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**JAMMU AND KASHMIR
LEGISLATIVE COUNCIL SECRETARIAT**

D E B A T E S

Official

Report

Contents

Pages

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P R E F A C E

With great pleasure and honour, I present the proceedings/ debates of the 105th Session (Autumn Session, 2011) of the Jammu and Kashmir Legislative Council. The verbatim reports of the proceedings/debates of the Legislative bodies are not a mere narration of Questions, Replies, Adjournment Motions, Resolutions, Discussions and Bills etc. As a matter of fact, they are a rich source of contemporary history. They provide detailed information on all matters touching the life of a citizen and bring to light the political, economic and social conditions of even the remotest parts of the State. Besides, they serve as a mirror of the hopes and aspirations, concerns and apprehensions of the people as voiced by its chosen representatives. Moreover, these debates are the convenient tools of interpretation for the courts to interpret laws of the land by ascertaining the intention of the Legislature in enacting a particular law.

The Rules of Procedure require that the Secretary has to arrange for the preparation of a full report of the proceedings of each sitting of the House. Accordingly, everything said in the House—every question, remark and speech—is meticulously recorded by the Reporters. The entire proceedings of the day's sitting have to be edited, translated, compiled and printed to perfection.

The last time complete proceedings of the Legislative Council have been published was in the year 1989. From 1990 till 1996, the State was under the Governor's Rule. From 1996 onwards, except for a couple of selected day's proceedings, the practice of publishing the proceedings of the House has been discontinued. Perhaps the Secretariat has not been able to accomplish this job due to shortage of manpower, more in terms of quality than the quantity. Reporting of the proceedings is a highly specialized knowledge-intensive job carried out under great pressure, demanding utmost concentration and intellectual effort. Physical stamina, mental alertness and quick reflexes are the essential attributes of a Reporter's job, without which he cannot deal with situations like the one which usually prevails in the House during the Question Hour testing the competence of even the most experienced Reporter. Reporters have not only to correctly identify the Members asking the questions and the Ministers giving the answers, but also to record every word of what is said, including the often rapidly-quoted figures, names and unfamiliar technical words. The job of editors and translators is equally specialized and technical.

It is a well known fact that the Council Secretariat is in dire straits for want of skilled and specialized staff as far as reporters, editors and translators are concerned. In this backdrop, undertaking the job of compilation and publication of proceedings of the House after a long gap of 23 years was by no means an easy task. This monumental work has been a product of teamwork of officers and staff of the Council. I express my thanks to them for making this huge task possible. I also express my profound thanks to Hon'ble Chairman of the Legislative Council who was exceptionally liberal in extending every kind of help and support to me in the accomplishment of this monumental task.

The proceeding of the 104th Session (Budget Session, 2011) have also been completed but for the delay in printing by the Government Press, these proceedings could not be made available as scheduled. It is expected that the proceedings of 104th Session would be published within a week's time. It is our resolve to make the publication of proceedings of the House a regular feature now on.

Although utmost care has been taken to ensure that this publication is brought out without any mistake, yet it is possible that some unintentional errors might have crept in, for which we would offer our regrets. As there is always a scope for improvement, we would welcome suggestions for further improving and fine-tuning of our job. We look forward for your suggestions and guidance.

Sd/-
(Mohammad Ashraf Mir)
Secretary

All proceedings of the Autumn Session, 2011

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The Council met in the Council Hall, Srinagar at 10.30 AM.

Mr. Deputy Chairman, S. Arvinder Singh Micky, in the Chair

Mr. Deputy Chairman : Good Morning.

Mr. Deputy Chairman : Mr. Ajay Sadhotra, your question.

Shri Ajay Kumar Sadhotra : Sir, C. Q. No. 73.

Will the Government be pleased to state :-

- (a) Is it a fact that Hon'ble Chief Minister sensing the gravity of the situation due to scarcity of food grains released /sanctioned additional funds for purchase of ration detail please;
- (b) How much excess ration was purchased and how it was distributed among the dealers/rationees in Jammu Region;
- (c) What is the total number of rationees in the Marh Assembly Constituency and how much of ration is required to be given to rationees as per prescribed scale of the Government;
- (d) What is the shortfall, what are the reasons of shortfall and what steps CAPD department is taking to cover this gap to avoid any crisis?

Mr. Deputy Chairman : Hon'ble Minister In Charge CA&PD to reply.

Shri Shabir Ahmad Khan, Hon'ble Minister of State :-

- (a) Yes Sir, the State Government sanctioned additional funds for purchase of special /additional adhoc allocation of food grains made by Government of India;
- (b) The Division-wise status of special /adhoc allocations lifted and distributed by CAPD during 2010-11 is indicated in **Annexure (I). (For annexure see part 13 page 1.)**. These additional allocations were used to minimize the shortfall in case of APL category and supply food grains of AAY & BPL category at enhanced scale.
- (c) There are 30867 registered rationed families in the Marh Assembly Constituency and 10803 Quintals are monthly required to be given as per the prescribed scale of 35 Kgs per family per month;
- (d) There is no shortfall in case of BPL and AAY category, however, shortage is experienced under APL category which is minimized to be possible extent by releasing additional/ adhoc allocations made by Government of India.

-----Cross talks-----

Shri Ajay Kumar Sadhotra: Sir, my question is very important relating to the lives of the general masses. The opposition members always create disturbances whenever such important issues are discussed.

-----Cross talks-----

Mr. Deputy Chairman : As per the Rule 60-A of the Rules of procedure and conduct of Business in the Jammu and Kashmir Legislative Council, while considering the notice, we have to consult the Leader of the House and the concerned Minister and fix time for the reply by them accordingly.

Shri Ajay Kumar Sadhotra : Sir, they are wasting the precious time of the House.

-----Cross talks-----

Shri Ajay Kumar Sadhotra: Sir, there are 30876 families in Marh constituency. I would like to know as to what is the requirement of the ration in the constituency according to 35 kg. per family.

Shri Shabir Ahmad Khan, Hon'ble Minister of State : Sir, there are 23550 APL families and 4978 BPL families, and the amount of ration to be supplied comes out to be 17428 under APL category and

-----Noisy scenes-----

Mr. Deputy Chairman : Marshal the agitating Members out. Mr. Sadhotra to continue

Shri Ajay Kumar Sadhotra : Sir, the Hon'ble Chief Minister has been very generous to release additional funds again considering the gravity of ration shortage in the state. They have also not stated as to what was the amount of funds hence released. Whenever they make statements in the House, they say that there is no shortage of ration in BPL or AAY categories. Now, in the statement, they have admitted shortages in these categories. They again made the statement that they provide 35 Kg per family. So, I think that it is contempt of the House for making false statements. I again request that the ration supply should be categorized. In Marh constituency, there are 30867 registered families, so what is the amount of ration being supplied, what should be supplied and how much is the shortfall ?

Shri Shabir Ahmad Khan, Hon'ble Minister of State : Sir, the Hon'ble Member asked about the amount of funds received by the deptt against the additional ration. I would like to inform that our government has projected Rs. 76 crores to the GOI for adhoc supplies, and one could see in annexure A that we got adhoc ration supplies in 4 installments from the GOI which has been distributed in both the provinces accordingly. We have distributed rice and wheat to beneficiaries under APL, BPL and AAY categories. As far as APL category is concerned, going by the 2001 census, the government agrees that we are already short of quota and we pick up additional ration to minimize the shortfall and try to supply 35 Kg of ration to every family as per the GOI norms. We so not have any shortage in

AAV and BPL category ration supplies. But, in the current quota, we enhanced the BPL and AAV supplies to 40,45 and 50 kg per family instead of 35 kgs.

As far as Marh constituency is concerned, we have 30867 registered families and the per month quota comes out to be 10803 quintals. As per calculations, the quota for last six months, ie, from April till September, comes out to be 64818 while 37918 quintals has been supplied.

Shri Ajay Kumar Sadhotra : Sir, as per the tactful statement, they have supplied approx. 40000 quintals of ration during the past six months instead of 64818 quintals. The CA&PD Deptt, is the face of the government and there is a note of interrogation on the working of the government. The government must lay the facts before the house so that we could convey the same to the public accordingly. The statement is full of contradictions.

Shri Ghulam Qadir Pardesi : Hon'ble Sir, the distribution system has fallen in some irresponsible hands and the common man is paying the price for the same. Although, we have made the Hon'ble CM realize the gravity of the issue during the previous session and he had been kind enough to provide funds for ration as well. But, the on ground picture is totally contrary and the poor is left to starve without any facility. The list of beneficiaries include well of families, while the deserving poor do not get any benefit. So, there has been a hue and cry about preparations of new list. Action is taken against the complainant and not the irresponsible person.

Next, sir employees continue to be posted at one important place for the last ten years and they have developed a vested interest at those places.

Shri Shabir Ahmad Khan : Sir, Sadhotra sahib had been a Minister of the CA&PD Deptt. He knows that we have repeatedly been taking up the matter of shortfall with the GOI. The government has formulated some norms to cope up with this shortfall. In fertile areas producing two crops, we supply ration to APL category according to the produce.

-----Cross talks-----

Shri Shabir Ahmad Khan : Sir, we supply according to the off take rate of the area.

Secondly, in reply to the supplementary by Pardesi sahib,

-----Noisy scenes-----

Shri Murtaza Ahmad Khan : Sir, while marshalling us out, we must have been told the reasons for doing so and as to for how long we have been suspended from the House. This is not the way that the door had been bolted from inside. This is a Legislature hall and not a private room.

-----Noisy scenes.....

Mr. Deputy Chairman : Mr. Murtaza, I did not order for bolting the doors, you are absolutely wrong. I welcome everyone here. But, no body should disturb the proceedings of the House and I want this House to run.....

-----Noisy scenes-----

Mr. Deputy Chairman : Next Question...

Shri Subhash Gupta.

Shri Subhash Chander Gupta : Sir, C. Q. No. 184...

Will the Government please state :-

- (a) Whether it is a fact that there is no LPG distribution outlet at Tehsil Headquarter Hiranagar Municipal Committee as well as adjoining areas have to face a lot of difficulties for getting gas cylinders filled from Samba/Chadwal;
- (b) If the answer is affirmative what steps the Government is taking in this behalf?

Mr. Deputy Chairman : Hon'ble Minister to reply.

Shri Shabir Ahmad Khan, Hon'ble Minister of State :-

- (a) Yes Sir. The consumers of Hiranagar and adjoining areas are being provided LPG through Bharat Petroleum outlet at Chadwal and HPCL outlet at Samba;
- (b) New LPG outlets are opened by the respective oil companies. However, the Government of India has introduced Rajiv Gandhi LPG Vitran Yojna under which new LPG outlets will be established at block Headquarters. The scheme could not be implemented in the State of Jammu and Kashmir as some existing LPG dealers have got stay orders from the Hon'ble High Court against its implementation. The oil companies have been advised to move the court for early hearing and vacation of the stay orders. The CAPD Department has requested the Ld. Advocate General to make the State Government an intervener in this case in public interest.

