

Government of Jammu and Kashmir,
Directorate of Urban Local Bodies, Jammu.

(Mail ID: dlbjammu@gmail.com)

(Website: www.ulbjammu.org)

Subject: Advisory regarding illegal constructions/enforcements.

Ref: VO-LAWDA-NG-01/2016-19228-31 dated 01-09-2021.

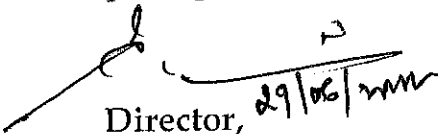
Circular

An advisory has been issued by Anti Corruption Bureau which among other things emphasis on taking proactive action in respect to illegally raised structures and devise a frame work to curb the illegal constructions/encroachments (copy enclosed). Time and again similar instructions have been issued by the Administrative Department and this Directorate with regard to illegal constructions/ encroachments.

It is the responsibility of the Chief Executive Officers/Executive Officers as well the field staff associated with the task of curbing / reporting illegal violations to remain vigilant and report building construction violations well in time to avoid illegal constructions being raised. In case any violation goes unnoticed due to the negligence of the field staff, it is the responsibility of the concerned Chief Executive Officers/Executive Officers to bring the matter to the notice of the Directorate, so that action as warranted under rules can be immediately initiated against such employees. Further, in case, any illegal constructions is raised immediate action is required to be taken by the Chief Executive Officers/Executive Officers under rules.

It is enjoined upon all Chief Executive Officers/Executive Officers to remain vigilant at all times and direct the field staff to perform the duties with utmost dedication. The Chief Executive Officers/Executive Officers shall personally supervise the enforcement wing to ensure that there are no loop holes or lacunas in the implementation of building permission rules and undertake rapid anti encroachment drives for stopping unauthorized construction immediately under rules. Any laxity in taking action against violators be also reported upon to this Directorate for initiation of action against delinquent public servants.

No:-DULB/2022/2103
dt:- 30-6-2022


Director,
Urban Local Bodies,
Jammu.

Copy to the:-

1. All Chief Executive Officers/Executive Officers, Municipal Council/Committee _____ for information .

Government of Jammu & Kashmir
Housing & Urban Development Department
Civil Secretariat Srinagar/Jammu.

Commissioner,
Municipal Corporations,
Jammu/Kashmir.

Vice Chairman,
SDA/JDA/LCMA

Director
Urban Local Bodies,
Jammu/Kashmir.

No.HUD/30/2022(CN.150557)

Dated: 26 .04.2022

Subject: Advisory:V.O-LAWDA-NG-01/2016-19228-31 officers/officials
of Lawda including Dy. S.P Shah Skinder Khan).

Sir/Madam,


I am directed to refer this departments letter of even number dated 15.03.2022, on the above subject and to say that nothing has been heard from your end despite lapse of considerable time. The unwarranted delay in the matter has been viewed very seriously by the authorities.

Accordingly, you are once again requested to furnish your comments in the matter by or before 30th April 2022 positively. without any fail.

Yours faithfully,



Syed Nazir Ahmad, JKAS
Deputy Secretary to the Government



856984/2022/O/o CH

Government of Jammu & Kashmir
Housing & Urban Development Department
Civil Secretariat Srinagar/Jammu.

**Commissioner,
Municipal Corporations,
Jammu/Kashmir.**

**Director
Urban Local Bodies,
Jammu/Kashmir.**

**Vice Chairman,
SDA/JDA/LCMA**

No.HUD/30/2022(CN.150557)

Dated: 15.03.2022

Subject: Advisory:V.O-LAWDA-NG-01/2016-19228-31 officers/officials of Lawda including Dy. S.P Shah Skinder Khan).

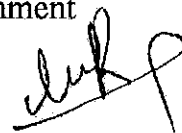
Sir/Madam,

I am directed to forward herewith a copy of communication No. VO-LAWDA-NG-01/2016-19228-31 dated:01.09.2021, on the above subject which is self-speaking. In this context,you are requested to furnish your comments in the matter by or before 31st March 2022.

