

From page 1

High-Powered Panel framed to examine cases of prisoners for parole, interim bail

he/she is charged with and is facing trial or any other relevant factor.

"The committee, which considering the cases of the prisoners for parole or interim bail, shall take into account the directions contained in the order passed in Amesh Kumar Versus State of Bihar. Moreover, the committee may devise an appropriate mechanism for fulfilling its objectives", read the order issued by the Home Department.

Moreover, in exercise of powers conferred by Sub-Section 5 of Section 432 of Code of Criminal Procedure, 1973, the Government has framed Jammu and Kashmir Suspension of Sentence Rules, 2020, which have come into force with immediate effect.

As per these Rules, there will be two kinds of parole—custody parole/emergency parole and regular parole—to which a convict would be eligible. The custody parole may be granted to a convict by an order in writing issued by the Jail Superintendent under intimation to the Head of Prisons Department and to an under-trial prisoner by the trial court concerned for a period not more than 48 hours excluding the journey time in the eventualities of death of a family member, marriage of a family member, serious illness of a family member or any other emergency with the approval of the Range DIG Prisons.

As far as regular parole is concerned, the applications will be considered on the grounds of serious illness of a family member; critical conditions in the family on account of accident or death of a family member; marriage of any member of the family of the convict; delivery of a child by the legally wedded wife of the convict; serious damage to life or property of the family of the convict including damage caused by natural calamities; sowing and harvesting of crops etc.

As far as eligibility for parole is concerned, a convict must have served at least the period of one year in prison excluding under-trial period and any period covered by remission. However, in exceptional cases where the prisoner has spent more than three years as under-trial period or half of the sentence of the punishment awarded as under-trial then his parole application may be considered if he has spent at least six months in prison as convict.

Under the eligibility clause, it has also been mentioned that the conduct of the prisoner who has been awarded major punishment for any prison offence should have been uniformly good for last two years from the date of application and the conduct of prisoner who has been awarded minor punishment or no punishment for any prison offence in prison should have been uniformly good for last one year from the date of application.

"During the period of released on parole or furlough, if granted earlier, the convict should not have committed any crime; the convict should not have violated any terms and conditions of the parole or furlough granted previously and a minimum of six months ought to have elapsed from the date of surrender on the conclusion of the previous parole availed", the eligibility clause further reads.

It adds: In emergency, parole may be considered even if minimum period of six months has not elapsed from the date of termination of previous parole and the emergency may include delivery of a child by the wife of convict,

death of a family member, marriage of child, terminal illness of family members and natural calamities.

As per the Rules, prisoner eligible for the grant of regular parole should not get it for a period of more than 30 days at a time and not more than two times in a calendar year. However, in exceptional circumstances such parole can be extended up to a maximum period of 45 days by the competent authority but in no case such parole should be extended further.

However, there will be restrictions on release on regular parole of those prisoners, who have been convicted under sedition, terrorist activities and NDPS Act; prisoners whose immediate presence in the society may be considered dangerous or otherwise prejudicial to public peace and order by the District Magistrate of his home district or there exists any other reasonable ground such as a pending investigation in a case involving serious crime.

Moreover, prisoners who are considered dangerous or have been involved in serious prison violence or who have been found to be instigating serious violation of prison discipline; prisoners convicted of murder after rape; prisoner convicted under POSCO and prisoner convicted for murder after kidnapping for ransom would not be considered for release on parole.

As far as furlough is concerned, a prisoner may be granted 21 days of furlough twice in one conviction year. "If the prisoner commits an offence during the period he is released on furlough then the period will not be counted as sentence undergone", Rules said, adding a prisoner who is sentenced to five years or more of rigorous imprisonment and must have undergone two years imprisonment after conviction with unblemished record; a prisoner having good conduct in the prison and the prisoner who is not a habitual offender would be eligible for furlough.

It has explicitly been mentioned in the Rules that at the time of sanction of parole or furlough the District Magistrate and the Superintendent of Police of the home district of the prisoner as well as DM and SSP of the district where the prisoner proposes to spend release period other than the home district will be informed.

"If the prisoner doesn't surrender himself within one week from the date on which he should have so surrendered he may be arrested by the police without a warrant on the complaint of the Jail Superintendent and shall be remanded to undergo un-expired portion of his sentence", the Rules state.

