

EXPRESS NETWORK



NORTH

Badaun: Three killed as motorcycle rams into bridge

Badaun: Three people were killed while another was seriously injured when their motorcycle rammed into a bridge here, police said on Tuesday. The accident took place on Monday night when the four were returning to their home after attending the last rites of a girl of their locality. SSPAshok Kumar

Tripathi said, "The accident took place near village Kurau on Monday night at around 9.00 pm. Four persons were returning after attending the last rites of a girl of their locality. The motorcycle rammed into a bridge." The bodies of the deceased have been sent for post-mortem. **PTI**



An Army soldier with students during a 'Know Your Army' exhibition in Lucknow. **PTI**

WEST

Cop killed after service weapon accidentally goes off

Nagpur: A head constable attached to a Quick Response Team at Sironcha in Maharashtra's Gadchiroli district was killed on Tuesday when his service weapon accidentally went off while he was cleaning it. "Sanjiv Shettiwari, 32, was apparently cleaning his service weapon, an AK rifle, when a bullet got fired... The bullet hit him in the neck

just below the chin. He was rushed to hospital but his life couldn't be saved," Aheri Additional Superintendent of Police Maneesh Kalwaniya told *The Indian Express*. Asked if Shettiwari had not unloaded his rifle before cleaning it, Kalwaniya said, "He had removed the magazine but some bullets might have remained loaded inside..." **ENS**

EAST

Bihar village head's husband shot dead at home

Khagaria (Bihar): Two men barged into the house of a village head in Bihar's Khagaria district in the wee hours of Tuesday and gunned down her husband who was asleep, the police said. Two persons were taken into custody in connection with the murder, SP Minu Kumari said. The incident occurred at Uttari

Maarar panchayat where the village head is Ragini Devi. The two assailants fired upon her husband Nandlal Paswan, 50, who was sleeping in the house, and fled on a motorcycle. Personal enmity could be the reason behind the murder, police sources said, adding that the case was being investigated. **PTI**

SOUTH

One killed in fire in Tamil Nadu cracker unit

Virudhunagar: One person was killed in a fire that broke out in a cracker unit at Karicheri in Tamil Nadu's Virudhunagar district on Tuesday, police said. Three sheds were razed to the ground in the blasts following the fire, they said. The worker died after he was trapped in the debris of one of the sheds, which col-

lapsed in the blasts. The blaze erupted in a shed where finished crackers had been stored, and spread to three other sheds, they added. Fire and rescue services personnel reached the spot and doused the fire. A probe is on to ascertain the cause of the fire, police said. **PTI**

Land itself a deity, so can't have joint possession: Ramlalla's counsel to SC

EXPRESS NEWS SERVICE
NEW DELHI, AUGUST 13

THE COUNSEL for Ramlalla Virajman on Tuesday disputed the Allahabad High Court's order on joint possession of the disputed land in Ayodhya and asked how this was possible after the whole premises were held to be a deity.

"(The) High Court mixed up the three concepts. It says place is deity and deity is owner of place. And then it says they (Hindus and Muslims) have joint possession. In my view, the HC is not right in mixing up the facts", senior advocate C S Vaidyanathan, appearing for Ramlalla, told a five-judge Constitution bench of the Supreme Court headed by Chief Justice of India Ranjan Gogoi.

"High Court says the prem-

ises, which is place of birth of Lord Ram, vests in the deity. But place itself is deity.... When the place itself is deity, there cannot be joint possession or title," he told the bench, also comprising Justices S A Bobde, D Y Chandrachud, Ashok Bhushan and S A Nazeer.

Justice Chandrachud then asked the counsel, "That (submission) postulates that your worldview is universal.... Here we have two beliefs. One says place represents God personified, other says it's only a place of worship. How do you balance both?"

Vaidyanathan replied that he was going by the High Court's view, which "accepts the place as deity". He added, "If that's so, there can't be joint possession, etc.... If place is deity, it can't be divided or mutilated. It will continue to remain deity despite the fact that a mosque was built



on it."

"Just because some people have access to that mosque, they cannot (assume) ownership of that place," he submitted.

Vaidyanathan said Muslims' right of access to Babri mosque was "always contested" but "Hindus' right to worship was never taken away".

Referring to the September 30, 2010 judgment of the HC given by a three-judge bench, the counsel said one of the judges — Justice Sudhir Agarwal — had "narrowed down the janmasthan [birthplace] to the cen-

tral dome [of Babri Masjid]...our contention is that the entire area as found by Justice Dharam Veer Sharma, should be considered janmasthan".

