

Accounts of foreign travellers, historians establish birthplace claim, SC told

EXPRESS NEWS SERVICE
NEW DELHI, AUGUST 14

ACCOUNTS OF foreign travellers and historians have established beyond doubt the location of the Ramjanmabhoomi, and that the temple there was demolished to make way for the Babri Masjid, senior counsel CS Vaidyanathan, appearing for Ramlalla, told the Supreme Court on Wednesday.

Vaidyanathan told a five-judge Constitution Bench headed by CJI Ranjan Gogoi that the travelogue of English historian William Flinch, accounts of Jesuit missionary Joseph Tiefenthaler, and British surveyor Montgomery Martin prove the claim of Hindus over the disputed site.

Finch, who visited Ayodhya between 1608 and 1611, recorded the ruins of 'Ranichand', or Ramachand castle in Ayodhya, but there was no mention of any mosque there in his account, Vaidyanathan told the bench, also comprising Justices SA Bobde, DY Chandrachud, Ashok Bhushan and S Abdul Nazeer. He said this was significant since according to one version, the mosque was built by Mughal emperor Babur's commander, Mir Baqi, in the 1500s.

He said the account of Tiefenthaler speaks about the "swarga-dwar (door to heaven)", from where Ram is believed to have ascended to heaven. He said according to Tiefenthaler, Aurangzeb or Babur demolished the house that Hindus believed where Ram was born in.

At this, Justice Chandrachud asked whether the two versions on who may have constructed the mosque will affect Ramlalla's claim to the site. Vaidyanathan replied, "It will not make any difference to the claim as regards the location of the temple, which itself is a deity.... What is established is

UNNAO RAPE CASE

Court observes Sengar is public servant, frames fresh charges

ANAND MOHAN J
NEW DELHI, AUGUST 14

A DELHI court on Wednesday framed fresh charges against Unnao rape accused and UP MLA Kuldeep Singh Sengar, observing that he has to be tried as a public servant since he occupied the position of a legislator.

District and Sessions Judge Dharmesh Sharma said the examination of witnesses in the rape and POCOS case, which will commence from August 16, will be in-camera proceedings. This comes after the CBI sought in-camera proceedings, saying the matter was related to the POCOS Act.

Earlier, the court had framed charges against Sengar and co-accused Shashi Singh under section 3 and 4 of the POCOS Act. With the charges being modified, to section 5(c) and 6 same Act, the offences now entail a minimum punishment of 10 years.

Dharminder Kumar Mishra, the counsel for the victim, submitted that Sengar and the co-accused must be tried under section 5 (C) and 6 of the POCOS Act which deals with penetrative sex-



that it (mosque) was constructed on the site which Hindus considered to be janmasthan (birthplace) of Lord Ram." He said, "What is important about the documents is identification of janmasthan and that at the site of the temple, a mosque was put up."

Vaidyanathan said the first mention that the temple was destroyed during the reign of Babur appears in the accounts of Montgomery Martin, a British surveyor. He also drew the court's attention to a document which referred to clashes between Hindus and Muslims in Ayodhya over the Ram temple in 1853. Historian Hans T Bakker had also, in his study on the history of Ayodhya, referred to the temple being destroyed by Babur and a mosque being constructed, the counsel submitted. He referred to a 1945 suit filed by UP Shia Wakf Board claiming rights over the mosque, which, according to it, was a Shia wakf (property). Vaidyanathan said the Shia board had stated in the plea that the mosque was built by Mir Baqi during Babur's reign. Justice Bobde asked whether the Sunni Wakf Board, which was the respondent in the matter, had contested the Shia board's claim.

Senior counsel Rajeev Dhavan, appearing for the mosque side, said the Shia board has always maintained that the mosque was built on vacant land. The suit was dismissed in 1946 and the Shia Board filed an appeal against the dismissal in Supreme Court in 2017, Dhavan said.

ual assault committed by a public servant. This submission was supported by the CBI counsel Ashok Bhartendu.

Counsel for Sengar, Dhruv Gupta, urged that a comprehensive reading of section 5(C) would show that it is only when a "public servant" commits such an offence in the course of his official or public duties that the case can be brought within the four corners of the section.

The judge, in his order, said, while interpreting section 5(C) of the act, the main objectives of the legislation need to be considered, that not only provide for enforcement of rights for children to safety, security and protection from sexual abuse and exploitation, but also, in the process, put checks on the exercise of control or domain over any person below 18 years of age.

"A comprehensive and meaningful reading of the section leads to an irrefutable conclusion that it seeks to punish exploitation and sexual abuse of children from "public servants" owing to use of their power, position or status to perpetuate penetrative sexual assault," the order read.

How case fell: family blames 'poor' probe

Charges against Pehlu's sons helped arguments in court: defence lawyer

DEEP MUKHERJEE
JAIPUR, AUGUST 14

WHILE PEHLU Khan's son and the family's lawyer blamed an ostensible failure in investigation — the probe was carried out under the previous BJP government of Vasundhara Raje — for Wednesday's acquittal of all six accused of assaulting him on April 1, 2017, leading to his death two days later, the defence lawyer said charges filed against Khan's two sons under Bovine Animal Act helped his argument in court that Khan, too, was a cattle smuggler.

Hukum Chand Sharma, lawyer for the six accused acquitted, pointed out that the chargesheet was filed against Khan's sons in May this year — after the Congress government of Ashok Gehlot assumed office — under Sections 5, 8 and 9 of Rajasthan Bovine Animal (Prohibition of Slaughter and Regulation of Temporary Migration or Export) Act, 1995.

"After the chargesheet was filed in May, I told the court that Khan's sons have been charged by the police for cow smuggling. Had Khan not been dead, he, too, would have been charged," Sharma maintained. "I told the court that this proves Khan was not a dairy farmer but a cattle smuggler."

According to Sharma, contradictions between statement of the doctors at the private hospital, where Khan was admitted after the assault on April 1, 2017, and his postmortem report also helped the defence team's arguments in court.

"Doctors at the hospital said



Wife and children of Pehlu Khan at their Jaisinghpur village residence in Haryana. Khan's son Irshad said the family will move a higher court. *Express*

that he (Khan) had an old heart ailment and died of a heart attack. (But) the postmortem report stated that he had broken ribs (ostensibly following the assault) and died due to his injuries. This contradiction helped bolster our argument," says Sharma.