Directors' Industries appointed Registrars

Societies" under the Jammu and Kashmir Societies Registration Act, 1998 (repealed). They will be deemed to have been appointed under the Societies Registration Act 1860."

Govt sanctions Rs 17.65 cr for construction workers

view of Coronavirus (COVID-19) pandemic.

Accordingly, the Government sanctioned Rs 1000 each in favour of active registered construction workers. The amount shall reach the beneficiary through DBT mode for purchase of essential commodities out of the cess fund available with the Board.

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Take strict action against those violating Govt instructions on Coronavirus: DB

facilities has to be strictly ensured", adding "such care and protection has to be provided to all health care givers in all hospitals in the Union Territories of J&K and Ladakh".

Accordingly, DB directed the Secretaries, Department of Health and Medical Education of both the Union Territories together with the IGP, Jammu, IGP, Kashmir and IGP, Ladakh to ensure that complete safety and security is provided to the personnel who are serving at all Government facilities.

"If necessary, the present security should also be beefed up to ensure that no person is able to leave the medical facility till the period of quarantine/isolation is completed", the DB added.

Advocate Monika Kohli, Amicus Curiae, submitted that there was a report that because of the sudden lockdown about 400 pilgrims from Bihar are stranded at Katra and they are being asked to vacate their current lodgings.

On this, DB directed Chief Executive Officer of Shri Mata Vaishno Devi Shrine Board and the Deputy Commissioner, Reasi to ensure that these pilgrims are not asked to vacate their current lodgings and their needs are fully provided till the lockdown persists. "All notifications/directions issued by the Central Government and the Government of the UT of J&K to ensure that there is no dislodging of people from their habitations and also provisions or facilities, should be strictly complied with", the DB added.

Division Bench observed that four e-mails has been received by the office of Registrar Judicial from Nitin Bakshi, President Young Lawyers Association complaining of excessive violence by the police and enclosing a video film purported to be of the Jammu area.

"It is not possible for us to verify the correctness or the authenticity of the enclosures at this stage and time. However, certainly no excess or physical violence by the police is permissible or can be countenanced", the DB said and directed that the representation of Nitin Bakshi and the enclosures thereof be forwarded by the Registrar Judicial to the IGP, Jammu for examination and for appropriate action.

Moreover, an undated e-mail has been received from Advocate Mohammad Shaqib Shah requesting for publicising certain information as well as provision of certain facilities to the health care facilitators. There is substance in the suggestions", the DB said and directed this e-mail be forwarded by the Registrar Judicial to the Secretary, Department of Health and Medical Education as well as Secretary, Department of Information and Technology for examining the suggestions and taking such steps as are deemed fit and to remove deficiencies if any in the existing schemes.

Pointing towards an e-mail dated 30th March 2020 received from Advocate Karman Singh Johal purporting to bring on record the plight of Indian student of the New York University, USA, who is stranded along with other Indian citizens, the DB said, "it cannot be denied that Indian citizens, where-soever located, need to be cared. Senior Advocate K S Johal makes a grievance that the Consulate of India at New York is not assisting the Indian citizens who are stranded in the USA".

Accordingly, DB directed the Secretary, Ministry of External, New Delhi Affairs to look into the matter and take steps for their evacuation. "We hope that these issues would be addressed on pri-

Microbiology team of GMC Jammu working under intense pressure for want of proper infra, trained personnel

Udhampur, and also succeeded in getting authorization for the same from Indian Council of Medical Research (ICMR) but they lack expertise and cannot do the test independently as it is not easy one.

"Though a testing facility has also been established at IIM Jammu under the administrative control of GMC Jammu and adequate manpower is in place but Indian Council of Medical Research (ICMR) is yet to give authorization to this facility while availability of testing kits is another issue as ICMR has refused to provide more kits," he regretted.

Meanwhile, sources said as number of suspected cases is increasing rapidly, the situation will worsen in the coming days if no other testing facility is made fully functional and the capacity of already existing BSL-2 lab of GMC Jammu is not enhanced and adequate trained staff provided.

Prioritize treatment of COVID patients, says LG

informed that a total of 1.25 lakh migrant labourers are putting up in J&K (1.07 lakh in Jammu and 18,000 in Kashmir).

