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Polls in J&K...

in the region. "Large-scale investment proposals post abrogation of Article 370 have been received, which include Rs 28,400 crore of central sector schemes for industrial development, Rs 78,000 crore of private sector and the actual investment done in 2022-23 is Rs 2,153 crore," he said.

Mehta said out of the 53 projects worth Rs 58,477 crore sanctioned under the Prime Minister's Development Package, 32 have been completed.

Senior advocate Kapil Sibal, appearing for Jammu and Kashmir National Conference leader Mohd Akbar Lone, objected to the bench recording the figures put forth by the central government, saying it should not be taken on record as it will "affect the mind" of the court adjudicating the constitutional validity of abrogation of Article 370.

CJI Chandrachud assured Sibal that the data given by the solicitor general will not have any bearing on the adjudication of the constitutional issue.

Mehta added so far as elections in Ladakh is concerned, there are two areas of Leh and Kargil. The elections for the Hill Development Council of Leh were already over and the exercise will be held in Kargil next month.

He said terror-related incidents have gone down by 45.20 per cent compared to 2018.

Infiltration, which was one of the biggest concerns, was down by 90.20 per cent, Mehta added.

Citing more data, he said, "Law and order events reduced 97.20 per cent. Incidents of stone-pelting and 'hartals', which were 1,767 in 2018, are now nil. Casualty of security personnel has gone down by 65.90 per cent, organised 'bandhs', which were coordinated by secessionist groups, have gone down from 52 in 2018 to nil in 2023."

Mehta said tourism, a major source of revenue for J-K, has seen improvement, with footfall of 1.88 crore in 2022, and in 2023, till date, over one crore people have visited the UT.

Sibal told the bench the petitioners will have to counter facts and figures put forward by the Centre.

"They are saying there were zero 'hartals'. Five thousand people were put under house arrest. How will there be any 'hartal', when you don't allow them to even go to hospital. The proceedings of this court are televised and these figures may aid in creating an opinion," he said.

The bench told Sibal what the solicitor general has said was pursuant to the court's query as to what steps were taken by the Union of India to restore electoral democracy.

"We should be fair to the solicitor general as he has only given the roadmap," the bench said, adding, "The nature of the development which the government says took place post August 2019 may not be of relevance to your constitutional challenge and, therefore, what they respond to constitutional challenge has to be dealt with independently."

The CJI told Sibal, "These are matters where there can be and should be policy differences but that can't affect the constitutional arguments. We place these facts in the perspective of the roadmap to statehood of J-K. This isn't a justification and cannot be to a constitutional challenge."

Attorney General R Venkataramani, also appearing for the Centre, and senior advocates Harish Salve and Rakesh Divivedi, representing the intervenors, defended the August 5, 2019 decision to abrogate Article 370.

The hearing before the constitution bench remained inconclusive and will continue on Friday, which otherwise is a miscellaneous day usually reserved for hearing fresh cases. Making a departure, the top court had this Monday continued with the constitution bench hearing on Article 370.

On August 29, the Centre had told the top that it will make an elaborate statement on the vexatious political issue in the court on August 31.

The five-judge constitution bench, hearing the pleas challenging the abrogation of Article 370, had asked the Centre to set a specific time frame for restoration of electoral democracy in the erstwhile state.

While hearing Mehta's submissions on Tuesday, the court had told him, "Democracy is important, although we agree that in view of the national security scenario, reorganisation of the state can be done."

The court, however, said lack of electoral democracy cannot be allowed to go on indefinitely. "This has to come an end... give us the specific time frame as to when will you restore actual democracy. We want to record this," the bench said, and asked Mehta and the attorney general to seek instructions from the political executive and get back to the court.

India's largest home...

(PHWRs) at Kakrapar, which is also home to two 220 MW power plants. Various commissioning activities were underway at KAPP 4, which had achieved 97.56 per cent progress by July, according to officials.

The NPCIL plans to build 16 700 MW PHWRs across the country and has granted financial and administrative sanctions for the same.

Construction of 700 MW nuclear power plants is underway at Rawatbhata in Rajasthan (RAPS 7 and 8) and at Gorakhpur in Haryana (GHAVP 1 and 2).

The government has sanctioned the building of 10 indigenously developed PHWRs in fleet mode at four locations -- Gorakhpur in Haryana, Chutka in Madhya Pradesh, Mahi Banswara in Rajasthan and Kaiga in Karnataka.

Govt calls 'special...

August 11. "Regardless, the JPC demand (on the Adani issue) will continue to resonate inside and outside Parliament," the Congress MP added. Shiv Sena (UBT) leader Priyanka Chaturvedi said on X that the special session called during 'India's most important festival of Ganesh Chaturthi is unfortunate and goes against the Hindu sentiments. Surprised at their choice of dates."

