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Swamped with pleas, J&K HC at 50% strength, looks to SC help

KAUNAIN SHERIFF M NEW DELHI, SEPTEMBER 30

FLOODED WITH over 250 writs of habeas corpus seeking quashing of preventive detention, and the state just a month away from being split into two Union Territories, the two wings of Jammu & Kashmir High Court, overburdened with litigation, are functioning with just nine judges against a sanctioned strength of 17 judges.

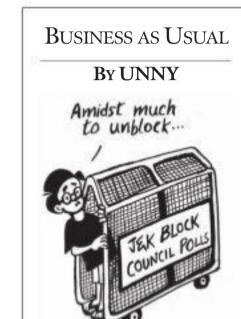
On two separate occasions this year, Chief Justice of Jammu & Kashmir High Court Gita Mittal forwarded seven names to the Supreme Court Collegium to fill the vacancies, *The Indian* Express has learnt. Not a single appointment has been made till

While the Supreme Court, hearing petitions related to the Valley, has sought reports from Justice Mittal on access to justice in the High Court — at one hearing this month, Chief Justice of India Ranjan Gogoi called it "a serious matter" and said "if required, I will go personally and check" — the Collegium is yet to fill the vacancies in the High

CONTINUED ON PAGE 2

FROM TODAY, BIG **BENCH TO HEAR J&K PETITIONS**

New Delhi: A clutch of petitions challenging the scrapping of Article 370 in J&K and related issues will be heard from by Tuesday Constitution Bench headed by Justice N V Ramana and comprising Justices S K Kaul, R Subhash Reddy, B R Gavai and Surya Kant. P7



In rush for Shivaji memorial bhumi pujan, Maharashtra govt cut corners for green nod



The design selected by the Maharashtra government

VISHWAS WAGHMODE MUMBAI. SEPTEMBER 30

THE MAHARASHTRA govern-Public Works Department (PWD) has taken many short cuts in the process for obtaining the Union Ministry of Environment and Forests (MoEF) approval to build a Shivaji memorial in the Arabian Sea off south Mumbai, according to RTI responses made available to The Indian Express.

For instance, the state PWD said the distance of the proposed site — a rocky outcrop in the bay between Nariman Point and Raj Bhavan, off south Mumbai – from the Gateway of India was 2 km while seeking MoEF approval in February 2015, whereas the distance was actually 12 km.

This is not the only aspect that raises eyebrows in the state government's rush to seek clear-

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ances for the site of the project which has huge political resonance in Maharashtra and has been a poll plank for both the ruling BJP-Shiv Sena alliance and the Opposition Congress-NCP.

The alternate sites proposed by the PWD for consideration were not serious options, as they are either heritage sites (Elephanta Caves) where construction is not permitted, or naval areas (Oyster Rock) which are out of bounds for civilians, or areas with rough seas and restrictions (Khandheri Island).

Moreover, the PWD had commissioned an Environmental Impact Assessment (EIA) report **CONTINUED ON PAGE 2**



Bihar Deputy CM Sushil Kumar Modi, his family await rescue from the flooded Rajendra Nagar in Patna, Monday. ANI PAGE 10

NRC fallout: Assam's N-E neighbours step up border checks, turn people away

ABHISHEK SAHA GUWAHATI. SEPTEMBER 30

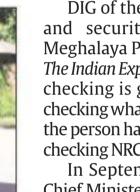
IN THE month since the final National Register of Citizens (NRC) was published on August 31, Assam's neighbouring North Eastern states have intensified checks on people crossing state borders without proper papers, and have turned back scores of people back to Assam.

In Meghalaya, the checks are based on "valid IDs" to prove that the person is an Indian while to enter Mizoram, an Inner Line Permit (ILP) is required, which the state government grants to only those whose names appear in the NRC.



Meghalaya sent back 1,329 people without valid ID. File

documentary proof".



According to data from the Meghalaya Police Monday, "1,329 detected persons without proof of Indian citizen were sent back directly to bring their

DIG of the anti-infiltration and security wing of the Meghalava Police, O Pasi, told The Indian Express, "Full-fledged checking is going on. We are checking what valid documents the person has — but we are not checking NRC."