On the existence of a temple at the site of the mosque which was razed on December 6, 1992, he said the Uttar Pradesh Sunni Waqf Board in response to a suit had said that Emperor Babar built the mosque on vacant land belonging to the state. But all three HC judges concluded that there was a temple at the site. One of them — Justice S U Khan — said the mosque was built on the ruins of temples, Vaidyanathan said.

Vaidyanathan referred to the statement of one Mohd Hashim, a resident of Ayodhya, who, he said, had stated that Hindus used to visit Ramjanmabhoomi as they believed it to be the birth-place of Ram, and several fairs were also held there.

Vaidyanathan also sought to rely on the 1870 report of British archeologist Patrick Carnegie. That was the time the official gazette was being prepared, and Carnegie as Officiating Commissioner and Settlement Officer, after visiting the site, had written in his report that Ayodhya was to Hindus what Mecca was to Muslims and Jerusalem to Christians.

The senior counsel drew the court's attention to an 1858 complaint about a ritual conducted by a Sikh from Punjab inside the area of the central dome of the mosque.

The complaint mentioned that "previously the symbol of janmasthan had been there for hundreds of years" and Hindus had been worshipping there, Vaidyanathan said.

The arguments remained inconclusive and will resume on Wednesday.

Villagers, forest officers clash in UP, one killed

EXPRESS NEWS SERVICE
LUCKNOW, AUGUST 13

A 27-YEAR-OLD man was shot dead during a clash between a group of villagers and forest guards at Datarganj village adjoining Sampurna Nagar forest range under North Kheri Forest division in Uttar Pradesh's Pilibhit district Sunday, police said. Police identified the deceased as Kulwant Singh, a farmer who was a resident of Datarganj village.

Forest department officers claimed that the incident took place when villagers entered into a scuffle with some forest guards who caught them carrying logs that were allegedly being stolen after felling of trees from the forest area.

However, the villagers denied the allegations and claimed, they had gone inside the forest area in search of a missing buffalo when forest guards hurled verbal abuses and later fired at them.

Why is CBI so good in cases with no political tone, asks CJI

Suggests 'public order' be part of Concurrent List for probing interstate crimes

DEEPTIMAN TIWARY
NEW DELHI, AUGUST 13

CHIEF JUSTICE of India (CJI) Ranjan Gogoi on Tuesday questioned the efficacy of the CBI in "politically sensitive" cases and said it reflects "a deep mismatch between institutional aspirations" and "governing politics".

He suggested giving CBI a statutory status equivalent to the Comptroller and Auditor General (CAG).

CJI Gogoi also suggested that "public order" must be made part of the Concurrent List for investigation of interstate crimes. Public order is currently the exclusive domain of state governments.

Delivering the D P Kohli Memorial Lecture, organised by the CBI at Vigyan Bhavan, CJI Gogoi said "a patchwork of legislation" — a reference to the CVC and the Lokpal — behind CBI and "multiplicity of agencies" had led to "inter-institutional turf war".

"Why is that whenever there are no political overtones to the case, the CBI does a good job," CJI Gogoi asked while talking about political and administrative interference in the working of the agency.

He said: "...in a number of high-profile and politically sensitive cases the agency has not been able to meet the standards of judicial scrutiny. Equally true is that such lapses may not have happened infrequently. Such instances reflect systemic issues and indicate a deep mismatch between institutional aspirations, organisational design, working culture, and governing politics."

The CJI spoke about the guidelines issued by the apex court in the Vineet Narain judgment to protect the CBI's integrity. "However, given that the superintendence and control of the agency continues to, in large



(Above) Chief Justice of India Ranjan Gogoi with CBI Director Rishi Kumar Shukla at the 18th D P Kohli Memorial Lecture in New Delhi; (left) Chief of Army Staff Gen Bipin Rawat and Air Chief Marshal Birender Singh Dhanoa at the lecture. **Praveen Khanna**

measure, lie with the executive by virtue of Section 4 of Delhi Special Police Establishment Act, 1946, the possibility of it being used as a political instrument remains ever present."

CJI Gogoi laid stress on the agency maintaining high reputation in public perception. "Any gap between public perception and the quality of institutional performance would adversely impact the governance of the nation, which we can ill afford," he said.

The CJI suggested that crucial aspects of the CBI must be delinked from the administrative control of the government. "The CBI should be given statutory status through legislation equivalent to that provided to the Comptroller & Auditor General (CAG)... Further, to address an increasing incidence of interstate

crimes, an argument could be made for including 'public order' in concurrent list, for the limited purposes of investigating such crimes," the CJI Gogoi said.

