

BJP, CONGRESS RELEASE FIRST LISTS OF CANDIDATES FOR JHARKHAND ASSEMBLY POLLS >>htnation p10

NO ODD-EVEN TODAY AND TOMORROW >>htmetro p4

CHAHAR'S 6 WICKETS GIVE INDIA 2-1 WIN TAKES HAT-TRICK AS INDIA BEAT B'DESH BY 30 RUNS >>htsport p16



'Good luck to Sena': BJP ditches bid to form govt

NEXT STEP Governor invites Uddhav's party to stake claim; spotlight on Cong, NCP

HT Correspondents
■ letters@hindustantimes.com

MUMBAI/NEW DELHI: The Bharatiya Janata Party (BJP) on Sunday abandoned efforts to form the government in Maharashtra, citing the Shiv Sena's "insult to the mandate" and virtually challenging its pre-poll ally to stitch together a majority with the help of the Congress and the Nationalist Congress Party (NCP) after a fortnight of bickering over power-sharing in the state.

Hours later, governor Bhagat Singh Koshiyari asked the Sena, which won 56 seats, to indicate by Monday evening its ability to form the government. The NCP said it will support the Sena's bid for power if the regional outfit walks out of the BJP-led Nationalist Democratic Alliance and finalises a common minimum programme.

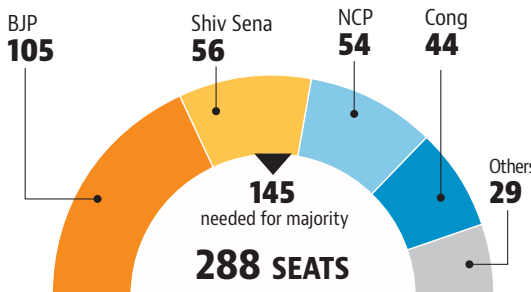
Sunday's political drama came a day after Koshiyari asked the BJP, which emerged as the single-largest party in last month's assembly elections, to indicate its "willingness and ability" to form the government in the state.

The BJP's surprise announcement capped hectic political activity during the day, which saw the party's core committee

CHANGING DYNAMICS

With the BJP declining to form government, the role of the NCP and Congress has now become crucial

HOW THE ASSEMBLY LOOKS



"Uddhav Thackeray clearly said today that the CM will be from Shiv Sena. If Uddhavji has said so, then, it means that there will be CM from Shiv Sena, at any cost."

SANJAY RAUT,
Shiv Sena leader

"We will see if the Sena votes against the BJP in the House to pull down the govt, then we'll consider supporting a government led by Shiv Sena."

NAWAB MALIK,
NCP spokesperson

"We will discuss the issue and will seek advice of the party high-command on the future political stand. The party doesn't want President's Rule."

ASHOK CHAVAN,
Congress leader

CHALLENGES BJP FACED

1 Fewer seats: In 2014, the BJP won 122 seats, 23 short of majority, and was less dependent on the Sena. This time, it was 40 short of majority, so it needed Sena support

2 Power-sharing: A 50:50 power-sharing formula has been the bone of contention between the two parties. Following the assembly results, the BJP has ruled out rotating the CM's seat with the Sena

3 Sena offensive: The Sena's tirades have angered the BJP. It repeatedly used its mouthpiece Saamana to target the BJP leadership. BJP leaders said there is no point continuing with an "unruly ally"

4 Pawar play: Not only did the NCP win more seats than was expected, its chief Sharad Pawar has been in touch with Sena leadership since October 24, providing the latter with options beyond the BJP

5 Lack of communication: Uddhav and Fadnis always had a direct line of talks that helped them resolve issues. But lately, Uddhav cut communication with the BJP which made it hard to work out a deal

LAWYERS' STRIKE TO CONTINUE AS MEET TO END ROW WITH POLICE FAILS

NEW DELHI: Less than 48 hours after they announced the suspension of their agitation against alleged police action during the Tis Hazari clashes, lawyers on Sunday said they would resume their strike at all district courts in Delhi from Monday due to "failure of talks with the Delhi Police".

A meeting between top police officers, members of the Bar Council of India and Bar Council of Delhi was held on Sunday in lieutenant-governor's office to resolve the standoff that ensued after a clash between the police and the lawyers on November 2 at Tis Hazari court in the national capital.

"Despite our cooperation, no concrete step has been taken to arrest the police persons who fired at advocates. So, there would be a complete abstinence from work with all peaceful modes in all Delhi district courts," said Dhir Singh Kasana, the secretary general of coordination committee of all district courts.

>>P3

Hindu groups eye Trust, Waqf to take call on plot

Pawan Dixit, Amrita Madhukalya and M Tariq Khan
■ letters@hindustantimes.com

AYODHYA/LUCKNOW/NEW DELHI: The Centre may begin the process of setting up a trust in Uttar Pradesh's Ayodhya town only after inter-ministerial deliberations, said a senior official on Sunday, as Hindu groups vied with each other to be part of the body and a key Muslim outfit called a meeting on whether to accept an alternative plot as directed in the Supreme Court a day before.

In Ayodhya, a phalanx of security personnel continued to patrol the largely-deserted streets as the administration turned its focus on managing the sea of devotees expected to descend for the Hindu religious event of Kartik Purnima on Tuesday.

At least one million people are expected to reach Ayodhya for what is the first Hindu festival after the apex court ruled in favour of a Ram temple in Ayodhya in a landmark decision on

CONTINUED ON P8



■ Paramilitary force soldiers patrol in Ayodhya on Sunday.

AP

SC JUDGES PRAISE CJI GOGOI

GUWAHATI: Supreme Court judges on Sunday heaped praises on CJI Ranjan Gogoi over the Ayodhya verdict, with justice Arun Mishra praising him for deciding "the most important litigation facing this

country" and justice Hrishikesh Roy lauding the CJI's "leadership". Justice Gogoi, however, refused to delve on any "contentious" issue in his first public address after the crucial ruling.

>>P9

mustread

RECORD OLYMPIC QUOTA IN SHOOTING

Shooters have won India a record 15 spots for Tokyo as the country finished with a flourish, winning three quotas, on their last opportunity to win Olympics 2020 berths at Doha on Sunday.

>>P16

FORMER CEC TN SESHAN DIES AGED 87

Former chief election commissioner (CEC) TN Seshan died on Sunday evening at the age of 87. A 1955 batch IAS officer, Seshan is credited with ushering in reforms in the election process and ensuring that the model code of conduct imposed on announcement of elections was adhered to. He also pushed for compliance by political parties to the spending limits imposed for election expenses.

>>P11

RUSSIAN HISTORY PROF KILLS LOVER

A Napoleon expert was arrested after he was hauled out of a river, which he had fallen into while trying to dispose off the body parts of his former student whom he had murdered.

>>P14

Full-body scanners to return to IGI for third round of trial

NEW DELHI: Full body scanners are expected to return to Delhi's Indira Gandhi International (IGI) airport for another round of trials within a week, according to officials who said the new devices have been customised for Indian attire and address several shortcomings spotted in two trials carried out in 2016 and 2017.

Initially, the scanners will be used only by airport staff, a Central Industrial Security Force official said. The scanners are telephone booth-like structures and produce an X-ray-like image with no discernible personal features to detect any object concealed on the person.

>>P3

Railways plans to use face recognition tech

Anisha Dutta
■ anisha.dutta@hindustantimes.com

NEW DELHI: Indian Railways is planning a complete overhaul of security at railway stations through the use of facial recognition technology backed by artificial intelligence to identify and nab criminals, a proposal which, one Internet freedom activist warned, could be a violation of individual privacy.

The national transporter's security arm, the Railway Protection Force (RPF), aims to link the facial recognition system (FRS) with existing databases such as the Crime and Criminal Tracking Network & Systems

(CCTNS) to identify criminals who may be prowling railway stations.

"CCTNS is the criminal database of Indian security agencies and we are planning to connect (it) with our FRS database through a bridge software," an RPF official said on condition of anonymity. "With this we will have access to a huge database of criminals and our FRS software can easily be used to fetch the photos [of potential criminals] and match the faces. If we are able to install this across all our major stations, it will be a huge security breakthrough. This is something called preventive policing."

CONTINUED ON P7

Chhattisgarh sets up panel to probe WhatsApp spying

Ritesh Mishra
■ ritesh@hindustantimes.com

RAIPUR: Chhattisgarh CM Bhupesh Baghel has formed a probe panel to investigate phone hacking complaints of Chhattisgarh-based rights activists and also to look into a presentation Israeli cyber intelligence company NSO Group, which has been blamed for snooping, had made to police officers in the state in 2017, according to an order.

Activists Alok Shukla, Shalini Gera, Bela Bhatia, and Degree Prasad Chauhan had alleged that their mobile phones were targeted.

>>P11

Centre considers raising insurance for deposits, more RBI scrutiny for banks

Rajeev Jayaswal
■ rajeev.jayaswal@hindustantimes.com

NEW DELHI: The government is considering increasing the insurance on bank deposits to more than the ₹1 lakh at present, with greater protection for senior citizens, and may bring all financial institutions under the Reserve Bank of India's scrutiny as part of measures to improve safeguards for depositors.

The plans come in the wake of the crisis at Mumbai-headquartered Punjab and Maharashtra

ANOTHER PART OF THE PLAN IS TO ENHANCE SAFEGUARDS FOR SENIOR CITIZENS WHO ARE DEPENDANT ON INTEREST INCOME, AN OFFICIAL SAID

Cooperative Bank (PMC) where customers have not been able to withdraw more than ₹50,000 since late September when the central bank found violations of banking

rules and under-reporting of bad loans.

At the start of the crisis, PMC was estimated to have at least ₹11,000 crore in total deposits, with the main protection for depositors being the ₹1 lakh guarantee by Deposit Insurance and Credit Guarantee Corporation (DICGC) in case the bank turned insolvent.

"A review of deposit insurance is overdue, which includes several aspects such as raising insurance cover from ₹1 lakh to an appro-

priate level to reflect the current reality," said an official in the administration, asking not to be named. The cover of ₹1 lakh has been unchanged since 1993, when it was increased from ₹30,000.

The official quoted above said the changes also include reducing the premium burden, which may be done by revising the way it is calculated. At present, premium is calculated on the basis of total deposits in a bank.

"There is no **CONTINUED ON P7**

Open up to a better future with Union Bank of India



Celebrating

Union Bank of India's
101ST

FOUNDATION DAY

Thanks to the trust of millions of our customers over the past 100 years, we've opened up to the possibilities that tomorrow holds. We've opened up to a new India, and reinforce our commitment to being a partner in its progress.

101st Foundation Day Celebrations on Nov. 11, 2019 at NCPA, Mumbai in the august presence of

SMT. NIRMALA SITHARAMAN

Hon. Union Minister of Finance & Corporate Affairs, Government of India

SHRI. ANURAG THAKUR

Hon. Minister of State for Finance & Corporate Affairs, Government of India

SHRI. RAJIV KUMAR

Finance Secretary, Government of India

SHRI. RAJKIRAN RAI G.

