

# Unnao survivor to record her statement at AIIMS

**DIRECTIONS** Delhi HC allows holding court at hospital; SC gives CBI more time for accident probe

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**NEW DELHI:** The Delhi high court on Friday approved the recording of statement of a rape survivor at the trauma centre of All India Institute of Medical Science (AIIMS) by special judge Dharmesh Sharma, who is conducting trial in the case.

A notification to this effect was issued by the Delhi HC late in the evening.

It said that chief justice DN Patel and judges of the high court ordered that “Special Judge Dharmesh Sharma shall hold court for recording the testimony of the victim in the premises/ building of trauma centre of AIIMS in addition to the Tis Hazari District Court Complex during trial of the cases”.

The rape survivor is admitted in AIIMS after she sustained injuries during a road accident in which MLA Kuldeep Singh Sengar, who was expelled from the Bharatiya Janata Party, is an accused.

She was air-lifted from Lucknow hospital to Delhi on the orders of the Supreme Court.

Earlier in the day, the Supreme Court directed the HC to



■ People protest in front of India Gate for the Unnao rape victim in New Delhi on July 29, 2019. **BURHAAN KINU/HT FILE**

decide on setting up a temporary court at AIIMS for recording the statement of the Unnao rape survivor.

The direction came after the top court took note of a status report filed by a trial court judge requesting to set up a court in AIIMS.

The rape survivor, a resident of Uttar Pradesh, and her lawyer were left critically injured on the road accident in which two other aunts died.

The top court, on August 1, transferred all cases related to the matter from Uttar Pradesh to the court of District Judge Dharmesh Sharma in Tis Hazari, New Delhi.

Expelled BJP legislator Kuldeep Singh Sengar, who represents Bangarmau in the Uttar Pradesh assembly, is the prime accused in the rape case. The woman's family has alleged his role in the accident.

The top court also gave the

Central Bureau of Investigation (CBI) on Friday two more weeks to complete its probe in the road accident case, and to file its final investigation report (charge sheet) in the gang rape case lodged by her mother.

A bench led by Justice Deepak Gupta also gave more time to the trial judge, who is to hear and decide all Unnao-related cases. According to an earlier order, the trial in all related had to conclude in 45 days. But in his status report given to the top court in a sealed cover, the trial court judge has asked for a separate deadline for each case.

The bench also deferred the cross-examination of witnesses in the rape case till CBI files its charge sheet in the gang rape case. This was done after the counsel for the accused said he wanted to confront the prosecution witnesses in the rape case, and this will only be possible only when the charge sheet is filed.

The bench also clarified that it will be up to the trial judge to decide if such confrontation of any witness was necessary. “It will be better to give the time than pave the way an acquittal on technical grounds,” Justice Gupta remarked.

## Ayodhya case: SC bench sends PIL for live-streaming to CJI

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**NEW DELHI:** A Supreme Court bench on Friday referred public interest litigation asking for live-streaming of the hearing in the ongoing Ayodhya land dispute to the Chief Justice of India (CJI) even as it wondered if such a plea could be accepted in view of the sensitivity of the case.

A bench led by Justice RF Nariman posted activist KN Govindacharya's petition before CJI Ranjan Gogoi's court and fixed September 11 for it to be heard.

“The ‘open court system’ did not mean outsiders are privy to proceedings. It merely meant the court was open to litigants to attend proceedings,” the court remarked, asking whether it would be right to live-stream Ayodhya proceedings. “It cannot be said that this (Ayodhya) is

**SENIOR ADVOCATE VIKAS SINGH SAID... IF NOT LIVE-STREAMED, THE PROCEEDINGS SHOULD AT LEAST BE AUDIO-RECORDED AND TRANSCRIPTS MADE AVAILABLE**

not a matter of national or constitutional importance,” the court added.

Senior advocate Vikas Singh said the issue was one of social and constitutional gravity. If not live-streamed, the proceedings should at least be audio-recorded and transcripts made available.

Govindacharya has in his petition referred to the Supreme Court's 2018 judgment that ordered live-streaming of hear-

ings in cases of national importance. The judgment is not yet implemented.

The case “famously known as the Ayodhya Ram Mandir matter” had created large-scale interest across India, Govindacharya stated in his petition.

“Live-streaming as an extension of the principle of open courts will ensure that the interface between a court hearing with virtual reality will result in the dissemination of information in the widest possible sense, imparting transparency and accountability to the judicial process,” the petition said.

