

# Check increasing crime graph in Jammu: NAUP

## STATE TIMES NEWS

JAMMU: National Awami United Party (NAUP) General Secretary Shikha Bandal Thakur has urged administration and police to check increasing crime graph in Jammu. While addressing a press conference, Shikha said that these days we often hear about incidents of human trafficking, as recently a person made abortive bid to kidnap a student from a reputed school but due to strong vigil of parents of other students, she was rescued.

NAUP urged SSP Jammu City to further strengthen local intelligence unit in the City of Temples. "We saw so many beggars in every nook



NAUP General Secretary Shikha Bandal Thakur talking to reporters.

and corner, majority of whom are from outside J&K. Police should check all these beggars, often seen on every traffic signal or busy markets. We also request Police to put a check on increasing robbery and theft cases. It seems that these outsiders, whose main job is begging in

day time, commit incidents of thefts at night," she added, urging people of Jammu in general and parents in particular to remain careful, especially during ensuing festival season besides cooperating with Police. Jyoti Nayyar, District Joint Secretary was also present on the occasion.

## DDC Ramgarh initiates plantation drive, dedicates public utility complex

## STATE TIMES NEWS

SAMBA: As part of the fortnight celebrations of Prime Minister Narendra Modi as Seva Pakhwada, DDC Member Ramgarh on Tuesday initiated tree plantation drive at Cremation Ground in Brotal village of Lagwal Panchayat in Ramgarh.

Speaking on the occasion, Johal said that the fortnight programmes in connection with the birthday of Prime Minister Narendra Modi

carry significance and directly linked to the service of nation and mankind. He said that during the 'Seva Pakhwada' multiple programmes will be organized across the nation including social service events like blood donation camps, health and medical camps, tree plantation drives, information dissemination programmes and many more.

On the occasion, the DDC member Johal along with others planted saplings with an

aim to sensitize people about environment issues. He called upon the people to be part of the drive and contribute to the cause of preserving environment by planting trees in their surroundings.

Underscoring on giving utmost attention to the conservation of ecosystem, Johal said that the green gold has an important role in maintaining fine balance of the ecosystem and increased green cover would go a long way in preserving

the ecological balance on the planet. He said the drive would not stop at planting new trees only but focus would be laid to ensure proper care and attention of the planted sapling adding that special regular watering dose of organic manure provision of tree guards avoiding plants from construction waste and well-drained deep sandy soil would help plants to grow in a healthy manner.

Meanwhile, the DDC mem-

## Multi-storey car parking, several other civic projects approved for Doda Town

### STATE TIMES NEWS

DODA: District Development Commissioner Doda, Vishesh Paul Mahajan, on Tuesday chaired a meeting with executing agencies to discuss the execution of mega projects proposed and approved for Doda town area.

Regarding Multi Storey Car Parking at existing Bus Stand Doda, it was informed that Administrative Approval and clearance of DPR has been received for the project estimated to Cost Rs 32.46 crore and departments is ready to issue the tenders. The DDC directed the Executive Officer MC to schedule a meeting with the shopkeepers and other stakeholders going to be

affected by the project to have their views before starting the construction.

Regarding the construction of Shopping Complex near Gas agency and Y Junction Ghat Road, it was informed that all the paperwork is complete and the department is soon going to float the tenders.

The meeting was further informed that Rs 93 lakh have been received for construction of Material Recovery Facility (MRF) in the Town for which the work has been allotted and the contractor would start the execution in the coming days.

The meeting was attended by SSP, Ex Engineer PWD, EO MC Doda, ARTO Doda, and DIO Doda.

## JK Taxes Deptt hosts interactive session with stakeholders at Samba

### STATE TIMES NEWS

SAMBA: Department of Taxes, J&K on Tuesday organized a stakeholders' awareness meet on Goods and Services Taxes (laws) here at the conference hall of DC Office.

Commissioner, State Taxes, J&K, Dr Rashmi Singh presided over the interactive meet of Industrialists, Traders Association members and State tax officers from the Kathua and Samba Zones.