But Khan's son Irshad maintained that the case was weakened at the investigation stage itself. Alleging that the probe was not done in a fair way, Irshad told *The Indian Express* that they will appeal against the lower court's verdict.

Leader of Opposition in Rajasthan Assembly Gulab Chand Kataria, who was the state Home Minister when the assault was reported, said: "Allegations that the investigation was not done neutrally are absolutely

THE SIX WHO WALK FREE

VIPIN YADAV, 21
A resident of Behror, where Pehlu Khan was assaulted, he is currently studying. He was earlier the students' union president of the Government College in Behror.

BHIM RATHI, 35
A driver by profession, he is a resident of Alwar district.

KALURAM, 46
A retired Armyman, he

works as a driver. He comes from Bansur in Alwar.

RAVINDRA, 31
Currently unemployed, he also comes from Behror.

DAYANAND, 46
A Behror resident, he works with a private company.

YOGESH KUMAR, 32
Also from Behror, he is unemployed.

CHIEF MINISTER ASHOK GEHLOT TWEETS

"... We are committed to ensuring justice for family of late Sh Pehlu Khan. State Government will file appeal against order of ADJ."

wrong. Would they (accused) have spent so much time in jail if the investigation had been not done neutrally? The police did a fair investigation and presented the chargesheet. The court order has to be respected by all."

Advocate Qasim Khan, who has provided legal support to Khan's family, however, pointed fingers at the probe. "The investigating officer of the case was changed thrice — first it was (probed by) the SHO of Behror police station; then the Circle Officer of Behror took over; and finally the CID-CB (CID Crime Branch). What was the need to change the investigating officer so many times in a murder case?"

He alleged that the probe was done in such a way "because of

political interests", and maintained that the two chargesheets filed in the case have "contradictions".

Qasim Khan said the case was weakened after CID-CB gave a clean chit to the six people whom Khan had named as assailants before his death. "If the police absolve the six people who were actually named as his attackers by the deceased, then automatically the case...gets weakened," the advocate said.

Defence lawyer Sharma said that no identification parade was done in jail to identify the accused and the video evidence — the video purportedly shot when Pehlu Khan was being assaulted — was not admissible in court since it could not be verified by the Forensic Science Lab.

Two constables among three held for Maoist-style arson, loot in Chhattisgarh

DIPANKAR GHOSE
RAIPUR, AUGUST 14

AT 8:15 PM on August 12, a private bus carrying six passengers and the driver was making its usual 6-km journey from the district headquarters of Narayanpur to Kondagaon. Near Kakodi, two men signalled it to stop.

The men then climbed in, threatened the driver, switched off all lights and asked the passengers to get off the vehicle. They had weapons and the passengers believed they were Maoists.

They gave them their mobile phones and whatever money they had. The two men then sprinkled petrol on the bus and set it on fire.

Most believed it to be a case of Maoist arson, not unusual in Bastar. The police have now arrested three men in connection with the incident while a fourth is on the run.

Two of them are police personnel and one is a former policeman.

Narayanpur SP Mohit Garg told *The Indian Express* that such incidents had taken place earlier. But on this occasion, he said, police immediately tracked the looted phones, leading to the arrests. "On Monday night, they torched the bus. I immediately formed a team and went there. They had looted some mobile phones. We started tracking them down and found two locations in Kondagaon. We zeroed in to



The three accused arrested in the case.

them and found three people," Garg said.

"The accused tried to make it look like Naxals had done it. They have done this before. They have looted people in the garb of Maoists in at least seven-eight places in different parts of Bastar. We have recovered two air pistols from them. Obviously, people could not make out that these were air pistols," the SP said.

The three arrested have been identified as Madhav Kuldeep and Hirdu Kumeti, who are with Kondagaon po-

lice, and Dholendra Baghel. Omkar Kureti, a former Gopniya Sainik of Kondagaon Police, is on the run. Gopniya Sainiks are informers of state police who are often absorbed into the force as constables.

"One of them is a suspended constable, who came out of prison on bail less than a month ago after he was arrested under sections of cheating. The other constable also has some departmental cases and was absentee from work for the last one month. The third accused is a brother of one of these two and

the fourth, who is absconding, is a former Gopniya Sainik," he said.

Senior police officers said that several recent incidents across the districts of Bastar region had a modus operandi similar to the one employed by Maoists, but had some key differences.

"I have been in Bastar for the last three years. Naxalites do not generally loot like this. They beat people up, murder people, torch buses but they don't do this. In previous cases, these people were asking for Rs 5-7 lakh. This was unusual. They would tell people they accosted, like drivers of pick-ups, that they were Maoists, and have taken a hit during demonetisation. Then they would point guns at them, so whatever money poor people would have they would give," Garg said.

Senior police officers said they had recovered cash worth around Rs 40,000, two air pistols, mobile phones, multiple sim cards, raincoats and combat fatigues.

"We also found a material for a cooker bomb from Madhav, who has been absent from work for the last month. They had become constables from Gopniya Sainiks. Madhav, who was the brains behind the operation, would plant IEDs and then recover and diffuse them to gain praise from senior officials," Garg said.

Cases have been registered under sections of arson and loot and the Arms Act and further investigation is underway.

FROM ATTACK TO ACQUITTAL



Media outside court in Alwar on Wednesday. *PTI*

APRIL 1, 2017: Pehlu Khan, his sons and two companions attacked by a mob of cow vigilantes while transporting cattle in Behror, Alwar district.

APRIL 2: Khan and his two sons booked under Rajasthan Bovine Animal (Prohibition of Slaughter and Regulation of Temporary Migration or Export) Act, 1995, for illegally transporting cows out of state.

APRIL 4: Khan succumbs to injuries. In his statement to police before death, Khan names six people as his assailants. Murder charge added in FIR against six people whom Khan named.

APRIL 8: Case transferred to Circle Officer, Behror.

JULY 9: Case transferred to CID-CB.

SEPTEMBER 2017: CID-CB closes case against all 6 named by Khan before his death. Nine others, including minors,

chargesheeted in the case by then on the basis of video footage and other evidence.

MAY 2019: Chargesheet filed against Pehlu's two sons in a case under in Bovine Animal Act.

JULY 2019: After reports that Khan's sons have been chargesheeted, Rajasthan CM Ashok Gehlot says the state government would determine if investigation into the lynching case was carried out with "predetermined intentions". Case to be re-investigated to find discrepancy, if any, he announced.