A five-judge Constitution bench is hearing the Ayodhya case from August 6 to decide the politically-sensitive Ram Janmabhoomi-Babri Masjid land dispute, after the efforts to arrive at an amicable settlement through mediation failed.

## Humiliated, UP Dalit officer kills himself

**LAKHIMPUR KHURI (UP):** A 23-year-old Dalit officer has committed suicide in Uttar Pradesh's Lakhimpur Khuri district, alleging humiliation and mental harassment by a village head, a leader of a farmers' outfit and others, police said on Friday.

Trivendra Kumar Gautam, who had started his service as a village development officer last year and was posted at Kumbhi block, hanged himself on Wednesday. His body was recovered on Thursday from the rented accommodation at Shivsagar locality of Lakhimpur town, 130 km north of Lucknow, police said. In his last note addressed to his father, Gautam held district president of a farmers' outfit, head of Rasoolpur village and son of another village head responsible.

A video has gone viral, purportedly showing the young officer being humiliated in public. A

man could be heard calling him a ‘kaamchor’ (shirker), and also saying such officers should be thrashed and kicked out.

In the note, Gautam alleged that they had humiliated and mentally harassed him. He also stated that he was subjected to abuses and targeted over reservation, which, he said, was wrong. He was troubled and felt that he was a failure, he added.

Five people have been arrested, additional SP Shailendra Lal said, adding, an FIR has been lodged under IPC section 306 (abetment to suicide) and sections of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, and IT Act.

Meanwhile, Gautam's colleagues held a protest at Vikas Bhawan and threatened to boycott work if the guilty were not held. “A probe is on and no one will be spared,” Lal said. **PTI**

## Cops paste summons on Azam's residence

**BAREILLY:** The Rampur police on Friday pasted a court notice on the house of Samajwadi Party leader Azam Khan, asking him to appear before the court on September 11. As many as 80 cases have been registered against Khan and arrest warrants issued in three cases.

Rampur superintendent of police (SP) Ajay Pal Sharma confirmed that the summons was pasted on Khan's house as nobody in his family was willing to receive it.

The Rampur MP has been summoned by additional chief judicial magistrate (J) to appear before him on September 11 in a case registered against him in 2010 in connection with giving a false statement during election campaigning.

Other cases, in which an arrest

warrants have been issued, include the one in which Khan allegedly made derogatory remarks against Bharatiya Janata Party candidate Jaya Prada during the Lok Sabha elections 2019. Khan has been denied anticipatory bail in five other cases.

On Friday, the Rampur electricity department slapped a fine of ₹30 lakh on Khan's wife Tazim Fatima, also a lawmaker. A team of the electricity department raided the ‘Humsafar’ resort, owned by Khan's kin, following a complaint against it by local BJP leader Akash Saxena and registered a case of electricity theft against Fatima. The officials also found that 33,870 un billed units and imposed a fine of ₹3 million, which includes ₹340,000 compounding fee and ₹2.62 million of revenue arrears. **HTC & PTI**

**PC, KARTI ACCUSED**

## Court adjourns Aircel-Maxis case sine die

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**NEW DELHI:** A Delhi court Friday adjourned sine die the Aircel-Maxis case, involving former finance minister P Chidambaram and his son Karti, noting that the Central Bureau of Investigation (CBI) and the Enforcement Directorate (ED) were seeking “adjournment after adjournment”.

Special Judge O P Saini adjourned the matter without giving any date for further hearing, saying it would save the time of the court and the probe agencies. The court granted liberty to the probe agencies to approach the court and get the case revived as and when they complete the investigation.

The court on Thursday granted anticipatory bail to the

## Ex-Assam CM writes to CJI on NRC

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**GUWAHATI/KOLKATA:** Former Assam chief minister and senior Congress leader Tarun Gogoi has written to CJI Ranjan Gogoi, alleging that National Register of Citizens state coordinator Prateek Hajela did not discharge his duty efficiently while preparing the final list published last week, and requested him to review the matter.

NRC in Assam was updated under the monitoring of the Supreme Court and the final list, which validates bonafide Indian citizens of the state, excluded over 1.9 million applicants. The final NRC list was published on August 31.