In September, Meghalaya Chief Minister Conrad Sangma had highlighted to Union Home Minister Amit Shah at a meeting in Guwahati that there were fears about people left out of the NRC entering Meghalaya.

To such concerns, raised by Sangma and others, Shah had said, "I want to assure both that not even one ghuspetiya (infiltrator) will be allowed to reside **CONTINUED ON PAGE 2**

ECONOMY





FELICITATES THE BEST IN BUSINESS PAGE 19

THE EDITORIAL PAGE

NEED COMMITMENT TOHUMAN RIGHTS

BY PRATAP BHANU MEHTA PAGE 14

TITLE SUIT APPEALS

As SC deadline nears, Ramlalla counsel says no to mediation

CJI says trying to conclude proceedings by October 18, extra sittings if need be

ANANTHAKRISHNAN G NEW DELHI, SEPTEMBER 30

AS THE Supreme Court looks at October 18 to wrap up hearings in the appeals against the 2010 on the Ram Janmabhoomi-Babri Masjid title suit, hopes of arriving at a negotiated settlement to the Ayodhya dispute via a parallel mediation process faded after Ramlalla Virajman, one of the three main parties to the suit, said no to further mediation.

Senior advocate C S Vaidyanathan, representing the deity in Ayodhya, conveyed this to a five-judge Constitution Bench which is hearing appeals against the September 30, 2010 verdict of the Allahabad High Court ordering a three-way division of the disputed 2.77 acres between the Nirmohi Akhara, the UP Sunni Central Waqf Board and Ramlalla Virajman.

Vaidyanathan told the bench of Chief Justice of India Ranjan Gogoi and Justices S A Bobde, D Y Chandrachud, Ashok Bhushan and S Abdul Nazeer that there were reports in the media about fresh mediation and "I want to make it clear that we do not want to be part of any mediation efforts".

The CII said the bench was hearing the appeals and trying to wrap up the proceedings by October 18 and "if required" will sit even on Saturdays to complete it.

Exploring the mediation option, the Supreme Court had





Settlement via talks looks over

THE THREE-MEMBER mediation committee, formed by the SC, had given another shot at a negotiated settlement after its first effort failed. The court, while making clear that hearing of appeals will continue, had given its nod for a fresh parallel effort to resolve the vexed issue. It had also said that should there be a breakthrough, the court should be duly informed.

on March 8 constituted a threemember committee comprising its retired judge Justice F M Ibrahim Kalifulla, Art of Living founder Sri Sri Ravi Shankar and senior advocate Sriram Panchu **CONTINUED ON PAGE 2**

Pakistan says Manmohan will be invited to Kartarpur event, his office says no word yet New numbers show **EXPRESS NEWS SERVICE** MALEEHA OUT AS

NEW DELHI, SEPTEMBER 30

PAKISTAN WILL invite former Prime Minister Manmohan Singh as a representative of the Sikh community for the inaugural ceremony of the historic Kartarpur Corridor in November, Minister Foreign Shah Mahmood Qureshi told Pakistani media Monday.

However, Singh's office said they had no information of this move, and Congress party sources said he would "decline" any such invitation.



Work in progress at the Kartarpur Corridor in Pakistan. File

"The Kartarpur Corridor inauguration is a big programme and Pakistan is preparing for it in a big way... After consultations,

Pakistan has decided to invite Manmohan Singh to the inauguration, who we hold in high **CONTINUED ON PAGE 2**

PAK'S U.N. ENVOY

PAKISTAN PRIME Minister Imran Khan Monday appointed **Munir Akram** Pakistan's Permanent Representative to the

UN in New York, Dawn reported. Akram will replace Dr Maleeha Lodhi, who has held the office since February 2015. PAGE 17

dip in growth of core infrastructure sectors

ENS ECONOMIC BUREAU NEW DELHI, SEPTEMBER 30

THE GROWTH of eight infrastructure sectors contracted 0.5 per cent in August following broadbased deterioration in output across as many as five sectors, including cement and electricity. But for a turnaround in refinery products — the largest constituent of the core sector and an uptick in the growth of fertilisers, the contraction in numbers would have been sharper.