■ Alwar Police submit application at a Behror court to "further investigate" the case, given nod.

AUGUST 7, 2019: Trial concludes in the case; prosecution presents 44 witnesses.

AUGUST 14: All six acquitted — court gives them benefit of doubt.

KERALA

Mosque opens doors for autopsy of landslide victims

SHAJU PHILIP
THIRUVANANTHAPURAM, AUGUST 14

WHEN DISASTER came in the form of a collapsing hill at Kavalapara in Kerala's Malappuram district last week, it not only levelled a village, but also the boundaries of religion.

As the bodies of 59 people, who were buried alive in the landslide, are being retrieved one after the other since last Friday, their post-mortem is being conducted in the building of a nearby mosque. Masjid Al-Mujahidin mosque at Pothukal has opened its doors to the dead — to Hindus, Muslims and Christians. The mosque committee has handed over its premises used by women to offer namaz for conducting post-mortem of the victims.

Tying together writing tables at the madrasa, post-mortem tables have been readied. Since last Friday, the final journey of the victims, irrespective of their religion, has started from the compound of this mosque.

Pothukal panchayat member Sulaiman Haji said the nearest government hospital where post-mortem is conducted is in Nilambur, about 25 km from the village. "After the landslide and flood, it was very difficult to take all bodies to Nilambur. When officials wanted a place for post-mortem, we approached the mosque committee and they readily handed over



Outside the mosque in Malappuram district. *Express*

its premises."

Mosque committee secretary Kareem Kavanaseri said, "Humanity is above everything, including religion. When officials sought for a place to conduct post-mortem, I showed them a room attached to the mosque. After a day, the doctors sought more space. Then we decided to hand over the halls where women offer namaz. We have also provided the facility for cleaning the bodies after they are retrieved," said Kareem, who is also a trader.

The post-mortem proceedings also continued on Monday, when Eid was observed. Kareem said no one in the community had objected to the gesture. "In this hour of crisis, we can't think anything else," he said. The mosque is managed by Kerala Nadvathul Mujahideen.

Naveen scraps I-Day guard of honour for self, ministers

SAMPAD PATNAIK
BHUBANESWAR, AUGUST 14

A DIRECTIVE from the Odisha Chief Minister's Office on Wednesday abolished the Guard of Honour for the Chief Minister, state ministers and other state-based dignitaries. This is the second such directive against VIP culture. Naveen Patnaik was one of the first CMs to remove the red beacon from his official car. The directive also states that the Guard of Honour, to be given on I-Day, R-Day and Utkal Diwas, will be accorded to the President, Vice-President, Prime Minister, Governor, Lokayukta, Chief Justices and judges of Supreme Court and High Court.

Earlier this month, the state government decided to change the venue and format of the I-Day celebrations. The new venue of Exhibition Ground is expected to seat 5,000 and 10,000 people can stand and watch the ceremony.

BJP leader says BSY govt will fall if it fails to address needs of flood victims

EXPRESS NEWS SERVICE
BELAGAVI, AUGUST 14

SENIOR BJP leader and MLA Balachandra Jharkiholi has told flood-affected people in his constituency that the government in the state would be brought down if it fails to address needs of flood victims in the region.

The Arabhavi MLA said this after visiting a relief camp in Belagavi district where he was told about the collapse of a large number of houses. Balachandra, one of the four Jharkiholi brothers, later issued a statement that his remarks were not made seriously.

"I would have to bring down the government if it does not address the issue of constructing houses for the flood victims," he was heard saying while talking to flood victims at the camp.

After his remarks were shared extensively on social media, Balachandra said his statement was only to console victims. "To console flood victims from the Tigadi village who were upset over the collapse of their houses, I said the government would fall if relief work is not implemented. I meant to say the government is with the people," he said.

"Chief Minister Yediyurappa has been working well to provide

flood relief and handling the crisis. The Centre is also supporting in providing relief," he said, emphasising that he is a staunch supporter of the BJP. His remarks triggered speculation that they were made with the intent of ensuring a cabinet berth when the government is expanded.

Balachandra was one of 11 BJP rebels who attempted to bring down the BJP government in 2009 due to differences with the BJP veteran. His brother Ramesh, who was Congress MLA from Gokak, was one of the 15 rebels who recently triggered the collapse of the Congress-JDS government.

Kerala flood toll hits 102, rains to continue

PLIGHT 700K evacuated in K'taka, life limps back to normalcy in Maha

HT Correspondents
■ letters@hindustantimes.com

THIRUVANANTHAPURAM/MANDSAUR/AMRAVATI: The death toll in Kerala due to flood and landslides rose to 102, even as torrential rains lashed central and north Kerala on Wednesday.

The India Meteorological Department (IMD) office said heavy rains will continue in many parts of the state for two more days.

A family of three was washed away in Mandasaur, Madhya Pradesh resulting in the death of two, even as seven bodies were recovered in Karnataka, taking the death toll in the flood-affected state to 61. Till Tuesday, 49 deaths were reported in flood-related incidents in five western Maharashtra districts of Sangli, Kolhapur, Pune, Satara and Solapur, officials said.

In Kavalappara, in Kerala's Malappuram district, where a landslide decimated an entire village on the night of August 8, 29 people are still trapped in slush and debris. Rescue operations were disrupted on several occasions after heavy rains threatened further landslides, the state disaster management authority said. Over 88 landslides have already occurred in the state in the last week. Relief worth ₹10 lakh for those who have lost land and house, and ₹10,000 to each calamity-hit family staying in rescue camps, chief minister Pin-



■ **Former CM Chandrababu Naidu's home on the banks of Krishna in Amaravati faced a threat due to rise in water level on Wednesday.** HT

arayi Vijayan said.

Former Andhra Pradesh CM Chandrababu Naidu's home on the banks of river Krishna at Vundavalli in Amaravati faced a threat on Wednesday as the river water flooded steps located in the backyard. "The caretakers of the house have placed sandbags at the peripheries of the house in order to prevent entry of water into the premises. They also shifted Naidu's belongings, including furniture from ground floor to the first floor as a precautionary measure. His convoy of vehicles has been relocated to a private resort at Mangalagiri," an official familiar with the development, said.

Krishna river has received more than 4.41 lakh cusecs of water from Pulichintala dam. Officials lifted all the 70 gates of Prakasam barrage in Vijayawada to discharge nearly 1.50 lakh cusecs to the delta system.