Yours faithfully,



Syed Nazir Ahmad, JKAS
Deputy Secretary to the Government



87882/20/2021/OC-DACB

GOVERNMENT OF JAMMU AND KASHMIR
ANTI CORRUPTION BUREAU
J&K-SRINAGAR

The Commissioner/Secretary to Government
 General Administration Department
 Civil Secretariat, J&K Srinagar.

No:-VO-LAWDA-NG-01/2016-19228-31

Dated:- 01-09-2021

Subject: - **Advisory.**

Sir,

I am directed to state that the instant enquiry owes its origin on the basis of a written complaint lodged by Shri Arif Rashid Khan S/O Late Shri Ghulam Ahmad Khan R/O Old Gagribal Road, Srinagar alleging therein that the officers/officials of LAWDA including Dy.SP Shah Skinder Khan facilitated Gh. Nabi Khan, Gh. Qadir Sheikh & Gh. Ahmad Sheikh S's/O Gh. Nabi Sheikh @ Chicken to illegally and unauthorized construct a multi-storied commercial shopping complex at Kohna Khan Brari Nambal Srinagar opposite Mamta Hotel Srinagar. It has also been alleged that the said complex is being constructed in violation of the orders passed by the Hon'ble Court of 1st Additional Munisif Srinagar wherein a partition suit titled Arif Rashid Khan V/s Gh. Nabi Sheikh @ Chicken & Ors was pending disposal.

2. During the course of enquiry, it has surfaced that illegal construction was raised after the floods in the year 2014, on the same location, where old house was situated. At the initial stage when the violator started construction of Kitchen, the concerned wing of LAWDA demolished the same, however the violator continued with the construction of illegal structure. Accordingly a special demolition drive was carried out and the structure was demolished again by the LAWDA and report to this effect was also submitted to the Secretary LAWDA. Thereafter LAWDA authorities served a notice u/s 7 (1) through Enforcement Officer to the violator for stopping the illegal construction, but the violator did not respond to the notice. Subsequently, the illegal structure in question was sealed on 27.03.2015 in presence of concerned Magistrate and DO Nehru Park.

3. The enquiry further revealed that the violator had broken the seal and entered without any legal permission and then Enforcement Officer lodged FIR No. 67/2015 in Police Station Ram Munshi Bagh for illegally breaking of seals/locks. Another FIR was lodged against the violator on 28.04.2016 for starting the construction of shops which were already

856942/2020/00-DACB

demolished twice by the LAWDA authority. The violator started construction of a wooden shop for which the concern wing of LAWDA lodged FIR No. 76/2016 in Police Station Ram Munshi Bagh against the violator. Furthermore, the violator again started construction of a room on the said structure in question and then Enforcement Officer lodged another FIR against the violator in Police Station Ram Munshi Bagh on 06.04.2020.

4. In view of the above mentioned facts, It has been observed that the officers/officials of LAWDA performed their duties by way of stopping the construction, demolishing, registering FIR's etc. against the violator. However, the fact at this stage cannot be ignored that three (03) storied illegal structure has been erected/constructed without any approval/sanction from any competent authority.

5. Therefore, while bringing these facts to your kind notice, it is kindly requested to issue an Advisory to the concerned administrative department that:-

- (a) To proactively take action in respect of this issue and other illegally raised structures.
- (b) A framework may be devised/implemented to curb these acts of illegal constructions.

Yours faithfully,


(G.S. Ghuman)-JKPS
AG (Policy)

For Director Anti Corruption Bureau
J&K Srinagar.

Copy to the:-

1. Principal Secretary to the Government, Housing & Urban Development Department, Civil Secretariat, J&K Srinagar for favour of kind information.
2. Vice Chairman, LAWDA, Srinagar for favour of Information.
3. SSP (SBG) ACB-Srinagar for information. This is in reference to his office letter No. SSP-ACB-SBG-LAWDA-NG-1/16-02 dated 02.01.2021.