Managing Director & CEO, Union Bank of India

TOTAL BUSINESS OF ₹7,51,487 CRORE

WIDE NETWORK OF 4,285 BRANCHES AND 6,798 ATMs

OVERSEAS PRESENCE IN HONG KONG, DUBAI, ABU DHABI, SYDNEY AND LONDON

MORE THAN 7 CRORE HAPPY CUSTOMERS

PROUD TO BE ASSOCIATED WITH



Helpline Nos.: 1800 208 2244 / 1800 22 2244 (Toll free no.) | 080-6181 7110 (Chargeable) | +91 80 6181 7110 (for NRIs)
www.unionbankofindia.co.in

Connect with us: @UnionBankofIndia @UnionBankTweets

@UnionBankInsta YouTube UnionBankofIndiaUtube Unionbankofindia

यूनियन बैंक ऑफ़ इंडिया
अच्छे लोग, अच्छा बैंक



Union Bank of India

Good people to bank with

htspotlight

100 arrested for posting ‘provocative’ content

SC RULING Authorities extend suspension of internet services in pockets of the heartland

HT Correspondents
■ letters@hindustantimes.com

LUCKNOW/JAIPUR/DEHRADUN/BHO-PAL: Police arrested 100 people for allegedly making provocative posts on social media as security deployment across northern India remained tight and authorities extended suspension of internet services in pockets of the heartland, a day after the Supreme Court delivered its verdict in the Ayodhya dispute.

Additional police forces, which were deployed since Diwali last month, will continue to patrol in many cities of Uttar Pradesh, Rajasthan, Madhya Pradesh, Bihar and Uttarakhand. Internet services were suspended in pockets of UP, Rajasthan and Madhya Pradesh till Monday, police said, in order to scotch attempts to spread rumours and misinformation.

Uttar Pradesh police said 77 persons were arrested under 34 cases of allegedly making provocative social media posts or attempting to breach peace.

“The action was taken against 8,275 social posts on various platforms in past 48 hours,” said inspector general (IG) of Police (law and order) Praveen Kumar. He said the action included registration of cases, removal of content and getting the profile of users blocked. Of the total FIRs, 22 were lodged on Sunday and 12 on Saturday.

In Rajasthan, 12 people were arrested for posting objectionable content or trying to disturb peace, police said.

According to the police, two people were arrested in Bikaner, while one person each was arrested in Jhalawar, Churu, Jaipur and Bundi districts. Besides, three people in Bikaner, two in Hanumangarh and one each in Kota rural and Tonk district were arrested for disturbing peace and unlawfully assembly, police said.

In Madhya Pradesh, eight peo-



■ Security personnel check motorists at a roadblock in Ayodhya on Sunday.

AFP

ple were arrested and a Gwalior jail warden, Mahesh Awad, was suspended for bursting crackers after the verdict, officials said. Of these, eight arrests were made in Seoni district and two in Gwalior, police said.

In Uttarakhand, a Bharatiya Janata Party (BJP) municipal councillor was arrested for uploading an allegedly provocative post on Facebook on Sunday, police said. The accused identified as Shiv Kumar Gangwar of Shiv Nagar ward had threatened to kill those who come in the way of building Ram Temple in Ayodhya. “He has been arrested for attacking under religion under different sections of the IPC,” said Vidyadutt Joshi, station house officer at Transit Camp police station, where the case was lodged.

The restrictions were imposed keeping in the mind the violence that lashed the country after the demolition of the Babri Masjid in

Ayodhya in 1992. The clashes killed around 2,000 people but this time, no major incidents of violence were reported after the court’s ruling on Saturday.

The administration in Rajasthan, Uttarakhand, Madhya Pradesh and Uttar Pradesh extended prohibitory orders under Section 144 of the CrPc, which bars assembly of four or more people. Police officials in these states said flag marches and peace meetings were conducted in sensitive areas and people were advised not to make provocative speeches or social media posts.

At least 200,000 police and paramilitary personnel are posed in the Hindi-speaking states currently. Before Saturday’s verdict, the government deployed thousands of members of paramilitary forces and police in Ayodhya and other sensitive places. Both Hindu and Muslim leaders urged people to maintain calm.

Suspension of internet services continued in several places in Uttar Pradesh such as Ayodhya, Agra, Meerut, Varanasi and Rampur. In Rajasthan, internet remained suspended for the second day in nine districts of Jaipur and Bharatpur divisions and towns of Ajmer, Kota and Bundi. In Madhya Pradesh, the internet ban continued in Bhopal and several other sensitive areas.

In UP, the internet suspension will continue till Tuesday but will lapse in Rajasthan on 10am Monday. Police in Madhya Pradesh will also take a call on extending the suspension on Monday after reviewing security and intelligence inputs, officials said.

In Uttarakhand, which shares a border with Uttar Pradesh, the state police continued with Section 144 restrictions and conducted flag marches in pockets of Dehradun, Nainital and Haridwar districts on Sunday.

A DAY AFTER VERDICT

SC judges praise order, CJI refuses to comment

Sadiq Naqvi
■ letters@hindustantimes.com

GUWAHATI: In his first public address after delivering the crucial judgment in the Ayodhya case, Chief Justice of India Ranjan Gogoi refused to delve on any “contentious” issue during an event in Guwahati on Sunday.

Gogoi, who is retiring on November 17, was addressing the launch of the Assamese translation of 2016 book Courts of India: past to present. “I do not wish to get into any contentious issue. This is not the occasion for this,” Gogoi said.

Other judges attending the event, however, heaped praise on CJI Gogoi and the verdict. Justice Arun Mishra praised CJI Gogoi for deciding on the “the most important litigation facing this country”. “He has achieved the impossible... 1000-page judge-



■ Ranjan Gogoi

ment within three weeks, two weeks... this is rather impossible... a herculean task...”

While Justice Hrishikesh Roy said the “leadership of judging” was very well displayed in Saturday’s verdict, Justice Shripathi Ravindra Bhat called it a “turning point in history”, adding that it was a “unique moment which we must savour”.

Chief Justice-designate SA Bobde was also present at the event.

SURVEYS HELD OVER THE YEARS

ASI officials who led inspections hail order

Amrita Madhukalya
■ amrita.madhukalya@hindustantimes.com

NEW DELHI: Archaeologist Buddha Rashmi Mani, who initially led a 14-member Archaeological Survey of India (ASI) team that surveyed the disputed site in Ayodhya in 2003, expressed happiness over the Supreme Court’s judgment that paved the way for the construction of a Ram temple there on Saturday.

He said the court had taken an impartial view of the longstanding issue. Mani said that he almost did not go for “the biggest assignment of his career” in 2003 when he was asked to lead the team at the site to study what was underneath the Babri Masjid. “I was not too keen as I had suffered a brain stroke,” said Mani.

Controversies marred Mani’s assignment and the Allahabad high court replaced him midway as the ASI team head.

“The court wanted me to continue digging, but I had chalked out a procedure and dug up till 45 metres within. I felt there was no need to dig further,” said Mani, who continued to be part of the team despite his replacement.

Mani said that they found Northern Black Polish ware, sculptures, and 50 pillar bases. “We took back the historical period of the structure 900 years to 1600 BC,” he said.

Mani was in 2016 named as the National Museum’s director general (DG) following his retirement. His stint ended in August this year.

Mani dismissed criticism that he was awarded for his work post-retirement. “I retired as the additional ASIDG... people less qualified than me and even people from outside were given the DG’s post overlooking me. I suffered due to my association with the Ayodhya case,” said Mani.

Another former ASI archaeologist KK Mohammed, who was part of the team in 1976-77 and the first to claim that the site had a Hindu temple below the Babri Masjid, too, welcomed the judgment. “I cannot think of a better way this could have paved out. I was under a lot of strain for saying that a temple structure existed underneath. This [court verdict] makes me happy that what I was saying all along was not untrue,” said Mohammed.

Somnath panel wrote to govt over temple trust

Amrita Madhukalya
■ letters@hindustantimes.com

NEW DELHI: Amid speculations that the Ayodhya trust could be formed on the lines of Gujarat’s Somnath Trust, officials familiar with the developments said the latter wrote to the Centre on the composition and constitution of the upcoming body.

Retired Gujarat chief secretary Praveen Laheri, a trustee of the Somnath Trust, said it had sent a note a few months ago, after it was approached by government officials on the matter. The contents of the note, however, remained confidential.

A union minister, privy to the developments, said: “Decisions are yet to be taken and meetings are being planned; the Somnath Temple trust is a clear point of reference for us before we begin the process.”

The contours of the Ayodhya trust, mandated by the Supreme

Court to build a Ram temple, are yet to be decided, said government officials, adding that Prime Minister Narendra Modi was likely to call a meeting on the future course of action next week. “A decision on the Trust will be taken only after inter-ministerial deliberations and after the government’s advisers go through the 1045-page judgement,” said an official.

There was also speculation that for the construction of the temple, the Ayodhya Trust could avoid taking money from the government and accept donations from the public.

Apart from Laheri, the trust has PM Modi, BJP president Amit Shah, BJP veteran LK Advani, and businessman Harshavardhan Neotia and professor Jivanbhai Parmar as its members, with former Gujarat chief minister Keshubhai Patel as its chairperson. The trustee’s position is currently vacant.

How judgment could affect the course of Indian politics

BY INVITATION



RAHUL VERMA

My first memory of a curfew is around the time of Babri masjid’s demolition in 1992. I was born and spent the first decade of my life in a small village 40 km east of Ayodhya. While my village remained calm during this period, the neighbouring town, where I attended school, was tense and witnessed a few incidents of communal friction. I later learned, as a student of political science, that Hindu-Muslim conflict in India is primarily an urban phenomenon.

The mobilisation for the construction of a Ram Temple at the disputed site in the second half of the 1980s, the subsequent demolition of the Babri Masjid, and the rise of the Bharatiya Janata Party (BJP) in the aftermath made Ayodhya the primary symbol of the Hindu-Muslim meta narrative of Indian politics. How will Saturday’s Supreme Court judgment affect the course of Indian politics?

First, by rejecting the claims of the Nirmohi Akhara over the dis-

puted site, the judgment has unintentionally consolidated the position of the Rashtriya Swayamsevak Sangh (RSS) and its affiliate, the Vishwa Hindu Parishad (VHP) within the Hindu right. In popular perception, as well as in many academic analyses, all Hindu right groups and their political aspirations get lumped into one. This has been a mistake as emerging research suggests the multiplicity of strands within the Hindu right. The Nirmohi Akhara, which was the original plaintiff in this case, and was awarded one-third of the disputed land by the Allahabad high court in 2010, was not on the same page with RSS and VHP on many matters, including the Ram Temple mobilisation in the 1980s.

The VHP made concerted efforts since then to become a party in the dispute through “friends” of Ram Lalla Virajman, who represented the infant deity in the court. The homogenisation of the Hindu right in conjunction with a BJP-led dominant party system is likely to provide greater momentum to RSS’s ideological worldview.