At least 13 Odisha districts, including several coastal ones on the banks of Mahanadi and its distributaries, are bracing for a flood from Thursday with Hirakud reservoir all set to release the first floodwater of this monsoon. Bolangir, Sonepur and Kalahandi districts remained flooded, despite a let-up in the rain. More than 90% of Bolangir town has been inundated.

In Karnataka, nearly 700,000 have been evacuated till date. Meanwhile, life is slowly limping back to normalcy in Kolhapur and Sangli as the flood water has receded in these districts of Maharashtra and the key rivers there are now also flowing below the danger mark.

Till Tuesday, 645,000 people were shifted to safer locations in Kolhapur and Sangli, which have been the worst affected following heavy rains in western Maharashtra and Konkan region.

UNNAO: COURT ALTERS CHARGES AGAINST SENGAR

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NEW DELHI: A Delhi court on Wednesday altered the charges framed against expelled Bharatiya Janata Party legislator Kuldeep Singh Sengar, who has been accused of raping a minor in 2017.

The District and Sessions court charged the Unnao lawmaker with aggravated sexual assault by a public servant, five days after charging him and Shashi Singh, who was reportedly his accomplice, under sections 3 and 4 of the Protection of Children from Sexual Offences (POCSO) Act. While sections 3 and 4 pertain to penetrative sexual assault, section 5 pertains to aggravated sexual assault by a public servant, and carries a higher quantum of punishment.

The other charges framed by the court against Sengar and Singh, namely, IPC sections 120b (criminal conspiracy), 363 (kidnapping), 366 (kidnapping or inducing a woman to compel for marriage), and 376 (rape).

While considering whether a legislator qualified as a "public servant" read under the POCSO Act, Sessions Judge Dharmesh Sharma observed in his order that "it is all about position of power, authority or trust, and if a MLA or elected representative is found to have committed such offence, he would squarely be covered by the rigors of section 5(c) POCSO Act." The charges have also been altered against Singh, who is accused of enticing the minor to Sengar's house on the pretext of getting her a job.

HOUSE MOVED 12 FEET Soil piping in Kerala sounds alarm bells

THIRUVANANTHAPURAM: Kerala, battered by floods that have killed 102 people and loss estimated at ₹10,000 crore, now has to deal with the earth developing cracks and muddy water spouting with great force.

In Wayanad's Vythiri a double-storey newly built house moved 12-feet away from its original site even as water gushed out from around it; in Kannur a fountain erupted from a crack on the ground. In other areas wells caved in. These are indicators of a serious destabilising process underground, geologists warned.

The phenomenon is called soil piping and is a result of water forming pipes or hollow tubes

underground because of erosion. This weakens the surface layer, which could collapse.

The National Centre for Earth Science Studies first found evidence of the phenomenon after last year's floods in the state. "Soil piping and lateral spread (where soil starts moving downhill) are visible in Kerala only recently. These two are recipes for major disasters," said V Nandakumar of the National Centre for Earth Science Studies. "Look, we cannot control rains. But we can mitigate damage triggered by extreme rains. Human intervention plays a key role in multiplying damage," Nandakumar added.

RAMESH BABU

Four arrested for abducting, killing Bengal teen girl

MIDNAPORE: Police in Asansol on Wednesday arrested four people, including two friends of a 17-year-old girl, whose body was found on Tuesday, three days after she was kidnapped.

Two of the people arrested are minors and the other two are their relatives, police officers said. "Those arrested have confessed during interrogation that they abducted the girl for ransom. After her family members contacted the police, they panicked and killed the girl, leaving the body in a dustbin in Asansol," said Sayak Das, additional deputy commissioner of police (central), Asansol Durgapur Police. "Two of those arrested were friends of the victim. Charges of kidnapping and murder have been slapped against all four."

A second officer who asked not to be identified said the victim's two friends were not her school-mates.

"After consulting my relatives and friends, we decided to lodge a complaint though the abductors warned us not to. But the police failed to save my daughter," said the victim's father to whom a text message was sent from the victim's phone demanding a ransom of ₹15 lakh.

KOUSHIK DUTTA

Rahul writes to RBI guv over crop loans

HT Correspondent
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NEW DELHI: Congress leader Rahul Gandhi has urged RBI governor Shaktikanta Das to extend the moratorium on repayment of crop loans in Kerala to December 31 in a letter written on August 9.

Following last year's floods, RBI gave a moratorium on the repayment of farm loans — Kerala has around 7.5 million farm loans worth ₹80,803 crore — till July 31. The state was trying to have this extended even before heavy floods of the past week but with little luck.

"External factors such as the sharp fall in global commodity price of cash crops have also

adversely affected the ability of farmers to bounce back," added Gandhi who represents Wayanad constituency in the Lok Sabha.

"Kerala has witnessed a tragic spate of farmer suicides in the aftermath of banks initiating recovery proceedings against helpless farmers under the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (SARFAESI Act)" Gandhi wrote.

"Despite the demand from the state government and opposition parties to extend the moratorium on repayment of loans to December 31, 2019, the state level banker's committee has refused to consider the demand," Gandhi said.

Religious texts cited in SC in Ram temple case

NEW DELHI: Lawyers representing the deity Ram Lalla Virajman on Wednesday produced documentary evidence by the way of old religious texts, travelogues and gazettes in the Supreme Court to show that there was a temple at the disputed site in Ayodhya and that for hundreds of years, people have believed the site to be the place of birth of Lord Ram.

Resuming his arguments in the contentious Babri-Ramjanmabhoomi case on sixth day of the hearing, senior advocate **CS Vaidyanathan** relied on the **Skanda Purana**, an ancient **Hindu text**, to show that the earliest reference to Ram janmabhoomi is in the Puranas. The earliest known version of the Skanda Purana dates back to the sixth century CE. He added that the "reference to the documents is not to establish a historical fact but to show the faith and belief of people during the time."

Making his arguments before a five-judge bench of Chief Justice Ranjan Gogoi, and Justices SA Bobde, Ashok Bhushan, DY Chandrachud and S Abdul Nazeer, Vaidyanathan submitted that the material shows that "divinity of the place of birth is a belief and there was a temple at the disputed site". He added that

RAM LALLA'S LAWYER SPEAKS OF A 1950 REPORT, WHICH TALKS OF 14 PILLARS BEARING IMAGES OF HINDU GODS

a "mosque was built on the ruins of the temple and to say that it is not proved and that the land does not belong to anyone is wrong. If it is built on a ruins of a temple it can't be a mosque, as this is contrary to Shariat law."