----- Noisy Scenes-----

Shri R. S. Chib, Hon'ble Minister for Medical and Technical Education, Youth and Sports : Sir, as the Opposition members have used unparliamentarily words, so I request the Chair to suspend them for the rest of the day.

Mr. Deputy Chairman : Does the House agree with the suggestion.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : The Hon'ble Members of the Opposition benches are suspended for the day.

----Noisy Scenes----

Mr. Deputy Chairman : Mr. Subhash Gupta to continue.....

Shri Subhash Chander Gupta : Sir, residents of Hiranagar and adjoining border areas have not been provided the facility of gas connection supplies and they have to travel to far of places for refilling gas cylinders. GOI has formulated a policy for providing a gas agency at every Block headquarters, but, the same exists only at Tehsil levels. So, I would like to know the reasons for ignoring Hiranagar in this policy and why people are compelled to carry the cylinders head-on for thirty kms distances. So, I demand provision of gas agency at Tehsil Hiranagar.

Shri Shabir Ahmad Khan, Hon'ble Minister of State : Sir, it is a fact that there is no LPG distribution centre at Hiranagar. As the Hon'ble Minister has stated that as per the policy of GOI, LPG distribution agencies were to be provided at every Block level in the name of late Rajiv Gandhiji. But, unfortunately we could not implement the policy in Jammu and Kashmir because the matter is subjudice as the existing dealers have got the implementation of the policy stayed and the government is pursuing the case in the Hon'ble Court. We have also taken up the matter with the learned Advocate General for getting the stay vacated so that the yojna could be implemented through out the whole state and people could get a sigh of relief.

Shri Subhash Chander Gupta : Sir, I would like to know whether the stay is on provision of Gas agencies at Block level or on Tehsil level. If the stay is on provision of such agencies at Block headquarters, then provisions could be made for Tehsil headquarters at least.

Shri Shabir Ahmad Khan, Hon'ble Minister of State : Sir, the Rajiv Gandhi Yojna lays provision of gas agencies at Block levels only and not at Tehsil level. The OWPs are pending before the Hon'ble Court and we are pursuing the case in order to get the stay vacated at the earliest. As soon as the stay gets vacated, we would make provisions of gas agencies at Block level.

Mr. Deputy Chairman : Taing sahib, your question...

Shri Mohammad Yousuf Taing : Sir, C. Q. No. 37.

Will the Government be pleased to state:-

- (a) What was the quantum of trade transacted through Srinagar-Muzaffarbad Road during last year;

- (b) Number of the State Subjects who visited to Muzaffarabad Poonch Bagh etc across to the line of control also the number of people who visited this part of Kashmir during the previous year;
- (c) Whether it is a fact that Governments from both sides of the line of control have banned the import and export of some goods if so, the details to this effect may please be furnished;
- (d) The details of the goods being imported and exported at present?

Mr. Deputy Chairman : Hon'ble Minister In charge Industries and Commerce to Reply.

Shri S. S. Slathia, Hon'ble Minister for Industries and Commerce :-

- (a) The trade is barter in nature. However the estimated value of goods exchanged during the last year (2010) is as under :-

Route	Value of goods imported (in Pak currency)	Value of goods exported (in Indian Currency)
Salabad Uri	Rs. 216.8201 crores	Rs. 119.7518 crores

- (b) During the previous year, 566 Indian nationals have visited across LoC , out of which 2010 traveled via Kaman (Uri), 29 via Teetwal and 327 via Chakan-da-Bagh (Poonch) against 1377 PoK nationals who visited the State of J&K out of which 566 came via Kamam , 76 via Teetwal and 735 via Chakan-da-Bagh.
- (c) The import of Garlic has been stopped from 13-05-2009 onwards on the directions passed by the Gov of India, Ministry of Agriculture (Department of Agriculture and Cooperation) due to interception of Exotic Pathogen EMBELLISIA ALLII on several occasions from the garlic consignments imported from Pakistan. Moreover, the export of Coconut has also been restricted by the Government of India as the item is not being produced in the State. Further items viz Ajwan and Zeera have also been reportedly stopped on the grounds that these items do not fall within the category of medicinal herbs and are classified as spices.
- (d) The details of goods being imported and exported through LOC Trade has been indicated in "Annexure A". (For Annexure see part 13 page 2).

Shri Mohammad Yousuf Taing : With your permission sir, I would like to ask the government whether they contemplate to throw open the entry points at Skardu and Kargil so that some commerce could be initiated between the two sides.

Secondly, the inhabitants of both sides of Kashmir are desirous of traveling to their relatives on the other side. But, the travel document formalities carry such complications that it seems that their desire could never get fulfilled. So, I would like to ask whether any steps have been taken by the government to simplify the procedural formalities.

Shri S. S. Slathia, Hon'ble Minister for Industries and Commerce : Sir, as far as opening of routes is concerned, the decision is to be taken by the two nations, India and Pakistan. We, as a state, do not have much role to play. We are only a recommending authority. The decision is to be taken by the Home Ministry. Meanwhile, the cross border trade needs to be strengthened. We have been repeatedly taking up this matter with GOI and we have been successful in at least making provisions for the telephone facilities. We have also been emphasizing on provision of Bank facility as well so that the batter system or trade could be enhanced. We have also sanctioned Rs. 2 crores for provision of PFCs at Poonch and at Uri

and I feel glad to inform you that Rs. 79 crores have been reported to be spent till date. We have also taken up the issue of scanners. A high level meeting was also held at Delhi with regard to further steps to be taken up in this direction and the Commissioner, Industries and Commerce represented the state government there.

Shri Mohammad Yousuf Taing : Sir, what about the second supplementary regarding simplification of travel documents and procedure.

Shri Jehangir Hussain Mir: Sir, Taing sahib has raised a very important issue. As the Hon'ble Minister stated that there are no telephone facilities as yet. As you might have seen that people have been seeking permission from the last 40-50 years for meeting their relatives on the other side. So, the DC may be authorized to permit them to go to the other side. As far as the telephone facility is concerned, it is very important from the business point of view. At present, communication could be made from that side, but not from the this side. This may improve the cross border trade.

Shri Ajay Kumar Sadhotra : Sir, Jehangir sahib is very much right. Some days ago, a delegation of LOC traders visited India, and met people in Jammu as well. They also had the complaint regarding banking and telephone facilities. Do they contemplate to make it time bound to ensure these facilities so that LOC trade could be strengthened.

Shri S. S. Slathia, Hon'ble Minister for Industries and Commerce : Sir, the telephone facility would not be provided to each and every trader. This facility is available with the In charge GM, the President of Chamber of Commerce at Srinagar and Jammu. Only five connections have been sanctioned. Now regarding the simplification of documents, I would submit a copy of the issues taken up with the GOI and I hope that the decision in this regard would be met soon.

Shri Javed Ahmad Rana : Sir, we know that there was a branch of J&K bank in POK as well before 1947 partition. Our government had also expressed its view point on reviving the said branch. So, I would like to know whether there is any development in this regard.

Shri S. S. Slathia, Hon'ble Minister for Industries and Commerce : Sir, we have already taken up the issue with the GOI. We also want to provide banking facility. But we are waiting for favorable conditions. The other side is not favoring the facility as the value of Indian Rupee is more than Pakistan Rupee. The Traders Association have also been stressing upon us for provision of this facility and we are also looking forward for the same as it is an important tool to enhance the cross border trade. I hope that the decision in this regard would be reached at in the next meeting of the Foreign Ministers of both sides.

Mr. Deputy Chairman : Next Question Mr. Vijay Bakaya.

Shri Vijay Bakaya : Sir, C. Q. No. 30,

Will the Government be pleased to state :-

- (a) What are the salient features of the new Forest policy announced for the state recently;
- (b) What is the total geographical area of the State and out of this what is the total area covered under Forests and what is the gap between the objective to be achieved and the present coverage;

- (c) What are the projects that have been undertaken to cover this gap and what is the time frame fixed for this?

Mr. Deputy Chairman : Minister In charge Forests to reply.

Reply. Mian Altaf Ahmad, Hon'ble Minister for Forests:-

- (a) Sir, the salient features of the Jammu & Kashmir State Forest Policy-2011 are given in Annexure-A to the reply; (For Annexure see part 13 page....)
- (b) The geographical area of the Jammu and Kashmir State is 101387 sq.kms. As per the State of Forest Report, 2009 published by the Forest Survey of India absed on satellite data of October, 2006- January 2007, the forest cover in the strate is 16309 Sq.Kms (excluding forest cover outside line of control). Of the geographical area (101387 sq. kms) under Indian possession, about 59% is under permanent snow cover, glaciers and cold desert (Ladakh region) where it is not possible to grow trees due to physical limitations (SFR, 2005-FSI). The increasing population and live stocks population is putting tremendous pressure on natural resources including forests. Thus the forests of the state have been bearing this brunt over the decades. It has resulted in about degradation of the forests to the extent of 50%. Now the objective is to restore the degraded forests back to the original position by undertaking various rehabilitation works and Schemes. The State Forest policy, 2011 emphasis on conservation of forest resources for ecosystem goods and services, meeting needs of the people for forest produce, and poverty alleviation through forestry related activities.
- (c) The department has undertaken various projects as mentioned below pertaining to afforestation programme on non-forest lands as well as degraded forest lands under various schemes to cover this gap :
- i. Rehabilitation of Degraded Forests;
 - ii. Eco-task Force
 - iii. Urban Forestry
 - iv. Stabilization of slip areas
 - v. River Valley Project
 - vi. Cm's Participatory Afforestation Scheme (Pilot Project)
 - vii. Forest Development agencies (National Afforestation Programme)
 - viii. CAMPA

The task of rehabilitation of forests is gigantic. The present financial support is insufficient. Further the biotic pressure on the forests continues to remain. Thus no specific time frame can be given. Continuous efforts are being made for rehabilitation of degraded forests. However, with enhanced financial support, the rehabilitation process can be expedited.

Shri Vijay Bakaya: Sir, had the Hon'ble Minister circulated the forest policy, I would not have asked such a lengthy question. It would be very innovative policy. I request that the Forest Policy may be circulated among all the Hon'ble Members. No doubt the reply to the question is in detail, but the basic question ahs still not been answered which is regarding the gap between the present forest cover and the target one. Should I be made to understand that the target of covering 66% of the area, being a hilly area, has been altered and the emphasis or the focus has been shifted towards up gradation of the forests. If it is so, then the policy is fact based one as we had been targeting 66% cover since long, but have not achieved so. The same is the case with the national figures. It has been stated that 50% of the forest has degraded and also that they do not have financial resources to upgrade them.

So, whether the govt has taken up with the Planning Commission to enhance the allocations towards the Forest Deptt.

