

	<p>Item No. 27</p> <p>March 22, 2018 A</p>	<p>Chief Secretary to take note of these aspects.</p> <p>Learned counsel Mr. G.M. Kawoosa appearing for State refers to the Affidavit filed by the Chief Secretary and submits that four weeks time may be granted to the State to take “Steps” to place the matter before the Cabinet of the State for decision.</p> <p>He submits that because of the constrains imposed by certain Rules the decision would be taken unless it is placed before the Tribunal. We make it clear that none of our directions direct the State Government to commit breach of any Rule instead we had directed the State explain to take proper decision in lawfull manner at the earliest. Now Rule that is quoted before us is Rule requiring policy decision and other important decision to be placed before Cabinet for its own examination and ultimate decision.</p> <p>According to the learned counsel rehabilitation scheme has passed the scrutiny of all stake holders including the Department of Urban Development which was quoted as a likely impediment in the earlier order for finalizing the scheme. Therefore as of now, the statement of Chief Secretary itself is the scheme is now fully finalized and all that it requires is the nod of the Cabinet. If that be so there is no explanation why it is not being placed before the Cabinet right from 20th February, 2018 till now. Time sought of four seeks to place before the Cabinet does not appear as a reasonable request on behalf of the State in regard to the serious matter pertaining to the rehabilitation of the effected peopled whose life depends on the rehabilitation which Government has to do.</p>
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	<p>Item No. 27</p> <p>March 22, 2018</p> <p>A</p>	<p>Referring to the statement made in the plan and the action taken by the State Government the learned counsel Mr. G.M. Kawoosa was very persuasive to accept the action of State as bonafide and not to from any adverse opinion against the State machinery as such. Despite his persuasive eloquence we are unable to appreciate inaction on the part of the State thus it compels us to pass the following orders.</p> <p>We also note the State has failed to note that rehabilitation scheme is for providing for rehabilitation to the persons who were earning through mules and for but the animal as well. In the circumstances we decline to grant time of four weeks to the State and instead impose the cost of Rs. 50 lacs to be deposited within one week from now and to ensure that the scheme is finalised complying with all directions of the Tribunal within two weeks from now. Any failure on the party of the State shall expose it to further order in this regard.</p> <p>List this matter for compliance of the order on 18th April, 2018.</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p> <p style="text-align: right;">22.03.2018</p>
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