The LG Governor also reviewed the adherence of directions passed in previous meetings regarding containing of the virus particularly to those catering to the students living in hostels across J&K. He directed the officers to

ority by the Ministry of External Affairs and appropriate steps as are required to be taken in the prevailing situation at the earliest", the DB added.

About the plight of the residents of the UTs of Jammu and Kashmir and Ladakh who are lodged in prisons in other parts of the country, the DB directed the authorities to ensure well being of all such prisoners.

Pointing towards the Supreme Court directions regarding release of prisoners to decongest the jails, the DB said, "the functioning of the High Powered Committee should commence on priority basis keeping in view the health and safety of the prisoners", adding "let an interim report regarding the functioning of the Committee be placed before us by the Home Secretary, UT of Jammu and Kashmir before the next date of hearing".

About the reports that large number of people are resorting to their usual strolls, loitering and morning walks in local parks even during the lockdown period, the DB directed the law enforcing authorities and parking owning authorities (all Municipal Corporations, Development Authorities) to prevent access to public parks so that social distancing is ensured.

In the meanwhile, Ashok Kumar Srivastava, Chief General Manager, BSNL informed the DB that pursuant to last order, the financial estimate of Rs.33.64 lakh for provision of the lease line connections to 24 locations of Juvenile Justice Boards and Observation Homes has been submitted to the Mission Director, ICPS as well as Special Secretary to Social Welfare Department.

Upon this, DB directed the authorities to scrutinize the estimates submitted by the BSNL at the earliest and inform the BSNL on the proposal.

"So far as the availability of the connectivity or the net facilities to the court sites within Jammu and Kashmir and any additional courts in Ladakh is concerned, we are informed by Shahzad Azeem, Registrar (IT) that on account of access to the courts being not available, the verification, as was directed by the last order could not be effected", the DB observed, adding "we have also been informed that a Core Group consisting of Azeem, representatives of NIC and BSNL and also the judges concerned, has been constituted. We are assured by Srivastava that as soon as the functioning in the courts is commenced, the needful will be done and all issues regarding availability of the connectivity to all courts in UT of Jammu and Kashmir as well as Ladakh would be completed at the earliest".

Advocate Monika Kohli, Amicus Curiae and Ashok Kumar Srivastava, CGM, BSNL participated in the proceedings from their respective offices while as Vishal Sharma, ASGI, Ravinder Gupta, Advocate for BSNL and Amit Gupta, AAG joined the video conferencing from the BSNL office.

Additionally, Faisal Qadri, advocate for the petitioner in WP(C)PIL No. 4/2020 titled 'Azra Uzma Versus UT of Jammu and Kashmir' joined the DB on voice call from Srinagar. Shah Faisal, Advocate also joined on video conferencing at the High Court while Salih Pirzada, Advocate for petitioner joined video conferencing from his residence. Similarly, Shah Amir, AAG joined DB on voice call from Srinagar.

When contacted, Financial Commissioner (FC), Health and Medical Education, Atal Dulloo said the testing capacity of existing GMC lab is 90 but due to want of trained staff they are presently conducting up to 40 tests and increasing their capacity gradually as this test needs trained personnel while the role of machine is limited.

He further informed that there is one more machine lying idle in GMC Jammu and instead of testing sample in its lab, which was earlier decided, the IIM Jammu will now provide its trained manpower to operate this machine after which the testing capacity of GMC Jammu will go up to 180 samples per day.

Regarding functioning of testing facility at Command Hospital Udhampur, Dulloo said it is being made functional very soon as the lab is yet to get required reagents.

Over 1500 vehicles stranded as NH remains blocked on Day 4

Dalwas where about 500 meters of road stretch has sunk. More than 28 families have turned homeless while families from 11 adjoining houses which are falling in danger zone have also been shifted to safer locations.

The DC said that he along with ADC, Tehsil and some police officers went there and pacified the protesting people. They were blaming NHAI for the sinking of the entire area due to road widening work. They were also demanding compensation before start of the restoration work. They were also convinced that all of them would definitely get compensation and some relief from district administration and only then they allowed resumption of work today.

"The Administration has arranged shelters for them and was also providing food. Some more help from District Red Cross side will be provided to these affected families. Moreover, NHAI has been asked to render help to these families as this tragedy has visibly occurred due to massive road widening activity," Zia said.