Second, while there is some truth to the claim that the Ayodhya issue has very limited electoral potential, the indications from public opinion data on this issue warn us from overlooking

SCHOLARS REPOSE FAITH IN LAW

NSA Doval holds interfaith dialogue

Shishir Gupta
■ letters@hindustantimes.com

NEW DELHI: National Security Adviser (NSA) Ajit Doval acted as a bridge on Sunday for an interfaith dialogue between eminent Hindu and Muslims religious leaders and intellectuals to strengthen communication, amity and brotherhood, a day after the Supreme Court (SC) judgment in the decades-long Ayodhya dispute.

According to the NSA office, Doval’s residence was the meeting point of 18 Hindu religious leaders and intellectuals with 12 prominent Muslim clerics and scholars. Since being appointed as NSA, Doval has kept in touch with religious scholars on both sides with the national security perspective in mind.

The meeting had the blessings of Prime Minister Narendra Modi, who wants to seek a closure on the entire dispute. In spite of all the pressures, the PM was clear from day one that the solution had to come from the court rather than a legislation.

It is understood that all the participants reposed full faith in the rule of law and Constitution of India. The leaders resolved to honour the SC decision and appealed to all countrymen to abide by it, emphasising that national interest overrides all



■ Parmatmananda (extreme left) addresses the meeting held at the residence of NSA Ajit Doval (3rd from left) in New Delhi on Sunday. PTI

considerations.

The scholars from both the communities extended their full cooperation to the government in ensuring peace, communal harmony and upholding the rule of law.

The Hindu scholars and eminent persons were represented by Shri Avdeshanand; Swami Parmatmananda; Vishwesha Teertha Pejavar Swami; Swamis Shruti Siddhaanand; Nirmalanand Natha; Bodhasarananda; Mitranand; Perur Adheenam; Chinna Ramanuja Jeeyar; Chidanand; Baba Ram Dev; Jananand; Jagadguru Sri Shivarathri

Deshikendra Mahaswami of Suttur Math; Vishwa Hindu Parishad (VHP) working president Alok Kumar; VHP leaders Champat Rai, Surinder Jain, Jiveshwar and Swami Kamaldas.

The Muslim scholars and clerics were represented by Professor Akhtrul Wasey, president, Maulana Azad University, Jodhpur, Navaid Hamid, president, All India Muslim Majlis-e-Mushawrat, Maulana Saeed Ahmed Noori, President, Raza Academy, Mumbai; Maulana Mahmood Ahmed Khan Daryabadi, General Secretary, All India, Ulema Council, Mumbai; Shia leader

Maulana Kalbe Jawad; Janab Sirajuddin Qureshi, President, India Islamic Culture Centre; Janab Mujtaba Farooq, Secretary General of All India Muslim Majlis-e-Mushawrat; Maulana Ashgar Ali Imam Mehdi Sufi, President, Anzuman-I-Islam, Mumbai; Syed Nasuruddin Chisty, Mohammed Engineer Slim, Vice President of Jamait-e-Islami Hind and Pir Farid Ahmed Nizami of Nizamuddin Aliya Dargah. The interaction took place at 11.30 am followed by lunch.

According to the NSA office, the attendees were alive to the fact that certain anti-national and hostile elements, both within and outside the country, may attempt to exploit the situation. The religious leaders pledged their unstinted support to the Modi government in all the measures it may take to maintain peace, law and order in the society.

Both the sides noted with satisfaction that the millions of Indians, belonging to both communities, displayed a great sense of responsibility, sensitivity and restraint in accepting the court verdict. All the participants appreciated the initiative on part of the NSA and emphasised on a continuous dialogue between communities in the future so that security of all Indian was ensured.

Top court verdict offers a rare glimpse of political consensus

HT Correspondent
■ letters@hindustantimes.com

NEW DELHI: After political parties of different shades calibrated their positions after the Supreme Court delivered one of the most crucial judgments in the history of India’s judiciary on Saturday, there was a broad-based, unscripted consensus in welcoming the judgment and acceptance of reality.

Such similarity in political stands, lawmakers underlined, was a rare sight especially in the recent times, but it has often been on display when dealing with a larger national issue.

Congress’ Lok Sabha leader Adhir Chowdhury said the general rule of Indian polity was that “we don’t go beyond a certain social and political limit”.

“It is true that there was a commonality in the voice of the political parties, barring a few, on Saturday, that is because responsible political parties have always tried to treat national issues in a different way. In Indian democratic structure we have always held that the Supreme Court’s decision is the law of the land.”

Senior Congress leader Abhishek Singhvi maintained that intrinsic Indian political sentiments had been “both argumentative and convergent and consensual”. “No doubt the intrinsic Indian sentiments is to be both argumentative and convergent and consensual. There is no necessary contradiction in this. Despite the undoubted existence of perpetual naysayers, there has historically been large areas of national consensus even without a court order and much more so with a court order. Foreign policy, the approach to Pakistan and China, now Ayodhya judgment

or genuine issues of national security.”

In a unanimous verdict on Saturday, the five-judge SC bench cleared the way for the construction of a Ram temple in Ayodhya, and directed the Centre to allot a 5-acre plot to the Sunni Waqf Board for building a mosque.

The verdict was hailed by a majority of the political parties, including the Bahujan Samaj Party, the Samajwadi Party, the Dravida Munnetra Kazhagam, the Congress, the Rashtriya Janata Dal and Telugu Desam Party, who also appealed for caution and spoke about mutual respect between communities.

A few, however, disagreed. Among those who expressed dissatisfaction was secretary of the All India Muslim Personal Law Board Zafaryab Jilani, the counsel for the Sunni Waqf Board, one of the parties in the title dispute case. “We are dissatisfied with certain findings of the Supreme Court... We respect the Supreme Court verdict and respectfully disagree with certain aspects... We will file a review petition if our committee agrees,” he said.

All India Majlis-e-Ittehadul Muslimen leader Asaduddin Owaisi, too, expressed his displeasure, saying that the “Supreme Court is supreme but not infallible”.

The Communist Party of India (Marxist), along with other Left

parties, took a nuanced stand. While they reiterated that court verdict was the best way to solve the problem in the absence of negotiations, they also pointed out to some “questionable” parts of the judgment.

Trinamool Congress chief Mamata Banerjee opted to remain silent on the judgment. Senior Bijju Janata Dal leader Bhartruhari Mahtab described the reaction of the political parties as a “natural sentiment”.

“Respect to the law has been the backbone to the Indian democracy. Supreme Court’s decision has given justice to all and that is the reason why unanimity in praising the judgment across political lines. There is a natural sentiment and a broad national consensus in the political spectrum, when there is call of nation building,” he said.

“The case has ended but the politics over Lord Ram is not going to end in the near future...”

Achirangshu Acharya, an economist at the Viswa Bharati University, said: “It was an issue that had been pending for almost 26 years and as an amicable solution has been reached, the political parties chose to hail it rather than creating any new controversy. Also, in the present political and social scenario of India, one has to tread cautiously on such issues which involve deep religious sentiments.”

VHP, Nyas plan 125-ft-tall temple with 212 pillars

Pawan Dixit
■ letters@hindustantimes.com

AYODHYA: A day after the Supreme Court cleared the decks for a Ram temple in Ayodhya, the Vishwa Hindu Parishad (VHP) and the Ram Janmabhoomi Nyas said on Sunday that the construction for the same will begin at the earliest.

The Supreme Court bench on Saturday unanimously awarded the disputed site in Ayodhya to Ram Lalla Virajman (the child deity) and directed the Centre to form a trust within three months to facilitate its construction.

Giving details of the blueprint, which has been ready for decades, VHP regional spokesperson Sharad Sharma said the two-storey temple will be 270 feet long, 135 feet wide, and will be constructed in Nagara style — a prominent architecture genre in north India. The temple design was conceived in such a manner that it would be constructed using stone slabs, he said.

Sharma added that the 125-feet-high temple would have 106 pillars on each of the two floors.

Annu Bhat Sompura, who is in charge of the Ram Janmabhoomi Nyas Karyashala, had earlier said the temple’s pillars on the ground floor will be 16.5 feet high, while those on the second floor will be 14.5 feet high.

Replicas of the proposed temple have been on display at Karsevakpuram since 2001 and the Nyas Karyashala (workshop) since 1990. Hazari Prasad, a VHP member who takes care of the temple model at Karsevakpuram, said, “The proposed Ram temple will have five entrances — Singh Dwar, Nritya Mandap, Rang Mandap, Pooja Room and Garbh Griha...”



■ Hanuman Garhi Mandir priest Raju Das and a local Muslim leader Babloo Khan at Ram Janmabhoomi Nyas Ayodhya on Sunday. PTI

the possibility of religious polarisation.

The Lokniti-CSDS, in its surveys since 1996, have regularly asked respondents on what, according to them, should be built on the site of the demolished mosque.

In the 1996 survey, a little more than half of the Hindu respondents said that only a temple should be built at the disputed site, while almost an equal proportion of Muslims said only a mosque should be built there.

Support from both communities for their respective places of worship largely remained

unchanged for the first half of the 2000s. After the 2004 Lok Sabha elections, the support for building a temple among Hindus and for a mosque among Muslims declined significantly. This trend changed in the 2010s with the proportion of Hindus demanding the construction of a temple reaching the 1996 level and the demand among Muslims for a mosque remained significantly low.

What explains moderation in position of Muslim respondents on this question? It seems that large sections of the Muslim community have internalised that the current system cannot address

their concerns in a fair manner. They now seem to be exiting the political system.

Despite an overall increase in turnout in the last two Lok Sabha elections, turnout among Muslims has declined. If political players use the judgment in a way to feed a sense of frenzy among Hindus and alienation among Muslims, it will polarise society with electoral implications. Given that the BJP is having difficulties on the economic front, and many opposition parties are facing challenges of their own making, this judgment may be misused to rally supporters.

Third, the frequency of large-scale riots has declined since 1992, and low-intensity conflicts have become more visible, what Sudha Pai and Sajjan Kumar describe as “Everyday Communalism”. Though the BJP remained stuck with its core base in the 2000s, the umbrella of Hindutva constituency continued to grow, bringing lower-caste communities in its fold. This led to the emergence of several outfits on the ground competing among themselves to emerge as the sole representative of the broadened Hindutva constituency. The combined effect of these developments has been that the Hindu-Muslim conflict has now spilled over into rural areas.

The survey data suggests of a polarisation among India’s youth, more so in rural areas. This may be an effect of a slowing economy in which young Indians feel frustrated at the lack of opportunities and believe that other communities have benefited due to the largesse of government programmes. The BJP has made deep penetration in rural areas during the 2019 elections. So while violence may not follow, the judgment is unlikely to stop everyday prejudice and humiliation of India’s religious minority.

The Supreme Court, in its balancing act, has directed the government to find a five-acre prime land in Ayodhya to the Sunni Waqf Board to build a mosque. Prime Minister Narendra Modi has appealed all sections of society to maintain harmony. Such measures to safeguard the interests of religious minorities, to instil confidence among them and make them feel like equal citizens must not stop at this. Modi commands the political capital within his party as well as in the country to ensure that the judgment is not seen as a victory of one community and defeat of the other community. He must not miss this historic opportunity.