The August numbers mark the first contraction in core infrastructure output since April 2019, pointing to the continuing weakness in demand conditions. While analysts expect the festival demand to push industrial growth, the Monetary Policy Committee (MPC) is likely to take note of weak demand conditions in its policy review on October 4 and cut rates.

The eight core sector industries had expanded by 4.7 per cent in August last year.

During the latest reported month, output of coal (-8.6 per cent), crude oil (-5.4 per cent), natural gas (-3.9 per cent) cement (-4.9 per cent) and electricity (-2.9 per cent) contracted while only production of refinery products (2.6 per cent) fertilizers (2.9 per cent) and steel (5 per cent) recorded a growth.

Given that private final consumption expenditure growth in June declined to its slowest in 18 quarters, there are expectations that the RBI could go beyond the 25 basis point cut to support growth. The index of industria production (IIP) had grown 4.3 per cent in July from a downward-revised 1.2 per cent a month ago, according to data released last month.

Economist and Senior Director, **CONTINUED ON PAGE 2**

INX Media case: Chidambaram gets no relief, HC says may influence witnesses

WORLD

HAFIZ SAEED CLAIMS THREAT TO LIFE, PAK COURT SHIFTS CASE

IMPEACHMENT PROBE TO INTENSIFY, TRUMP DEFIANT P 17



THE DELHI High Court Monday

denied bail to senior Congress leader and former Union Minister P Chidambaram, who has been in judicial custody following his arrest by the CBI in the INX Media case, on the ground that the possibility of him not



Has been in judicial custody in Tihar

influencing witnesses while out on bail, "directly or indirectly, cannot be ruled out".

Justice Suresh Kumar Kait

said: "A murder may be committed in the heat of moment upon passions being aroused. However, an economic offence is committed with cool calculation and deliberate design with an eye on personal profit, regardless of the consequence to the community."

In his order, Justice Kait referred to material handed in a "sealed cover" — the CBI had

CONTINUED ON PAGE 2

Devendra Kumar Pant, Chief

Sabarmati, Swachh Bharat on Oct 2: Toilet pit manure in 10,000 jars PAGE 1 ANCHOR

KAVITHA IYER

MUMBAI. SEPTEMBER 30

TEN THOUSAND bottles of human faecal matter — decomposed in toilet pits that were sealed six months to a year ago, sun-dried over the last seven days, sieved into a tea leaf-like consistency and packed into glass jars — have been sent by truck from Akola in Maharashtra

Ahmedabad. On October 2, these 100gram jars of completely organic manure high in nitrogen, phosphorus and potassium content,

to Sabarmati Ashram in

of seeds that will sprout upon watering, will be presented to guests at the celebration to mark the 150th birth anniversary of Mahatma Gandhi.

and prepared with a sprinkling

For the Maharashtra government, the Akola Zilla Parishad and UNICEF, which together undertook the project to empty toilet pits, collect and process the manure, the idea is to popularise the use of decomposed waste from the nearly 10 crore toilets built across the nation under Swachh Bharat.

The Maharashtra government has christened the manure Sona Khaad, alluding to a gold standard of sustainability — the toilet pits can be re-used only once they are emptied, and the decomposed waste simply goes back into the soil. UNICEF Mumbai's Water and

Sanitation Hygiene specialist Yusuf Kabir, who has a teacup of Sona Khaad on his work table, had in 2017 initiated the delinking of caste and stigma from the emptying of toilet pits. "Secretary to the Government of India Param Iyer, who was then heading the Swachh Bharat Mission, emptied out a toilet pit in a village in Telangana. Later, Bollywood actors and others emptied toilet pits, to show that you do not even need safai workers to empty out the scientific twin pits, something not possible in a septic tank. The stigma associated with cleaning out the pits was removed," Kabir told UNICEF Maharashtra, in fact,

The Indian Express. prepared a step-by-step protocol on emptying out twin pit toilets a couple of years ago. According to Kabir, giving guests at Sabarmati Ashram little jars of Sona Khaad demonstrates the closing of the loop of an ecological cycle, "returning to nature what is natural".