Secondly, it has also been stated that the main focus of the policy would be alleviation of poverty. I would like to ask that on one side they are talking about conservation and on the other hand about alleviation of poverty through the use of forest resource. Whether they are contradictory strategies.

Mian Altaf Ahmad, Hon'ble Minister for Forests : Sir, Mr. Bakaya has experience in all the fields and we also respect his suggestions. I would definitely provide him a copy of the Forest Policy and our Deptt would seriously consider his suggestions. There are different views about the forest cover, but as per available information, the present forest cover is 49% in Kashmir as well as in Jammu, but excluding Ladakh. We said that 50% of forest area has degraded, but the forest land is still there. Some encroachments are also there. Somewhere 2-5 kms stretch got gutted in fire, some got diseased, some have dry/fallen timber. These are the unmotorable far flung areas or where from, the timber could be brought to the loading point or be transported. We are trying to cover the lost forest cover area as per the directions of the Hon'ble Supreme Court and the guidelines in this behalf. We have even been successful to an extent. I cannot say that everything is going well but we have enhanced the tree plantation. All our wings, Social Forestry, Soil Conservation and Territorial Forest have been directed to prioritize tree plantation to enhance the forest cover. We plant double the trees which get cut down due to road construction, Power, PHE and Irrigation projects or under PMGSY schemes. It has also been decided in CMPA, headed by the Hon'ble Chief Minister, that the funds be utilized to enhance the forest cover. As far as funds are concerned, this Deptt is not allocated as much funds as are needed in view of the importance of forests and environment in this state and there happens to be a meager allocation for this Deptt as compared to others. We have been pleading our cause with the State government, Central government and the Planning Deptt. We have taken up projects with the IWDP and one with a Japanese concern, the project with IWDP is too old to be taken up but we hope for funding from the Japanese project.

Shri Vijay Bakaya : Sir, the legal cutting of trees is acceptable and the compensation amount goes to the CMPA, but what special measures have been proposed to check the illegal felling of trees which in turn damages the forest resource?

Dr. Bashir Ahmad Veeri : Sir, is there any concrete programme in the new Forest Policy under which habitat could be developed for the wild life animals. Many wild life attacks have occurred during the recent past in Kashmir due to which many precious lives were lost and around 180 people got badly injured. Wild life habitats have been encroached upon. So, whether there is any concrete programme to revive the wild life habitations. People have been trained but it was a Zoo level training and employees need to be trained to deal with wild animals in their natural habitat.

Shri B. R. Kundal : Sir, whether copies of the policies would be circulated to every legislator, because unless we get the copy we are unable to raise the queries.

Mian Altaf Ahmad, Hon'ble Minister for Forests : Sir, copies of the policy would be circulated to all the Hon'ble Members. Our expert and experienced officers have contributed a lot in framing the State Forest Policy. We have also incorporated the suggestions from other people having forests as the filed of interest. Main stress has been laid on saving our forests and if would lay here the measures to save the forests, I think it would consume lot of time of the House. We would cooperate with the people residing near

the forest areas and would rather involve them as partners. There is a general awareness among the masses to save the forests, whether in rural or in urban areas. As Dr. Veeri has rightly stated, man animal conflict is a grave area of concern, many lives have been lost and every body is concerned about that. Compensation could never be an alternative for the lost life. We have, on our part, strengthened the wild life deptt. We have a Corporation, projects with the IWDP and we have provided man force to strengthen them, But no body could ever know that when and where a bear would come from. I would say that we are doing our best in this regard but the people need to be themselves aware and save their crops and lives.

Shri Khalid Najeeb Suharwardy : Sir, the forest cover is depleting day be day. Some people have been involved in illegal acts, many enquiries have also been conducted in this regard. I would like to ask the Hon'ble Minister about the outcome of those enquiries and whether any body has been penalized or not.

Mian Altaf Ahmad, Hon'ble Minister for Forests : Sir, no enquiry has been conducted during my tenure as Minister. But some enquiries were conducted prior to that, even by some House Committees. I do not have their details right now with me and would provide the same to the Hon'ble Member.

Mr. Deputy Chairman : Mr. Naresh Kumar Gupta. Next question..

Shri Naresh Kumar Gupta : Sir, C. Q. No. 203.

Will the Government please state :-

- (a) Whether it is a fact that to keep watch and ward in the forest from mischief damages etc, village forest committees have been constituted almost in every compartment of the Forest Division in the State. If yes, how much amount has been allocated to the VFCs of State since their inception circle wise in the State;
- (b) How many assets have been created and their present status, location, sector-wise details, alongwith development works if executed any;
- (c) How many plants, circle –wise, species wise have been planted and their present position – location and number of beneficiaries detail with record?

Mr. Deputy Chairman : Hon'ble Minister for Forests to reply.

Mian Altaf Ahmad, Hon'ble Minister for Forests :

- (a) Yes Sir, Village Forest Committees (VFCs) have been constituted in territorial Divisions of the State for efficient implementation of afforestation programme which inter alia help in the protection and sustainable management of the forests. The circle-wise details of VFCs constituted and funds released from 2002-03 to 2010 are as under :-

S. No.	Name of Circle	No. of VFCs (FDAs)	Funds released (Rs. In Lakh)
1.	Srinagar	193	210.98
2	South, Bijbihara	110	356.21
3	North, Sopore	191	228.74
4	Chenab, Doda	1991	2496.77
5	West, Rajouri	702	1255.35
6	East, Jammu	986	1095.48

	Total	4173	5643.48
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In addition Social Forestry Department has constituted 2226 village Forest Committees who facilitate in raising and protecting the plantation areas. In terms of SRO 61 of 1992 read with SRO 17 of 1999 the usufruct out of these plantations is shared with these Village Forest Committees in terms of cash & kind out of intermediate and final harvest/yield. The Division wise detail of VFC and benefit sharing of Divisions of Social Forestry Department enclosed as **Annexure "A"**. (**Annexure not available**)

- (b) The Division wise details of assets created are enclosed as "**Annexure X (1-10)**" (**Annexure not available**). Most of the asset created are in proper shape and are being used by the locals and nomadic grazers.

In addition till date (2010-11) the works executed and the planting done by the Social Forestry Department is as under :-

Sector	Area(ha)	Plants (lacs)
State	54,171	534.18
District	25,376	243.15
CM's PAP	1,442	9.90
12 th FC	398	2.99
13 th FC	259	1.54
BADP, BRGF, SCP to TSP	464	3.83
Total	82m110	795.59

- (c) The circle-wise details of plants planted are as under :-

S. No.	Name of Circle	No. of lakh plants planted
1.	Srinagar	2.38
2	South, Bijbihara	11.23
3	North, Sopore	3.70
4	Chenab, Doda	88.69
5	West, Rajouri	42.89
6	East, Jammu	40.08
	Total	188.97

The plants planted are mostly Broad leaved in addition to that species like Walnut, medicinal plants, mulberry and poly raised plants has also been planted depending up on the agro climatic conditions and local requirement of the people in the areas covered.

In addition to above, 795.59 lacs plants have been planted by the Social Forestry Department in the State. The plantations have attained maturity and require harvesting a an intermediate yield the local beneficiaries 9,92540 have been provided the benefits in shape of cash out of sale of trees. The division wise details of area & plants planted are enclosed as **Annexure B & C** respectively. (For Annexures see part 13 page.....)

Shri Naresh Kumar Gupta : Sir, the reply is a detailed one. But as far as part (b) is concerned, the detail is incomplete. Sector-wise details of the assets created with their present status and location were sought for. Some details have been given only regarding

those assets created in Bijbihara, Anantnag or other areas. Whether no assets have been created in Jammu region. If so, the details have not been enclosed.

Mian Altaf Ahmad, Hon'ble Minister for Forests : Sir, assets have definitely been created in Jammu region also. Some good ones are in Rajouri district. I would collect the details regarding the whole Jammu region and would furnish the same to the Hon'ble Member. The details have been enclosed as annexure 10. I would seek some specific queries from the Hon'ble Member.

Shri Naresh Kumar Gupta : Sir, I have sought for the details regarding the whole state. Some details have been enclosed pertaining to some areas in Kashmir. I would like to request for details regarding sub-regions of Jammu region as well so as to enable me to raise supplementaries.

Mian Altaf Ahmad, Hon'ble Minister for Forests : Sir, I would ensure that the details are delivered to the Hon'ble Member today positively.

Mr. Deputy Chairman : Mr. Kundal, Next Question.

Shri B. R. Kundal : Sir, C. Q. No. 79.

Will the Government be pleased to state :-

- (a) Is it a fact that CAPD department is charged with the responsibility of issuing ration cards;
 (b) If so, provide the total number of ration cards issued under the following categories?

- a) APL
 b) BPL
 c) AAY
 (c) Total population falling under above categories.

Mr. Deputy Chairman. : Hon'ble Minister In Charge, CA&PD to reply.

Shri Shabir Ahmad Khan, Hon'ble Minister of State :-

- (a) Yes Sir.
 (b) The details of ration cards issued are indicated as under :-

S. No.	Category	Total No. of ration card holders (in lakhs.)
1	APL	12.23
2	BPL	4.80
3	AAY	2.56
	Total	19.56

- (c) The detail of population falling under above categories as per census 2001 is indicated as under :-

S. No.	Category	Total population as per Census 2001
1	APL	60.97
2	BPL	26.40
3	AAY	13.77

	Total	101.14
--	--------------	---------------

Shri B. R. Kundal: Sir, if we see, the BPL population is 26.40 lacs while only 4.80 lacs ration cards have been issued. The ration drawn from the sources is for 26.40 lacs people. So, where does rest of the ration go, in the BPL category, which has no doubt increased from 2001 census till date.

Similarly in APL category, the population is 13.77 lacs, while only 2.5 lacs ration cards have been issued. So, how the gap in ration issuance would be justified.

Shri Naresh Kumar Gupta : Sir, are the migrants also included in the number given in the lists of BPL, APL or AAY category.

Shri Shabir Ahmad Khan, Hon'ble Minister of State : Sir, I think the question was too detailed. During the previous session, all Hon'ble Members were of a unanimous view that a detailed survey of BPL population be conducted again so as to ascertain the factual figures. A government Order was also issued under the directions of the Hon'ble Chief Minister in this behalf. The process is going on, Deputy Commissioners have been appointed as the nodal officers. Our deptt is on the job in co-ordination with the Rural Development Deptt. Some reports have been submitted and some are awaited. GOI has also conducted the Census 2011 and when we would get the figures, I think all the facts would get clarified.

Shri B. R. Kundal : Sir, I am not concerned about the survey. I have asked the number of population for which the ration is being drawn. You say that the BPL population is 26 lacs while the ration is only for 4.80 lacs. So, what about rest of the population or rest of the ration. I want the reply to my specific question regarding both the categories.