Rahul Verma is a fellow at the Centre for Policy Research (CPR). The views expressed are personal.

AYODHYA VERDICT

To review or not: Muslim Personal Law Board will discuss on Nov 17

SEEMA CHISHTI
NEW DELHI, NOVEMBER 10

THE ALL India Muslim Personal Law Board (AIMPLB), a body of influential Muslim clerics and scholars, will meet on November 17 to plan the way forward after the Supreme Court's Ayodhya judgment. The meeting will discuss the defeat in the case, and whether a review petition should be filed in the Supreme Court.

On Saturday, AIMPLB advocate Zafaryab Jilani stopped short of saying they would go for a review, despite several members of the Board making it clear that they were "not satisfied" with the Supreme Court's verdict.

Sources said AIMPLB members are puzzled how the five-judge Bench reached its conclusion despite accepting that idols were stealthily placed in the Babri Masjid in 1949, and that the demolition of the mosque on December 6, 1992 was an "egregious" breach of the rule of law.

A source said there was concern that Muslims had been denied their due on the land where the masjid stood simply because "they had not obstructed Hindus from worshipping at the Chabutra and Sita Rasoi".

While the court has awarded a 5-acre plot for a mosque somewhere in Ayodhya, sources in the AIMPLB said that more than the

CONTINUED ON PAGE 2



NSA Ajit Doval at an inter-faith meeting at his residence in New Delhi on Sunday. PTI REPORT, PAGE 5

The Day After Verdict: 27 years from Babri, healing and hurting

RAVIK BHATTACHARYA & KAMAAL SAIYED
KOLKATA, SURAT, NOV 10

FROM A grocery shop owner to a packaging unit labourer, a government employee to an NGO worker. From Kolkata to Surat, Bhopal to Mumbai.

For the families of those who lost their lives in the violence that followed the Babri Masjid demolition on December 6, 1992 — a turning point in the Ayodhya dispute — the Supreme Court verdict on Saturday has meant a surge of mixed emotions.

There is despair over unfulfilled promises and lingering memories, and yet, there is also relief that some sort of closure

INSIDE

IN DENYING MUSLIM PARTIES' CLAIM, SC QUOTED 2015 ORDER BY JUSTICE NAZEER

JUDGES GET MORE SECURITY
PAGE 5

has been reached.

"I just pray that peace prevails and no one loses his brother, son, or father again," said Mehmood Alam, 34, who was at his grocery shop in Kolkata when he heard that the court had ordered the disputed land to

CONTINUED ON PAGE 2



BULBUL KILLS 8 IN WEST BENGAL

A family in their wrecked home in Bakkhali on Sunday. Cyclone Bulbul made landfall at Sagar Island in South 24-Parganas district. Partha Paul REPORT, PAGE 6

Chhattisgarh govt sets up panel to probe WhatsApp snoop cloud

DIPANKAR GHOSE
RAIPUR, NOVEMBER 10

THE CHHATTISGARH government has decided to set up a three-member committee to look into suspicions that NSO, the Israeli company that owns the spyware Pegasus, held a meeting with the state's police "two to three years ago" to sell the product. The committee will also look into allegations that residents of the state have been subject to snooping, officials said.

An order signed by Chhattisgarh Chief Minister Bhupesh Baghel states that complaints have been "received that two to three years ago, the Israeli company NSO had made a presentation regarding their software to the Chhattisgarh Police".

"These kinds of allegations are very serious since they are connected to the freedom of people. It is essential to investigate these complaints," it states.

According to the order, the Principal Secretary (Home) will head the probe committee,

which will include the Raipur IG and Secretary, Department of Public Relations — it will be assisted by the state DGP. "The committee will do a detailed investigation of the entire events, and will present an evidence based report within a month," the order states.

On October 31, *The Indian Express* first reported Facebook-owned WhatsApp had filed a federal suit in San Francisco alleging that journalists and human rights activists had been the

CONTINUED ON PAGE 2

THE EDITORIAL PAGE

A BREATHER, NOT CLOSURE

BY SUHAS PALSHIKAR
PAGE 8

Getting threats, say revenue officers in AP and Telangana

SREENIVAS JANYALA
HYDERABAD, NOVEMBER 10

LESS THAN a week after a Mandal Revenue Officer (MRO) in Telangana was burnt alive by a claimant to a disputed piece of land, over a dozen revenue officers in Telangana and Andhra Pradesh have claimed to have received threats from parties in other disputes.

On November 4, Abdullapurmet MRO P Vijaya Reddy, 37, was set on fire by K Suresh, an autorickshaw driver, who claimed to own land which was disputed. Suresh too, succumbed on November 7.

The Telangana Tahsildhars Association wrote to the Additional DGP (Law and Order) on Friday, seeking security for MROs, especially women MROs, in the state.

"Citing Abdullapurmet MRO's incident, people having land disputes are resorting to threats and blackmail. Some farmers have threatened MROs that they would write suicide

CONTINUED ON PAGE 2

NIRUPAMA SUBRAMANIAN
MUMBAI, NOVEMBER 10

AN INDIA-CHINA business forum that was to take place in Delhi later this week has been called off as the Indian government has not yet issued visas to the Chinese delegation.

The forum, which takes place every year in an Indian city, was scheduled to be held at a five-star hotel in the Capital on November 13 and 14. In invitations that have been sent out, Union Minister Nitin Gadkari has been listed as the chief guest and chief economic adviser K Subramanian, and members of NITI Aayog, among the speakers.

International Business Linkage Forum (IBLF), the India-based organisers of the forum along with FICCI, put out a terse message on their website announcing that the meet would not take place as scheduled. "Due to unforeseen circumstances, we have been advised to postpone the Forum for the time being. We apologise for the inconvenience caused. We hope to announce the new event date soon," the message read.

The 70-strong Chinese delegation, sources said, had applied for visas weeks ago, but had not received them yet. The organisers, who appear to have had government backing for previous editions of the forum, tried to

CONTINUED ON PAGE 2

Tackling paedophilia: psychologists open doors for those seeking help

TABASSUM BARNAGARWALA
MUMBAI, NOVEMBER 10

OVER THE last four years, at least 300 people with suspected paedophilic tendencies have reached out for counselling support on an online portal, and another 30 have contacted counsellors through a network of psychologists and psychiatrists based in Mumbai and Pune. Two psychol-

ogists in Mumbai, and four in Pune are slowly trying to expand training amongst experts on treatment of this disorder.

The World Health Organisation (WHO) terms paedophilia as a mental disorder, with patients suffering from persistent sexual interest in children.

In Pune, KEM Hospital Research Centre runs a clinic to assess and counsel such individuals. Thirty individuals have so far reached out to the clinic. The

fear of social stigma frequently scares people away from discussions on the problem, and prevents help from reaching them.

"The disorder cannot be cured, but the behaviour of a person can be controlled. We teach patients coping mechanisms, and give them anti-depressants to alleviate stress," Dr Vasudeo Paralikar, head of the psychiatry unit in KEM, Pune, said. Dr Paralikar counsels such

CONTINUED ON PAGE 2

He put fear of God in recalcitrant politicians, was respected by all... Good bye, Mr Seshan

SY QURAISHI

SPECIAL TO THE EXPRESS

THE PASSING on of Mr T N Seshan marks the end of a glorious era of resurgence of democracy about three decades ago. The very mention of his name was enough to put the fear of God in the hearts of recalcitrant

politicians in the first half of the nineties, and respect in the heart of every Indian ever since. I have no hesitation in saying that all of his successor CECs basked in his glory, though we always carried the burden of being compared with him all the time.

I worked under him as observer several times. He once sent me to Danapur in Bihar, which was Lalu Prasad Yadav's constituency. On another occasion, I was deputed to Myslapore where Jayalalithaa lived (and where Mr Seshan too, had his house). He was having a running battle with both of them, which made my tough job doubly difficult.

T N SESHAN
1932-2019

I recall the Bihar election in 1996, when I was posted as an observer. Mr Seshan concluded his briefing with these reassuring words: "Don't worry. Nothing will happen — except a bomb on your face and a bullet through your stomach!" Sure enough, I saw two bomb explosions a few yards away. Fortunately I returned with my stomach unscathed!

The awe and fear he evoked in us bordered on terror. Nobody

CONTINUED ON PAGE 2

REPORT, TRIBUTES
PAGE 6

DAY OF FAST DEVELOPMENTS

In Maharashtra, BJP says can't form govt; Gov calls Shiv Sena

Sena has time till today evening, Uddhav could be candidate for CM

VISHWAS WAGHMODE
MUMBAI, NOVEMBER 10

SOON AFTER receiving a formal expression from the BJP of its unwillingness to form the government in Maharashtra, Governor Bhagat Singh Koshyari on Sunday evening invited the Shiv Sena, and gave it time until Monday evening to inform him if it could form the government.

On a day of rapid developments, Shiv Sena leaders said party chief Uddhav Thackeray and NCP chief Sharad Pawar spoke after the Sena received the Governor's invitation.

"The two leaders spoke after the Governor's invite. The party is likely to stake claim for government formation tomorrow," a senior leader told *The Indian Express*.

The leader, who declined to be named, said the Governor had given the Sena time until 7.30 pm on Monday to respond.

Sources said that Shiv Sena MP Sanjay Raut was likely to leave for Delhi to meet with Congress leaders.

Sources in the Sena said that party chief Uddhav Thackeray was likely to be nominated chief minister. On Sunday, there were posters outside his home Matoshree saying: "It is the need of Maharashtra that Shiv Sena Chief Uddhav Thackeray should become Chief Minister."

The invitation to the Sena, the second largest party in the Assembly, came after BJP leaders led by caretaker Chief Minister Devendra Fadnis met the Governor at 5.30 pm and turned down his invitation citing the lack of numbers.

CONTINUED ON PAGE 2



Senior BJP leaders outside Raj Bhavan after meeting with the Governor on Sunday evening. Ganesh Shirsekar

NCP puts conditions: Snap BJP-NDA ties, fix a common agenda

SANDEEP ASHAR
MUMBAI, NOVEMBER 10

WITHIN MINUTES of the BJP informing Governor Bhagat Singh Koshyari Sunday that it cannot form the government in Maharashtra, the NCP laid down a set of conditions for backing a Shiv Sena-led ruling formation: Cut ties with BJP, quit NDA, evolve a common programme. Having maintained so far that its mandate is to sit in Opposition, this is the first time when Sharad Pawar's party has indicated its willingness to offer "conditional" support to the Sena.

"If the Governor extends an invitation to the Sena and the party desires support of the NCP and the Congress, it should first snap all ties with the BJP, making an announcement to that effect. The Sena will have to walk out of the NDA. Their minister (Arvind Sawant) in the Narendra Modi government will have to resign," said NCP's national spokesperson and Mumbai party president

EXPLAINED

New equation, more questions

THE BJP's move leaves the three parties left in the fray with key questions. Will Shiv Sena sever its decades-old ties with NDA? Can NCP convince Congress to come onboard? Will Congress shed its inhibitions to align with the ideology that Sena represents? The answers will define the new political equation in Maharashtra.