Staffers at the Akola Zilla Parishad got to work on the proj-



guests at the ashram

ect only on September 21, the request for the bottles of manure having arrived by mail the previous afternoon. "One big challenge was identifying toilets that had been built some time back, where a pit would have been sealed for about a year," said Akola Zilla Parishad CEO Ayush Prasad.

There is no list of toilets with date of construction, and the officer eventually sent out a squad in a car. Equipped with shovels and other implements, the team found no suitable toilet over the first two days of scouting. Eventually, an octogenarian woman's home that had a toilet result.

built in 2014 yielded the desired

The team then began to set about looking for toilets built under previous government sanitation projects, including the Gadge Baba Gram Swachhata Abhiyaan and the Nirmal Bharat Abhiyaan of the UPA era. About 45 toilet pits were opened, but only 26 had manure while the others had waste that was still decomposing. Prasad says the team had to be particularly careful in selecting which pits to empty – emptying out a pit with waste that is not yet decomposed would amount to manual scavenging.

ant with UNICEF, of the 10 crore toilets under SBM, at least about

6.5 crore are twin pit toilets When used by an average Indian family, a pit gets filled up every six to seven years. Upon being sealed, faecal matter that comprises 80 per cent water undergoes anaerobic decomposition with the water draining out each pit yielding on average 60 kg to 70 kg of manure. By that math, about 1 crore toilets may be available to be emptied every year, yielding in total about 60 lakh quintals of manure.

According to

Deshpande, sanitation consult-

CONTINUED ON PAGE 2

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FULL COVERAGE



LIVE COVERAGE: **BIHAR FLOODS**

Death toll reaches 29 in Bihar as heavy rain batters state

EXPRESS

Maharashtra: Why the **BJP-Shiv Sena alliance** seems unchallenged

NEW EPISODE EVERYDAY

With elections around the corner, this episode dives into how the BJP- Sena and Congress-NCP alliances are faring and why infighting doesn't seem to deter the former

FROM PAGE ONE

J&K HC

Of the nine judges in the High Court, only two judges have been assigned to hear the writs of habeas corpus in the Srinagar wing.

In March this year, the High Court Collegium, headed by Justice Mittal, forwarded four names to the Governor and the same was marked to the Supreme Court Collegium, according to the standard procedure — of two advocates from Jammu, Rainesh Oswal and Rahul Bharti, and two advocates from Srinagar, Moksha Kazmi and Javaid Igbal Wani. And in July, another set of three names — Registrar General of Jammu & Kashmir High Court Sanjay Dhar and two others from the lower judiciary Vinod Chatterji Koul ,and Puneet Gupta — was sent.

According to procedure, the proposal for appointment of a judge of a High Court is initiated by the Chief Justice of a High Court, and the copy of the Chief Justice's proposal is sent to the Governor, and also endorsed to the Chief Justice of India and Union Minister of Law & Justice. The complete material, including the Governor's recommendation and intelligence reports, are then placed by the Law Ministry before the Supreme Court Collegium which takes the final call on recommending names to the President for appointment of judges.

While the Supreme Court Collegium is yet to take a final call on the names recommended by the High Court Collegium — the last fresh appointment made to the High Court was on August 7, 2018 when District Judge Rashid Ali Dar and advocate Sindhu Sharma were elevated as permanent judges.

While appointing Dar and Sharma, the government had returned for reconsideration the appointment of former Senior Additional Advocate General Wasim Sadiq Nagral. On January 16 this year, the Supreme Court Collegium had then asked the government to "furnish specific information" on the basis of which the proposal for elevation had been returned. It has been over nine months since and the appointment of Nagral remains pending.

were transferred to Jammu & Kashmir High Court. But this year, not a single judge has been sent to the High Court. The last transfer was effected on November 19, 2018 when Justice Rajesh Bindal, from the parent High Court of Punjab & Haryana, was transferred.