Shri Ajay Kumar Sadhotra : Sir, would the Hon'ble Minister conduct an enquiry in this regard and submit a report to the House. This difference is a serious concern.

Shri Shabir Ahmad Khan, Hon'ble Minister of State : Sir, the Hon'ble Member has also headed the Deptt. once. I think that a detailed reply has been given to all the three parts of the question. If he needs any specific information, I would request him to come to my chamber, I would furnish the same.

Shri B. R. Kundal : Sir, I would like to get the reply in the House only and not in his chamber. .

Mr. Deputy Chairman, : The Hon'ble Minister would kindly furnish the reply in the House.

Mr. Deputy Chairman : The question hour is over. Now we would take up the deferred question of Dr. Bashir Ahmad Veeri.

Dr. Bashir Ahmad Veeri : Sir, C. Q. No. 120.

Will the Government be pleased to state :-

- (a) What is the quota for reservation of SC, ST, RBAs and OBCs in the requirement for Government; Jobs as per the recruitment rules;

- (b) What is the quota (% age wise) for the reservation of SC, ST, RBAs and OBCs in the promotion of employees;
- (c) What is the level up to which there is a reservation for promotion as per relevant recruitment rules;
- (d) Has the government maintained the cadre of various categories in all the departments, the details of existing strength of each category in all the cadres of departments be furnished;
- (e) If there is an imbalance in the cadre strength by virtue of retirements of officers/officials of open category, what steps the government, intends to take to strike the balance?

Mr. Deputy Chairman : Hon'ble Minister to reply.

Shri R. S. Chib, Hon'ble Minister :-

- (a) The quota for reservation of SC, ST and Socially and educationally Backward classes in the recruitment for government jobs was notified vide SRO 294 of 2005 dated : 21/10/2005 is as under :-
- | | | |
|---|------------|-------------|
| a) Scheduled Caste | 8% | |
| b) Scheduled Tribe | | 10% |
| c) Socially and educationally backward classes : | | |
| i) Weak and under Privileged classes (Social Caste) | 2%. | |
| ii) Residents of areas adjoining Line of Actual Control (ALC) | 3% | |
| iii) Resident of Backward Areas (RBA) | | 20% |
| iv) | | |
| v) Ex-Servicemen | 6% | |
| | | Horizontal |
| | | Reservation |
| vi) Physically Challenged Persons | | 3% |
| | Horizontal | Reservation |

- (b) As per SRO 144 of 2008 dated 28/5/2008, rule 9 of the promotion quota for various posts is as under :-

a) Where the direct recruitment to a particular post is at 25% or less the reservation shall be :-

- | | |
|---------------------|-----|
| i) Scheduled Caste | 8% |
| ii) Scheduled Tribe | 10% |

b) Socially and Educationally Backward Classes :-

- | | |
|---|-----|
| i) Resident of Backward Areas (RBA) | 10% |
| ii) Actual Line of Control (ALC) | 2% |
| iii) Weak and under privileged class (SC) | 1% |

Where the direct recruitment is more than 25% the reservation shall be :-

- | | |
|------------------------|----|
| i) Scheduled caste SC | 4% |
| ii) Scheduled Tribe ST | 5% |

c) Socially and educationally backward classes :-

- | | |
|------------------------------------|-----|
| i) Resident of backward area (RBA) | 10% |
| ii) Actual Line of Control ALC | 2% |

iii) Weak and underprivileged class 1%

- (c) The reservation for promotion in various categories is up to the grade of deputy Secretary to Government level or its equivalent post as per SRO 294 of 2005 dated : 21/10/2005.
- (d) Yes Sir, the Government has maintained the cadre strength of various categories of posts in all the departments as per their relevant Gazetted/Non-Gazetted recruitment rules. The details of existing cadre strength of all categories of posts are given in **Annexure "A" (For Annexure see part 13 page 3.)** and the details of existing position of various reserved categories in the State services are indicated in **Annexure "B". (For Annexure see part 13 page 4.)**
- (e) No imbalance is caused in open category due to retirement of officers /official as these posts are filled up by direct recruitment and by promotion respectively as per service rules and in accordance with roster register maintained by all the departments.

Dr. Bashir Ahmad Veeri : Sir, as far as part (b) is concerned, we have seen that if there are 100 seats, let us presume that 93% fall under the open category and 7% fall under the reserved category. But, when 10 people retire from the 93% quota, people from the reserved category also get promoted from below, and we do not deny them, So, how could the inter-cadre strength be maintained when the reserved category people get benefit from both the quotas which needs to be discouraged.

Secondly, I would also like to know that why we cannot make reservation according to the population strength of a particular category. I would like to know whether the govt has any plans in this behalf to make reservation in accordance with the population ratio in the state.

Shri B. R. Kundal : Sir, I would like to know as to how many deptts are there in which roaster is being maintained. How many deptts have been inspected for and it has been found that they do not maintain the roaster? What action has been taken against the irresponsible officers for such violation as provided under the Act?

Shri R. S. Chib, Hon'ble Minister : Sir, the part(d) of the question has been clearly replied to.

Dr. Bashir Ahmad Veeri : Sir, I have asked specific question in part (d) with an explanatory example. I would request for specific replies to that and to my supplementary also.

Shri R. S. Chib, Hon'ble Minister : Sir, a person can seek benefit under one category only and not under two or three simultaneously. As far as maintenance of roaster is concerned, it is being strictly adhered to in all deptts. If they would bring any specific case of violation in our notice, we would reply accordingly.

Dr. Bashir Ahmad Veeri : Sir, I have quoted an example in support of my question regarding Inter-cadre maintenance. For instance there is 7% reservation. Rest are 93%. Now suppose from these 93%, 10 get vacated owing to retirement of employees. While filling up these posts, the reserved category person also get promoted, which should be discouraged to make inter-cadre maintenance effective. .

Secondly, I have suggested for making reservations according to the population proportion.

Shri Khalid Najeeb Suharwardy : Sir, how many times is the benefit of category to be given to a person, whether at the time of entry into government service or at the time of promotion.

Shri R. S. Chib, Hon'ble Minister : Sir, the act is silent as to how many times one has to be given benefit under the category. When he enters into service, he would get the benefit and so at the time of promotion as well. Secondly, the reservation is given up to the Deputy Secretary level or equivalent.

Shri Javed Ahmad Rana. : Sir, the Hon'ble Minister has replied in detail. There has been an increasing demand for conferring Scheduled Tribes Status and we welcome that. The Scheduled Tribes, comprising of Gujjar and Bakkarwals, have been genuinely apprehending that our reservation share, which is 11%, is also shared by new people who get registered under the quota. Different lists are being issued by different recruitment agencies like the PSC or SSRB. Recently, the selection list of Assistant Surgeons has been published. The Gujjar and Bakkarwals, who have been given 10% reservation by the law, out of 26 posts, 9 have been given to Gujjar and Bakkarwal. There are other people also, like Gaddis. They have also banned inter district recruitment, due to which our reservation has come down to 2% only. This is the concern of the Scheduled Tribe community and I would like to ask that under which ratio, these 9 candidates belonging to ST category have been selected. It is a violation of our rights envisaged under the Constitution.

Shri R. S. Chib, Hon'ble Minister : Sir, I have made it very clear in the beginning. Hon'ble Member, Mr. Javed Rana has been raising this issue since the Inter district recruitment got banned. But the reservation percentages have been laid under the Constitution. That can not be changed. As I said that the Reservation rules have been framed after due deliberation. And if you think that the same be enhanced, that can not be taken care of.

Mr. Deputy Chairman : Question Hour is over.

(Replies to Starred questions tabled but not discussed)

Starred C. Q. No. 223, Shri Nizam-ud-din Khatana :-

Will the Government please state :-

- (a) Whether it is a fact that Kokernag Nallah which starts from famous Kokernag Spring has lost its charm because of encroachments made over ay various places particularly at villages Hangalgund, Bidder, Danweth Sangam etc;
- (b) If so, what action has been taken/initiated against the culprits so far?

Reply.(Minister In Charge PHE/I&FC Department)

- (a) & (b) No information about encroachment has been received since creation of Kokernag Development Authority in 2005. As per the report of Fisheries Deptt. there is no

encroachment on the Kokernag spring which feeds the trout fish farming project. Besides, the revenue department has also intimated that there is no encroachment on famous Kokernag Spring/Nallah at present.

Starred C. Q. No. 54, Syed Asgar Ali :-

Will the Government please state :-

- (a) Is it a fact that DPR of Nehar-e-Neigud irrigation Canal have since been completed by the Department. If answer is in affirmative, why the Government has not started the work;
- (b) How much expenses have been incurred on this project by the department including expenses on consultancy engaged by the department for working out the feasibility etc. of this project, please furnish a copy of the report of consultancy also?

Reply.(Minister In Charge PHE/I&FC Department)

- (a) Yes Sir. It is fact that DPR of Neigud Irrigation canal have been framed. The scheme stands cleared in 13th TAC conducted on 12-01-2011 and is under process for submission to the CWC as the forest clearance is awaited from the Forest Department. The work shall be taken up in hand as and when the scheme is approved by the competent authority.
- (b) The amount to the tune of Rs. 21.06 lacs has been incurred on scheme on amount of consultancy charge of the scheme till date and the copy of the saem is enclosed as desired.

Starred C. Q. No. 86, Shri Agha Syed Rizvi :-

Will the Government please state :-

- (a) Whether Hill Development Council Kargil has submitted report to State Govt. for loss of 80 crores due to cloud burst/floods during previous year in the District Kargil and its adjacent areas;
- (b) If so, action taken report be placed on the table of the House?

Reply.(Minister In Charge Ladakh Affairs)

- (a) Yes Sir. The District Administration has already submitted report to the State Government for loss of 80.35 crore in the district due to the cloud burst/flash flood during 2010-11.
- (b) The District was provided an amount of Rs. 7.00 crore only under Calamity relief Fund (CRF) for restoration of the damaged infrastructures in the district during 2010-11. In addition to this, Rs. 50.00 lacs has been provided for reclamation of the damaged agricultural land in the district during the current financial year.

Starred C. Q. No. 132, S. Dharambir Singh :

Will the Government be pleased to state :-

- (a) Whether it is a fact that the work viz lanes and drains of urgent natures are being constructed out of CDF by the Hon'ble Legislators;
- (b) Whether it is also a fact that there is no criteria for prioritizing the works taken up for the execution;
- (c) If so, what steps are being taken to check up the system?

Reply. (Minister I/C Planning)

- (a) Yes Sir.
(b & c) The works are prioritized by the Hon'ble Legislators (MLAs /MLCs) and are executed as per guidelines.