Nawab Malik.

"If they are agreeable to these conditions and send us an official

CONTINUED ON PAGE 2

BUSINESS AS USUAL
By UNNY

THE GOVERNANCE PAGE

CULTIVATING FISH WITH PADDY
PAGE 11

INSIDE

P S KRISHNAN, MAN WHO FOUGHT CASTE PREJUDICE, DEAD P 5

322 SELECTIONS IN CSE 2018

PRELIMS 2020		PRELIMS TEST SERIES + QUALITY IMPROVEMENT PROGRAM (QIP)	
60+ Tests Topic + Thematic Current Affairs + FLT's	4500 MCQs + Explanatory Videos	QIP Videos	
Flexible Scheduling Online/at Rau's Campuses in Pen Paper Mode	15 Focus Magazines	PRELIMS Compass Subject specific thematic compilations	
MAINS 2020		MAINS TEST SERIES + QUALITY IMPROVEMENT PROGRAM (QIP)	
31 GS Tests Mini + Sectional + FLT's	6 Essay Tests Mini + FLT's	Discussion Videos Test Discussion + QIP	
Multi-Layered Feedback 1. Model Answers & Evaluation 2. Review of evaluated copies 3. Personal Mentorship	Flexible Scheduling Online/at Rau's Campuses in Pen Paper Mode	MAINS Compass Subject specific thematic compilations	

ENROLL NOW

New Delhi Bengaluru Jaipur

GENERAL STUDIES (INTEGRATED) BATCHES

REGULAR WEEKEND --- 03 Jan. --- 04 Jan. --- 04 Jan. ---

SMALL BATCHES OF 80-90 STUDENTS
Admissions Open • Apply Now

NEW DELHI CAMPUS
Barakhamba Road, Connaught Place
Tel: 011 - 40786050, 23317293,
23318135/36, 23738906/07

BENGALURU CAMPUS
5th Block, Koramangala
Tel: 080 - 25535536/ 37/ 38/ 39,
9916035536

JAIPUR CAMPUS
Jawahar Circle, J.L.N. Marg
Tel: 0141 - 4106050/ 57,
0141 - 2722050

www.rauias.com | contact@rauias.com | youtube.com/rauias

5 GOVT & POLITICS



HOME MEET

IN A break from a practice he himself introduced, Prime Minister Narendra Modi held the BJP's Central Election Committee meeting at his official residence on Saturday. Modi, according to party sources, is particular that the party's official meetings and discussions should be held in the BJP headquarters only. However, on Saturday, he did not want to burden the Delhi Police, who were busy in ensuring security following the Ayodhya verdict. The meeting got delayed not just because of the Prime Minister's hectic day — he was in Punjab for the inauguration of the Kartarpur Corridor during the day — Jharkhand Chief Minister Raghubar Das also arrived late as he was busy monitoring the situation following a warning that Cyclone Bulbul may affect parts of his state.

PERSONAL TOUCH

IT APPEARED to be a gesture of thanks giving. After addressing the media, following the Ayodhya verdict, RSS chief Mohan Bhagwat made it a point to personally thank the lawyers who had argued for the deity. Bhagwat and RSS general secretary Suresh Bhaiyyaji Joshi visited senior advocate and former AG K Parasaran, who had argued for Ramlalla Virajman, at his residence after addressing the media. Former solicitor general Ranjit Kumar and former additional solicitor general P S Narasimha, the other lawyers of the deity, were present there. Parasaran, aged 92, had even rejected an offer from the CJI to sit and argue, saying he would hold the tradition of getting up and putting forth the arguments.

THE BACKLASH

A DAY after the Congress said it respects the Supreme Court's verdict on the Ayodhya issue and favoured construction of a Ram Temple there, the party on Sunday landed in a soup after the National Herald, a newspaper patronised by the party, published two articles — one slamming the verdict and another asking questions like can God reside in a temple built by force, violence and bloodshed. With the articles fuelling a backlash on the social media, with barbs coming from even Congress sympathisers, and triggering an attack by the BJP, the newspaper took down the articles and issued an apology. The articles, sources in the Congress said, did not go down well with the party leadership.

AFTER AYODHYA JUDGMENT

Shah gets new task at hand — and new opportunity

LIZ MATHEW
NEW DELHI, NOVEMBER 10



Amit Shah

EXPLAINED
Under the spotlight

IN LESS than 70 days after it returned to power, the BJP-led government with Amit Shah as the Home Minister implemented one of its three core agendas — scrapping of Jammu and Kashmir's special status under Article 370, building a Ram Temple and bringing in a Uniform Civil Code — that it had kept on the backburner in its earlier term. The Home Ministry is now set to be entrusted with setting up a trust that will build the Ram temple in Ayodhya, giving Shah the opportunity to add another feather to his cap.

The judgment by the five-member bench of Supreme Court says: "The central government shall, within a period of three months from the date of this judgment, formulate a scheme pursuant to the powers vested in it under Sections 6 and 7 of the Acquisition of the Certain Areas at Ayodhya Act 1993. The scheme shall envisage the setting up of a trust with a Board of trustees or any other appropriate body under Section 6. The scheme to be framed by the Central Government shall make necessary provisions in regard to the functioning of the trust or body including on matters relating to the management of the trust, the powers of the trustees including the construction of a temple and all necessary, incidental and supplemental matters."

The order says possession of the land is to be handed over to the Board of Trustees.

This Act was piloted by S B Chavan, then Home Minister, a month after the demolition of Babri Masjid in 1992. According to the Act, the central government has the power to appoint a trust or body for managing the 60.70 acre land surrounding the disputed land of 2.77 acre. After the demolition, the P V Narasimha

HOME MINISTER Amit Shah's speech in Rajya Sabha explaining the government's decision to scrap J&K's special status saw him emerge as the man of action in the party. He led the government from the front, establishing himself as a bold leader in RSS and BJP circles. The Supreme Court verdict in Ayodhya case gives him a chance to cement this image.

Rao government had acquired the land, planning to build a "a Ram temple, a mosque, amenities for pilgrims, a library, museum and other suitable facilities" in Ayodhya. This empowers the Home Ministry to act on the order.

The scrapping of the special status of Jammu and Kashmir had long been a top agenda of the BJP and RSS and Shah's move on the issue in less than 70 days after he took charge saw him emerge as a decisive Home Minister. Following the verdict in Ayodhya case and the task cut out for the Home Ministry, Shah will now play a crucial role in fulfilling another long-pending agenda of the BJP.

Party leaders said the government would now move towards bringing in a Uniform Civil Code.

On Muslim parties' claim, SC quoted '15 Justice Nazeer order

KAUNAIN SHERIFF M
NEW DELHI, NOVEMBER 10

ONE OF the central arguments presented before the five judge Constitution Bench by the Muslim parties in the Ayodhya matter was that they had "perfected" their claim to the title by "adverse possession". The Bench, however, rejected the claim — holding that the Muslim parties had failed to meet the requirements of adverse possession. In reaching this conclusion, the five-judge Bench relied on an order passed more than four years ago by Justice S Abdul Nazeer, a member of the Ayodhya Bench who was then a judge of the Karnataka High Court.

In his order passed on July 22, 2015, Justice Nazeer had ruled that adverse possession "must be adequate in continuity", and "must be actual, visible and exclusive".

In the Ayodhya title suit appeal, the Muslim side had argued that the Muslims, by virtue of their "long, exclusive and contin-



uous possession" from the time the mosque was built to the time it was desecrated, had perfected their right to the title by adverse possession.

Rejecting this argument, the Constitution Bench said: "The plaintiffs in Suit 4 plead adverse possession in the alternative... In a judgment rendered in 2015, one of us (Justice Abdul Nazeer) as a Single Judge of the Karnataka High Court succinctly identified and laid down the pre-requisites of a claim to adverse possession."

Justice Nazeer's 2015 judgment related to property dispute in which a regular second appeal had been filed by legal representatives of one of the plaintiffs

(Subbamma). The suit had sought cancellation of the gift deed (the land), and permanent injunction restraining the defendants from interfering with the possession of the disputed property.

"The concept of adverse possession contemplates a hostile possession i.e., a possession which is expressly or impliedly in denial of the title of the true owner. Possession to be adverse must be possession by a person, who does not acknowledge others' rights but denies them. Possession implies dominion and control and the consciousness in the mind of the person having dominion over an object that he has it and can exercise," the Bench cited Justice Nazeer's 2015 judgment.

"To prove title to the land by adverse possession it is not sufficient to show that some acts of possession have been done. The possession required must be adequate in continuity, in publicity and in extent to show that it is adverse to the owner. In other words, the possession must be actual, visible, exclusive, hostile and contin-

ued during the time necessary to create a bar under the statute of limitation," the Bench further cited the 2015 judgment.

Hence, the Constitution Bench concluded, it "was impossible" for the Muslim parties "to set up a case of being in peaceful, open and continuous possession of the entire property".

"Dr Dhavan (counsel for the Muslim parties) repeatedly asserted that the Muslims were obstructed in their offering worship at the mosque as a result of the illegalities of the Hindus. For this purpose, Dr Dhavan refers to the incidents which took place in 1856-7, 1934 and 1949 — the last of them leading up to the preliminary order under Section 145. The events which are associated with each of the above incidents constitute indicators in the ultimate finding that in spite of the existence of the structure of the mosque, possession as asserted by the Muslims cannot be regarded as meeting the threshold required for discharging the burden of a case of adverse possession," the Bench concluded.

3 SC judges laud CJI Gogoi over Ayodhya ruling

ABHISHEK SAHA
GUWAHATI, NOVEMBER 10

THREE SUPREME Court judges on Sunday praised CJI Ranjan Gogoi for the Ayodhya verdict at an event in Guwahati attended by CJI Gogoi and next CJI Justice Sharad Arvind Bobde.

At the release of the *Assamese translation of Courts of India: Past to Present*, a Supreme Court Publication, Justice A K Mishra lauded CJI Gogoi's quality of "taking everybody together". Justice Mishra said, "He (Gogoi) has achieved the impossible...1000-page judgment within three weeks, two weeks. I tell you, this is rather impossible...shows determination to decide that case...what SC is capable of doing... you have made name in history."

Speaking about the NRC, Justice Mishra said CJI Gogoi "had the courage to make a beginning". Justice S Ravindra Bhat said that when the court speaks, it has the weight of the Constitution, Executive and the Legislature. "So, if the court spoke in one voice, it spoke like Parliament, because when Parliament makes a law, it is not spoken by different people. So the court spoke in one voice, and it is a unique moment which we must savour."

Justice Roy said, "To speak in one voice...you need the leadership of judging...that has been displayed in yesterday's judgment..."

Security enhanced

New Delhi: The Central government has enhanced the security of the five Supreme Court judges who delivered judgment in the Ayodhya case. As per sources not only the security detail at their residences has been increased, but they have also been given mobile security. The security is being provided by Delhi Police, sources said.