Incidentally, the special session is being convened a day after Modi's 73rd birthday. The BJP observes the 16-day period from Modi's birthday to Gandhi Jayanti on October 2 as 'sewa pakhwara' during which various programmes are held across the country.

The last time Parliament met outside its three usual sessions was --at midnight on June 30, 2017, to mark the rollout of GST. However, it was a joint sitting of Lok Sabha and Rajya Sabha and was not a proper session. A six-day special sitting was held in August 1997 to commemorate the 50th anniversary of India's independence.

Midnight sessions were also held on August 9, 1992, for the 50th anniversary of the 'Quit India Movement', August 14-15, 1972 to celebrate the silver jubilee of India's independence, while the first such session was on August 14-15, 1947 on the eve of India's independence.

All individuals above...

held to declare open the 'Digital Week' being organized by the IT Department and attended by thousands of individuals and school children throughout the length and breadth of the UT.

During his address, the Chief Secretary observed that the malaise of 'Corruption' can be largely addressed through 'Online Services' and digital services are best antidote to evil of corruption. He maintained that the digital services are not only accessible and transparent but also non-discriminatory and more efficient, besides being less costly and cumbersome.

The Chief Secretary stated that the celebration of this week is only aimed at making people aware about their rights. He noted that only those favoring corruption are against such transformations. He advised people to seek their rights and avoid visiting offices physically by applying for services from the comforts of their homes. He also impressed upon the IT Department to devise the ways like that of establishing call center or sending messages to applicants about the status of their applications.

Dr Mehta reiterated that today J&K is at the top in adoption of IT-enabled solutions in governance. He called it a sheer commitment on part of the LG administration and gave credit to 'Team J&K' comprising of all the Deputy Commissioners, HoDs, all Administrative Secretaries and Secretary IT Department.

Dr Mehta noted that J&K has come a long way in transforming itself from a laggard to leader when it comes to bringing governance at the doorsteps of people. He hoped that the UT should emerge as a role model to other States/UTs in the country. He underscored that J&K has the required capacity, capability, drive and desire to be the best. He said that digital Governance is the new ethos and is the way forward to future ready J&K.

He also gave credit to the people of J&K who very ably adapted themselves with the brisk changes happening around them. He made out that in the months to come J&K is aiming at upgrading from the current tally of 1016 to nearly 1500. He made out that our slogan should be that "Digital hai to Sahi hai".

On the occasion the Commissioner Secretary, IT, Prerna Puri, who hosted the events virtually from Kala Kendra Jammu showed her gratitude to the Divisional and District Administrations for their unequivocal support in making this programme a grand success. She said that this digital journey of the UT would not have been possible without their active support. She thanked people for participat-

ing in huge numbers and showing their level of enthusiasm.

It was further informed that IT Department is going to announce the 'Digital J&K Awards' to recognize digital initiatives across the UT.

While giving their remarks the Divisional Commissioners and Deputy Commissioners informed about the steps they had taken to realize the objectives set out for the week long programme. They informed about the kind of stalls and information material prepared by them. They gave details about the activities planned for the week. The week long mega awareness camps are to be simultaneously held at numerous places in every district where Deputy Commissioners and other district level officers, PRIs, students and general public are going to participate in large numbers.

HC restrains SSB...

Delhi Subordinate Service Selection Board (DSSSB) and others',held as under: "A fair and reasonable process of selection to posts subject to the norm of equality of opportunity under Article 16(1) is a constitutional requirement. A fair and reasonable process is a fundamental requirement of Article 14 as well. Where the recruitment to public employment stands vitiated as a consequence of systemic fraud or irregularities, the entire process becomes illegitimate. On the other hand, where it is possible to segregate persons who have indulged in mal-practices and to penalize them for their wrongdoing, it would be unfair to impose the burden of their wrong-doing on those who are free from taint. To treat the innocent and the wrongdoers equally by subjecting the former to the consequence of the cancellation of the entire process would be contrary to Article 14 because unequals would then be treated equally. The requirement that a public body must act in fair and reasonable terms animates the entire process of selection. The decisions of the recruiting body are hence subject to judicial control subject to the settled principle that the recruiting authority must have a measure of discretion to take decisions in accordance with law which are best suited to preserve the sanctity of the process. Now it is in the backdrop of these principles that it becomes appropriate to advert to the precedents of this Court which hold the field."