Starred C. Q. No. 161, Shri Murtaza Ahmad Khan :-

Will the Government be pleased to state :-

- (a) District-wise breakup of funds allocated for development (Annual Plan) excluding the revenue component, separately for the district and State sectors and centrally sponsored schemes in RDD, PHE, Irrigation, Flood Control, Health, education, Tourism Sectors during 2009-10 and 2010-11 and funds provided to urban bodies for the corresponding period;
- (b) Constituency-wise details of demands and provisions of additional funds over and above the regular annual plan to education, R&B, PHE, Irrigation and FC, and Rural Development departments during the current financial year?

Reply. (Minister I/C Planning)

- (a) The details are given in Annexures- "A", "B" & "C". (Annexures not available)
- (b) Additionalities are not released constituency-wise as constituency is not a unit of Planning. The sector-wise details of Additionalities released during 2011-12 both under State and District Sector are appended at Annexure "D". (Annexure not available)

Starred C. Q. No. 70, Shri Ajay Kumar Sadhotra:-

Will the Government please state :-

- (a) Is it a fact that the then union Minister and now Hon'ble Chief Minister of the State got Industrial package sanctioned for the State ;
- (b) Is it also a fact that Government intended to provide jobs to the locals in the industries in the ration of 90%-10%;
- (c) Hs this intention of the Government been translated in to action by the Industrial units. If the reply is in negative, what is the reasons;
- (d) What steps Government is taking to ensure 90% employment to locals?

Reply. (Minister In Charge Industries & Commerce).

- (a) Yes Sir. The Government of India sanctioned a package of incentives for industry in J&K in the year 2002;
- (b) Yes Sir.
(c & d) As per Government Order No. 168-IND of 2005 dated 30-06-2005 and Government Order No. 265-IND of 2005 dated 27-10-2005 the State Government had stipulated that incentives under the State Industrial Policy shall be available to only such Industrial Units which employ at least 90% of the permanent residents of the State in their units in a phased manner. The said order was stayed by the Hon'ble High Court. The

matter is subjudice in the Hon'ble Court and the department is contesting the case vigorously.

Starred C. Q. No. 158: Shri Murtaza Ahmad Khan :-

Will the Government be pleased to state :-

- (a) Whether it is a fact that a number of individuals have been provided employment in various Government Departments, autonomous bodies, PSUs, etc. in the form of daily wagers, work charge employees, CP workers, adhoc, on contractual basis etc. if yes please state;
- (b) The total number of persons so employed other than through PSC, SSB, Police Recruitment Board and if they have been paid for their work since January, 2009;
- (c) Department-wise number of vacancies of Class-IV, existing as on date.

Reply. (Chief Minister)

- (a) & (b) Sir, contractual appointments in different departments were made in light of SRO - 255 dated 05.08.2003. The cases of contractual employees are being considered for regularization under Jammu and Kashmir Civil Services (Special Provisions) Act, 2010. Similarly, in light of SRO-64 dated 24.03.1994 read with Government Order No. 239-F of 2005 dated : 29.11.2005, casual labors have been engaged from time to time subject to the fulfillment of conditions explicitly stated in these Rules/Guidelines. Some DRWs also are in position in different Departments, whose regularization could not materialize for fulfillment of certain formalities in light of SRO-64 of 1994. So far 25,714 temporary/casual/need based/contractual etc. engagements have been reported from the different departments, wages are being paid to the concerned as per their entitlement.
- (c) The details are given in Annexure "A". (Annexure not available)

Starred C. Q. No. 159: Shri Murtaza Ahmad Khan :-

Will the Government be pleased to state :-

- (a) Whether it is a fact that the Special Task force for Jammu and Ladakh constituted by Government of India has , in consultation with this Government, made recommendations in the form of a development plan to fill gaps in the development process. If yes, please state;
- (b) District-wise/sector-wise details of projects, if any, recommended by the Special Task Force, funds allocated for the purpose and progress of works taken up if any;
- (c) A copy of the projections so made may be placed before the house.

Reply. (Minister I/C Planning & Development Department):-

- (a) Yes Sir. Government of India constituted the Special Task forces (STFs) to examine the development needs of Jammu and Ladakh regions in the State of Jammu & Kashmir. STFs have paid a number of visits to the Jammu and Ladakh regions and have held wide-ranging consultations with various stake-holders including the State Government functionaries. During the course of their visits, they have also met representatives of political parties, public representatives of political parties, public representatives and other social groups

Divisional Commissioner Jammu/Kashmir were the Members of the Special Task Forces. Statistical information as required by the STF's were made available by the Government from time to time. Based on their visits and interactions, the STF's have submitted Reports outlining short-gestation projects that can be completed in a period of two years. The projects aim at addressing urgent development demands and bridging critical gaps in infrastructure.

- (b) An amount of Rs. 250.00 crore (Rs. 150.00 crore for Jammu Division and Rs. 100.00 crore for Ladakh Region) has been provided in the current year's Annual Plan to start the implementation of the projects recommended by the implementation of the projects recommended by the STF's in a phased manner. The District-wise/Sector—wise details of projects recommended by the two Special Task Forces and funds allocated for the purpose is indicated at Annexure - "A" (for Jammu Division) and 'B' (for Ladakh region). (Annexure not available)
- (c) The copies of the two Reports are placed as Annexure-C (Jammu) & annexure D (Ladakh). (Annexure not available)

Un-starred C. Q. No. 136, S. Dharambir Singh:-

Will the Government please state :-

- (a) Whether it is a fact that despite assurance given by the Government to the Sikh Community for their representation in Civil Secretariat and other autonomous bodies by way of recruiting the unemployed educated youths, not a single person has been considered so far;
- (b) If so, what steps are being taken to implement the assurances given by the Government in this regard;

Reply. (Chief Minister)

- (a) Recruitments against various categories of posts are made strictly in light of the relevant recruitment rules. The reservations are also being provided to various under privileged section of society and other notified categories in light of SRO-294 of 2005;
The reservation, however, for any community on the basis of religion is not permissible under the Constitution.
- (b) Due care is being taken to adhere to the recruitment policy in consonance with the laid down rules which are non-discriminatory, affording equal opportunities of employment of employment to different sections of society.

Un-starred C. Q. No. 33, Shri Vijay Bakaya :-

Will the Government please state :-

- (a) Is it a fact that during the Budget Session of the Legislature, 2010, an assurance was made in reply to a question that the CDF Guidelines will be modified and revised to make them more responsive to felt needs of the people;
- (b) If so, what is the present position of this assurance?

Reply.(Minister In Charge Planning & Development)

(a) & (b) CDF guidelines are under revision and shall be issued shortly.

Un-starred C. Q. No. 137, S. Dharambir Singh :-

Will the Government please state :-

- (a) What are the activities of the Waqaf Board and Waqaf Council;
- (b) Status of Waqaf Property in Jammu and Kashmir Divisions respectively;
- (c) Details of unauthorized occupations/possession of Waqaf property in J&K be furnished.

Reply.(Minister In Charge Revenue)

- (a) In order to provide better administration and supervision of Waqafs in the State, the J&K State, Waqaf Council and J&K Waqaf Board is governed by J&K Waqafs Act, 2001 and J&K Specified Waqafs and Specified Waqaf Properties (Management and Regulation) Act, 2004 respectively. The activities of Waqaf Council and Waqaf Board are as under :-

Activities of Waqaf Council :-

- i) Administration, Management , Governance and control of Waqaf and Waqaf funds.
- ii) To re-organize administrative set up in the State to ensure better administration of Waqafs.
- iii) Preparing the schemes for management of Waqafs.
- iv) Prepare its own Budget and Budget o all Waqafs within its jurisdiction.
- v) Make necessary measures for recovery of Waqaf property which ha unauthorizedly occupied or encroached upon.
- vi) Utilization of surplus, incomes, consistent with the objective of the Waqafs.
- vii) Prepare schemes on all budgets of all Waqafs within its jurisdiction.

Activities of Waqaf Board:-

- i) Administer, manage and regulate the Waqafs and to preserve, protect and use the properties covered under section 3 of J&K specified Waqafs and Specified Waqaf properties (Management and Regulation) Act, 2004.
- ii) Manage and Administer the Endowment Fund in accordance with the provisions of the J&K Specified Waqafs and Specified Waqaf properties (Management and Regulations) Act, 2004.
- iii) Pay salaries, allowances and perquisites, and make all other payments due, from the Endowment Fund.
- iv) Utilize Endowment Fund for the upliftment and empowerment of Muslims in the State particularly in the areas of Education, health, social welfare, commerce and community development;
- v) Make provisions for relief to the indigent and the destitute.
- vi) Undertake developmental activities for the welfare of Muslims in the State;
- vii) Utilize the Endowment funds for imparting professional, vocational and technical education, through establishment of institutions and/or financial assistance to the existing institutions;
- viii) Regulate the entry and presence of the persons, in or on, the Waqafs and the properties covered under section 3 of J&K Specified Waqafs and Specified Waqaf properties

(Management and Regulations) Act, 2004 for carrying out the purposes of the Act and the bye-laws made thereunder.

- ix) Appoint, suspend or dismiss employees of the Board and do all such other things as may be necessary, proper incidental or conducive to achieve the objective of the Act.
- (b) The status of Waqaf Property as per available information in the statement annexed as "A". (Annexure not available). The remaining information, details have been sought from the concerned field agencies and will be provided to the Hon'ble Member as soon as the same are consolidated.
- (c) The status of Waqaf Property as per available information is in the statement annexed as "B". (Annexure not available) The remaining information, details have been sought from the concerned field agencies and will be provided to the Hon'ble Member as soon as the same are consolidated.

Un-starred C. Q. No. 80, Shri B. R. Kundal :-

Will the Government please state :-

- (a) Total number of PSUs/Board functioning under the State Government?
 (b) Position of statutory audit in respect of each PSU/Board?
 (c) Reasons for pendency?

Reply.(Minister In Charge Finance)

- (a) The total number of State PSUs is 20 which includes J&K Bank and 16 Corporations incorporated under Companies Act, 1956 besides 3 statutory corporations namely, J&K SRTC, J&K State Forest Corporation incorporated under the respective statutes.
 Total number of Boards under different Administrative Departments is 8, details are given in Annexure –B. Information enclosed as Annexure 'A' and 'B'. (Annexure not available)
- (b) Reasons of pendency in case of State PSUs are :-
- i. Delay in appointment of Statutory Auditors.
 - ii. Non compilation of draft accounts by PSUs on time.
 - iii. Delay on the part of auditors in completing their assignments on time.
- The J&K Bank is the only State PSU whose accounts are audited up to date. The State Finance Department is closely monitoring progress on the roadmap that it has provided to all State PSUs to complete the audit of backlog years during the current financial year.
- In case of J&K Housing Board and KVIB, delay is attributed to procedural delays and non deputation of audit teams by A.G.

Un-starred C. Q. No. 101, Shri Mohammad Ashraf Mir :-

Will the Government please state :-

- (a) What are the measures for quality control and price control of dairy milk coming into Srinagar city from un-organized sector other than Khyber, ZUMzum, Cheshmashahi, it is

estimated 5.6 lacs of liters of milk are consumed daily out of that 1.00 lac comes from organized sector rest is not known?