The enhanced security has been put in place since Saturday. "Security of the honourable judges has been enhanced as a precautionary measure. However, there has been no specific threat against any of the judges," a senior official said. **ENS**



NSA Ajit Doval at an inter-religious faith meeting, at his residence in New Delhi, on Sunday . PTI

Day after verdict, Doval meets religious leaders

EXPRESS NEWS SERVICE
NEW DELHI, NOVEMBER 10

NATIONAL SECURITY Advisor Ajit Doval on Sunday held a meeting with 30 religious leaders from Hindu and Muslim communities in the wake of the Supreme Court verdict in Ayodhya case.

The meeting, sources said, was used as an opportunity to establish communication between the two communities and to ensure peace and order.

Hindu leaders at the meeting included Yoga guru Ramdev, Swami Advdeshanand and VHP leaders Champat Rai and Surendra Jain. Among the Muslim participants were Navaid Hamid of All India Muslim Majlis-e-Mushawarat, Mohammed Mahmood Ahmed Khan Darybadi of All India Ulema Council, Engineer Salim of Jamaat-e-Islami Hind, Shia leader Kalbe Jawad and

Sirajuddin Qureshi, president of the India Islamic Culture Centre.

Participants in the meeting said Doval appealed to all to maintain peace and said that external forces want communities in India to fight among each other and both sides should watch out against it. He also said that if some communities have grievances, the government will address them.

Jain, VHP's international joint general secretary, said, "The meeting was good. Everyone said they respect the Supreme Court order and resolved to maintain order. The Berlin Wall of division has fallen and now everyone has to come together."

Hamid, the president of All India Muslim Majlis-e-Mushawarat, said the government should immediately reconstitute the National Integration Council. "I said in the meeting that it is important to recognise the fact that despite grave disagreements with the

judgment, the Muslim side has behaved very responsibly and there has been no attempt to disrupt peace as was their commitment. If meetings such as this continue, a lot of misunderstandings would automatically go away."

Swamy Chinmayananda Saraswati said, "There has been a decision but there is no division."

Professor Akhtarul Wassey, president of Maulana Azad University, said the meeting emphasised on peace. "There were people from VHP and other Hindu organisations too. Nobody was blamed. It was just a free and fair exchange of ideas that went on for nearly three hours."

Meanwhile, the VHP in a statement on Sunday expressed gratitude to all saints who participated in the Ram Janmabhoomi movement and asked the government to promptly implement the Supreme Court order in the case.

BJP, Cong release first list of candidates for Jharkhand polls

ABHISHEK ANGAD
RANCHI, NOVEMBER 10

THE BJP and Congress have released its list of candidates for the upcoming Jharkhand Assembly polls. While the BJP released the names of candidates in 52 constituencies, Congress has released names in five constituencies.

Jharkhand goes to polls in five phases starting November 30. In the first phase, polls will be conducted in 13 seats which includes four Scheduled Tribe and three Scheduled Caste reserved seats.

Prominent faces in Jharkhand BJP, like Chief Minister Raghubar Das and state BJP president Laxman Giluwa will contest from Jamshedpur East and Chakradharpur seats respec-



tively. However, in 10 seats, sitting BJP MLAs did not get tickets to fight. The seats include: Boreo, Godda, Chatra, Sindri, Jharia, Ghatshila, Gumla, Simdega, Manika and Chattarpur.

BJP working president J P Nadda said the list mainly focuses on the first phase of the polls, but there are some candidates in it who would be contesting the elections in the other four phases.

"Jharkhand was previously known for the higher side of corruption and lower side of stability. Today, it is known for stability and development under the

leadership of (Chief Minister) Raghubar Das. Corruption has been curbed," he said at a press conference.

The Congress has announced its candidature from Lohardaga, Manika, Daltonganj, Bishrampur and Bhawanathpur. Congress state president Rameshwar Oraon will fight from Lohardaga.

Three days ago the Opposition announced Mahagathbandhan with Congress, JMM and RJD contesting from 31, 43, 7 seats respectively

The alliance between BJP and All Jharkhand Students Union (AJSU) still remains unclear. Sources said that AJSU leader Sudesh Mahto had gone to Delhi, however, there has not been any consensus on number of seats. AJSU had indicated that they are "strong" in 25 seats.

P S Krishnan, bureaucrat behind landmark social justice legislation, dies

AMRITH LAL
NEW DELHI, NOVEMBER 10

EARLY IN his career in the civil services, P S Krishnan received an entry in his confidential report that he would read out as the perfect summation of his career.

It read: "Undue partiality to depressed classes, strident advocacy of inter-caste marriages, uses his knowledge of Sanskrit to debunk religion, trusts the words of the villagers rather than village officers, acts in a manner that helps subversive elements."

Till his last, Krishnan, who died in Delhi Sunday aged 86, remained partial to the depressed classes and worked towards the destruction of the caste order, relentlessly exposing its institutional manifestations.

He impressed upon all the importance of caste-based reservation because he counted caste as the primary social marker in Indian society and felt that reservations were necessary to end caste privilege.

Born in Thiruvananthapuram to an upper caste Hindu family, Krishnan studied at the Maharaja's Science College — known today as University College — and was influenced by the progressive politics that prevailed in the erstwhile Travancore state in the 1930s and 1940s. Like many progressive-minded people of that generation, he never mentioned the caste he was born in, rejected the caste order in its entirety and worked tirelessly for the uplift of its victims.

In his memoirs, he speaks about coming across Babasaheb Ambedkar's stringent criticism of caste as a child and his father endorsing those words. The anti-caste politics initiated by social reformers, Ayyankali and Sree Narayana Guru that found an outlet in newspapers like Kerala Kaumudi, left a deep imprint on him and shaped his outlook towards life.

Krishnan was selected to the IAS in 1956 and served in Andhra Pradesh. As a bureaucrat, he sought to take the government to the people, especially the Dalits, Adivasis, minorities and other oppressed communities. While working at the Centre, he was involved in formulation and implementation of many landmark enactments for furthering the removal of caste-centric inequalities.

In 1979, he was associated with the appointment of the B P Mandal Commission that recommended 27 per cent job reservation for OBCs in government. A decade later, he headed the social welfare ministry when the V P Singh government decided to implement the Commission's recommendations.

He also worked on the formulation of other landmark legisla-



P S KRISHNAN
1932-2019

tion, such as the granting of Constitutional status to the National Commission for SCs and STs, and the SC and ST (Prevention of Atrocities) Act 1989.

Krishnan's advocacy for social justice legislations made many of his fellow and superior officers believe he was a Dalit. In fact, he once recounted an instance of this confusion to explain the deep-seated prejudice of bureaucracy.

After listening to him speak at a meeting, a top bureaucrat told others in the room that Krishnan was very intelligent despite being a Dalit. When some officers pointed out that Krishnan wasn't a Dalit, the same bureaucrat said this explained his intelligence.

Krishnan was a Constitutionalist and a believer in Ambedkar's radical project of annihilating caste. However, he also drew energy from the thoughts of Mahatma Gandhi and Karl Marx. He counted Swami Vivekananda among those who influenced him. He believed in a tradition of social justice that also included radical bhakti poets like Sant Ravidas and Basaveswara. According to him, a dialogue within tradition, and among Gandhi, Marx, Ambedkar and Periyar, was essential to strengthen anti-caste politics.

Krishnan was also convinced that a social revolution could be achieved within the ambit of the Constitution. His method was not about engaging in polemics but working the system, identifying legislation loopholes and orders that allowed caste system to flourish. He campaigned for change, reading Budget papers and official documents closely to spot any fall in allocation for schemes targeted at the non-privileged. He would help in drafting laws, and then assist the state legally if the legislation was challenged in court.

Neetirajan, an activist-publisher from Chennai who published Krishnan's memoirs 'A Crusade for Social Justice', describes him as "Ambedkar 2.0".

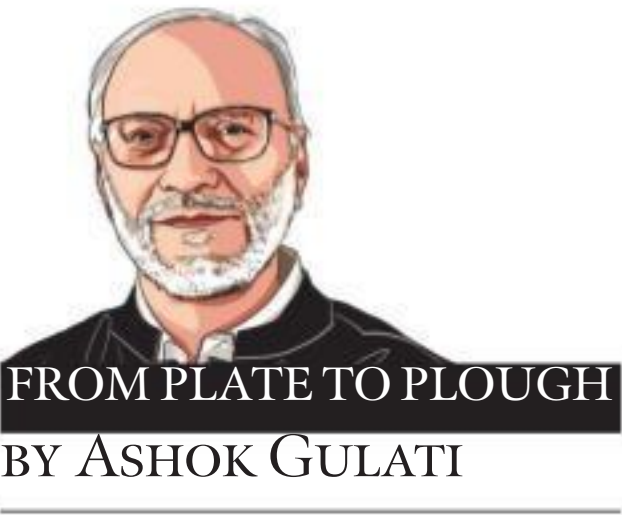
Last month, Krishnan was hospitalised for a heart valve replacement. He told friends that he would be back. However, he died 5.30 am Sunday, leaving behind a legacy of commitment to justice.

FULL REPORT ON
www.indianexpress.com

Maharshi Valmiki College of Education (University of Delhi) Geeta Colony, Delhi 110 031 Tel. 011 22085191, Email: mvce1995@gmail.com, Website: www.mvce.ac.in [A NAAC Accredited 'A' Grade College Fully Funded by Govt. of NCT of Delhi]									
Adv. No. MVCE/Adv./Teaching/01/2019		Date: 08.11.2019							
Online applications are invited in the prescribed Application Form at web-link https://colrec.du.ac.in from eligible candidates for appointment to the post of Assistant Professor in Education in the Academic Pay Level 10 of 7 th Central Pay Commission Pay Matrix, for B.Ed. programme in the College. The last date for receipt of application is 09.12.2019 or two weeks from the date of publication of the advertisement in the <i>Employment News</i> , whichever is later.									
S. No.	Name of the Post	Assistant Professor in Education							
		UR	SC	ST	OBC	EWS	PwBd	Total	
1.	Assistant Professor in Education • Perspectives in Education or Foundation Courses - 2 • Curriculum & Pedagogic Courses (Physics, Economics, Geography) - 1 each • Visual Arts - 1	04	-	01	01	-	-	06	
Total		04	-	01	01	-	-	06	
Note: UR - Unreserved, SC - Scheduled Caste, ST - Scheduled Tribe, OBC - Other Backward Classes, EWS - Economically Weaker Section, PwBd - Persons with Benchmark Disability. The details regarding qualifications, publications, experience, screening guidelines and indicative proforma etc. are available on the College website www.mvce.ac.in and the University website www.du.ac.in along-with this advertisement. The applicants are required to read these details before filling up the form. Any addendum/corrigendum shall be posted only on the College website. PRINCIPAL (Offtg.)									