The CJI indicated that there was "constitutional and legal ambiguity surrounding" the CBI and this "severely comprises both the integrity and efficacy" of the institution. He raised the issue of states not giving consent to CBI to probe cases due to "vested interests or bureaucratic lethargy".

He said, "Additionally, a patchwork of legislation governing the functioning of CBI adversely affects inter-institutional coordination, both horizontally and vertically. The result of multiplicity of institutions results in an aggressive competition for scarce resources and inter-insti-

tutional 'turf-war'. These issues arise in large measure from lack of a comprehensive statute protecting the agency's autonomy."

The CJI lamented that government institutions were no longer attracting the best talents and the lion's share is being taken away by the private sector. He said the CBI needs to get the best of talent, improve its training, and exercise autonomy along with accountability.

Delivering the vote of thanks, CBI Additional Director Praveen Sinha said the CJI's words have pushed the agency to introspect its role and functioning.

The function was attended by chiefs of all central agencies — CVC Sharad Kumar, senior government bureaucrats, Army chief Bipin Rawat and Air Chief Marshal B S Dhanoa.

ANDHRA GOVT STOPS ALL PAYMENTS, SAND MINING POLICY CANCELLED

Construction in Amaravati comes to a grinding halt

SREENIVAS JANYALA
HYDERABAD AUGUST 13

CONSTRUCTION IN the Amaravati Capital Region as well as most parts of Andhra Pradesh has come to a grinding halt as the ruling YS-RCP has stopped all payments and cancelled the sand mining policy.

The construction of apartments and bungalows for government officials, ministers, MLAs and judges at Amaravati has been stopped. Also, the scarcity of sand for construction has halted both government and private construction work across the state.

"The government is reviewing some contracts awarded by the previous TDP government. Contracts were awarded at higher rates, causing loss to the exchequer. Till that probe is completed, all payments are kept on hold. Works that are completed above

50 per cent can continue but payments are temporarily halted," said Botsa Satyanarayana, Minister of Municipal Administration and Urban Development.

Satyanarayana said the government cancelled TDP's sand mining and supply policy because it "encouraged rampant illegal mining" and sand was sold at exorbitant prices. "Only local contractors belonging to TDP benefited from it. We will soon bring out a new and transparent policy. Till the policy is out, we have directed district collectors to ensure that sand is procured and supplied," he said.

With the government halting payments to contractors, construction in government and private sector has been shut since the last week of July. "Even in Amaravati, where some of the buildings are 70-75 per cent com-

EXPLAINED

Halt in works may have long-term impact

THE STOPPAGE of works at Amaravati will have a long-term impact on the construction of the new capital city for Andhra Pradesh. The project is already delayed due to turns on designs and plans submitted by chief architect Foster and Partners by former CM N Chandrababu Naidu. The secretariat, high court, and all important government offices are working out of temporary locations spread over Vijayawada and Guntur and there is an urgent need to establish the capital city and bring them together. Since the last two months, much of the equipment and machinery is lying unused. Singapore which submitted the plan for seed capital appears to be staying away from the project.

plete, work has stopped as payments of previous quarter are pending. In fact, after the government changed, we have not re-

ceived any payment. So there is no procurement of new material to complete the pending work," an official of a company constructing

flats in Amaravati said.

In fact, the workforce of over 50,000 labourers at Amaravati, mainly from Jharkhand, Odisha, Chhattisgarh, Bihar and West Bengal, has reduced to a half after contractors told them that there was no work. Officials at Andhra Pradesh Capital Region Development Authority said new contracts worth more than Rs 9,800 crore awarded by the TDP government just before elections were announced have been put on hold. These include contracts for a bridge connecting Vijayawada with Amaravati, a drinking water project, Vaikuntapuram Barrage, ring roads, parks and entertainment places.

Real estate developer and former BJP MLA from Visakhapatnam P Vishnu Kumar Raju said construction industry has taken a big hit in cities like Visakhapatnam and Vijayawada.

"Sand is difficult to procure so construction in public and private partnership, as well as the private sector, has slowed down or stopped. Amaravati looks like a ghost town now," Raju said.

Mines Minister P Ramachandra Reddy said the new sand policy would soon be announced. "It is a very transparent policy and the draft is ready. The AP Mineral Development Corporation (APMDC) will be nodal agency to implement the new policy. To prevent exploitation of river sand, we are also promoting manufactured sand. The corporation will tie up with private contractors to mine sand only from designated places and it would be moved to APMDC godowns. Customers can order sand online and sand would be delivered wherever they want. APMDC will control the prices," Reddy said.