Reply.(Minister In Charge CA &PD)

- (a) Sir, the Srinagar Municipal Corporation collects samples of milk producers randomly from Srinagar city for analysis by Public analyst, Public Health Laboratory, Srinagar. The Government of India has passed Food, Safety & Standards Act, 2006 and framed Rules/Regulations, thereunder in 2011. The new Act provides for Registration/Licensing of all the food Business operators including those dealing with milk and milk products.

The price of milk is fixed by a Committee under the Chairmanship of Divisional Commissioner, Kashmir with representatives of all the concerned Departments/milk producers/sellers and consumers.

Un-starred C. Q. No. 187, Shri Subhash Chander Gupta :-

Will the Government please state :-

- (a) Whether it is a fact that huge number of new posts were created in Civil Secretariat Gazetted/Non-Gazetted Services. Planning & Development, Finance and other Departments during last three years. Whereas significant proposals for creation of new posts in few other Government Departments like School Education, Horticulture, PHE, Agriculture and Forest are delayed in spite of urgency having been projected by these departments? If reply is in affirmative, please state:-
- i. Details of such Government Departments where new posts were created during last three years with details thereof viz. category of posts thus created number and reasons justifying creation of new posts in each case :
 - ii. Steps being taken by the Government to expedite process for creation of new posts in Government subordinate /field departments, delayed without any substantial reasons:
 - iii. Complete details of all pending proposals submitted to the Government for creation of new posts in Government subordinate field departments during last three years with present status and reason(s) for delay in each such case.

Reply.(Minister In Charge Finance)

- (a) Sanction to the creation of posts required by any department is accorded by the Administrative department concerned after obtaining agreement of the Finance department. Finance department agrees to the creation of posts, proposals for which are being mooted by the Administrative departments. Finance deptt has agreed to the creation of 30549 post against proposal received from various departments for last years upto 15.09.2011. Details of such agreements have been given in a statement forming Annexure-1. (For annexure see part 13 page). In respect of school Education Department, PHE and Agriculture (Horticulture) Departments, a contingent of 7601 posts have been agreed by the Finance department during last 3 years upto 15.09.2011. Details of which are as under :

School Education 4898, PHE 30, Agriculture Deptt 2673, total 7601. However, during course of examination of the proposals if any deficiencies are noticed then the departmental proposals if any deficiencies are noticed then the departmental proposals are returned to the departments for necessary rectification.

1. Total number of posts created during the last three years upto 15.09.2011 is 30549. Details of agreements conveyed during last 3 years upto 15.09.2011 has been given in a statement forming Annexure-1. (For annexure see part 13 page).

The Agreement to the creation of posts is always being given after critical analysis of the proposals received from various departments., Criteria being applied by the Finance Deptt is to see :-

- i. whether it is the actual requirement of the department;
 - ii. Ascertain the source of funding;
 - iii. Possibility for reduction of posts in other fields;
 - iv. Fulfillment of conditions as envisaged in FRBM Act/austerity measures.
- ii. A proper system for examination of departmental proposals regarding creation of posts is already in place, however, Finance Deptt takes every care in minimizing the period consumed in processing of departmental proposals.
- iii. As mentioned above sanction to the creation of posts required by the department is issued by the Adm. Department concerned with agreement of Finance Department. No proposal wherein agreement of Finance department has been sought by any deptt is pending at present in FD.

Un-starred C. Q. No. 65, Shri Narboo Gialchan :-

Will the Government please state :-

- (a) Why the cases for regularization of casual/daily wage labours from Ladakh region have been delay;
- (b) How much time will it take for such regularization.

Reply. (Minister In Charge Ladakh Affairs)

- (a) 144 cases of Casual labour and 84 cases of Daily Wagers of Ladakh region have been forwarded by the concerned Dy. Commissioner /CEOs to the concerned administrative departments for their regularization. Further 834 cases of casual labours and 52 cases of Daily Wagers are presently existing/pending with the Dy. Commissioner/CEO, LAHDC, Kargil for completion of their requisite formalities.
- (b) The matter is under consideration in the concerned administrative departments.

Un-starred C. Q. No. 201, Syed Mohammad Rafiq Shah :-

Will the Government please state :-

- (a) How many class IV employees have been appointed in the Jammu and Kashmir State during the year 2010-11, the department-wise details of name, parentage and residential particulars may please be furnished;
- (b) What steps have been taken for the employment of unemployed. Details be furnished?

Reply. (Chief Minister)

- (a) 984 class IV employees have been appointed in the Jammu and Kashmir State during the year 2010-11;

The department-wise and district-wise details of name, parentage and residential particulars is given in **Annexure 'A'**. (Annexure not available).

- (b) The Government is providing employment opportunities to unemployed youth by helping them in establishing their own income generating units under J&K State Self Employment Scheme. During the last three (3) years, 5775 units have been establishment with a project cost of Rs. 13553.52 lacs.

The Government has also issued a policy document 'Employment and Welfare programme for Youth' (SKEWPY). The Policy delineates various initiatives to address the chronic problems of unemployment in the State especially that of educated unemployed. The ingredients of educated unemployment envisaged under the said scheme are indicated as under :-

- a. Revamping and renaming District Employment Exchanges as District Employment and Counseling Centers.
- b. Voluntary Service Allowance for educated unemployed youth in the age group of 26 to 37 who are matriculate and above.
- c. Creation of Seed capital Fund for starting ventures in the various sectors of economy under the aegis of J&K Entrepreneurship Development Institute.
- d. Creation of J&K overseas Employment Corporation to seek opportunities outside the country for the educated youth of the State.
- e. Creation of employment facilitating Agency for coordinating and synergizing the efforts of various departments for creation of employment opportunities.

Un-starred C. Q. No. 64, Shri Narboo Gialchan:-

Will the Government please state :-

- (a) How many unemployed youth have been provided industrial loan in the State for the last two years under the Prime Minister Rozgar Yojna, Scheme;
- (b) How many candidates from Leh district have been provided such loan?

Reply. (Chief Minister)

- (a) The prime Minister Rozgar Yojna Scheme was closed in the year 2008 and replaced by a new scheme called the Prime Minister's Employment Programme (PMEGP). The number of cases sanctioned and employment generated under the said scheme for the last two years is as follows :-

Year	Cases sanctioned/ disbursed	Employment generated
2009-10	1507	9866
2010-11	1821	117112
Total	3328	21578

- (b) For the last two years, 66 beneficiaries /candidates of the district Leh have been provided loan facility under the said Scheme and thereby employment generated for 419 individuals.

Un-starred C. Q. No. 212, Shri Mohammad Ashraf Mir:-

Will the Government please state :-

- (a) Reasons for stopping of work on beautification of Jhelum;
 (b) Present status of Weir of Chattable total cost of Weir construction, expenditure booked and date of completion, be furnished? How many candidates from Leh district have been provided such loan?

Reply. (Minister In Charge PHE/I&FC)

- (a) Beautification of River Jhelum is an ongoing project and an amount of Rs. 126.79 lacs has been earmarked for the scheme during the current financial year. Obviously the work has not been stopped;
 (b) i) The main Weir is under trial run and auxiliary works are in progress;
 ii) Total estimated/allotted cost of Weir including allied works is Rs. 750.00 lacs.
 iii) Expenditure booked till date Rs. 508.00 lacs.
 iv) Expected completion date early 2012.

Un-starred C. Q. No. 208, Shri Naresh Kumar Gupta:-

Will the Government please state :-

- (a) Whether it is a fact that two projects under IWLDP (Integrated Waste Land Development Programme) for Neeru Bhaderwh & Bhellesa catchment have been sanctioned in 2005-06, if yes;
 (b) The amount allotted /released till date, with nature of works-infrastructure created in various activities in both the places-under Micro Watershed –Haryali etc. in different Deptt. or otherwise.
 (c) Name of place-location, nomenclature-cost-amount paid of works, executed, full records – details?

Reply. (Minister In Charge Forests)

- (a) Yes Sir, two IWDP project were sanctioned by the Government of India Ministry of Rural Development of Land Resources vide No. 804 and 905 dated : 01-03-2006 for a period of five years. There were executed by Department of Rural Development J&K through DRDA Doda.
 (b) Amount received and transferred installment wise in the accounts of Watershed Committee under both the projects the detail of which is enclosed at an annexure “A, B and C” (Annexures not available) for IWDP projects Bhaderwah and Bhellesa respectively. The nature of works executed is enclosed at Annexure “D”. (Annexures not available)
 (c) The location-wise list of works executed with estimated cost and expenditure is voluminous and is available with project officer, DRDA Doda and may be provided to as and when demanded.

Un-starred C. Q. No. 239, Shri Nizam-ud-din Khatana,

Will the Government please state :-

- (a) Whether it is a fact that the inhabitants of areas commencing NHIB, Kokernag Kishtwar Road particularly at village Buchoo, Bidder etc are suffering for want of drinking water supply as the supply network has effected due to widening of the highway;
- (b) If so, do it intend to restore the water to its consumers; and when?

Reply. (Minister In Charge Forests)

- (a) & (b) No water supply scheme were got damaged due to widening of Kishtwar, Kokernag road particularly at village Buchoo, Bidder etc and both the villages are presently being fed from existing pipe network. However, some portion of pipe line at Hiller to be completed due to non availability of corridor. As soon as corridor is available at village Hiller, the line shall be complete and connection to these village to provide water through the new pipelines.

Un-starred C. Q. No. 226, Shri Ravinder Kumar Sharma,

Will the Government please state :-

- (a) The total number of courier service companies operating in each division of the State and their particulars;
- (b) The norms of the registration of such courier agencies/companies if any and the particulars of companies registered with the government?

Reply. (Minister In Charge Industries & Commerce)

- (a) & (b) The Department of Industries and Commerce does not register the courier service companies in the state though these companies are being registered with the Registrar of Companies, Government of India. However, there are 16 (sixteen) Courier Service Companies registered in the Commercial Taxes Department (Finance Department, J&K). The division-wise break up is as under :-

Jammu	- 05
Kashmir	- 11
Total	- 16

The particulars of the above courier service companies are given at Annexure "A"
(Annexures not available)

Shri Ajay Kumar Sadhotra, : Sir, I am on a point of Order. In the beginning, the Hon'ble Members from the opposition used some unparliamentarily language and I request the Chair to issue directions to expunge the same from the records.

Mr. Deputy Chairman : Secretary may kindly take care of the request of the Hon'ble Member.