Court further observed that since the Government has already addressed the apprehensions alleged by the petitioners by constituting the Review Committee vide Government Order No. 487-JK (GAD) of 2023 dated 22.04.2023, therefore, it would be appropriate to direct the Review Committee to submit its report after deliberating into the issues in the said Government Order; as such, this Court is refraining from exercising its extraordinary jurisdiction under Article 226 of the Constitution of India.

High Court further observed that in view of the factum of the constitution of the Review Committee by the Government and keeping in view the fact that the said decision has neither been challenged by the petitioners nor by the aspirants, this Court deems it appropriate to dispose of the writ petition to a limited extent as indicated above by directing as under that tehe Review Committee constituted in terms of Government Order No. 487-JK (GAD) of 2023 dated 22.04.2023, shall submit its report within a period of ten days from the date of passing of this judgment. The Chief Secretary shall take a decision on the basis of the report/recommendations made by the Review Committee within a period of ten days thereafter. The decision of the Chief Secretary shall be communicated to the Secretary, JKSSB, who is directed to proceed strictly in accordance with the decision taken by the Government. However, till the final decision is taken by the Government, the JKSSB shall not proceed with the selection process, Court ordered.

The petitioners are seeking direction to respondent No.1 not to conduct the examination through respondent No.2 (M/s Aptech Limited), blacklisted in the past, which contract was given to respondent No.2 and as per the petitioners, the examinations are tentatively scheduled to be conducted from 05.12.2022 to 20.12.2022. Petitioners further seek a direction to appoint some other agency, which is not previously blacklisted for conducting such examinations through Computer Based Test Mode (CBTM) involving public employment. According to the petitioners, prior to this, respondent No.1 has previously floated a tender for empanelment of agency for conduct of its various examinations through Optical Mark Recognition (OMR) mode exams vide e-NIT No.01 of 2021. In that tender, one ND Info Systems Private Limited was the successful bidder but respondent No.1 awarded the contract to one Merit Trac Services Pvt. Ltd. overlooking the fact that in pre-qualification evaluation for e-NIT No.01 of 2021, the Merit Trac Services Private Ltd. clearly and in unambiguous terms mentioned itself to be a blacklisted firm. The Merit Track Services Pvt. Ltd. conducted the examinations of Junior Engineer (Civil) (Jal Shakti Department) on 20.03.2022 and Sub Inspector (Home Department) on 29.03.2022 and also Finance Account Assistant exam. The malpractice occurred during the aforesaid examinations and the examination conducted by the said Merit Trac Services Pvt. Ltd. was compromised as papers were leaked, as a consequence of which these two examinations among others were scrapped by respondent No.1. It has been brought to the notice of the Court that the matter at presently is being investigated by the Central Bureau of Investigation (CBI) and recently the CBI has filed charge-sheet in these matters. The further case of the petitioners is that since the contract was given to a blacklisted agency, this was the precise reason that malpractices occurred and the matter at presently is being investigated by the CBI.

Eight terrorists absconding...

215 in Jammu and 154 in Kashmir, the official said.

He said of the 369 verified absconders, 80 have died, 45 are residing in Pakistan or Pakistan-occupied Kashmir (PoK) and other countries, 127 remain untraced and four are in jails.

The eight arrested absconders were involved in terrorism and disruptive activities and were booked in TADA cases registered three decades ago in different police stations of Doda district and charge-sheeted in the TADA Court Jammu, the official said.

They managed to escape the clutches of the law for decades by going underground before resurfacing to enjoy normal family life at their native or some distant places, he said.

Some of these absconders had managed to get into government services and bagged contracts, while others got engaged in private businesses and even in courts, the official said.

Those apprehended have been identified as Adil Farooq Faridi, son of Abdul Ghani Faridi, resident of H No. 230 Sahidi Chowk Jammu (Government employee presently posted in JK BOSE, Jammu); Mohd. Iqbal alias Javed, son of Sikander Khan, resident of Asthan Mohalla Doda; Mujahid Hussain alias Nisar Ahmed, son of Abdul Rasheed Gathwan, resident of Asthan Mohalla Doda; Tariq Hussain, son of Ghulam Ali Misger, resident of Barshalla Doda; Ishtiaq Ahmed Dev alias Ajaz, son of Mohd. Ayoub Dev, resident of Sah Mohalla Doda; Ajaz Ahmed alias Mohd. Iqbal, son of Abdul Rehman, resident of Dandi Bhaderwah; Jameel Ahmed alias Jugnu alias Chika Khan, son of Faiz Ahmed, resident of Kursari Bhaderwah and Ishfaq Ahmed, son of Ghulam Ahmed Sheikh, resident of Bun Doda (working as writer in Court Complex Doda).

They will be produced before the TADA/POTA court in Jammu in pursuance of warrants issued against them, the official said.