When asked about the possibility of road clearance, the DC Ramban said, "If weather permits it may take 3-4 days to restore traffic, but if the rain started as already predicted by MeT office, it may take some more days to restore the highway as Dalwas. A large portion of mountain stretch has sunk there and the task is very difficult

as the land continued to sink there. The rain may spoil the work done by three-four machines deployed for the task today and tomorrow," Zia maintained.

Testing docs to stay in hotels, many contacts sent for quarantine

positive for Coronavirus today is wife of an already positive patient of Magaini, Garhi and all her family members were under quarantine. The village, as per the protocol, has been sealed.

"Twenty seven samples of three already positive patients of COVID-19 in Udhampur district have been tested and reports of 26 were negative and only one came out to be positive who happened to be wife of Coronavirus patient. She has been sent to the Government Medical College Jammu under due protocol," Singla said.

Third positive patient in Jammu region today hailed from Hyderpora locality and had come in contact with one of the positive patients of Manjakote in Rajouri district. All eight family members of positive patient have been shifted from Hyderpora to Teachers Bhawan in Gandhi Nagar for quarantine.

All three persons who were tested positive today for Coronavirus have been admitted in Isolation Ward of the GMC Jammu.

With today's three positive cases, total number of Coronavirus patients in the Jammu region has climbed to 12.

Meanwhile, District Magistrate Jammu Sushma Chauhan today restricted any kind of movement in and out in five localities including Bhatindi and Sunjawan falling under the jurisdiction of Trikuta Nagar police station, Gujjar Nagar under Peer Mitha police station and Hyderpora and Bhawani Nagar in Janipura police station jurisdiction.

However, for any medical emergency, the people of these localities can contact 24x7 Control Room at 0191-2571616 and 0191, 2571912 telephone numbers.

While a Coronavirus positive patient was inhabitant of Hyderpora, three localities of Bhatindi, Sunjawan and Gujjar Nagar were contained following

PM hails Omar's call for social distancing

Prayers from home will give peace to his uncle's soul, Abdullah tweeted on Twitter on Sunday night while announcing the death of Dr Mohammed Ali Mattoo in Srinagar following a brief illness.

The Prime Minister offered his condolences and said, "In this hour of grief, your call to avoid any large gathering is appreciable and will strengthen India's fight against COVID-19."

India has been under a 21-day lockdown since March 24 to curtail the spread of Coronavirus. Social distancing is the only way to curb the spread of Coronavirus, the Government has said.

Replying to the Prime Minister, Abdullah said, "My family joins me in thanking you very much for your message of condolence jebab. Your prayers for the departed soul are much appreciated."

On Sunday night, the National Conference leader, who was released last week after nearly eight months in detention, went on Twitter to say his uncle had passed away after a brief illness.

"At this difficult time the family appeals to everyone to respect the guidelines to not gather either at his residence or the graveyard. Your prayers for your homes will give peace to his soul."

Meanwhile, official sources said that at least 1500 vehicles including most of the trucks and oil/LPG tankers, carrying essentials to Kashmir valley are stranded at Nashri, Chenani, Udhampur-Bypass, Dhar Road and Jammu-Nagrota Bypass for the last four days. Over 300 trucks which were returning empty from Kashmir are also stranded in Ramban area. Due to fresh landslides at Monkey Morh this evening, the highway was blocked between Ramban and Banihal, which was restored two days ago.

A MeT spokesman said that a fresh spell of rain is expected in J&K from March 31 to April 2. He said currently the weather is generally cloudy in Ladakh and Kashmir while it was mainly clear in Jammu area.

"A fresh spell of intermittent light to moderate rain in plains and snowfall on the higher reaches of J&K including Zojila, Drass and some areas of Pir Panchal and Zaskar region is likely to take place in coming 2-3 days," he said.

He said as usual, it may further lead to landslides in Banihal-Ramban stretch of the National Highway. Thunderstorm with gusty winds of the order of 30-40 kmph is also likely to occur during this period, he added.

Govt extends validity of vehicle permits

In an advisory to all states and Union Territories, the Ministry of Road Transport and Highways has asked them to treat such documents as valid till June 30.