During the interactive session, the latest up-dates on GST laws of the Country were discussed with the traders, manufacturers, Shop owners, retailers, Industry owners, even as different issues projected by the participants related to GST were also addressed.

The Commissioner State

Taxes appealed to the stakeholders for Tax compliance & timely filing of returns. She emphasized on holding regular public outreach programmes in coordination with different stakeholders.

Additional Commissioner State Taxes Admin & Enforcement, Nitu Gupta urged the traders unions to create awareness among the Kathua and Samba Zones.

Additional Commissioner Tax Planning, Ankita Kar, while addressing their issues, sought suggestions from Trade unions & Industrial associations regarding policy related matters.

The meeting, among others, was attended by Ranjith Singh, DC Enforcement Kathua; Bal Krishan, DC Judicial; Sanjay Gupta, DC Enforcement Samba; Ajiaz Qaiser, AC Enforcement Samba and Sona Gupta, AC Enforcement, Kathua.

## Govt Degree College Jourian organises poster making & slogan writing competitions

### STATE TIMES NEWS

JOURIAN: Govt. Degree College Jourian organized a Poster Making and Slogan writing Competition. The Poster competition was conducted on theme "Swachhta Hi Sewa Hai" under swachh bharat mission on 26.09.2022.

Slogan writing competition was also conducted under the campaign "Nasha Mukt Bharat".

The whole programme was organized under the aegis of

IQAC, NSS Unit, Health & Eco Club, and Activities & Cultural Affairs Committee. Students of BA sem. 1 participated in the competition with great enthusiasm. In Poster making competition first position was bagged by Ponam, second by Siya Devi and third by Kashish Mehra. In the Slogan writing competition first position was bagged by Vishali Manhas, second by Palak and third by Kritika Mehra. Member of jury were Dr. Rimjhim Gupta, Dr. Vandana Rajput, Prof. Sushma Kumari, Dr. Rakesh Bharti (Convener IQAC), Prof. Naseeb Kumar Bhagat (Convener Eco & Health Club), Dr. Rimjhim Gupta (Convener Cultural & Activities Affairs Committee), Dr. Vandana Rajput (Programme officer NSS Unit), Prof. Sushma Kumari, Rattan Lal, Gaurav Sharma, Sunil Sharma were present during the programme.

## Scandalous 'Roshni' Act- back on center stage

made in favour of Temples, Mosques and other places of worship or charitable Trusts like Dhamarth Trust floated by Maharajah Ranbir Singh. These were either outright grants or leases for a fixed period. The State reserved the right to resume land on termination of lease period or renew the lease for specified period as it pleased. However, leases in favour of those still enjoying patronage were renewed in routine. Rest was decided on merit on case to case basis strictly in accordance with law. Notices would be issued and served well in time and cases processed and decided expeditiously. It may be mentioned here that under Maharajah Hari Singh's regime there was zero tolerance for corruption. The standard of integrity in services was by and large maintained during the first tenure of Sheikh Mohd Abdullah as the Prime Minister of the state. Thereafter, sprouted a new and expanded crop of political royalty and flocks of their not so scrupulous henchmen. What we witness today was the cumulative effect of politico-administrative waywardness, moral decline and institutionalized corrupt practices of varying degrees that thrived and were perfected by their practitioners over the decades. State Nazool Department officials which dealt with leases of Nazool land were known to enjoy an intimate and mutually beneficial equation with lease holders. They had devised a near perfect mechanism to go around and bend the rules to serve the interests of Lease holder. It was cranked into action as dates of expiry of leases approached. The lease holder concerned quickly got in touch with Nazool official responsible or serving the notice of eviction to strike the preliminary deal. This done, the case moved step by step at a leisurely pace. Neither of the parties was thereafter in a hurry.