He said the apprehended terrorists were involved in various terrorist activities including killings, kidnapping for ransom, instigating people for violence by setting false narratives during prayer meetings and atrocities at gunpoint between 1991 and 1993. They were also named in an FIR following the recovery of a huge cache of arms and ammunition in the Shambaz area of Doda on June 22, 1994.

The official said how these absconder terrorists managed to escape the law and live a normal life without being traced for so long will also be investigated by the SIA.

HC directs Govt...

S.S. Ahmed and Advocate Rahul Raina appearing for the petitioners submitted that this year also the monsoon has created havoc in the Nikki Tawi area and just across the Niki Tawi Bridge in the river bed at Village Sure Chak, a construction company namely Shivalaya Construction Company has installed a multipurpose plant for preparing hot mix/batching plaint/stone crusher and has covered a sizeable area and while installing the huge plant, the said company raised the bed level of the river where the plant is installed and with the result the flow of the water has diverted towards Village Barjala and Khandwal where many buildings including Radha Soami Satsang Ghar, BBAS Institute at Barjala and Gurudwara Sahib at Khandwal and many residential houses have been exposed to the flash floods and the land in these Villages is getting into the river thereby causing irreparable loss.

Advocate S.S. Ahmed further submitted that alongwith this application the petitioners have enclosed a pen drive (video) showing the devastation caused this year at different points starting from fourth bridge showing both Niki as well as Badi Tawi and also the area (Green Area) which is in fact Badi Tawi but there is no discharge of water at present. The petitioners have also placed on record the photographs showing havoc created due to 95% discharge of River Tawi in Niki Tawi and also the damage caused in Village Beli Charana and several other Villages falling in Niki Tawi area.

Advocate S.S. Ahmed vehemently argued that PIL is pending since June, 2016 and till date the damage control exercise has not been done by the Irrigation and Flood Control Department. He further submitted that except the business of lay-

ing crates there is no headway in the matter and the crates get washed away every year due to the non-serious and insensitive approach of the Irrigation and Flood Control Department of J&K.

Advocate Ahmed further submitted that despite the completion of the studies on the morphology of river Tawi/Flood Mitigation Programme, the Irrigation and Flood Control Department is sleeping over the matter and indulgence of this Court is warranted.

After considering the submissions of Advocate S.S. Ahmed appearing for the petitioners whereas Sr. AAG S.S. Nanda appearing for the Irrigation and Flood Control Department of J&K Govt. and Advocate Mayank Gupta appearing for the Jammu Smart City Project Limited, the Division Bench headed by Chief Justice N. Kotiswar Singh issued notice in the fresh Miscellaneous Application to the Irrigation and Flood Control Department which was accepted in the open court by Sr. AAG S.S. Nanda who prayed and was granted 2 weeks time to file a response to the fresh Miscellaneous Application. The Division Bench also allowed time to Advocate Mayank Gupta to file an updated status report on behalf of Jammu Smart City Project Limited in terms of the previous order issued on July, 17, 2023. Looking into the importance of the matter the Division Bench directed the Registry to re-notify the instant PIL on September 25, 2023.

Monsoon expected to...

However, Mohapatra said even if the rainfall in September was to remain on the higher side, the June-September seasonal rainfall average is expected to be below normal for the season.

After excess rainfall in July, the south-west monsoon played truant for most of August which witnessed 20 break days from Aug 6-17, Aug 21-22 and Aug 26-31 on account of El Nino conditions in the equatorial Pacific Ocean and unfavourable Indian Ocean Dipole conditions.

He said development of El Nino conditions in the equatorial Pacific Ocean was the most important factor behind the deficient rainfall activity in August. However, the Indian Ocean Dipole the difference in sea surface temperature of Arabian Sea and the Bay of Bengal has started turning positive, which could counter the El Nino impact, Mohapatra said.

He said the Madden Julian Oscillation -- the eastward moving pulse of cloud -- and the rainfall in the tropical region too was turning favourable and plays a role in the revival of monsoon.

Asked about the impact on agriculture, Mohapatra said the paddy growing regions of eastern Uttar Pradesh, Bihar, Jharkhand, West Bengal had received good rainfall in August and may not affect the crop.

With a 36 per cent deficit, India recorded the driest August since 1901. August receives 254.9 mm of rainfall, accounting for around 30 per cent of the precipitation during the monsoon season. The actual rainfall recorded in August was 162.7 mm. India recorded a rainfall deficit of 25 per cent in August 2005, 24.6 per cent in 1965; 24.4 per cent in 1920; 24.1 per cent in 2009 and 24 per cent deficit in 1913, according to the IMD data.