Relying on travelogues, the lawyer cited works by, William Finch, Joseph Tiefenthaler, Montgomery Martin from the 17th, 18th, and 19th centuries respectively. The lawyer submitted that there are two versions on the demolition of temple in Ayodhya — that it was done by Babar or by Aurangzeb — but added that the fact remains that the temple was demolished and a mosque built over it. He also relied heavily on the Faizabad's Commissioner report of 1950, which clearly "records the fact that there were 14 pillars at the disputed site with illustrations of Hindu gods and symbols". "And there cannot be a mosque which has pillar with images of Hindu gods," he added.

HTC

Raped, minor gives birth to stillborn in Jamshedpur

JAMSHEDPUR: A teenager, who was allegedly raped by a 55-year-old teacher on December 15, 2018, gave birth to a stillborn baby in a Jamshedpur hospital on Tuesday, police said.

"The matter had come to fore when a health worker examined and found her to be pregnant for seven months after her family members brought her to the rural child care centre on July 22 this year," Jeetendra Kumar, Rajnagar police station officer-in-charge said. "We have collected DNA samples of victim's stillborn baby today at Mahatma Gandhi Memorial Medical College Hospital, Jamshedpur, and will be sending it for DNA tests for advanced forensic laboratory so that scientific evidence could be produced in the court against the accused," he added.

Suspect Burgi Tiu was arrested on July 25. The survivor, 13, who studies in class sixth, has alleged in the FIR that Burgi Tiu had raped her on December 15, 2018 when she had gone out to relieve herself. The survivor is an orphan and lives at her paternal aunt's house. Police said Burgi had earlier raped his sister-in-law and has a daughter from her too. **DEBASHISH SARKAR**

UP RERA

UP Real Estate Regulatory Authority
Rajya Niyojan Sansthan (Naveen Bhawan)
Kalakankar House, Old Hyderabad, Lucknow-226007

Request for Proposal (RFP) for Empanelment of Third Party Real Estate Construction Consulting Firm for U.P. RERA
To achieve its mandate as given in the RERA Act and the UP RERA Rules, the Authority seeks to select consultant to support in its various tasks/functions. The Request for Proposal (RFP) document for the selection of consultant can be downloaded from e-procurement website (<http://etender.up.nic.in>).
Key dates for this RFP are as below:
Starting of submission of proposals **1500 hrs on 16th August, 2019**
Last date to receive pre-bid queries **Online/email by 1500hrs on 26th August, 2019**
Date of pre-bid conference **1530hrs on 26th August, 2019**
Response to pre-bid queries **1700hrs on 30th August, 2019**
Last date of submission of proposals **1500hrs on 9th September, 2019**
Opening of proposals **1700hrs on 9th September, 2019**
Chairman UP-RERA reserves absolute right to change the terms and conditions in the RFP and scope herein and/or terminate the RFP process at any stage without assigning any reasons and without any prior notice and no claim of any nature from anyone in this regard shall be entertained.
Any query regarding the RFP should be directed to Secretary UP-RERA Email : contactuprera@gmail.com and Telephone : 0522-2781440
Secretary UP-RERA

PROCLAMATION REQUIRING THE APPEARANCE OF ACCUSED PERSON
See Section 82 Cr. PC
Whereas complaint has been made before me that accused Islamuddin @ computer S/o Mr. Nizamuddin R/o 115/13, Chhuria Mohalla, Tugalkabad, Delhi-110044 has committed (or is suspected to have committed) the offence in case registered vide FIR No. 148/15 U/s 328/379 IPC at Police Station - Govindpuri, New Delhi which is punishable under section 408 of Indian Penal code and a warrant of arrest issued thereupon has been returned unexecuted stating that the said accused Islamuddin @ computer could not be found and whereas it has been shown to my satisfaction that the said accused Islamuddin @ computer has absconded (or is concealing himself to avoid the service of the said warrant).
Proclamation is hereby made that the said accused Islamuddin @ computer is required to appear before this court to answer the said complaint on or before 16.09.2019.
By Order
Sh. Suresh Kumar Gupta
Metropolitan Magistrate-4
Room No. 312
Saket Courts Complex, New Delhi
DP/7728/SE/19

Khadi India

सूक्ष्म, लघु और मध्यम उद्यम क्षेत्र, भारत सरकार,
Ministry of Micro, Small & Medium Enterprises
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On the occasion of
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NATIONAL CENTRE FOR DISEASE CONTROL
(DIRECTORATE GENERAL OF HEALTH SERVICES)
MINISTRY OF HEALTH & FAMILY WELFARE,
GOVT. OF INDIA
22-Shamnath Marg, Delhi - 110054
Tel: 011-23989072

Inviting Applications For 2-Year India Epidemic Intelligence Service (EIS) Programme
NCDC, in collaboration with the **CDC, USA** is currently hosting **India EIS Programme** aimed at preparing public health professionals in field epidemiology and skills in leadership at district, state and national levels.
Applications are invited for the enrolment in India EIS Programme tentatively commencing in November 2019. Please visit <http://www.ncdc.gov.in> for more information & prescribed application form.
Last Date for receiving applications: 30th September 2019.
davp 17129/11/0007/1920

PUNJAB WATER SUPPLY & SEWERAGE BOARD
NOTICE INVITING ON-LINE BIDS
Bid No. E-TENDER/PWSSD/HOSHIARPUR/EE/2019/42 of 2019 Date: 14.08.2019
<http://eproc.punjab.gov.in>

On behalf of the Chief Executive Officer, PWSSB, Chandigarh, The Executive Engineer, Punjab Water Supply & Sewerage Division, Hoshiarpur invite bids from the eligible bidders for the work detailed below:-

Sr. No.	Name of the Work	Earnest Money	Cost of document/ tender processing fee	Period of completion	Approx. Value of the Work
1.	"Prov. & Lay., UPVC/RCC NP3 Pipe sewer, const. of MPS, Brick Masonary, M.H. Chambers, House connection for sewerage lines, Road cutting & Restoration and all other works contingent theret." in Garhdiwala Town Distt HSP.	Rs. 9.28 Lac	1000/5900	9 Months	Rs. 927.53 lac