A crop for clean air

Cash incentives must be given to paddy growers to shift to corn. Change to a less water guzzling crop will help address stubble burning



FROM PLATE TO PLOUGH
BY ASHOK GULATI

LAST WEEK, AS the Air Quality Index (AQI) touched emergency levels in the National Capital Region, the Supreme Court came down heavily on the chief secretaries of four states — Punjab, Haryana, Uttar Pradesh and Delhi. They were berated for their failure to “give clean air to Delhi residents”. Paddy stubble burning in states neighbouring Delhi, especially Punjab, is being seen as one of the reasons for the smog in the national capital. The honourable judges of the apex court have asked the Punjab government to pay Rs 100 per quintal to farmers as an incentive for desisting from burning stubble. Solutions such as subsidising Happy Seeders are also being talked about. But these solutions seem to be scratching the surface of the paddy problem.

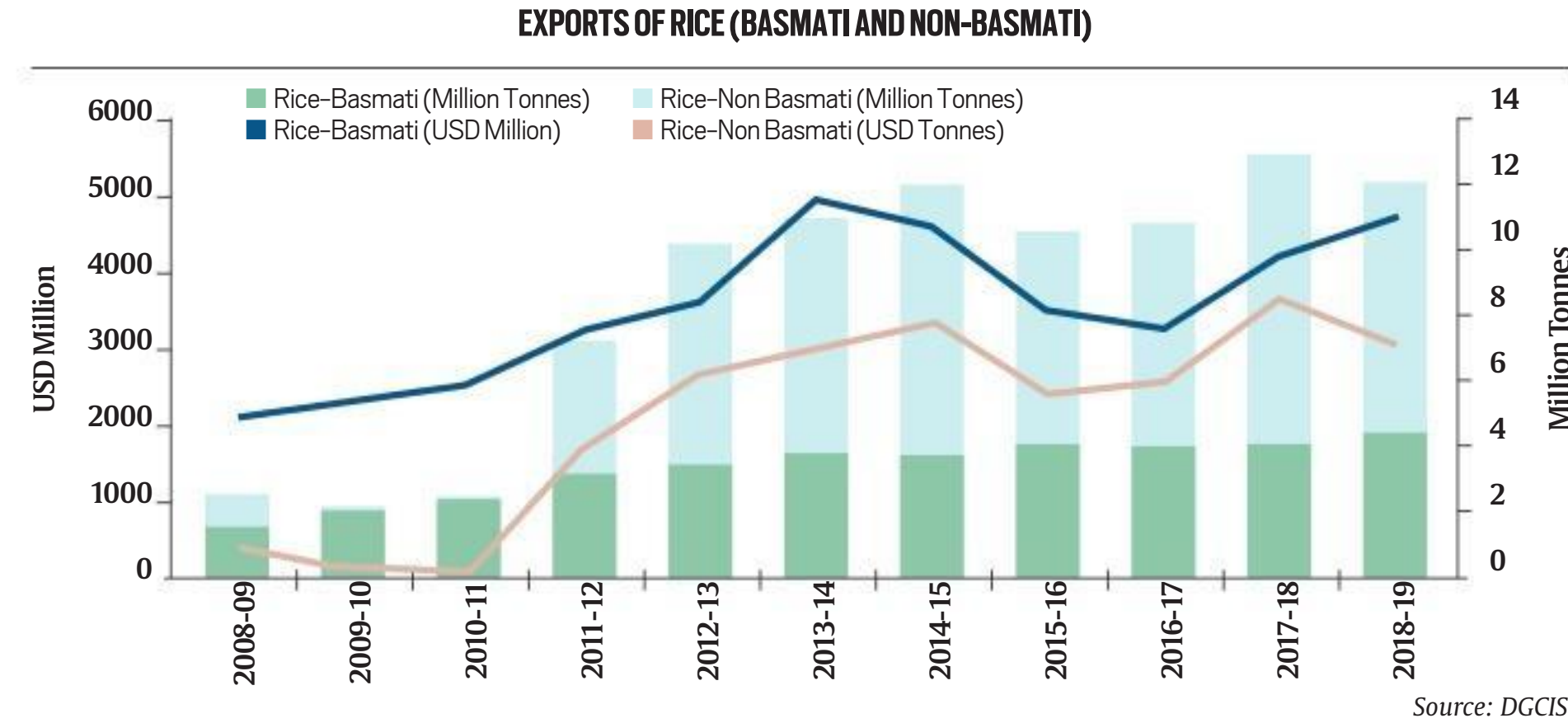
The problem is much deeper than stubble burning and nothing will be served by pulling up chief secretaries of Delhi’s neighbouring states. The solution to the problem rests with the political class — both in the Centre as well as in these states. It is the elected representatives, and not bureaucracy, who make policies for grain management.

The Punjab-Haryana region was not India’s rice belt, before the Green Revolution. Punjab was known for “*makki ki roti and sarson ka saag*”, but now it is rare to see makki (corn) in the state. Much of the kharif area in the region is under rice — about 3.1 million hectares in Punjab and 1.4 million hectares in Haryana. This has caused havoc with the groundwater table that has been depleting at about 33 cms each year. Groundwater in more than three-fourths of blocks in Punjab is over-exploited. Paddy cultivation in this belt is against the region’s natural water endowment.

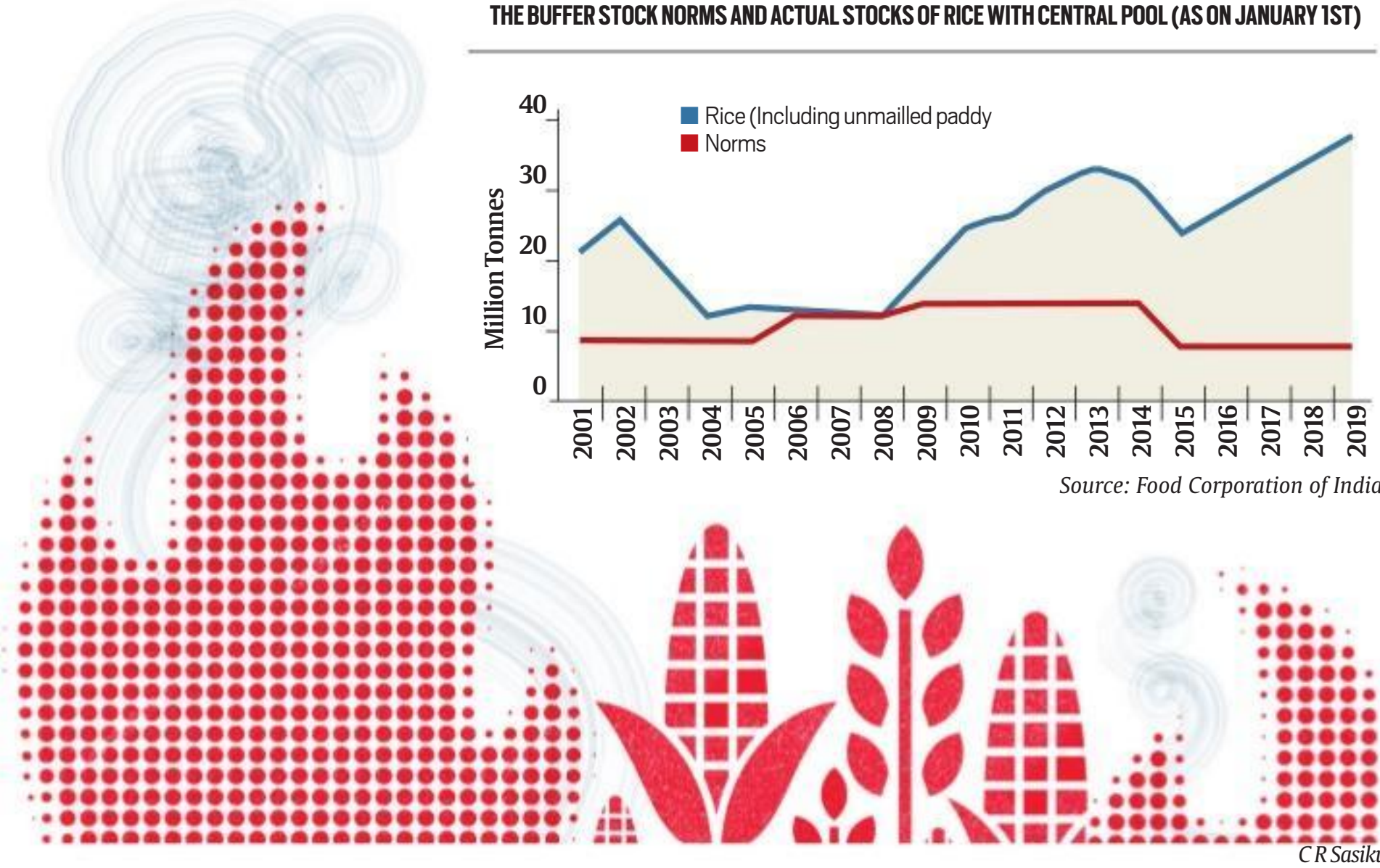
In order to save water during the peak summer season, the Punjab government passed a law in 2009 outlawing paddy sowing before June 15. This pushes the rice harvesting to the late October-mid-November period, leaving very little time for sowing the rabi crop, mainly wheat. Farmers rely on paddy harvesters that leave stubbles, which are then burnt to make the field ready for sowing wheat. Farm labour has become expensive, especially during the peak season.

The question one needs to ask is why have Punjab and Haryana gone in a big way for paddy cultivation when their water resource endowment does not align with the crop’s requirement. One kilogram of rice requires about 5,000 litres of irrigation water in this belt. And, the natural rainfall is too less for the purpose. Farmers cultivate paddy as it gives them higher profits, compared to competing crops like corn. The key reasons for that are the massive subsidies on power provided by the state government and fertiliser subsidy given to them by the Centre. Moreover, they are assured procurement of paddy by state government agencies on behalf of the Food Corporation of India.

In the eastern parts of the country, water is available much more abundantly. About two million hectares of rice growing area in the northern belt needs to shift to this part of the country. The basmati-growing area in



Source: DGCI



Source: Food Corporation of India

CR Sasikumar

cultivation is about Rs 15,000/ha. So, giving Rs 12,000/ha for corn cultivation actually is transferring the subsidy from rice cultivation to corn cultivation. It will not cost the state or central exchequer anything extra. Moreover, corn cultivation will have to be absorbed, not by government procurement but by feed mills for poultry, starch mills and ethanol. So, tax incentives for the corn-based industry in this belt could create a more market-aligned demand for corn.

This is just the right time to make this switch from paddy to corn as rice stocks with government are way above the buffer stock norms (see figure-2). This speaks of massive inefficiency in grain management. In fact, the Centre should announce that it will not procure more than say 50 per cent of production of common paddy from the blocks that are over-exploited. Further, it will not give to the state procurement agencies more than 4 per cent as commission, mandi fee, or any cess for procuring on behalf of FCI.

An incentive of Rs 12,000/ha to the farmer to switch from paddy to corn and cutting down procurement from overexploited blocks may accomplish what the Supreme Court’s hauling up of the chief secretaries may not.