The decision was taken to facilitate the citizens facing difficulties in renewing the validity of various documents related to the Motor Vehicles Act and the Central Motor Vehicles Rules due to nationwide lockdown in the country and closure of Government transport offices, according to the advisory.

It requested all States to "treat documents under MV Act & Rules, whose extension of validity could not or not likely be processed due to lock-down and which have expired since

1st of February, 2020 or would expire by 30th of June 2020, as valid till 30th of June 2020."

The documents include fitness, permit (all types), driving licence, registration or any other concerned document under the Motor Vehicles Act.

It pointed out that the Government had provided for the availability of the essential goods and production, and had allowed the vehicles for the transport of such goods/cargo.

The Ministry requested all States to implement the advisory in "letter and spirit" so that the people and transporters and organisations rendering essential services do not get harassed and face difficulties. (PTI)

No extension of FY: Govt

A notification issued by the Government today with respect to some other amendments done in the Indian Stamp Act is being misquoted, the Finance Ministry said.

The Ministry said that a notification has been issued by the Department of Revenue, Ministry of Finance on March 30, 2020 which relates to certain amendments to the Indian Stamp Act.

It pertains to putting in place an efficient mechanism for collection of Stamp Duty on Security Market Instruments transactions through Stock Exchanges or Clearing Corporation authorized by Stock Exchanges Depositories.

This change was earlier notified to be implemented from April 1, 2020. However, due to the prevailing situation, it has been decided that the date of implementation will now be postponed to July 1, 2020. (UNI)

First +ve case in Kashmir recovers, tests -ve

The SKIMS Director said that till date, the Institute has admitted 133 cases, of which 21 have been discharged, while nine positive cases continue to be under treatment.

He said that Viral Diagnostic and Research Laboratory (VDRL) SKIMS has tested 220 samples so far, out of which 12 tested positive, while 208 others are negative. However most of these patients admitted for observation continue to be under surveillance in coordination with the Directorate of Health Services and other Nodal Agencies of Jammu and Kashmir.

He said that 152 suspected coronavirus patients were treated in SKIMS so far out of whom 33 were discharged and 91 are under hospital quarantine. He said that 19 patients were admitted to SKIMS with Coronavirus like symptoms.

Cases rise to 1251, deaths 32

Ministry of Health Lav Agarwal said it is still technically in the local transmission stage in India and there has been no community transmission as yet.

Earlier on Sunday, a SOP (standard operating procedure) issued by the Health Ministry had referred to the current phase of COVID-19 pandemic in India as "local transmission and limited community transmission".

Agarwal urged all to maintain social distancing, saying even one person's carelessness may lead to spread of coronavirus pandemic.

He attributed the slow pace of rise in cases in India to people's participation in strictly following the social distancing guidelines and the collective preemptive actions taken by the Centre in tandem with State Governments.

The worldwide tally of deaths crossed 35,900, with more than

26,000 people dying in Europe. Globally, more than 7,40,000 people have been detected positive so far, out of which nearly 1,42,300 have recovered, as per various reports.

In UK, Prince Charles appeared recovering and moved out of self-isolation, but Israeli Prime Minister entered quarantine after an aide tested positive for the deadly virus.

Raman R Gangakhedkar, Head of Epidemiology and Communicable diseases at the Indian Council of Medical Research (ICMR), said 38,442 tests have been conducted till now in India, out of which 3,501 were done on Sunday.

He said 47 private laboratories have been given approval for conducting COVID-19 tests and in the last three days, 1,334 tests have been done in private labs. (PTI)

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He said that nine positive cases are under treatment in the isolation ward of the hospital.

HoD Chest Disease Hospital, Dr Naveed Nazir Shah said that 29 test reports were received and of

Station Vilgam.

Sopore Police booked 14 persons who were violating government orders on coronavirus. In this regard Police registered a case (FIR No. 57/2020 under relevant sections of law) at Police Station Sopore and further investigation has been initiated.

In Awantipora, police have seized 23 vehicles and 14 bikes from different areas of Awantipora for violating Government orders. Among the seized vehicles, 15 vehicles and 7 bikes were seized by Police Station Awantipora, 6 vehicles and 2 bikes were seized by PS Pampore and two vehicles and five bikes were seized by Police Station Khrew who were found plying in the said areas without the passes issued by the competent authorities.