I happened to get the picture from a junior field officer of Nazool department during the course of an inquiry into charges of corrupt practices leveled against a former Prime Minister. When asked, he disclosed that they were mere tools and minions in a game in which politicians and a number of top bureaucrats were the real and major players. "Sir, they have complete list of prime properties on lease as well as all relevant information including dates of expiry.

They prefer to strike deals directly with lease holders over the heads of department officers," he moaned. Given this knowledge, it should not be difficult to read between the lines in The Jammu and

Kashmir State Lands (Vesting of Ownership to The Occupants) Act and gain insight into its many 'Avatars'. It would also help in deciphering the hidden agenda that prompted number of amendments to the Act as well as the framing of 'scandalous' Roshni Rules. The Jammu and Kashmir Legislative Assembly enacted Act No. XII of 2001 in the Fifty-second Year of the Republic of India which received the assent of the Governor of Jammu and Kashmir on 9th November, 2001. It was notified in Government Gazette dated 13th November, 2001. The declared objective of the act was 'to provide for vesting of ownership rights to occupants of State Land for purposes of generating funds to finance Power Projects in the State.' The legislation was mired in a fierce controversy from the very first day the bill was introduced in the state assembly. The motive behind the move was suspect. The mild critics called it ill conceived and irresponsible. Those on the extreme fringe dubbed it as unethical, intended to benefit politicians, senior bureaucrats and sharing booty with the all powerful land mafia with which they allegedly had cozy relations. Another school of thought contended that the political leadership having lost the will and forfeited the authority to eject the land grabbers and criminals hit upon this "brilliant idea" to resolve the impasse once and for all to the benefit of all concerned and in the bargain raise funds for financing power generation projects. Either ways the state was the loser. Its authority and prestige devalued, it opted for a bargain that favoured criminals and rich and mighty manipulators.

The act, legalized surrendered before the vested interests at the cost of public good. The criminals, trespassers, Mafias and violators of rules instead of being proceeded against under law were rewarded thereby making a mockery of the rule of law. The criticism though harsh was not without merit. The beneficiaries of the legislation, broadly fell in following categories:

A) Those in lawful possession of land prices whereof had sky rocketed and were ever escalating and for which ridiculously low rent was being charged.

B) Lease holders whose lease had expired but continued to retain possession with the connivance of authorities.

C) Oversize holdings illegally occupied by committing the offence of trespass either in respect of entire holding or part whereof was legally allotted

and part trespassed upon.

d) Huge tracts of land forcibly and illegally grabbed by Land Mafias, government officials and politicians. Most Occupants falling in categories (a) and (b) above were rich and powerful. The rich were willing to make mutually beneficial 'accommodation.'

The powerful were fraternity-politicians and bureaucrats.

Yet another Category comprised of favoured clans or the crucial vote bank. As far as Land Mafia and Siyasi-Sarkari land grabbers were concerned, the state appeared to be either Complicit with their nefarious activities or otherwise felt constrained to look the other way. Having said this, it may be conceded that provisions of the Act of 2001 by and large conformed to constitutional norms and proximity.

The government of the day also showed sensitivity to public criticism and refrained from framing Rules under the act in haste. The Jammu and Kashmir State Lands (Vesting of ownership to the occupants) Act, 2001 mandated selling or regularising of the occupied State Lands at market prices to both, authorised and unauthorized occupied State land and also provide for auctioning of the vacant state lands publicly. The act was first amended in 2004 when Mufti Mohd Syed headed the PDP-Congress coalition. That the amendment was meant to serve the vested interests may be illustrated by following instances;

1. According to Section 2(C) of the original act 'available State land means any State land, which was 'not in possession of any person or which has been encroached upon by any person.' The words 'or which has been encroached upon by any person' were deleted by 2004 amendment.

2. In terms of Section 3(c), the provision of the Act was not to apply on certain lands which included those earmarked for a specific purpose in any Master Plan. This subsection of Section 3 was also deleted by 2004 amendment. Master plans embodying long-term development perspectives were vital sacrosanct documents drafted by experts after in-depth study, tremendous research and eliciting public opinion. That the protection provided to land assets earmarked for public good was lifted by the coalition to benefit vested interests was beyond any shadow of doubt.