2. Important dates are as under

i) Period of availability of tender on-line shall be	:	form 16.08.2019 to 08.09.2019 upto 5.00 PM
ii) Pre-Bid Meeting	:	23.08.2019 at 11.00 AM
iii) Last date & time for on-line submission of bid shall be	:	08.09.2019 upto 5.00 PM
iv) Date & Time of opening of Technical Bid	:	09.09.2019 at 1.00 PM

Notes: (i) The dates given above are for both eligible L & C Societies & Contractors.
(ii) For detailed terms and conditions refer to website: <http://eproc.punjab.gov.in>
(iii) If any corrigendum issued will be loaded & seen at website <http://eproc.punjab.gov.in>

Sd/-
Executive Engineer
Punjab W/S & Sew. Division, Hoshiarpur
6089

GOVERNMENT OF ODISHA
OFFICE OF THE SUPERINTENDING ENGINEER
RURAL WORKS CIRCLE, CUTTACK
email :- serv.ctc@yahoo.com

260-O

No: - Tender Online RWC 08-19

Date.

e-Procurement NOTICE

1. Name of the work:- Construction of Building works.

2. Class of contractor

a) Estimated cost more than Rs.3.00 Crore & upto Rs.6.00 Crores	a) A Class & Special Class(of Odisha PWD) relevant class of other licensing authorities
b) Estimated cost more than Rs. 40.00 Lakhs & other Up to Rs. 3.00 Crores	b) B class & A Class (of Odisha PWD) relevant class of licensing authority.

3. Time for completion

4. Summary for key dates is provided below :

Procurement Officer	Bid Identification No.	Availability of Tender on-line for bidding	Last date & time of seeking tender clarification	Date & Time of Opening of Tender		
		From	To	Technical Bid	Financial Bid	
1	2	3	4	5	6	7
Superintending Engineer, Rural Works Circle, Cuttack.	Tender Online RWC 08-19	20.08.2019 at 11 A.M.	05.09.2019 upto 5.00 P.M	04.09.2019 upto 5.00 P.M.	07.09.2019 at 11.00A.M.	Will be intimated later.

Further details can be seen from the website www.tendersorisssa.gov.in

Sd/-
Superintending Engineer
Rural Works Circle, Cuttack

I & PR Key No. 2509711/10005/1920

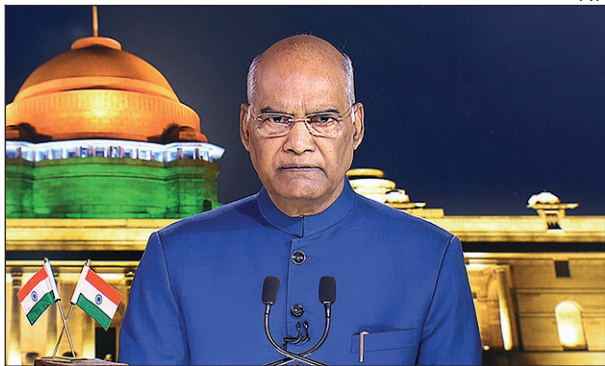
Revocation of special status good for people of J&K: Prez

Kovind: Ladakh Too Will Benefit From Changes

New Delhi: President Ram Nath Kovind on Wednesday expressed confidence that the people of Jammu & Kashmir will immensely benefit from the revocation of provisions of Article 370 that gave special status to the state and its bifurcation into two Union Territories.

"I am confident that the recent changes made in Jammu & Kashmir and Ladakh would be of immense benefit to those regions. They will enable the people to access and enjoy the same rights, same privileges and same facilities as their fellow citizens in the rest of the country," Kovind said in his address to the nation on the eve of the 73rd Independence Day.

The Modi government announced on August 5 the removal of some provisions of Article 370 to take away Jammu & Kashmir's special status and proposed bifurcation



President Ram Nath Kovind addresses the nation on the eve of the 73rd Independence Day from the Rashtrapati Bhavan on Wednesday

of the state into two Union territories — Jammu & Kashmir and Ladakh — a far-reaching decision that seeks to redraw the map and future of a region at the centre of protracted militancy.

Kovind made a reference to the changes in Jammu & Kashmir while recalling that the illustrious generation that led us to freedom did not perceive Independence only in terms of transfer of political power.

"They considered it a steppingstone in a longer and larger process of nation building and national wel-

ing. Their objective was to improve the life of each individual, each family and society as a whole," he said.

The President added that said the recent enactment of new laws and amendments to existing ones will also be beneficial to people of Jammu & Kashmir: "These include progressive, egalitarian laws and provisions related to the Right to Education; accessing public information through the Right to Information; reservations in education and employment and other facilities for tradition-

ally deprived communities; and justice for our daughters by abolishing unequal practices such as instant triple talaq," President Kovind said.

The President observed that India has rarely been a judgemental society and rather it has had an "easy-going, live-and-let-live organising principle". "India's history and destiny, India's legacy and future, are a function of coexistence and conciliation, of reform and reconciliation — of expanding our hearts and embracing the idea of others."

Kovind said he was confident India will never lose its capacity to listen to the "feeblest voice" and it will never lose sight of its ancient ideals and will forget neither its sense of fairness nor its sense of adventure. Referring to the recently concluded session of Parliament which recorded lengthy and productive sittings, the President said many important Bills were passed, in a spirit of cross-party cooperation and constructive debate.

"I am confident this is only an indicator of what the coming five years have in store," he added. **PTI**

UP Police bans prayer meets on roads that hinder traffic

TIMES NEWS NETWORK

Lucknow: All religious gatherings on roads which obstruct smooth flow of traffic will not be allowed henceforth in Uttar Pradesh. This will include the offering of namaz. DGP O P Singh on Wednesday issued guidelines to all district police chiefs to this effect.

The administration is also preparing a set of detailed instructions to be followed during various festivals which will be sent to all districts. The new rule has already been in place for some weeks in Aligarh and Meerut districts where namaz on roads outside mosques has been discontinued. In these two districts, the respective police chiefs were instructed to meet clerics and administration of various mosques to sensitise them to the new guidelines before they were implemented.

Addressing reporters, Singh said: "Not just namaz, but all such instances when large crowds gather for offering prayers and create hindrance on road will not be allowed. However, the local administration will have its discretion on Friday prayers for Muslims. But it will not be allowed as routine," he added.