In the letter to the Chief Justice of India, Gogoi alleged that Hajela did not follow the direction of the apex court although over 50,000 government officials were engaged in the NRC updation job and around Rs 1,200



TARUN GOGOI, Ex-Assam CM

**Now the question arises about the fates of several lakh people who have been left out... due to the inefficiency of the NRC authority**

crore was spent at the cost of development work of the state.

“Now the question arises about the fates of several lakh people who have been left out of the NRC and have to move to Foreigners Tribunals to prove their citizenship and face harassment, not due to their faults but due to the callousness and inefficiency of the NRC authority,” he said.

The three-time Congress chief minister said a number of people were excluded though their names were there in the

voters' lists of both 1966 and 2019. March 24, 1971, is the cut-off date for making a legitimate claim to Indian citizenship.

The final NRC has been rejected by all political parties, social organisations and intellectuals of the state, Tarun Gogoi said.

“The state government also, if I am not wrong, is trying to blame the Supreme Court as they have been making allegations that they had their limitation due to interference of the Supreme Court while the

Supreme Court was not the implementing authority but the fact is that the Government of India was the implementing authority. In my view, it is nothing but a total failure of the Government of India,” he said.

Chandra Mohan Patowary, senior cabinet minister and spokesperson of the Assam government, too, could not be reached for a comment despite several attempts.

In West Bengal, chief minister Mamata Banerjee said on Friday that the Trinamool Congress government will not allow implementation of NRC in the state.

The implementation of the NRC is nothing but a political vendetta of the Bharatiya Janata Party-led central government, she told the assembly.

“This (NRC implementation) is nothing but an attempt to divert the attention of the people from the ongoing economic crisis in the country,” she said

**MALANKARA CHURCH CASE**

## SC rebukes Kerala HC judge over ‘indiscipline’

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**NEW DELHI:** The Supreme Court on Friday came down heavily on a judge of the Kerala high court for issuing orders purportedly in contravention to the top court's direction in the Malankara church dispute case.

It took strong exception to the HC's tinkering of its 2017 verdict on right to conduct administration and prayers in churches in a dispute between two factions.

Justice Arun Mishra, who led the bench, was so upset that he took the Kerala HC judge's name in the open court and said: “Tell the judges in Kerala that they are part of India.” “It is a very objectionable order. Who is this judge? Tell his name loud. Let everyone know. Who is this judge? What kind of judge is he?” he said, visibly angry with how “judicial indiscipline was developing.”

The top court set aside the Kerala High Court order on March 8 that prayer services at the churches should be performed alternately by the two rival factions of the Malankara Church.

The bench, also comprising Justice MR Shah, was hearing the matter related to the implementation of the SC order on giving control of 1,100 parishes and their churches under the Malankara Church to the Orthodox faction.

The apex court in 2017 said prayer services have to be per-

**THE TOP COURT SET ASIDE THE KERALA HIGH COURT ORDER ON MARCH 8 OVER PRAYER SERVICES IN THE MALVANKARA CHURCH**

formed in consonance with the 1934 Malankara Church Constitution and guidelines.

Father Isaac Mattemmel Cor Episcopa, the Vicar of St Mary's Orthodox Syrian Church, had filed an appeal against the HC order. On July 2, the SC had observed that “is Kerala above rule of law” and warned that chief secretary may be put behind bars for not implementing its 2017 judgement. Jacobite church followers have been accused of preventing access to the Orthodox faction, despite orders of the high court and the Supreme Court.

The St Mary's Orthodox Church and others in its appeal had said the HC had “closed” their two writ petitions on the issue, after taking note of arguments of the counsel appearing for the state that earnest steps have been taken by them for an amicable resolution of the disputes between the factions.

The petitioners have claimed in the top court that some of the directions passed by the high court in the matter were contrary to the top court's directive.

## Goa swimming coach, accused of molestation, held

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**PANAJI:** Goa swimming coach Surajit Ganguly, accused of molesting a 15-year-old swimmer, was arrested in Delhi by a joint team of the Goa and Delhi Police, bringing his over-24-hour run to an end.

Speaking to Hindustan Times, police inspector of the Mapusa Police station, Kapil Nayak, said, “Based on our technical surveillance and local intelligence, we managed to track him in Delhi.

He was changing his location every time, we were tracking his location. Once we were able to zero down on his location we sought the help of the local police.”

He was picked up from Kashmere Gate location of Old Delhi and will be brought to Goa, the police said.

The Goa Police were on the lookout for Ganguly ever since the 15-year-old swimmer went public accusing him of molesting her on multiple occasions in Mapusa in North Goa, where he Ganguly stays.