JOFRA ARCHER SET FOR MUCH-ANTICIPATED TEST DEBUT AS ENGLAND LOOK TO BOUNCE BACK IN ASHES AFTER LOSING FIRST GAME **23**

200 families in Noida housing society served eviction order

PSU Bank Sends Notice As Builder Defaults On Loan

Sharmila.Bhowmick
@timesgroup.com

Noida: More than 200 families living in a Noida housing society since 2015 got the shock of their lives last week when each of them received notices from a bank asking them to vacate their houses by August 20.

The notices, dispatched by the Union Bank of India, were served to residents of Gardenia Gateway in Sector 75 on August 5. The documents mentioned that the developer — Gardenia India Ltd — had taken a loan of Rs 78.45 crore on December 31, 2015, and had not made any repayment since. The developer had mortgaged the project for the loan, the notice said, adding that the bank was well within its rights to attach the

ASKED TO LEAVE BY AUGUST 20

Project Sold 2011		Possession Given 2015
Total Flats 550		
	Number Of Families 220	
Builder's Dues To The Bank ₹78.45cr (plus interest incurred since 2015)		
Notice Served August 5, 2019	Compliance Date August 20, 2019	



Gardenia Gateway in Sector 75

property to recover the debt.

The residents, who had no inkling about the project being mortgaged, are incredulous that such an “absurd” notice has been handed to them and are exploring legal moves. “We are utterly shocked. We paid the entire amount (cost of houses) to the builder before moving in and there are no dues whatsoever. Why should the buyers be made to

suffer for the builder's fault? We don't know what harassment is awaiting us,” said B S Lavania, president of the residents' welfare association of Gardenia Gateway.

The additional director of Gardenia Gateway, Surender Dehal, said the company was working with the bank on settling dues.

► **Eviction notices, P 10**

Implement our orders or face jail: SC to Noida, G Noida officials

AmitAnand.Choudhary
@timesgroup.com

New Delhi: Sending a clear warning to Noida and Greater Noida authorities that their officials could find themselves in jail if they place hurdles in the way of Amrapali homebuyers getting possession of flats, the Supreme Court on Tuesday directed issuance of occupation certificates for completed flats.

“Start implementing our orders or you will be in serious problem. We will call your officers and send them to jail from here. Don't make a mockery of the justice delivery system,” the court said said at the outset of the hearing.

► **Special cell, P 10**

No reopening of NRC process now, says SC

The SC on Tuesday set the course for the implementation of its August 31 deadline for the finalisation of the National Register for Citizens in Assam, and rejected demands for the inclusion of additional parameters to determine who can qualify as a citizen. It also directed that a regime be put in place to protect the NRC data. The bench's order comes against a backdrop of protests from many groups against the alleged exclusion of “genuine” citizens from the citizens' roll. **P 11**

AI flights to and from Hong Kong suspended

The Hong Kong unrest forcing frequent closure of its airport has hit flights between India and the rest of the world via the transit hub. There are 75 weekly flights between Indian cities and HKIA operated by Cathay Pacific, AI, IndiGo and SpiceJet. AI has suspended flights to and from HK till further information “in view of the prevailing situation”. **P 20**

UP may drop 7 cases against BJP MLA Som

The Yogi government has sought the opinion of the administration in various western UP districts to explore the possibility of withdrawing seven cases against BJP MLA Sangeet Som. Four of these are lodged in Muzaffarnagar; two of them linked to the 2013 riots. The other three had been lodged in Meerut, Saharanpur and Gautam Budh Nagar. **P 17**

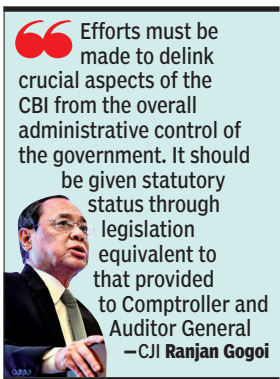
CBI fares poorly in political cases: CJI

Rajshekhkar.Jha
@timesgroup.com

New Delhi: Chief Justice of India Ranjan Gogoi on Tuesday did some plain speaking at a CBI programme, pointing out that the agency had not been able to “meet the standards of judicial scrutiny” in a number of high-profile and politically sensitive cases.

“Why is that whenever there are no political overtones to the case, the CBI does a good job,” Gogoi said while addressing the 18th D P Kohli Memorial Lecture at Vigyan Bhawan during which he presented awards to distinguished CBI personnel selected for outstanding investigation and performance.

CJI Gogoi said the possibility of the agency being used as a “political instru-



ment” remained ever-present given that superintendence and control of the agency, in large measure, remained with the executive by virtue of provisions in the Delhi Special Police Establishment Act.