'J'khand hockey players killed selves fearing separation'

ASRP.Mukesh@timesgroup.com

Ranchi: The two tribal women, who were found hanging by a single rope from a tree in Jharkhand's Simdega district on Sunday, were in a same-sex relationship, said police sources on Wednesday, and committed suicide as they believed they would be separated.

The women, Sunandini Bage (23) and Shradha Soreng (18), played hockey at a coaching centre run by Mary Minati Purty, a former national-level player, in Rourkela. Police sources said Soreng's father, Purty, her daughter Sonam, and a fellow hockey player confirmed the two were in a relationship. "We also have photos and letters exchanged between the two as evidence," police said. A police source said Sonam had managed to secure Bage a seat in an institute in Bhopal and was set to leave in September. "This, we believe, was the trigger," the person said.

However in an interview with TOI on Wednesday, Soreng's father, Rajesh Soreng, denied their relationship. He also alleged foul play. "Even if they were in a same-sex relationship, someone must have been blackmailing them, forcing them to commit suicide." An FIR under Section 302 (murder) was filed on the basis of the complaint filed by the women's parents.

JUST LIKE THAT AJIT NINAN



It cannot fly, it can only prey

Babri Masjid invalid under Sharia: Ram Lalla's lawyer

AmitAnand.Choudhary
@timesgroup.com

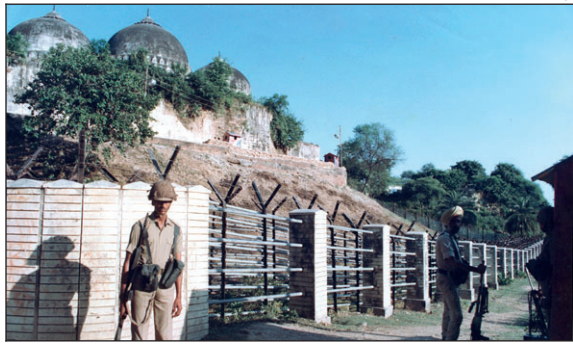
New Delhi: Placing historical facts and archaeological evidence before the Supreme Court to back up their claim over the disputed Ayodhya land, the counsel appearing for Ram Lalla on Wednesday contended that Babri Masjid was "invalid" under Sharia law as it was built on the ruins of a temple and by usurping land belonging to Hindus.

Relying on the accounts of various western and Chinese pilgrims and travellers who visited India from the 13th century onwards, senior advocate C S Vaidyanathan told a bench of Chief Justice Ranjan Gogoi and Justices S A Bobde, D Y Chandrachud, Ashok Bhushan and S Abdul Nazir that Hindus' belief since time immemorial that Ayodhya is the birthplace of Lord Ram had been well documented over the centuries.

Vaidyanathan said these travellers had recounted after talking to locals in Ayodhya that the temple was demolished by a Mughal emperor to build a mosque and placed the account of English merchant William Finch, who visited India in the 17th century, and a report of British surveyor Montgomery Martin.

"There was a temple at the site and it has been accepted by the Allahabad high court in its judgment. The mosque was constructed on the ruins of the temple and if it is on the ruins of a temple, then it cannot be a valid mosque. It is contrary to Sharia law which says a mosque cannot be built on usurped land," Vaidyanathan told the bench.

He further said there was a contradiction in the accounts of foreign travellers



Security personnel at the disputed site in Ayodhya in 1992

'Even Shia Waqf Board agrees temple was razed'

AmitAnand.Choudhary
@timesgroup.com

New Delhi: Taking a leaf out of Shia Waqf Board's appeal against Sunni Waqf Board's claim over Babri Masjid, the counsel appearing for Ram Lalla told the Supreme Court on Wednesday that even the Shia board agreed that a temple was demolished to construct the mosque at the disputed site.

Shia Waqf Board of Uttar Pradesh had approached the SC in 2017 challenging a trial court order which had on March 30, 1946, declared the mosque as Sunni Waqf Board property. Interestingly, the Shia board admitted in its petition that Babri Masjid was constructed after demolishing a temple.

In its appeal, the Shia board contended that the trial court committed a grave

error in declaring Babri Masjid as Sunni Waqf property as the mosque was built by a Shia Muslim. Countering the prevalent perception that the mosque was built by Mughal emperor Babur, the board said it was constructed by his minister Abdul Mir Baqi, a Shia Muslim, out of his own funds.

"Maybe Babur ordered Baqi to build a mosque, Baqi chose the site and having demolished the temple, got the mosque built and dedicated it to god, thereby creating Shia Waqf property," the Shia board said in its appeal. Referring to the appeal, senior advocate C S Vaidyanathan, appearing for Ram Lalla, told a five-judge bench headed by CJI Ranjan Gogoi that the Shia board's stand substantiated his contention that Babri Masjid was built after demolishing a temple.

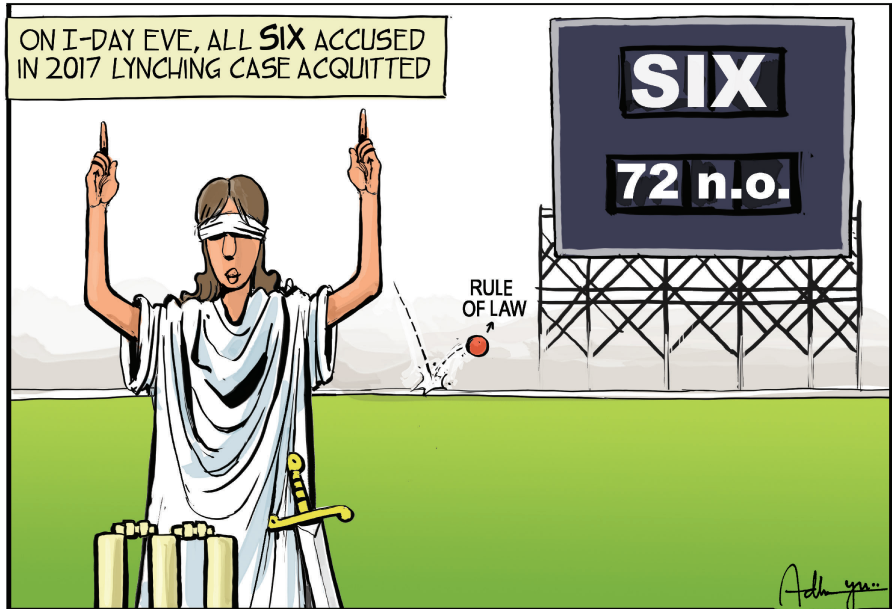
ers as some of them said Mughal emperor Babur had demolished the temple while others recounted that it was done during the tenure of Aurangzeb.