The girl's family initially approached the police in Kolkata on Wednesday night, and lodged first information report (FIR).

Earlier in the day, Nayak expressed confidence that the police were close to nabbing Ganguly.

Ganguly has been booked under sections 376 (rape), 354 (molestation), 361 (kidnapping), 506 (II) (criminal intimidation) of the Indian Penal Code as well as Section 8 of the Goa Children's Act (Child Abuse) as well as Section 6 and 8 (aggravated penetrative sexual assault) under the Prevention of Children from Sexual Offences (PoCSO) Act.

## Chinmayanand case: SIT reaches Shahjahanpur

**SHAHJAHANPUR (UP):** A special investigation team (SIT), which was constituted by the Uttar Pradesh government on the orders of the Supreme Court, has arrived in Shahjahanpur to probe the harassment charges levelled by a woman law student against BJP leader Swami Chinmayanand.

The SIT, headed by Inspector General Naveen Arora, arrived on Thursday night and will start its investigation after looking into the details of the probe conducted by the local police.

“The investigations will start once we go through the evidences collected by the local police as well as the documents sent to the Supreme Court,” Arora said.

The officer said the team had seen the papers related to the ‘rangdari’ (extortion) case filed by Chinmayanand's counsel and the case filed by the father of the law student, and deliberated on them. “We have included legal and surveillance experts in the team and, if required, a forensic expert will also be called,” Arora said, adding that police officers having “upright and clean image” are part of the team.

He added that the report would be submitted to the Supreme Court in a sealed envelope after the inquiry.

The SIT was formed on Tuesday, a day after the SC directed the state government to do so to investigate the charges levelled by the woman, who is a postgraduate student at a college run by Chinmayanand's trust. **PTI**

### shortstories

#### EX-SC STAFFER: DELHI POLICE PLEA REJECTED

**NEW DELHI:** A Delhi court Friday dismissed a plea for cancelling bail of the Supreme Court's former woman employee, who had levelled allegations of sexual misconduct against Chief Justice of India, in a cheating and criminal intimidation case. Supreme Court's 3-member In-House Inquiry Committee, headed by Justice S A Bobde, had in May this year given clean chit to the CJI as it “found no substance” in the allegations levelled against him by the woman. Chief Metropolitan Magistrate Manish Khurana on Friday dismissed the application filed by Delhi Police after being informed by advocate V K Ohri, appearing for the accused, that the notice of the application could not be served to the complainant in the case despite several attempts since earlier this year. “In these circumstances, no fruitful purpose will be served by keeping the application for cancellation of bail of accused pending and the same is accordingly dismissed...,” the court said.



#### BSP TO FIGHT HARYANA POLLS ALONE

**LUCKNOW:** The Bahujan Samaj Party will go it alone in the Haryana assembly polls later this year and field candidates on all seats, party supremo Mayawati said. “BSP is a national party, accordingly we inked an agreement with Dushyant Chautala's party for Haryana Assembly elections. We have ended our alliance with them on the suggestions of BSP Haryana unit due to their inappropriate behaviour in seat-sharing,” she tweeted. On August 11, BSP's Satish Mishra and Jannayak Janata Party's Dushyant Chautala had announced that the parties entered an alliance.

#### UJJWALA SCHEME ACHIEVES TARGET BEFORE SCHEDULE

**NEW DELHI:** The government will achieve the target of giving 8 crore free cooking gas (LPG) connections to the poor nearly seven months ahead of schedule with Prime Minister Narendra Modi set to handover the 8-crore connection on Saturday. Pradhan Mantri Ujjwala Yojana (PMUY) was launched on May 1, 2016, with a target to give 5 crore connections to women members of poor households by March 2020. Prime Minister Narendra Modi will be handing over the 8 crore connection under PMUY at an event which will be organised in Sendra, Aurangabad, Maharashtra on September 7, an official statement said here.



■ Congress leader and former finance minister P Chidambaram being taken to Tihar jail in connection with the INX Media case, in New Delhi on September 5. **PTI FILE**

like other inmates, Chidambaram ate pocha, tea and porridge for breakfast. He spent most of his time walking around the complex and reading newspapers, the officials said.

“For lunch he had chapatti, sabzi, daal and rice. He was served food in same utensils as used by other inmates. He made no special demands and did not complain about anything. Like