



DELHI CONFIDENTIAL



CONSPICUOUS ABSENCE

A CONGRESS veteran, former President Pranab Mukherjee was on Thursday conferred the Bharat Ratna by President Ram Nath Kovind at Rashtrapati Bhavan, but both Sonia Gandhi and Rahul Gandhi skipped the event. Their absence surprised many Congress leaders, and some wondered if it had anything to do with Mukherjee's decision to visit RSS headquarters in 2018. While the entire brass of the BJP and the government was present, only a handful of Congress leaders attended. Among them were CWC member Anand Sharma, Lok Sabha MP Shashi Tharoor, former Home Minister Sushil Kumar Shinde and former AICC general secretary Janardan Dwivedi.

ALL FOR TRADITION

REPRESENTING RAMLALLA in the Ayodhya hearing in the Supreme Court, 91-year-old K Parasaran, a Padma Vibhushan recipient and former Attorney General of India, did not have to think twice before declining Chief Justice of India Ranjan Gogoi's offer to sit and present his case if he wished. "It's ok. Your Lordships are too generous... The tradition at the Bar has been to stand and argue... I'm concerned about the tradition," Parasaran told the court as the CJ queried whether he would be more comfortable sitting and arguing.

POSITIVE FEEDBACK

THE HRD Ministry's deadline for receiving feedback on the draft National Education Policy has been extended twice already. In the meantime, the ministry is also trying to build political consensus. First it organised a briefing for MPs in the last week of July. On Thursday, it held a meeting of state secretaries to get their views. The meeting was attended by 26 states and all gave their suggestions. Everyone more or less supported the policy.

Both religions consider Ayodhya as birthplace of Ram, SC told

Court asks whether janmasthan, or birthplace, can be plaintiff to dispute case

EXPRESS NEWS SERVICE
NEW DELHI, AUGUST 8

BOTH HINDUS and Muslim parties to the Ramjanmabhoomi-Babri Masjid dispute consider Ayodhya as the birthplace of Lord Ram and there is, thus, no difference of opinion regarding this, the counsel for Ramlalla Virajman told the Supreme Court on Thursday.

Appearing for Ramlalla, senior advocate K Parasaran told the five-judge Constitution bench that "janmasthan (birthplace) need not mean just the spot, and can mean the entire surroundings".

Led by Chief Justice of India Ranjan Gogoi, the bench comprises Justices S A Bobde, D Y Chandrachud, Ashok Bhushan, and S A Nazeer

Parasaran said he had "seri-



ous objections" to the September 30, 2010, verdict of the Allahabad High Court, which divided the disputed 2.77 acres into three and awarded a third each to the Nirmohi Akhara sect; Sunni Central Wakf Board, Uttar Pradesh; and the idol Ramlalla Virajman.

Justice Bhushan told Parasaran that one of the plaintiffs in the suit was janmasthan-birthplace — and wondered whether a place could be a juristic person.

"It's controversial, but I will

present my arguments" the counsel replied. He said there are temples in which the Shiv ling is worshiped.

"But what about things other than idols? Can they be considered juristic persons too?" Justice Bhushan asked.

Parasaran replied that presence of idol is not the only test for this. In the Rig Ved, he said, the Sun is considered a deity, although it has no idol and is a juristic person. Intervening, Justice Bobde pointed out that the Uttarakhand High Court had recently held some rivers as juristic persons.

Justice Chandrachud asked Parasaran whether a source of worship can also be considered a juristic person. "Can a source of worship itself become a juridical person? There are pleadings that not only the idols, the source of the divinity can also be

a subject of devotion. If that is so, can the place from which such divinity flows can also be a juristic person?" he asked.

Parasaran said he would answer the query in due course and went on to read from the High Court's verdict.

Meanwhile, in an apparent bid to fast-track hearing in the case, the bench on Thursday indicated that it will sit for all five days, including on Mondays and Fridays. Normally, Mondays and Fridays are reserved for miscellaneous matters — fresh cases and those on which notices have been issued. Cases referred to larger benches or the Constitution bench are usually taken up on the other three days.