Mohapatra said above-normal maximum temperatures were likely to prevail over most parts of the country, except over some areas in south peninsular India and some pockets of west-central India, where normal to below-normal maximum temperatures are likely.

He said above-normal minimum temperatures were likely over most parts of the country, except for some areas in extreme north India, where normal to below-normal minimum temperatures are likely.

Chugh asks Rahul...

high time the Congress opened its cards in the interest of the nation.

Chugh said there is, in fact, information that a party-to-party MOU has been signed as well. If it is true then Rahul Gandhi should share the contents with the nation, otherwise he must deny that there did not any party-to-party understand with China.

"It is a serious matter which has serious national security implications and Rahul Gandhi owes it to the nation to clarify his stance on it", Chugh added.

CB chargesheets accused...

Ploura. The case was registered on the basis of a written complaint lodged by Mohinder Kumar, son of Nek Ram, resident of Shamachak (Jhiri) Jammu and others wherein the complainants alleged that the accused Kulbinder Singh, son of Karnail Singh, resident of Deharan Akhnoor road near Mishriwala Jammu who was dismissed from Indian Army, lured youth of Jammu by impersonating himself as Army Colonel and collected huge amount for recruiting them in Indian Army. The said accused allegedly issued fake appointment orders in favour of the innocent youth after taking huge amount of money from them and finally cheating them.

In accordance with the procedure in vogue a preliminary verification was initiated with the prior approval of Crime Headquarters J&K to conduct probe into the matter. The allegations were prima-facie established in the PV and the instant formal case was registered for in-depth investigation. Relevant record was seized including Rs. 50,000, statement of witnesses recorded u/s 161. Cr.PC and 164 Cr.PC, Scientific, circumstantial and other material evidence was gathered and the offences were proved against the prime accused Kulbinder Singh and others for luring and duping the innocent youths on the pretext of providing job to them in MES, Indian Army etc.

Amarnath Yatra concludes...

The holy mace of Lord Shiva, popularly known as 'Chhari Mubarak', carried by a group of sadhus and devotees led by its custodian Mahant Deepindra Giri, arrived at the holy cave in the early hours of Thursday for day-long prayers, they said.

The group of sadhus and devotees trekked 42 kilometres from Pahalgam to reach the cave shrine with night halts at Chandanwari, Sheshnag and Panchtarani.

Delhi HC directs...

"Respondent (Omar Abdullah) is a man of means, and has access to financial privilege that evades the common man. While it is understandable that being a politician, revealing all information pertaining to financial assets might be dangerous, however, there is no iota of doubt that the Respondent does have the resources to provide for his wife and children," said the court.

"(This court directs) the interim maintenance amount to be increased from Rs. 75,000/- per month to Rs. 1,50,000/- per month for the Petitioner (Payal Abdullah) ...from the date of the application... Resultantly, this Court directs the Respondent to pay a sum of Rs. 60,000/- per month per son ..for the purpose of their education," it ordered.

Omar Abdullah submitted before the high court he was discharging his duty of maintaining the children and his wife was consistently misrepresenting her actual financial position.

The court, in its order, observed that attainment of majority by a son should not absolve a father of his responsibilities of maintaining his children and ensuring their proper education, and that the mother cannot be the only one bearing the burden of expenses for raising and educating them.

"Even if the wife has sufficient financial means to sustain herself, the husband cannot wash his hands off the responsibilities that are bestowed upon him when it comes to the upbringing of his children," the court said.

"The Petitioner has been saddled with the responsibility of paying the entire fee for the education of both the children, however, it was the duty of the father to also contribute towards their education. Therefore, even though the sons are not entitled to any maintenance as per the law, this Court is of the opinion that the Respondent should compensate the Petitioner by sharing the burden of the amount spent by her towards the expenses and upkeep of the children," the court said.

The court clarified the period of compensation shall commence from the date when the children were enrolled in their law college, and shall subsist till their graduation from there.

"This court is pained to note that in such acrimonious proceedings, the parents tend to make their children their pawns, sidelining their happiness in order to vindicate themselves," remarked Justice Prasad.

The court, however, rejected Payal Abdullah's request to increase, at this stage, the maintenance amount for the purpose of payment of rent of her present dwelling.

"The learned Family Court has rightly observed in the impugned order that the property owned by the wife, which is located at Westend, New Delhi, is lying vacant. It is not only at the disposal of Payal Abdullah for her to take up residence there, but is also available to her for fetching rent out of it," the court said.

Noting that the maintenance plea by the petitioners was filed in the year 2016, the court asked the family court to dispose it of as expeditiously as possible, preferably within 12 months.