Police have once again requested the general public to follow the restrictions imposed by Government in order to prevent the spread of COVID-19 and those who are violating the restrictions will be dealt strictly.

In the meantime, curfew across Kashmir continued for the 11th consecutive day today. It was imposed



A deserted street during lockdown in Srinagar on Monday. —Excelsior/Shakeel

them 25 came out to be negative and four as positive. "Two of them are admitted in District hospital Pulwama and two others are at JLN hospital", he said.

Shah said as per the new circular, only COVID-19 patients are to be admitted to the hospital now. He said due to increasing rush, it was decided that all suspected cases will be sent to NIT Hazratbal and only positive cases will be kept here. "It was a decision of Government of J&K to shift all 80 suspected patients to NIT Hazratbal to decongest the medical facility so that full attention and care is given to positive cases only who are 15 in number", he said.

Police today booked 44 persons and seized 70 vehicles for violating Government order on movement amid Coronavirus.

Police in its efforts to ensure complete lockdown across Handwara booked 30 persons for violating prohibitory orders in jurisdiction of Police Stations of Handwara and Vilgam.

Cases (vide FIR numbers 89/2020, 90/2020, 91/2020 under relevant Sections of law) were registered in Police Station Handwara against 17 persons and a case (FIR number 18/2020) was registered against 13 persons at Police Station Vilgam who were defying Government orders. Two vehicles have also been seized by Police

last week after the first positive case of deadly Coronavirus was detected in the Valley.

The streets continued to be deserted and only people with emergencies were found out besides people on essential duty.

Police and paramilitary forces were deployed in strength today who enforced the restrictions across the Kashmir to prevent coronavirus outbreak.

Police today booked and arrested several people for violating prohibitory orders in Kashmir and authorities appealed people to stay indoors.

Inspector General of Police, Kashmir Vijay Kumar today asked people not to travel on the National Highway without passes. He said that anyone who travels towards Jawahar Tunnel will be quarantined for 14 days.

Govt constitutes coordination teams to ensure movement of essential goods, services

production supply chains and coordination efforts while the coordination of all media and information efforts shall be looked after by Principal Secretary Information Department, Rohit Kansal and Director Information, J&K, Dr Sheshri Asgar.

According to officials, there were several smaller congregations culminating in the big meeting at the headquarters of the organisation, which shares its wall with the Nizamuddin police station and is adjacent to the famous shrine of Khwaja Nizamuddin Auliya. (PTI)

The Delhi Police today cordoned off a major area in Nizamuddin West where several people showed symptoms of coronavirus after taking part in the congregation earlier this month, officials said.

Over 2,000 delegates, including from Indonesia and Malaysia, attended the Tabligh-e-Jamaat congregation in Nizamuddin West from March

WEATHER

JAMMU :
Possibility of light rain/thundershowers
TEMPERATURE
Max: 25.7 Degree C
Min: 13.1 Degree C

RELATIVE HUMIDITY
RH-I (Morning): 80.0 per cent
RH-II (Evening): 58.0 per cent
Sunset on Tuesday: 06.51 p.m.
Sunrise on Wednesday: 06.20 a.m.

SRINAGAR:
Possibility of light rain/thundershowers
TEMPERATURE
Max: 15.3 Degree C
Min: 5.2 Degree C

RELATIVE HUMIDITY
RH-I (Morning): 69.0 per cent
RH-II (Evening): 44.0 per cent

LEH:
TEMPERATURE
Max: 9.7 Degree C
Min: -4.3 Degree C

Edited, Printed, Published by Kamal Rohmetra and owned by Daily Excelsior. Executive Editor Neeraj Rohmetra. Printed at Daily Excelsior and Excelsior Printer Pvt Ltd, Janipura, Jammu and published from EXCELSIOR HOUSE, Janipura, Jammu 180007 (J&K). Phones: 2537055, 2537901, 2539178. Fax: 0191-2537831 and 2530272 Editor's Residence: 2431830, 2433288. E-mail: editor@dailyexcelsior.com. Advertisement Manager Ajay Mengi 9419187959. For Advertisement queries: advt@dailyexcelsior.com. Residence Nos: Jammu Bureau Chief: Sanjeev Pargal (2538475), Special Correspondents: Mohinder Verma (9419185803), Gopal Sharma (94191