Rising for the day on Thursday, the bench said it will assemble again on Friday morning to hear Parasaran, who is yet to conclude his arguments.



(Clockwise L-R) President Ram Nath Kovind confers the Bharat Ratna upon his predecessor Pranab Mukherjee at the Rashtrapati Bhavan on Thursday; Tej Hazarika receives the Bharat Ratna posthumously conferred on his father Bhupen Hazarika; Chairman of the Deendayal Research Institute, Virendrajeet Singh, receives Bharat Ratna conferred posthumously on social activist and senior RSS leader Nanaji Deshmukh. PTI/ANI



MP expresses regret over remarks on Prakash Raj

RALPH ALEX ARAKAL
BENGALURU, AUGUST 8

LOK SABHA MP from Mysuru-Kodagu Pratap Simha on Thursday expressed regret on "derogatory" and "unwarranted" social media posts made against actor-turned-politician Prakash Raj in 2017. Simha wrote the posts on Twitter and Facebook on October 2 and 3, 2017.

"Dear @prakashraaj, I had posted a derogatory article against your family on 2&3rd October 2017. However I understand these were unwarranted n hurtful. Therefore, I unequivocally withdraw n regret Twitter n FB post," Simha tweeted.

Prakash Raj advised the MP not to get "personal" and "dirty" on social media. "as we both are successful individuals in our respective fields, it's our responsibility to set good examples.all the best," Raj wrote on Twitter.

Simha told *The Indian Express* his tweet was not an apology. He "never posted an apology and

would not do so," he said. "Instead, I clarified that I regret the comments that were made on social media in a post against him and his family. I would also like to reiterate that I had just shared an article published by a news website then," he added.

In 2017, in response to Prakash Raj's tweet criticising the Prime Minister for staying silent on veteran journalist Gauri Lankesh's murder, Simha had questioned his right to question people in power.

Later, on October 3, Simha made a comment on a television channel, again taking a dig at Prakash Raj. This urged Raj to send a legal notice to Simha alleging defamation calling the former a 'serial offender'.

Raj had also asked Simha to tender an unconditional apology stating that he would take strict legal action against the MP otherwise. The case was settled on Thursday after the Special Court for People's Representatives on Monday advised both Raj and Simha to settle the matter.

BIHAR ASSEMBLY RECRUITMENT SCAM

Charges to be filed against former speaker, 42 others

EXPRESS NEWS SERVICE
PATNA, AUGUST 8

THE BIHAR Assembly secretariat on Thursday gave its nod to the Vigilance Investigation Bureau (VIB) to file a charge sheet against former Assembly speaker and senior Congress leader Sadanand Singh, former Assembly secretary JP Pal and 41 others in connection with irregularities in the appointment of 90 lower division clerks in the Assembly secretariat between 2000 and 2005.

Assembly secretary Bateshwar Nath issued the clearance to the VIB, which, sources said, is likely to file charges next week.

The VIB had initially lodged an FIR against Singh and 42 others on 9 May, 2011 under IPC sections of 420 (forgery), 467 (forgery of valuable security and will), 468 (forgery for purpose of cheating), 471 (using a forged document as genuine), 477A

(falsification of accounts), 201 (causing disappearance of evidence of offence), 120B (criminal conspiracy) and under provisions of Prevention of Corruption Act, 1988.

In the FIR, it was alleged that Sadanand Singh had allegedly misinterpreted a Patna High Court order and called several candidates for an interview, while there was no provision to do so. It was alleged that several beneficiaries of the process were related to politicians across political parties. "The original appointment had made the results of written tests the sole criteria for final appointment," said a VIB source.

During Sadanand's bail plea hearing in the matter in September 2011, he had stated that "none of his relatives had got jobs and he had no role to play". The vigilance bureau however, said the charge sheet would detail how the established procedure of appointment was bypassed.