► **‘Statutory status’, P 12**

Janmasthan means entire plot: Ram Lalla counsel

AmitAnand.Choudhary
@timesgroup.com

New Delhi: Claiming ownership over the entire 2.77 acre Ram Janmabhoomi-Babri Masjid land in Ayodhya, counsel appearing for deity Ram Lalla argued before the Supreme Court that construction of a mosque at the site did not alter the title of the land and “janmasthan” means the entire plot.

Senior advocate C S Vaidyanathan, arguing against the ruling of the Allahabad HC dividing the site three-ways between the deity, Nirmohi Akhara and Sunni Waqf Board, said the title was held by Hindus and joint possession of the land will amount to destruction and division of the deity.

Vaidyanathan told a bench of Chief Justice of In-

SC to parties: No hurry, take your time

The SC said it is not in a hurry to conclude hearings on the dispute and that counsel could take as much time as needed to argue the case. “Let us make it loud and clear to all that we are not in a hurry,” CJI Ranjan Gogoi told senior advocate Rajeev Dhavan appearing for Muslim parties. **P 12**

dia Ranjan Gogoi and Justices S A Bobde, D Y Chandrachud, Ashok Bhushan and S A Nazeer that Muslim parties could not claim title of the land due to adverse possession as Hindus were ousted but continued to access the temple and worshipped the deity there.

► **‘No document proof’, P 12**

Sengar charged with murder of survivor's dad

Expelled BJP MLA Kuldeep Singh Sengar (in pic), being tried for raping a minor, was on Tuesday charged with murder (in addition to other charges) for conspiring to kill the Unnao rape survivor's father, reports



Abhinav Garg, District judge Dharmesh Sharma clubbed two cases, one related to the murder of the survivor's father and the other on framing him in a case of possession of illegal arms. The court charged Sengar and nine others under IPC sections 302 (murder), 506 (criminal intimidation), 341 (wrongful restraint), 193 (false evidence) & under Arms Act. **P 17**

10 of 13 SDF MLAs join BJP in Sikkim



In a boost for BJP, 10 of 13 MLAs of Pawan Kumar Chamling-led Sikkim Democratic Front (SDF) joined the saffron party on Tuesday making it the main opposition in a state where it had failed to win a single seat in the recent assembly polls. After the defections, SDF is left with just three MLAs. Ten lawmakers met BJP working president J P Nadda and joined the party in the presence of its general secretary Ram Madhav. SDF ruled the state for over 25 years before it lost power in recent polls. SDF won 15 seats while its rival Sikkim Krantikari Morcha won 17 in the 32-member assembly. **P 11**

Taj Mahal tourists suffer toilet stink

Anuja.Jaiswal
@timesgroup.com

Agra: Thousands of tourists visiting Agra's five heritage monuments, including Taj Mahal, faced a harrowing time on Tuesday. All public toilets in the monuments stank and overflowed after around 28 sanitation workers struck work over pending wages.

The safai karamcharis are employed by Bharat Vikas Group (BVG), a firm which the Archaeological Survey of India has tasked with to provide sanitation services in 100 protected monuments in the nation. The workers said they had not been paid since April and would resume work only after their dues were cleared. BVG's Ma-

SAFAI STAFFERS ON STRIKE

- Contractual sanitation workers strike work over unpaid wages since April
- As a result, toilets in 5 heritage monuments in Agra start overflowing
- ASI scrambles own men, but says it doesn't have enough manpower

hendra Pratap Singh claims ASI owes it Rs 3 crore.

The situation could worsen if the strike went on, said Vasant Swarnkar, ASI superintending archaeologist (Agra circle). “Our workers are now maintaining the toilets, but we don't have the strength to do it daily,” he said.

Huge Raj-era drain found in Old Delhi

Vibha.Sharma
@timesgroup.com

New Delhi: It was almost like discovering hidden treasure. The Delhi Jal Board (DJB) recently stumbled upon a massive British-era sewer line in Chandni Chowk that is now being seen as a permanent solution to the area's waterlogging problem.

DJB knew about a defunct, 1.2km-long line but officials believed it was a smaller, more recent drain. The agency decided to renovate it as part of work on sewer lines under the Shahjahanabad redevelopment project. That was when they made the stunning discovery — it was a five-foot-wide, brick barrel drain line, unmistakably from the Raj period, running from Red



The 5-foot-wide brick barrel drain line is expected to fix the area's flooding problems

Fort to Fatehpuri mosque. The discovery fuelled rumours in the area that DJB had hit upon an “underground tunnel”. Officials have dismissed all such talk.

► **98% choked, P 10**