Mr. Deputy Chairman : Now we have some papers to be laid. Hon'ble Minister concerned to lay the papers.,

Shri R. S. Chib, Hon'ble Minister for Medical and Technical Education, Youth and Sports : Sir, I, on behalf of the Hon'ble Chief Minister, rise to lay on the Table of the House in pursuance of Section 139 of Jammu and Kashmir Electricity Act, 2010, regulations made by the Jammu and Kashmir Electricity Regulatory Commission under section 138 of the said Act for the year 2010-11 and 2011-12.

Mr. Deputy Chairman : Secretary to read the Message received from the Legislative Assembly regarding Bills.

Secretary : Sir, I have to report to the Council the following message received from the Jammu and Kashmir Legislative Assembly, signed by the Secretary to the Assembly :
In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in the Jammu and Kashmir Legislative Assembly, I am directed to enclose herewith the copies of :

1. The Jammu and Kashmir State Value Added Tax (Amendment) Bill, 2011 (L. a. Bill No. 20 of 2011);
2. The Jammu and Kashmir Fiscal Responsibility and Budget Management (Second Amendment) Bill 2011, (L. A. Bill No. 21 of 2011)

As passed by the Jammu and Kashmir Legislative Assembly at its sitting held on 4th day of October 2011 for recommendation of the Legislative Council.”

Sir, I lay the Bills on the Table of the House.

Mr. Deputy Chairman : Now we have Calling Attention Motion of Mr. Mohammad Amin Bhat.

Shri Mohammad Amin Bhat : Sir, I rise to call the attention of the government towards a matter of urgent public importance namely the situation that has arisen due to losses incurred by paddy growing farmers in 21 villages of Kund area in District Kulgam as a result of some disease and the steps taken by the government for providing compensation to the affected farmers.

Mr. Deputy Chairman : Hon'ble Minister to reply.

Shri Javed Ahmad Dar, Hon'ble Minister of State:-

Sir, in Kashmir Valley, paddy is being cultivated in an area of about 1.6 lac ha. with a production of about 5.28 lac Mts.. during 2010 and during Kharif, 2011, the tentative targeted production is 5.61 lac Mts. However, during Kharif season, due to hot and humid climate conditions during peak growing season from June to September, 2011, there were apprehensions of incidence of paddy blast disease and its spread to further areas in the valley. To avoid and check the spread of the disease, the department initiated proactive measures using technical inputs and awareness through print and electronic media.

The following steps have been initiated in all the districts of the valley to combat the disease :-

- (i) Teams of experts have been constituted who visits the field areas to assess the extent of spread of paddy blast disease;
- (ii) Experts from SKAUST –K and the Chief Agriculture Officers worked jointly to address the problem;
- (iii) Technical advice along with the required fungicides was provided to the farming community;
- (iv) Advertisements through print/electronic media were issued for the farming community;
- (v) Efforts have been made by the department to ensure availability of chemicals Tricyclazole 75-W and Ediphenphos 50 EC as recommended by the SKAUST-Kashmir.

With the timely intervention of the department, the spread of the disease has been restricted to a few villages of Kund area namely Waletngu, Kralu, Nowbug, Pachgam, Cahtrigam, Wazawah, Waripora, Halsesadar, Razloo, Watangu, Nar, Nigeen pora, Thoat, Ural, Batangoo, Kanchloo with only minor incidents of disease involving an area of 220 ha, out of which only 20 ha were affected with less than 4% infestation and the financial implications of the loss are very meager and thus does not fall within the purview of compensation, as the level of damage is far below the threshold.

Shri Mohammad Amin Bhat : Sir, I would like to invite the attention of the Hon'ble Minister towards Devsar constituency. There is an area called Kund comprising of 21 villages. The Hon'ble Minister for Cooperatives also visited the area and inspected the paddy crop which has been diseased and people have been left to suffer on this score. So, I would like to know as to what measures have been taken in this regard.

Shri Javed Ahmad Dar, Hon'ble Minister of State : Sir, I think that the reply is too comprehensive. As and when the deptt came to know about the happening, a team was constituted including People from SKAUST, Kashmir. The team visited the area under paddy cultivation which is 220 hectares out of which only 20 hectares was effected and the assessment was less than 4% and it does not fall under the purview of any kind of compensation. If the loss had been of a greater percentage we would have considered it, but it is just 4% which could not be considered at any cost.

Mr. Deputy Chairman : Now we have Call Attention Motion of Mr. Murtaza Ahmad Khan and Mr. Ajay Sadhotra.

Shri Ajay Kumar Sadhotra : Sir, I rise to call the attention of the government towards a matter of urgent public importance namely the situation that has arisen out of negligence on the part of SMHS Administration resulting in the death of patients during the night between 23rd and 24th of September, 2011 in SMHS Hospital, Srinagar.

Shri R. S. Chib, Hon'ble Minister for Medical and Technical Education, Youth and Sports:-

Sir, one patient namely Mst. Raja, aged 70 years R/o Bijbihara who was admitted on 22nd of September, 2011 in SMHS Hospital, Srinagar under MRD No. 7729, MU-IV. During the intervening night of 23rd and 24th September, 2011, she died at 2.30 AM due to Cardiac arrest. She was admitted as Dysphagia diagnosed patient and was treated as such. However, during the night she suffered cardiac failure and despite efforts of the doctors on duty, she passed away.

There is no evidence of any negligence on the part of the doctors or hospital administration and the patient has not died due to negligence of the doctors/hospital administration.

Shri Ajay Kumar Sadhotra : Sir, as per the statement, one Mtr. Raja was admitted in the hospital. Another women, namely, Saba Banoo was also admitted. Unfortunately, she has not been mentioned in the reply tendered here. Saba Banoo died at 5.00 in the morning and Mtr. Raja died at 2.30 in the night. Saba Banoo was admitted in Dooru Sub-District Hospital on 24th. Then she was referred to the District Hospital and finally to the SMHS Hospital, Srinagar under No. MRD No. 7580, dated : 24-09-2011. I would like to request the government whether they would conduct an enquiry to ascertain whether she died due to negligence of the doctors or due to some natural cause.

Shri R. S. Chib, Hon'ble Minister for Medical and Technical Education, Youth and Sports : Hon'ble Chairman, first thing I would like to inform the Hon'ble Member and also the August House that SMHS Hospital, Srinagar or the Medical College Hospital, Jammu are two very important hospitals. Normally in these hospitals, patients are admitted in a very serious stage or those who have met with some serious accidents. Firstly, there was no mention of the lady whom the Hon'ble Member mentioned. The calling attention motion was mainly with regard to Mtr. Raja.

Shri Ajay Kumar Sadhotra : Sir, Raja was not mentioned in the motion. I only asked as to how many deaths occurred during the intervening night of 24 and 25th of September, 2011. It was not name specific.

Shri R. S. Chib, Hon'ble Minister for Medical and Technical Education, Youth and Sports : Sir, as per our record, only one patient died in the Hospital, ie., Mtr. Raja, 70 years old, R/o Bijbihara. So, the other name does not figure in the calling attention motion. However, if the Hon'ble Member has brought this into my notice, we will enquire about it as to what were the reasons for which she was admitted and how she died.

Mr. Deputy Chairman : Now, we have discussion under Rule 60-A given by Shri Ajay Sadhotra. Should we take up the discussion or defer it.

Hon'ble Members : Sir, the motion. May be deferred.

Mr. Deputy Chairman : So, the motion for discussion under Rule 60-A stands deferred till the next Session.

Mr. Deputy Chairman : Now, we have some Bills for consideration and passing. Hon'ble Minister to move....

Shri Abdul Rahim Rather, Hon'ble Minister for Finance : Sir, with your permission, on behalf of the Hon'ble Law Minister, I rise to move that a Bill to amend the Jammu and Kashmir Representation of People Act, 1957 (L. A. Bill No. 17 of 2011) as passed by the Jammu and Kashmir Legislative Assembly be taken into consideration.

Mr. Deputy Chairman : Motion moved that a Bill to amend the Jammu and Kashmir Representation of People Act, 1957 (L. A. Bill No. 17 of 2011) as passed by the Jammu and Kashmir Legislative Assembly be taken into consideration.

Motion is before the House, Hon'ble Members may now speak.

Hon'ble Members : Sir, being a good piece of legislation, it may be passed without any discussion.

Mr. Deputy Chairman : Now, the question is that the Bill be considered. Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and the Bill was considered.

Mr. Deputy Chairman : Now, I take the Bill clause by clause. Clause I, II, III and IV may be treated as part of Bill.

Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and Clause I, II, III and IV stand part of the Bill. Hon'ble Minister to move...

Shri Abdul Rahim Rather, Hon'ble Minister for Finance : Sir, I move that the Bill be passed.

Mr. Deputy Chairman : Now, the question is that the Bill be passed. Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and the Bill stands passed.

Mr. Deputy Chairman : Now we take up the next Bill. Hon'ble Minister concerned to move....

Shri Qamar Ali Akhoon, Hon'ble Minister for CA&PD : Sir, I rise to move that a Bill to amend the Jammu and Kashmir Standards of Weights and Measures (Enforcement) Act, 1997 (L A. Bill No. 18 of 2011) as passed by the Jammu and Kashmir Legislative Assembly be taken into consideration.

Mr. Deputy Chairman : Motion moved that a Bill to amend the Jammu and Kashmir Standards of Weights and Measures (Enforcement) Act, 1997 (L A. Bill No. 18 of 2011) as passed by the Jammu and Kashmir Legislative Assembly be taken into consideration.

Motion is before the House, Hon'ble Members may now speak.

Hon'ble Members : Sir, being a good piece of legislation, it may be passed without any discussion.

Mr. Deputy Chairman : Now, the question is that the Bill be considered. Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and the Bill was considered.

Mr. Deputy Chairman : Now, I take the Bill clause by clause. Clause I to X, may be treated as part of Bill.

Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and Clause I to X stand part of the Bill. Hon'ble Minister to move...

Shri Qamar Ali Akhoon, Hon'ble Minister for CA&PD : Sir, I move that the Bill be passed.

Mr. Deputy Chairman : Now, the question is that the Bill be passed. Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and the Bill stands passed without any amendment.

Mr. Deputy Chairman : Now we take up the next Bill. On behalf of Hon'ble Chief Minister, Hon'ble Minister concerned to move....

Shri Abdul Rahim Rather, Hon'ble Minister for Finance : Sir, on behalf of the Hon'ble Chief Minister, I rise to move that a Bill to amend the Jammu and Kashmir State Vigilance Commission Act, 2011 (L. A. Bill No. 19 of 2011) as passed by the Jammu and Kashmir Legislative Assembly be taken into consideration.

Mr. Deputy Chairman : Motion moved that a Bill to amend the Jammu and Kashmir State Vigilance Commission Act, 2011 (L. A. Bill No. 19 of 2011) as passed by the Jammu and Kashmir Legislative Assembly be taken into consideration.

Motion is before the House, Hon'ble Members may now speak.

Hon'ble Members : Sir, it may be passed without any discussion.

Mr. Deputy Chairman : Now, the question is that the Bill be considered. Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and the Bill was considered.

