST evasion of over Rs 1.12 lakh crore during financial years 2022-23 and 2023-24.

Many of them have gone to court against the notices and the cases are pending. Sources said the GST Council is likely to discuss the legality of the show cause notices served to online gaming companies and the way forward.

With regard to corporate guarantees, the council is also likely to review its last meeting decision to levy 18 per cent GST on guarantees provided by corporates to their subsidiaries.

The CBIC circular on corporate guarantee was stayed by the Punjab and Haryana High Court and a review of the legal aspect of the circular is likely to be taken up at the meeting on Saturday.

Also, the GST council may set a timeframe for the GoM on rate rationalisation to submit a report. The GoM has been reconstituted twice in the last one year and now is headed by Bihar Deputy Chief Minister Samrat Chaudhary.

The council is also likely to vet the amendments in the GST law with respect to a decision taken in the previous meeting in October last year.

The council had decided to give up the right to tax Extra Neutral Alcohol or ENA (raw product for making alcohol for human consumption) to states.

Accordingly, ENA used for human consumption will be exempt from Goods and Services Tax (GST), and states can continue to levy VAT. ENA for industrial use will continue to be taxed at 18 per cent under the GST.

To bring about this change, an amendment is required in the GST law.

Sources also said the GST Council is likely to clarify that telecom companies will have to pay GST, along with the instalments paid towards spectrum charges.

The clarification should end confusion among field formations regarding the method for collection of GST in the spectrum auction process.

Currently, the GST regime has five broad tax slabs of zero, 5, 12, 18, and 28 per cent. A cess is levied over and above the highest 28 per cent rate on luxury and demerit goods.

Govt servant cannot be discharged from service only on account of pendency of criminal case against him: CAT

■ STATE TIMES NEWS

JAMMU: Central Administrative Tribunal (CAT) holds that the service of a Government servant cannot be terminated or the Government servant cannot be discharged from service only on account of the pendency of a criminal case against him. The reason is obvious. Unless the guilt is proved, one is presumed to be innocent. Moreover, criminal case may be launched out of enmity etc. It is, therefore, the conviction and not the pendency of a criminal case which should be taken into account for disciplinary action."

This significant judgment has been passed by a Bench of Central Administrative Tribunal comprising B Anand Member (A) and Rajinder Singh Dogra Member (J) in a petition filed by Arsam Intyaz Malik seeking setting aside Order No.CEJ/ADM/01 of 2024 dated 03-012024 issued by the respondent No.2 by virtue of which the appointment order issued in favour of the applicant under SRO 43 has been withdrawn that too without adhering to the principles of natural justice and also seeking direction to the respondents to allow the applicant to perform his duties at PWD (R&B) Division Bhaderwah pursuant to his appointment order dated 05-12-2023 and joining order dated December 6, 2023."

The applicant is aggrieved of the Govt. Order No.CEJ/ADM/01 of 2024 dated January 3, 2024 issued by the respondent No.2 by virtue of which the appointment order issued in favour of the applicant under SRO 43 has been withdrawn that too without adhering to the principles of natural justice. The applicant came to be appointed under SRO 43 on account of death of his father by virtue of Order No.CEJ/ADM/232 of 2023 dated November 22, 2023 issued by the respondent No.2 in compliance to the approval conveyed by the administrative department. Pursuant to his appointment, the applicant came to be posted in PWD (R&B) Division, Bhaderwah for further duties by the respondent No.3 by virtue of Order No.CEC/Adm/05 of 2023 dated December 5, 2023 and accordingly the applicant joined in PWD (R&B) Division Bhaderwah on December 6, 2023.

The applicant at the time his appointment was made to swear an affidavit in which the applicant has sworn that he has not been convicted in any offence by any court of law and the applicant is facing trial in one case. It is only after swearing the aforementioned affidavit that the applicant was allowed to join and came to be posted in PWD (R&B) Division, Bhaderwah. On December 23, 2023, the respondent No. 4 addressed a communication bearing No. EE /PWD /R&B /BHD /2023-24/1055-56/8 in which it has been averred that the applicant has been allowed to join in the division after proper verification of the documents and on the receipt of character/antecedent certificate from CID issued by the SSP/Dy SP Headquarters for Special DG CID J&K vide Form No.55821 dated May 17, 2023 on December 6, 2023. It has further been averred that the affidavit sworn by the applicant reveals that he is under trail in one case and the said case is not disposed till date and accordingly the instructions were sought for the withdrawal of the salary of the applicant by the respondent No.4 from the respondent No.3.