The amendment to the Act and provision in the Roshni Rules shedding the option of public auction and fixing prices of different categories violated or rather defied the above-mentioned cardinal principle repeatedly reiterated by the Supreme Court.

4. Section 10 of the Act contemplated creation of separate fund under a proper account number in the J&K Bank in each district or to allot an account head in which cost of the land realised under this act should be deposited. No such Fund or Account was created; instead amounts were deposited in Treasuries.

The CAG report lamented that the status report in respect of Jammu district showed a collection of Rupees 9.35 Crore but the treasury receipts attached with the application forms indicated receipt of only Rupees 8.33 Crore. An amount of more than one crore was unaccounted for.

5. Section 5(b) of the Act, passed in 2001 provided that only such occupants seeking transfer of ownership were eligible to apply who had been in actual physical possession of the land during the period from 1 January, 1990 to the commencement of the Act in a particular area. Thus, the original Act (2001) limited the benefit of the scheme only to the long-term occupants. Under the 2004 Amendment to the Act, all those occupants

who were in actual physical possession of the land, either personally or through their authorised agents, on the commencement of the 2004 Amendment Act were made eligible to apply, irrespective of the length of period of occupation.

This opened fresh flood gate for feverish land grabbing especially by those who had failed to do so earlier. Their nefarious designs were further facilitated by allegedly deliberate delay in the publication of the amendment in the government gazette by about two months. Even though the Governor had given his assent on 19th March, 2004, the amendment was published in the gazette on 21st May, 2004. The act was to come into force on the date of its publication in the government Gazette.

Performance Evaluation: Roshni Rules- Mother of Seams. The act stipulated that rules for the proper implementation of the act would be framed by the executive and required no ratification by the legislature. The government notified The Jammu and Kashmir notified The State Land (Vesting of

Ownership to Occupants Rules) on August 25, 2005 after about four years after the enactment which were amended on November 23, 2006 and again on March 5, 2007.

Even a cursory reading could reveal that the rules framed under the act for its implementation were repugnant to the parent act and violated its stated scope and objectives. For instance, the Roshni rules authorised the transfer of agricultural lands free of cost, which was beyond the scope, objectives and mandatory provisions of the act. This, according to CAG report enabled a large portion of non-agricultural land, 3.4 Lakh Kanals to be precise, being dubiously shown as agricultural which was "gifted" to favoured occupants for obvious consideration.

The revenue authorities didn't even bother to conduct any reconciliation with concerned Treasuries.

In the commercial category, authorized, authorized-overstayed and unauthorised occupants had to pay 30 per cent, 45 per cent and 60 per cent, respectively. In case of institutions (educational, religious, charitable, social, trusts, societies) and political parties, the rates were fixed at 15 per cent and 25 per cent, respectively.

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Yes, rebate was indeed a common practice in marketing land when the demand slumped to an unacceptable level or dried up. The aim was to salvage whatever was possible in an adverse demand and supply equation. Could there be a more blatant, scandalous and dishonest act by the government than to grant rebates in respect of the scarce, inflexible and precious land assets for which there was huge and enduring demand? According to CAG, "Among the beneficiaries of the illegal and irregular deals under the Act were National Conference's Nawai Subah Trust and Congress' Khidmat Trust. While 7 kanal, 15 marlas and 84 sq ft of land were transferred to Khidmat Trust, 3 Kanal and 16 marlas were given to Nawai Subah at Zero Bridge, Srinagar. The land, under commercial use, was transferred to two trusts at concessional rate applicable to land under institutional use. The statutory committee under the Act fixed market rate of the land at Rs 1.10 crore per Kanal in case of the Khidmat Trust and Rs 1.20 crore per Kanal in the case of Nawai Subah Trust. Both were given 85 per cent rebate.

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The author is former DGP J&K Police