Pranab Mukherjee, Nanaji Deshmukh, Bhupen Hazarika conferred Bharat Ratna

EXPRESS NEWS SERVICE
NEW DELHI, AUGUST 8

FORMER PRESIDENT Pranab Mukherjee, Bharatiya Jana Sangh leader Nanaji Deshmukh and singer Bhupendra Kumar Hazarika were conferred the Bharat Ratna, the country's highest civilian honour, by President Ram Nath Kovind on Thursday. Deshmukh and Hazarika were awarded posthumously.

At the investiture ceremony at Rashtrapati Bhavan, Mukherjee received the honour himself, while Deshmukh's relative Virenderjeet Singh received it on his behalf, and Hazarika's was received by his son Tej.

Deshmukh worked at the

grassroots to prepare the political foundation of the Bharatiya Jana Sangh during the 1960s and '70s. He had collaborated with leaders like Jayaprakash Narayan against the Emergency under the Indira Gandhi government.

Rashtrapati Bhavan tweeted: "Deshmukh was an eminent social activist who devoted himself to the welfare of the society and made immense contribution in the fields of education, health-care and rural development."

Mukherjee worked closely with the then Prime Minister Indira Gandhi, was among the top leaders of the Congress since early 1980s, and headed the ministries of finance, external affairs and defence. He won the election for President in 2012.

Mukherjee accepted an invitation of the Rashtriya Swayamsevak Sangh (RSS) to deliver an annual lecture at their headquarters in Nagpur last year.

While his decision was criticised by sections opposed to the BJP and RSS, other sections praised Mukherjee for his decision to engage with ideologically divergent people.

"A statesman and one of India's most respected political leaders, Shri Pranab Mukherjee served the nation in various capacities in his long political career spanning over five decades," Rashtrapati Bhavan tweeted.

On Hazarika, Rashtrapati Bhavan tweeted that he was a "renowned singer, lyricist, musician, poet and filmmaker, Bhupen Da popularised India's

musical traditions globally."

Hazarika joined the list of stalwarts who were awarded Bharat Ratna in the field of music, such as M S Subbulakshmi, Pandit Ravi Shankar, Lata Mangeshkar, Bismillah Khan and Bhimsen Joshi. Hazarika will be the second person from Assam, after Gopinath Bordoloi, to be conferred the honour.

Thanking Prime Minister Narendra Modi and his government, Assam Chief Minister Sarbananda Sonowal said, "The bohemian artist worked with humanitarian sensibilities to foster goodwill and amity in the society. His songs reflected the voice of the voiceless. This step has fulfilled a long-pending demand and aspiration of the people of Assam."

30 years on, retired DCP talks on camera about a custodial death and its cover-up

MOHAMED THAYER
MUMBAI, AUGUST 8

NEARLY 30 years after a "custodial death" was allegedly covered up by Mumbai Police, a retired DCP has been caught on camera giving intricate details about how he passed it off as a case where the person concerned died after jumping from the first floor of his house.

The video clip was recently handed over to Mumbai Police by a businessman, Rajendra Thakkar, in whose office retired DCP Bhimrao Sonawane is seen making these revelations. Thakkar, a relative of Sonawane, is locked in a dispute with him.

The matter has been handed over to Worli police station, under whose jurisdiction the alleged incident took place in 1990. While it has called Thakkar for questioning, he has filed a writ petition before the Bombay High Court seeking an FIR against Sonawane.

Sonawane, who was an inspector at Worli police station when the alleged incident took place, claimed that he was making up a story and it was an at-



Sonawane (left) in the video clip.

tempt to trap him.

The clip that has been extracted from the CCTV footage of Thakkar's Malad office purportedly shows the complainant, along with Sonawane and two others, seated in his office on October 15, 2018.