CAT after hearing Adv Sheikh Najeb for the applicant whereas Deputy AG Hunar Gupta for the UT, observed that the Rule(s) as mentioned hereinabove, nowhere provide pendency of a criminal case against a candidate to disqualify him for his entry into the service. The reason for this is obvious. Pendency of a criminal case cannot lead to the conclusion of committing the offence by the accused. Presumption is otherwise. No person is presumed to be guilty of an offence unless convicted by a competent Court after trial. It is also our common experience that trial of a criminal case consumes much time and ultimately the accused may be acquitted therein. Refusal of appointment on the ground of pendency of a criminal case would, therefore, result in miscarriage of justice to the candidate because even on his ultimate acquittal he cannot enter into service, CAT said.

CAT further observed that adverting to the facts of the instant case, it would be noticed that the applicant himself by virtue of an affidavit has disclosed the fact that an FIR has been registered against him bearing No.0087/2023 under Section 8/21 of NDPS Act of Police Station, Bhaderwah which is pending disposal in the court of Sub Judge, Bhaderwah.

CAT is of the considered view that mere registration of an FIR cannot be made the basis and equated with a finding of guilt recorded by a competent Court. In other words, registration of a case cannot lend the colour of conviction. The action of the respondent department in terminating the applicant would amount to holding the applicant guilty of the offence. Such a course of action would be totally unwarranted.

CAT held that the service of a Government servant cannot be terminated or the Government servant cannot be discharged from service only on account of the pendency of a criminal case against him. The reason is obvious. Unless the guilt is proved, one is presumed to be innocent. Moreover, criminal cases may be launched out of enmity etc. It is, therefore, the conviction and not the pendency of a criminal case which should be taken into account for disciplinary action."

In the facts and circumstances of the case, CAT is of the considered view that the respondents could not have straightway terminated the applicant without considering the relevant factors like the nature and gravity of the accusation because, in case, these allegations are subsequently found to be false or not proved in the trial, resulting in acquittal, the same would cause undue hardship to the applicant, as the applicant would then be appointed only after getting clearance during investigation and trial and would be offered appointment subsequently occurring vacancies for no fault on his part, which may take several years if not decades.

CAT further observed that as stated earlier, the applicant has not been terminated on the ground that his character is such which makes him unsuitable for the service. Neither it is the case of the respondents nor there is any adverse report against the applicant of this nature after verification of his antecedents. Hence, CAT is of the definite view that the applicant has wrongly been terminated merely on the ground of pendency of FIR against him.

Termination here is in violation of principles of natural justice as before resorting to termination a reasonable opportunity to show cause had not been accorded to the applicant. Natural justice is implicit in rules and has to be read as part and parcel thereof, if not specifically provided, as held by the Apex Court in J.A. Naiksatam v. Prothonotary Senior Master.

With these observations CAT allowed the petition and impugned Order No.CEJ/ADM/01 of 2024 dated January 3, 2024 issued by the respondent No.2 by virtue of which the appointment order issued in favour of the applicant under SRO 43 has been withdrawn, is hereby set aside. Respondents are directed to allow the applicant to perform his duties at PWD (R&B) Division Bhaderwah pursuant to his appointment order dated December 5, 2023 and joining order dated December 6, 2023. CAT further said that on conclusion of the criminal trial, law shall take its own course, and the appointment offered to the applicant may be withdrawn / terminated.

Two narco smugglers nabbed with 10.34 gms Heroin

■ STATE TIMES NEWS

KATHUA: Continuing its efforts against drug menace under the "Operation Sanjeevani", J&K Police recovered approx. 10.34 grams of Heroin (Chitta) like narcotics in the jurisdictional area of P/S Kathua, 02 drug peddlers arrested along with recovered



narcotics substance as well as 01 motorcycle got seized on spot. An information was received through the reliable sources at P/S Kathua that two persons namely Navdeep Singh S/o Nater Singh and Sahil Khajuria S/o Lt. Kamlesh Chander both R/o Ward No. 01 Kathua were doing illegal trade of selling Narcotics like Contraband and kept huge quantity of narcotics substance in their possession and were trying to sell same to the people of Berrian Pattan Kathua as well as its adjoining areas of PS Kathua.

Acting swiftly, a Police team of PS Kathua under the supervision of Dy/SP Hqrs. Kathua & SHO PS Kathua laid down a special naka/ checking at Berrian Pattan area and intercepted one motorcycle bearing Reg.No JK08B-6142 and apprehended the said persons namely 1. Navdeep Singh S/o Nater Singh 2. Sahil Khajuria S/o Lt. Kamlesh Chander both R/o Ward No. 01 Kathua.

During checking approx. 10.34 grams of Heroin(Chitta) narcotics were recovered from their illegal possession.

Thereafter all the recovered narcotics alongwith one motorcycle was seized and two drug peddlers were arrested on spot. On this, a case vide FIR No. 189/2024 U/S 8/21/22/NDPS Act has been registered at Police Station Kathua while further investigation is underway.