Currently, excluding Chief Justice Mittal, there are only eight judges for the two wings in Jammu and Srinagar. Even here, the situation on ground is somewhat different. According to sources, Justice Sanjay Kumar Gupta, who is undergoing medical treatment, is on medical leave from July 1. Moreover, in November, the High Court will witness a further drop in its strength after Iustice Rashid Ali Dar retires it is due on November 17. Given the shortage of

judges, urgent measures are being adopted, as is evident from the official roster of the High Court. In the first half of the day, the Srinagar wing of the High Court has only one division bench comprising Chief Justice Mittal and Justice Rashid Ali Dar; and two singlejudge benches — one under Justice Ali Mohammed Magrey and another under Justice Sanjeev Kumar. The division bench hears matters related to criminal appeals, tax matters and PILs. And the two singlejudge benches hear criminal and civil writ petitions, including the writs of habeas corpus. In the second half, all four judges sit separately on four single-judge benches.

Similarly, in Jammu, the division bench of Justices Rajesh Bindal and Dhiraj Singh Thakur sits in the first half of the day; and two single-judge benches under Justice Tashi Rabstan and Justice Sindhu Sharma, sit in the first half of the day. In the second half, all four judges sit separately on four single-judge benches.

Core infra sector

Public Finance, India Ratings & Research (Fitch Group), said the contraction in output pointed to the weak demand conditions.

"Only refinery products, fertilisers and steel output increased in August 2019. All eyes are on festival demand to push industrial growth. The MPC will take note of weak demand. falling growth and low inflation in its monetary policy re-

Also, in 2018, two judges

Classifieds

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special session for DJS MAINS is scheduled on

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view on 4 October 2019. Ind-Ra expects a rate cut in October monetary policy review, however, the extent of cut could depend on the assessment of growth impact of policy measures announced by the government in past few weeks".

Aditi Nayar, Principal Economist, ICRA Ltd, termed the performance of core sectors in August 2019 as "disappointingly weak" and indicated that "although the contraction in cement output was partly on account of a high base, this in conjunction with the moderation in the growth of steel output does not bode well for the pace of construction activities in Q2 (second quarter of) FY2020". "The weak performance of

electricity generation in August 2019 was driven by the contraction of 3.5 per cent in thermal electricity generation, in contrast to the moderately healthy expansion of 6.2 per cent in July 2019," she said.

However, with the pickup in rainfall and reservoir storage levels, hydro electricity generation rose by 6.7 per cent in August 2019, after having reported a YoY stagnation in the previous month, Nayar said.

The RBI had projected GDP growth for the current fiscal at 6.9 per cent — in the range of 5.8-6.6 per cent for the first half of 2019-20 and 7.3-7.5 per cent for the second half. This could be further revised downward during its October policy review, given the lower-than-expected June quarter GDP growth.

Last week, the Manilabased Asian Development Bank had cut its growth forecast for India for fiscal 2019-20 to 6.5 per cent from 7 per cent projected two months ago.

Manmohan

regard. He will represent the Sikh community," Qureshi was quoted as saying in Pakistani media reports.

"On behalf of the government, as the foreign minister of Pakistan, I invite him to attend the inauguration of the Kartarpur Corridor," said Oureshi, according to the re-

Reacting to the reports, sources close to Singh said: "We have not got any invitation. We have only heard about it in the media."

Sources in the Congress indicated that Singh would decline the invitation. He did not visit Pakistan "even once when he was the Prime Minister for ten years", they said.

Pakistan is scheduled to open the Kartarpur Corridor for Indian Sikh pilgrims on November 9, ahead of the 550th birth anniversary of Guru Nanak on November 12.

The corridor will connect Darbar Sahib in Pakistan with Dera Baba Nanak in Gurdaspur. Pakistan has agreed to allow 5,000 Sikh pilgrims from India to visit on a daily basis to Darbar Sahib in Narowal through the Kartarpur corridor.

While Pakistani officials have said that over 85 per cent of work on the corridor has been completed, differences remain between India and Pakistan on various issues, including a service fee and the number of pilgrims to be allowed on special occasions and protocol officials to accompany them.