The writer is Infosys Chair Professor for Agriculture at ICRIER

WHAT THE OTHERS SAY

“Electoral pacts are a consequence of the first-past-the-post voting system. If Britain’s electoral system was fairer, and less prone to confer majoritarian powers on parties with only minority support among voters, they would not be necessary”
— THE GUARDIAN

Lessons from Ayodhya

Court verdict nudges us to look back at how much we have lost over years of conflict



SALMAN KHURSHID

SEVERAL DECADES OF simmering disquiet and subdued anxiety have finally ended with the Ayodhya verdict of the Constitutional Bench of the Supreme Court. In a sense it is fortunate that the Court has delivered a unanimous judgment of five judges. All sides and political parties that had either exploited public sentiment or indeed suffered politically had categorically committed to accepting the outcome. Initial reactions suggest that the decision has been received widely with a sense of relief that the fire of passion, real or contrived, has finally been doused, even if some people feel a bit disappointed and legally-trained professionals will continue to dissect the findings for their impact as precedents for future decisions.

Despite the predictable 1,045 pages (a modest size compared to recent trends), the judgment makes easy reading and should not be difficult to read and understand for legal experts as well as ordinary people. What, of course, stands out conspicuously is that the disputed plot of 2.77 acres along with the surrounding land acquired by the state post demolition will be handed over to a trust to be established by the government. This is not by an act of obeisance towards Ram Lalla (the deity) or in other words, by submission to the faith of Hindus but by an interesting balancing of principles of establishing title.

The Court held that the right to the inner courtyard of the mosque, claimed by Muslims, was never free of opposing claims and periodic attempts by Hindus to assert their rights. On the other hand, Muslims had themselves admitted that Lord Ram was born in Ayodhya and the *chabutra* in the outer courtyard was undisputedly in the possession of Hindus for decades and puja was conducted uninterrupted. Although a close analysis of the interface of competing claims might throw up questions, the fact remains that the present decision, undoubtedly made very thoughtfully by the Court, was made possible by the conduct of the Muslim side over the decades. Be that as it may, ultimately the Court made a delicate balancing effort of subscribing to legal principles and putting a closure on a festering civilisational wound. Muslims, who had all along committed themselves to acceptance of the Court verdict, now have a chance to show

grace, generosity and reaching out to claim a place in contribution to true national integration and unity.

The Supreme Court might have found the Hindu case marginally more persuasive than the Muslim case, but it has done a great deal more to facilitate and inspire the Muslims to see this as a moment of reconciliation rather than defeat. There could not have been clearer condemnation by the highest Court of the land of the acts of intrusion in 1949, when the idol of Ram Lalla was placed under the middle dome of the mosque, as indeed of the act of vandalism when the mosque was demolished in 1992.

The Court was also clear that the ASI report showing evidence of previous civilisations did not prove that a temple, least of all a Ram temple, was demolished to construct the Babri Masjid. Reaffirmation of India’s secular character in the judgment should not be obscured by the baseline outcome. This is the truth that preceded reconciliation. Furthermore, the direction that five acres of other land be given to the Sunni Waqf Board is a gesture that proclaims that the Court and the nation treat all citizens as equals. It has recognised that all citizens have their respective faiths and manner of worship but that while faith has a place in our national life, it does not trump legal rights in an unqualified sweep.

The greatest opportunity that the judgment offers is a reaffirmation of India as a secular society. It is a decision that refutes the idea of Hindu Rashtra and amplifies the practical handling of sensitive religious concerns in a secular system. Upholding the purpose and effect of the Places of Worship Act, amongst other matters, is a clear indication that the secular edifice of India and the commitment of its highest Court to the constitutional principles we cherish has not only remained undisturbed but indeed been fortified. If we have all placed our trust in the Court, it is imperative that we recognise our trust has been redeemed. There is silence on one issue: Periodic attempts to find a solution outside the court room that failed does not seem to have found a place under the sun.

Perhaps there is a lesson in it for us: If this is what was to happen, could we all not have done it ourselves? Has the Court gently nudged us to rethink our approach to our national life? As we look back, we will be able to see how much we have lost over Ayodhya through the years of conflict. If the loss of a mosque is preservation of faith, if the establishment of a temple is emancipation of faith, we can all join together in celebrating faith in the Constitution. Sometimes, a step back to accommodate is several steps forward towards our common destiny.

The writer is a former Union minister and senior Congress leader

LETTERS TO THE EDITOR

QUAD’S SPINOFFS

THIS REFERS TO the article, ‘Quad in the spotlight’, (IE, November 7). The Quadrilateral Security Dialogue or the Quad is now a multifaceted strategic and economic dialogue between a group of like-minded countries with shared commitments that go beyond ensuring freedom of navigation and respect for the laws of the sea. The Quad should not limit itself to countering any particular country, instead the liberal democratic values of the Quad partners can strengthen the institutional approach in the governance of the global commons.

Sudip Kumar Dey, Kolkata

LETTER OF THE WEEK AWARD

To encourage quality reader intervention, The Indian Express offers the Letter of the Week award. The letter adjudged the best for the week is published every Saturday. Letters may be e-mailed to editpage@expressindia.com or sent to The Indian Express, B-1/B, Sector 10, Noida-UP 201301.

UNFAIR GAME

THIS REFERS TO the editorial, ‘Not cricket’ (IE, November 9). It is not the first time and sadly nor the last time when an arrest has been made of a Indian cricketer involved in match fixing. Some well known cricketers have fallen into this trap in the past but Indian cricket emerged from that crisis. Ever since IPL came into the scene, a plethora of other smaller state specific leagues have blossomed across the country. And with it came the greed of money to which these unknown cricketers are prone to, and when a known cricketer like CM Gautam, who was once considered a back up wicket-keeper option for Indian team, can fall into this trap we can easily understand how vulnerable other players would be. Nothing and no one is bigger than the game and a strong message must go to each and every player that the game should be played with utmost fairness and integrity.

Bal Govind, Noida

LIMITS OF ECONOMISTS

THIS REFERS TO the article, ‘Experts,

dissent and the economy’ (IE, Nov 08). There are two basic problems in implementing author’s suggestions. In today’s world there are no economists who have the requisite expertise but are politically and ideologically neutral. The second problem is, economists are expert in devising various solutions after the horse has bolted away. No economist worth his salt had predicted the 2008 meltdown. Lastly, economists are never known to give practical and precise advice. Their craft lies in beating around the bush while sounding profound.

H N Bhagwat, Chiplun

AN ICON

THIS REFERS TO the article, “With a twinkle and a smile” (IE, November 9). Nabaneeta Dev Sen was not only an eminent writer but also an icon in literary criticism. She was loved and followed by her readers, editors and young writers. Her contribution to contemporary literature is seminal. We, the readers of her works, are poorer by her death.

Tapamoy Ghosh, Bardhaman



TAHIR MAHMOOD

THE AYODHYA VERDICT deviates from some established juridical traditions. A 930-page judgment signed by five learned judges without disclosing its individual authorship, it has a 116-page addendum penned by one of them incognito, containing his “separate reasons” on one of the case issues.

Noting that the “disputed site has been a flash point of continued conflagration over decades”, the Supreme Court has chronicled related developments on a year by year basis since 1856 and acknowledged the illegality of the monumental transgression occurring in the holy city in December 1992.

The operative part of the judgment rules in favour of building the temple on the disputed land as desired by the majority community, enjoining the central government to facilitate it by taking prompt action in terms of the Ayodhya Act of 1993. For those aggrieved by the demolition of the mosque in 1992, it directs earmarking of a “suitable” five-acre plot of land to be allotted to UP’s Sunni Waqf Board, either by the central government out of the land acquired under the Ayodhya Act 1993 or by the UP government at a “suitable prominent place” in the city, the choice between these alternatives to be determined by the two governments in mutual consultation.

I have been part of the reconciliation process in the matter and was consulted both by the court-appointed mediation committee

and individually by its members. On October 4, when Sunni Waqf Board chairman Zufar Farooqui wrote to me seeking my opinion on the advisability of accepting the committee’s proposals, I had replied, “my convinced opinion is that the Board should convey to the court its acceptance of mediation committee proposals”. After securing concurrence of some other prominent persons, the Board conceded and the committee conveyed its consent to the court. Finding the proposed agreement conditional and not signed by all disputants, the court did not treat it as a “binding or concluded agreement”. Though the Court’s judgment is more or less along the same lines, an extrajudicial settlement, in my opinion, would have been graceful, and, potentially, more fruitful.

The Court has devoted one full part of the judgment to Places of Worship (Special Provisions) Act 1991, which under the proposed settlement had to be fortified and strictly enforced. Enacted by the government of the day at a time when the mandir-masjid tussle in Ayodhya had assumed alarming proportions, this Act had rendered unalterable the character of all religious places in the country, as on the day of the country’s independence. The Ayodhya dispute was, however, inexplicably excluded from its purview — but for that unwarranted exception, the course of events to come could have been different.

Given more teeth, this Act may ensure that

the Ayodhya melodrama is not repeated elsewhere. Bearing this in mind, the Court said: “The State has by enacting this law enforced a constitutional commitment and operationalised its constitutional obligations to uphold the equality of all religions and secularism which is a part of the basic features of the Constitution.” Clarifying as to who all are bound by this Act, the Court said: “The law addresses itself to the State as much as to every citizen of the nation. Its norms bind those who govern the affairs of the nation at every level.” And, the Act must, henceforth, be meticulously enforced throughout the country.

The Ayodhya case decided by the apex court was technically between the contesting parties before it, but the unsavoury dispute has, from the very beginning, been seen as a tussle between the two largest communities of the country, both deeply religious in their outlook. Jesus Christ had enjoined people to “render unto Caesar things that are Caesar’s and unto God things that are God’s”. But in our country, God has a lot to do in Caesar’s domain. The founding fathers of the Constitution had, therefore, opted for a quasi-secular state, legally swearing by secularism, but at the same time well accommodating religious sensitivities. Acknowledging this, the apex court had once observed that, “It is only in a qualified sense that India can be said to be a secular state.” (St Xavier’s, 1974). In such a country, the apex court

— confronted with an awfully sensitive matter — has to opt for a course of action that does not plunge the nation into a tsunami of communal tensions.

The court has said that the Waqf Board will be “at liberty” to build on the allotted plot a new mosque “with other associated facilities”. But I am not sure if the self-respecting community the Board represents should let it avail this “liberty”, generously granted by the court. Finding the judgment lopsided, some community leaders are contemplating further legal action. They would better act on the great poet-philosopher, Allama Iqbal’s counsel: “Na rah minnatkash-e-shabnam nigun jam-o-subu kar le” (Don’t take petty obligation and have no pious hopes). As the Court has arrived at the present decision after “navigating through the layers of complexity of the case”, a decision to continue with the legal battle will, in all probability, be an exercise in futility.

The nation is indeed tired of the sickening mandir-masjid dispute which has been perpetuating communal tensions and shattering social harmony. We must now avail whatever chance the Court has provided to bury the hatchet and hope for sustaining bonhomie in future.

The writer is former chairman of National Minorities Commission and member, Law Commission of India