In the video, a man purported to be Sonawane is seen talking about what happened at Worli police station after the deceased, Rattu Gosavi, was arrested on May 1, 1990. "Rattu Gosavi was from Worli... kicked him in the testicles... we wanted to catch him for quite a while... there were 27 cases against him," he is seen saying. "Whenever I arrested an accused, I would beat him up like a dog... would fracture his bones

before taking him to the police station." Later, Sonawane talks about the ACP informing him that Gosavi had died. "They dragged the body of Gosavi... two held his hands... two legs... my ACP asked me to check his eyes... he was dead... he was alive just an hour back... how did he die?"

Sonawane is seen explaining how they tried to get Gosavi admitted to a hospital. He also claimed that Gosavi died at the hospital and not at the police station. "We have to show he died in the hospital and not in police custody or the responsibility will fall on us," he is heard saying.

Sonawane then talks about how a crowd had gathered outside the police station, and how he got a van parked outside the police station. "I trained two constables to hold Gosavi's body from both sides and move his legs in such a way that it should appear that he was walking to the van. To complete the impression, they also handcuffed the body. I told the crowd that Gosavi had injured himself and that he was being taken to the hospital," Sonawane is seen saying.

At KEM hospital, however,

Sonawane says a doctor refused to admit Gosavi in ICU. He then claims that they managed to get Gosavi admitted in JJ hospital.

Thakkar, who has four cases against him, had got an FIR lodged with Malad police against Sonawane's daughter, who is married to Thakkar's brother-in-law, alleging that they had cheated him of money. The alleged taped conversation took place when Sonawane went to Thakkar's office to resolve the issue.

When contacted, Sonawane said, "Whatever I am seen saying in the video is a story I was making up to give a certain impression. This is an attempt to trap me."

Thakkar told *The Indian Express*, "In addition to what appears to be his involvement in custodial killing cover up, he has also cheated and extorted money from me and registered four false cases against me."

While Inspector Patel refused to comment, Zonal Deputy Commissioner Abhinash Kumar said, "While a probe is being conducted, the video will not be enough to prove the allegations. We are looking into the matter."

FULL REPORT ON
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DISMISSING CONCERNS RAISED IN ASSEMBLY

Want NRC out on time, says apex court

EXPRESS NEWS SERVICE
NEW DELHI, AUGUST 8

THE SUPREME Court on Thursday refused to be drawn into a debate on revelation of National Register of Citizens (NRC) data in Assam state Assembly and said it will pass orders on a plea challenging non-inclusion of those born in India to migrants between 1971 and 1987 in the Register unless they have ancestral links to the country.

"We don't think we will get into that. As far as judges are concerned...our actions and decisions are being discussed every moment. If we bother about it, we will have time only for that. We are not going to do anything on what happened inside the Assembly... We don't think it's worth our time. What we want is the NRC out within scheduled time irrespective of who likes or who doesn't," Chief Justice of India Ranjan Gogoi told state NRC coordinator Prateek Hajela, who brought to its notice statements by some political leaders on the NRC updation process.

The bench told Hajela that it will "pass orders" on his plea regarding maintaining secrecy of NRC data.

Appearing for some applicants whose names were not being included in the NRC, senior counsel Kapil Sibal referred to Section 3(1) of Citizenship Act, which says every person born in India after January 26, 1950, and up to July 1, 1987, were citizens of India by birth. But for the NRC updation process, a different

yardstick was being used for those born between 1971 and 1987, he said.

The bench, also comprising Justice R F Nariman, asked Hajela why they should not be included. Hajela replied that for NRC updation, ancestry was also being taken into account for those born between 1971 and 1987 in view of the relevant provisions in Citizenship Rules, 2003.

On this, the bench wondered how a different approach could be adopted for those born between 1971 and 1987 when those born before 1971 and after 1987 were not subject to it.

The court asked him to submit his contentions in the form of a note which it will peruse and pass orders on how to go about the updation.