Mr. Deputy Chairman : Now, I take the Bill clause by clause. Clause I to VIII may be treated as part of Bill.

Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and Clause I to VIII stand part of the Bill. Hon'ble Minister to move...

Shri Abdul Rahim Rather, Hon'ble Minister for Finance : Sir, I move that the Bill be passed.

Mr. Deputy Chairman : Now, the question is that the Bill be passed. Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and the Bill stands passed.

Mr. Deputy Chairman : Now we take up the next Bill. Hon'ble Minister concerned to move....

Shri Abdul Rahim Rather, Hon'ble Minister for Finance : Sir, I rise to move that a Bill to amend the Jammu and Kashmir Value Added Tax Act, 2005 (L. A. Bill No. 20 of 2011) as passed by the Jammu and Kashmir Legislative Assembly be taken into consideration.

Mr. Deputy Chairman : Motion moved that a Bill to amend the Jammu and Kashmir Value Added Tax Act, 2005 (L. A. Bill No. 20 of 2011) as passed by the Jammu and Kashmir Legislative Assembly be taken into consideration.

Motion is before the House, Hon'ble Members may now speak.

Hon'ble Members : Sir, it may be passed without any discussion.

Mr. Deputy Chairman : Now, the question is that the Bill be considered. Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and the Bill was considered.

Shri Abdul Rahim Rather, Hon'ble Minister for Finance : Sir, I move that the Bill be passed.

Mr. Deputy Chairman : Now, the question is that the Bill be passed. Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and the Bill stands passed.

Shri Abdul Rahim Rather, Hon'ble Minister for Finance : Sir, I rise to move that a Bill to amend the Jammu and Kashmir Fiscal Responsibility and Budget Management (FRBM) Act, 2006 (L. A. Bill No. 21 of 2011) as passed by the Jammu and Kashmir Legislative Assembly be taken into consideration.

Mr. Deputy Chairman : Motion moved that a Bill to amend the Jammu and Kashmir Fiscal Responsibility and Budget Management (FRBM) Act, 2006 (L. A. Bill No. 21 of 2011) as passed by the Jammu and Kashmir Legislative Assembly be taken into consideration.

Motion is before the House, Hon'ble Members may now speak.

Hon'ble Members : Sir, it may be passed without any discussion.

Mr. Deputy Chairman : Now, the question is that the Bill be considered. Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and the Bill was considered.

Shri Abdul Rahim Rather, Hon'ble Minister for Finance : Sir, I move that the Bill be passed.

Mr. Deputy Chairman : Now, the question is that the Bill be passed. Hon'ble Members who favour the motion, say Yes.

Hon'ble Members : Yes Sir.

Mr. Deputy Chairman : Hon'ble Members who oppose the motion, say No.

Mr. Deputy Chairman : Motion passed and the Bill stands passed.

Mr. Deputy Chairman : Today is the last day of this Autumn Session. Before I conclude, I would like to inform the House about the total Business transacted in the Council during this Session.

The total No. of starred questions we had received was 135, taken up 132. Unstarred questions received were 105, taken up 100, We got 18 Resolutions, taken up 14, Call Attention Notices received were 20, taken up 10, Half an Hour Discussions. 4, taken up- Nil. Discussion under Rule 60-A were -2, taken up is 1. Papers to be laid were 04, tabled -4, Private Members' Bills for Introduction – 7, taken up - 1, Private members' Bills for consideration and passing -2, Tabled -1, Government Bills- 5, tabled- 5.

Today being the last day, the Hon'ble Members who want to speak can speak.

Mr. Deputy Chairman : Some very important issues regarding the prevailing situation in the state, unemployment, ration supplies, etc were discussed and very valuable suggestions were given by the Hon'ble Members.

I am grateful to the Leader of the House for extending full cooperation in running the day to day business of the Upper House. I am grateful to my Secretary and the Council Secretariat staff who worked very hard round the clock during the odd hours. I am thankful to the Hon'ble Ministers who remained present during the question hour and replied the questions. I am thankful to the Law Minister and the Finance Minister to give valuable time to this House. I am also grateful to the State Information Department, Doordarshan Kendra, Jammu and Srinagar, Electronic and Print Media who covered the proceedings of the House. I am also grateful to the Police /security staff. I am also thankful to all my colleagues, the Hon'ble Ministers and all Hon'ble Members for cooperating and conducting smooth business during the current session.

Before I conclude, I should not forget to thank Jenab Mufti sahib when, six years back, I was elected as a Member of this House. He also helped me. Ghulam Nabi Azad sahib was the Chief Minister. He cooperated with me all the time. My young dynamic Chief Minister, Jenab Omar Abdullah sahib also fully cooperated with me in day to day business. I also thank all my Secretariat staff who was with me all the time. I hope that during the last three years, I tried to conduct the Business of this House in a very disciplined manner. I got support from the Members of the ruling parties and also from the Opposition parties. I look forward for getting elected to this House again for which I would be very proud. So, once again I thank all for giving me the opportunity to work as the Presiding Officer and to be here as Member of this House.

(All the Hon'ble Members thumped the desks)

Shri Bashir Ahmad Magray, : Sir, because this is the last Session that you have presided over, I want to say something about you. The way you have been conducting this House, being a Constitutional Chair you are in, it requires skill and magnanimity. It requires everything to handle this House because we are living in a democratic system. There are

noisy scenes at times. So, the service you have rendered, the way you have adjusted the ruling party and the opposition parties, is beyond doubt very appreciable. You have conducted the business under rules and according to the Constitution. When ever we talked to you in a harsh manner, you always had a smile on your face. That is a good gesture in democracy. The Presiding Officer should always have a smiling face, whatever the situation be. We were expecting the session to continue for another couple of days, so we were not prepared for the conclusion. The senior Ministers take this House very seriously, I congratulate them for this. Generally, the Upper House is not taken seriously but, we have observed that senior most Ministers were attending this House from start to the end. Some very important questions, resolution and legislations were taken up.

I pray for you to come again to this House, elected or nominated. As politicians never retire, they come and go again and again till they live. So, we pray for you to come again to this House. We pray for your prosperity. Many issues were discussed here. But regarding media, I have some submissions to make. Media is an important pillar in our democratic set up. Unless and until the working of the House does not reach the common masses, this all set up is useless. People expect us to take up to their issues and problems in this House. If these issues raised by us in this House do not reach the common masses, then I think media is biased. This is their constitutional duty and not personal relationship, whether they like a person or not. When a person is in an important chair, it is his constitutional duty to serve. Then only democracy would flourish and be strengthened. If not, there is danger to the Indian democracy ...

Shri Ghulam Qadir Pardesi : The Hon'ble Chairman has concluded the House, you have restarted it. Then every member would like to speak...

-----Cross talks-----.

Shri Bashir Ahmad Magray : Sir, if we do not thank the media, the staff and all other people for contributing to the smooth conduct of this House, I think it would not be proper. So, thank you.

Sheikh Ghulam Rasool : Sir, the Hon'ble Member praised the working of the Media, but we are not satisfied with their work. You also convened a meeting with them a couple of days back at your own level as well.....

Shri Bashir Ahmad Magray: Sir, I did not praise their working. I said that if they do not fulfill their constitutional duties, it would hamper the democracy.

Mr. Deputy Chairman : Hon'ble Law Minister.

Shri Ali Mohammad Sagar, Hon'ble Minister for Law, Justice and Parliamentary Affairs : Hon'ble Deputy Chairman Sir, I agree with the observations of Mr. Pardesi. It would have been more appropriate if Hon'ble Members from all the Political parties would have spoken when your good self had asked them to and then you would have concluded. But, we need to put this on record that you have conducted this House in a very dignified manner, accommodating all the political parties. However, some Hon'ble Members from the ruling coalition were of the view that you gave more time to the opposition. But this is a need of the democracy. You deserve appreciation for the patience you have exhibited while conducting the business in this House. You have never given any chance to anybody to regret for your moves. As you stated about the media, they have their own ways and means. They have to see the news value. We should be thankful to the media also for the coverage of proceedings of the legislature. The Hon'ble Members in the Upper House have

been raising many vital issues during the Session which touch the common man. And the way you facilitated the discussions, you deserve appreciation. I, as the Parliamentary Affairs Minister, appreciate you for your working and am also grateful to the Hon'ble Members for extending full cooperation to you in smooth functioning of the House. It is the beauty of the Parliamentary democracy. I salute you for all you have done. Thank you.

Shri Abdul Rahim Rather, Hon'ble Minister for Finance : Sir, my learned colleague, Jenab Sagar sahib has delivered the note of thanks on behalf of the government. It is not proper for us to speak after you have concluded, but it is our fault. I forgot that your tenure has ended and it was your last Session. As the Hon'ble Members were getting impatient for the conclusion of the House, so I requested you to conclude the House sine-die. But when I learned that it was your last session in this tenure, I thought it proper to thank you. It would always be on record the way you have been conducting the proceedings of the House with such a decency and honesty. A Presiding Officer should have some qualities, like he should be patient, he should monopolize hearing, which you have and I am very impressed by your personality. I would also like to make it clear that this was not your last term, you are still young and have just entered the political arena, and I am sure that you would again enter this Legislature, in the Lower House and the Upper House as well. And we would again get a chance to work with you. So, I wanted to thank you and appreciate your working along with your staff whom you have been persistently carrying along. The working of the staff has improved a lot and it is a good thing as they have to facilitate you and the Hon'ble Members of the House so as to enable them to effectively raise the problems related to the common masses, and without their cooperation and assistance, it was not at all possible. I also thank and appreciate all the departments who contributed in the working of the Legislature. We are also thankful to the media for carrying our concerns to the common masses but there is always a room for improvement. I would also say that they have covered the proceedings with utter diligence and responsibility. I would also like to thank the Hon'ble Members, as Sagar sahib stated, that they have exhibited an appreciable work culture. We have been saying that the Upper House is very much needed to think upon the decisions which might have been taken in haste in the Lower House. So they have contributed in a very effective way, All the Hon'ble Members here are very learned. We have three former Chief Secretaries who have headed the state administration. We also have literary figures like Taing sahib and learned members like Suharwardy sahib and Sadhotra sahib. The opposition Members have also tried their best to raise the issues connected with the common masses but sometimes we tend to overstep our bounds and powers. Anyway we always learn with the passage of time.

So, once again, on behalf of the Hon'ble Chief Minister, I thank you for upholding the sanctity of this House and conducted the proceedings of the House as an effective Presiding Officer. We pray for your prosperity and you may have a bright future and you come to this Legislature yet again. Thank you.

Mr. Deputy Chairman : I thank Rather sahib, Sagar sahib and the Hon'ble Ministers and all my colleagues and my excellent staff, for always cooperating and helping me. I specially thank Jenab Omar sahib for helping us at every step.

Now, I adjourn this House Sine-die. Thank you.