--WITH PTI INPUTS

Shivaji memorial for the site it wanted months ahead of getting the go-ahead from the MoEF. Neither of the two alternate sites considered in the EIA was in the list of three alternate sites the PWD forwarded through the Maharashtra Coastal Zone Authority Management

Ayodhya party rules out mediation

Reviewing the progress on August 1, the court announced that the process had failed to make any headway and, five days later, started day-to-day hearing on the appeals. Subsequently, the mediation committee once again approached the bench, saying it had received letters from Zufar Farooqui, chairman of the Sunni Waqf Board, and Dharam Das of the Nirvani Akhara, who had called for resumption of the mediation

On September 18, the Supreme Court said that "the hearing of the appeals, which is at a very advanced stage, will continue without any interruption. If, in the meantime, the parties desire to settle the matter(s), including, by resort to mediation by the

earlier constituted mediation panel, they may do so and place the settlement before the Court, if reached". It also made it clear that

"the terms and the process of settlement including mediation, if resorted to, will abide by our earlier order dated 8th March, 2019, with regard to confidentiality". Meanwhile, the bench

Monday questioned one of the Muslim litigants on its contention that the legal validity of the actions of Mughal emperor Babur — during whose time the Babri Masjid was said to have been built had to be judged on the touchstone of the law prevailing then and not in the context of the Shariah law.

The Hindu parties had contended that Babur was an not be legitimised. "Are you trying to say that a sovereign is not bound by

Quranic injunctions?" Justice

invader and his rights could

Bhushan asked advocate Mohammad Nizam Pasha who appeared for Faizabad resident Misbahuddin. Pasha said Babur was a sovereign and all land was vested in him and evaluating his actions in the context of Shariah law would not be the

proper way. He said the fact that Babur invoked the Quran at times to justify his actions or to motivate his men did not mean that his actions can be iudged in the context of Shariah law. Pasha said a constitutional

court today cannot evaluate the validity of the actions of a sovereign 500 years ago and

hold that they were illegal according to what he should have conformed under Shariah law, and that doing so would be stretching the concept of judicial review of executive action beyond breaking point. He also countered the Hindu side's claim that the Babri Masjid was not a mosque as per Islamic law because it did not have a wuzu (for ablution) or minarets. Pasha said the first mosque built by the Prophet himself did not have a minaret and added that under Islamic law, it was not mandatory that a mosque should follow any particular architectural style.

On wuzu, he said what

Islamic law says is that it it better to perform ablution at home and then go to the mosque.

been a strong Finance Minister and Home Minister and presently, Member of Indian Parliament. He is a respectable member of the Bar Association of Supreme Court of India. He has long standing in the Bar as a Senior Advocate." "He has deep roots in the Indian society and may be some connection abroad. But the fact that he will not influence the witnesses, directly or indirectly, cannot be ruled out... Moreover, the investigation is at an advanced stage... therefore, this court is not inclined to grant bail," Justice Kait said. He did not, however, agree

> with the SG's contention of Chidambaram being a flight risk or the possibility of tampering with evidence. "...there is no evidence on record that the petitioner tried to flee from India. The situation of 'Flight-Risk' is possible only if no lookout notice is issued or an accused is not so popular and can leave the country based upon forged passport in the name of other persons...".

material witnesses have been

approached by the accused "not to disclose" any informa-

tion regarding him and his son

the fact that the petitioner has

"This court cannot dispute

Karti.

On the possibility of evidence tampering, he said it is not in dispute that documents relating to the present case are in the custody of the prosecuting agency, Government of India and the court. "Moreover, the petitioner is not in power, except he is a Member of Parliament Therefore, in my considered view, there is no chance of the petitioner tampering with the evidence," he said.

Probing charges of corruption in the INX Media case, the CBI had arrested Chidambaram on August 21 night. The next day he was remanded in CBI custody. He is now in judicial custody in Tihar Jail till October 3.