A petitioner who has challenged Section 3(A) of the Act in a separate plea, meanwhile, pointed out that the different approach was on account of Section 6(A) of the Act, which applies to those covered by the Assam Accord and fixes the cut-off date for grant of citizenship as March 25, 1971.

The petitioner said his plea has been referred to a Constitution bench and urged the court to issue directions to the Director of Census Operations, Assam, "not to entertain any claim of citizenship by birth from persons who are children of illegal migrants from the specified territories in Assam who have migrated after March 25, 1971", or to maintain a separate list of such cases till the Constitution bench decides his petition.

UNNAO RAPE

Victim's father falsely implicated: CBI to court

ANAND MOHAN J
NEW DELHI, AUGUST 8

THE CBI told a Delhi Court on Thursday that the Unnao rape victim's father was falsely implicated in the Arms Act case registered by the UP police.

The agency told the court that when the victim's father was being taken to the police station, multiple phone calls were made between two policemen, the complainant in the case and Bangarmau MLA Kuldeep Singh Sengar, an accused in the rape case. Sengar has also been booked for murder in connection with the accident that left the rape victim and her lawyer critically injured and her two aunts dead.

CBI counsel Ashok Bhartendu told the court of District Judge Dharmesh Sharma, "The victim's father was badly beaten. During our investigation, we found that the victim's father was falsely implicated in a criminal conspiracy. The father was allegedly found with one country-made pistol and four live cartridges and we have

multiple witnesses who stated that at that point the deceased was not carrying a pistol."

The CBI then named Station Officer Ashok Singh Bhadauria, Sub-inspector Kamta Prasad and Constable Amir Khan. Bhartendu told the court, "Every documentary formality pertaining to registration of FIR and recovery of pistol was formalised... in the presence of the three policemen and in pursuance of that FIR, the father was sent to custody..."

The CBI also submitted that the complainant was working at a brick kiln owned by the MLA's brother. "There happen to be telephone conversations between the complainant and the accused MLA," Bhartendu said adding, "Multiple conversations at that point stopped after registration of false FIR."

Sengar's counsel Satyendra Singh and Vijay Pratap Singh said his client was an MLA and gets multiple calls and this does not mean there is a conspiracy. The counsel for the policemen argued that they were not at the spot when the assault took place.

Probe accuses jail, prison doctors of negligence

EXPRESS NEWS SERVICE
LUCKNOW, AUGUST 8

THE PROBE conducted by the Uttar Pradesh Health Directorate into the custodial death of the Unnao rape victim's father last year has indicted the jail doctor and Emergency Medical Officer (EMO) of the district hospital of negligence that led to his death.

The victim's father died on April 9 last year, six days after he was arrested on charges of assault and under the Arms Act. He was allegedly assaulted by rape accused MLA Kuldeep Singh Sengar's brother, Atul Singh, and his aides, before being handed over to the police.

A senior health department official on Thursday confirmed that the inquiry found negligence on the part of jail physician, Dr Vansh Bahadur, and district hospital EMO, Dr Gaurav Agarwal.

The inquiry, conducted by Dr Pooja Pandey, Director, (Administration, Medical & Health), found that Bahadur did not send the medical reports of the patient to the district hospital. While the patient was in seri-

ous condition at the district hospital, Agarwal did not refer him to a higher centre and did not call any specialists, it stated.

After the police arrested the father, he was medically examined at the district hospital before he was produced before a local court, which sent him to judicial custody on April 4, 2018. A day later, he complained of stomach ache and vomiting. On April 6, jail hospital physician, Dr Vansh Bahadur, gave him medication and got tests done. The father was then taken to the district hospital on April 7, a day later. Jail officials had then claimed that since the physician did not find his condition serious, he was brought back the same evening.

However, on April 8 evening, he again complained of severe abdominal pain and vomiting. He was again taken to the district hospital, where he was declared dead at around 3.45 am.

EMO Agarwal denied having received any letter from the inquiry panel. He refused to comment on the probe. Bahadur could not be reached for comment.