"In addition, the toilets

themselves get some mainte-

Assam's neighbours intensify border checks in Assam nor be allowed to residents whose names did names in the NRC." checks and monitoring have

enter into any other state. We do not want to free only Assam from infiltrators but free the entire country from intruders; and, when I say the entire country, the states of North East India are included

Last year after the draft NRC was published, the powerful Khasi Students Union (KSU) had set up check gates on their own alleging that state was not doing enough checking. Later, these check gates were withdrawn when state police intensified checks.

In Mizoram, Home Minister Lalchamliana had said in September that ILPs will not be issued to Assam not figure in the NRC. The ILP is based on the

Bengal Eastern Frontier Regulation Act (BEFR), 1873, and it is a special permit that is required by "outsiders" from other regions of India to enter the states of Arunachal Pradesh, Nagaland and

In Kolasib district, which borders Assam, police say that non-ILP holders are detained every day and people from Assam without names in NRC are granted an ILP.

Kolasib SP, Vanlalfaka Ralte, told The Indian Express, "Our checking has intensified after the NRC publication and ILP is not issued to those from Assam who do not have

"Everyday, 10-15 people without ILP attempting to enter Mizoram are caught. You can calculate from that the total number since September Nagaland officials con-

firmed that they too have intensified checks and people from Assam are asked for proof of their names in the NRC before issuing an ILP. "If they do not have, they can give some other valid ID also. But there has been no case of suspicious people from Assam not on the NRC trying to enter Nagaland," a senior official.

Abhijit Sinha, Principal Secretary (Home), Nagaland, told The Indian Express, "Our

were apprehensions that there could be movement of illegal immigrants into Nagaland. As of now, the flow has been normal." In an order dated September 2, Sinha had said

been intensified and man-

power required has also been

increased. Post the publica-

tion of NRC in Assam there

that any usual influx of people without valid document has to be immediately brought to the notice of the district administration and that village and town authorities need to maintain strict vigil "against influx of people from outside the state in violation of the existing rules/norms."

Sabarmati

"It is also on record that large sums of monies has come into the companies owned and/or controlled by the coconspirator Karti Chidambaram during the relevant period for the favours shown by the petitioner to INX Media," the order noted.

remand, for judicial custody, of the trial court is justified", Justice Kait said: "It cannot be disputed that if the case is proved against the petitioner (Chidambaram), the offence is on the society, economy, financial stability and integrity of the country." "It is a fact that the entire

community is aggrieved if the economic offenders, who ruin the economy of the state, are not brought to book as such offences affect the very fabric of democratic governance and probity in public life," he said. Justice Kait also considered

nance, and there is rural employment generated in emptying the pits and making the manure available," Deshpande said. For the October 2 function the Akola ZP used an in-house IT engineer's Clipart skills to design a label with a logo depicting the shape of the Indian squatting toilet and maize growing around the pit. The label describes the process of making and using Sona Khaad. The glass jars, the

> were procured from Vadodara packaging was designed locally with the 'Maha Sona Khaad branding and the total project cost kept at approximately Rs 3 lakh — the manure was free, the main costs were the bottles packaging and transportation. A dilapidated complex in

kind used to pack ghee or pickle,

Akola was used to spread out the collected manure on mats where it was dried using fans and halogen lights as rains continued. In all, 10,240 jars were packed into cartons and despatched in a truck. Prasad, who followed the

Rabi 2018 experiments by the Directorate of Onion and Garlic research near Pune in which Sona Khaad was used on onion fields before transplanting, said that initial assessments showed higher presence of nitrogenphosphorus-potassium (NPK) in the onions, as well as improved yield. "Mahasona Khaad is evidence of a cleaner India, achieved by millions of its poor citizens. It contains decomposed material that may have otherwise caused diarrhoea and killed millions of children. These bottles show that the value chain of sanitation is now complete," he said.

(MCZMA) to the MoEF for consideration. The MoEF cleared the project based on the predone EIA, not deliberating over the MCZMA-forwarded list of four options.

All this took place amid a flurry of correspondence from the state government, including from the Chief Minister, to the MoEF, pushing for permission stating that a "bhumi pujan" by Prime Minister Narendra Modi had already been finalised.

Work on the statue is currently halted after a Supreme Court stay in January 2019 on a special leave petition filed by the Conservation Action Trust (CAT) that challenged MoEF's decision.

According to documents obtained by The Indian Express under RTI, after the MoEF issued a draft notification on December 11, 2014, allowing construction of memorials/ monuments and allied facilities in CRZ-IV areas, the state PWD was required to submit a justification for locating the proposed statue in CRZ area, along with details of alternative, with relative weightage

The PWD had to submit this "weightage matrix" of all options to the MCZMA which had to recommend a particular site from the list to the MoEF.

for each on various parameters.

The central ministry then puts it to an in-house expert appraisal committee, which takes the call on giving the government permission to prepare an EIA under the Terms of Reference (ToR) set by the ministry. The final clearance is given after ascertaining compliance with the ToR.

Accordingly, on January 20, 2015, the PWD submitted a list of nine possible sites, along

with a weightage matrix for each. MCZMA's list proposed the current site as the most suitable, with a highest score of 32. But minutes of an MCZMA meeting held three days later revealed that only four sites were discussed, and the current site was recommended to the MoEF with a score of 72.

Six parameters were considered for each site - distance from the Gateway of India, space availability, feasibility of construction, heritage structure or forts at the site, safety and environmental issues, and each assigned a particular weightage. Environmental impact accounted for 40%, space availability 20%, and 10% each for the remaining four param-

The weightage of the favoured site got bumped up as PWD's submission stated the distance of the proposed site from the Gateway of India as 2 km. However, the PWD's own traffic study in 2014 said the proposed site was 12 km from the Gateway of India.

The MCZMA then wrote to the MoEF recommending this site on January 23, 2015, stating "the site appears to be the suitable location as compared to other sites in respect of better accessibility, 16 hectares of space availability, safety point of view and low impact on coastal environment with environmental safeguards."

The PWD made a presentation on the four sites before an expert panel of the MoEF on January 29, 2015. The MoEF granted the Terms of Reference (TOR) for preparation of the EIA at the recommended site through a letter to the PWD on February 5, 2015.

But as the promise to build

Sea had been made by the previous Congress-NCP government as well, the PWD had already commissioned an EIA for the proposed site from NEERI and NIO in May 2013. At the time, CRZ-IV was still a 'no go' area for construction of memorials. The EIA report was ready in November 2014. The MoEF notification permitting memorials in CRZ-IV came in

The NEERI-NIO report considered the proposed site, and two others, all three located at various points in the Arabian Sea off the Mumbai coast. The other two sites it considered were not included by the PWD in its weightage matrix that it submitted to MCZMA. The PWD submitted this EIA

December 2014.

to MoEF on February 2. Three days later, on February 5, the MoEF granted the Terms of Reference. Four days later, on February 9, as the EIA had already been submitted, the MoEF expert panel recommended grant of environmental clearance. Finally, CM Devendra Fadnavis wrote to then **Environment Minister Prakash** Javadekar on January 30 requesting clearance before February 19. The formal letter was issued on February 23, 2015.

MoEF Secretary Chandra Kishore Mishra was not available for comments. Arvind Kumar Nautiyal, Joint Secretary of MoEF, could not be reached. An email query sent last Thursday to Mishra and Nautiyal did not receive a response.

When contacted, PWD secretary CP Joshi, said the report on alternate sites was prepared by a consultant. "There could be some anomalies in it that can be corrected. We had submitted the proposal through an online system," he said.

Chidambaram

registered an FIR in May 2017. alleging irregularities in the FIPB clearance granted to the INX Media group for receiving overseas funds in 2007 during Chidambaram's tenure as Finance Minister — and said: "During investigation, as per 'Sealed Cover', it is revealed that Indrani Mukerjea and Peter Mukerjea (accused) met the petitioner even before the filing of application before FIPB Unit during which the petitioner assured them regarding the FIPB approval and, in lieu thereof, directed that the business interest of his son Karti Chidambaram, who is also an accused, should be taken care of and certain overseas transactions should made in his favour."

Holding that the "order of

the submission of Solicitor

a Shivaji statute in the Arabian General Tushar Mehta that two