The Supreme Court bench asked how the mosque was named Babri Masjid and

whether there was any account that Babur had demolished the temple. Vaidyanathan replied that the mosque was named Babri Masjid only in the 19th century and there was no evidence to prove Babur's involvement in the demolition.

TOI LINE OF NO CONTROL

SANDEEP ADHWARYU



Year after being sentenced to death, youth set free by HC

Swati.Deshpande
@timesgroup.com

Mumbai: Over a year after he was handed a death sentence by a trial court in Mumbai, the Bombay high court on Wednesday set a 25-year-old man free, acquitting him and a co-convict in a 2012 kidnapping and murder of a Class 5 student.

"We find that the prosecution has failed to bring home the guilt of the accused Imtiaz Shaikh (25) and Azad Ansari (28)," said a bench of Justices B P Dharmadhikari and Swapna Joshi.

One of the main grounds for overturning the conviction

was lack of evidence in establishing that ransom calls were made by the duo or that Shaikh had led police to the boy's body. There were also no eyewitnesses, the high court said.

MUMBAI CASE

The duo had been charged with kidnapping a 12-year-old boy on May 27, 2012, seeking a Rs25 lakh ransom from his family and dumping his body in a manhole. A sessions court had on May 23, 2018 sentenced Shaikh to the gallows and Ansari to life imprisonment. The child's was the son of

a local businessman Rajesh Bhadange, who had a fabric embroidery unit in Dharavi where Shaikh and Ansari were allegedly employed.

The HC didn't accept the 'last seen' theory of prosecutor J P Yagnik and observed that it was propounded only after arrest of the accused. The case was one of circumstantial evidence, Shaikh's lawyer Ravi Dwivedi and Ansari's advocate Fakruddin Khan argued. The circumstances are required to link together into a chain in a manner that points to the accused. In this case, the chain had chinks, held the court.

Full report on www.toi.in

Indigenous Craft To Plumb Depths Of Indian Ocean For Minerals

India to test deep-sea mining machine at 6,000m by yr-end

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Weeks after Chandrayaan-2 lands on moon on September 6 to explore, among other things, minerals on the lunar surface, an indigenous craft will plunge into the depths of the central Indian Ocean to search for better known minerals. This will be the first time India will be mining the seabed at a depth of 6,000 metres.

A 12-tonne crawler with sensors, pumps and a crusher will be tested on the seabed filled with metals such as cobalt, nickel and copper, located around 600km from the Indian shores. If the trials are successful, India will be the third country after China and Korea to develop technology for mining polymetallic nodules.

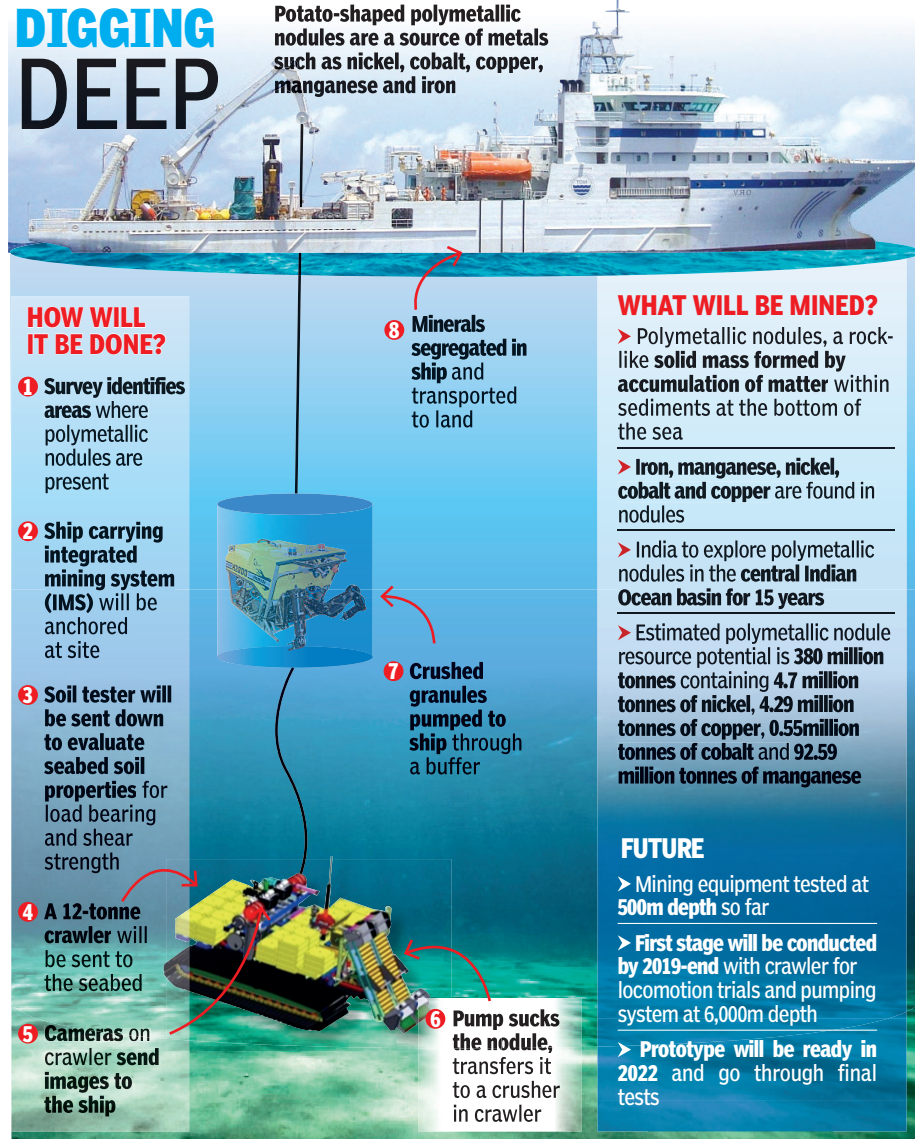
M A Atmanand, director,

DEEP OCEAN MISSION TO HELP LEVERAGE THE BLUE ECONOMY

National Institute of Ocean Technology (NIOT), which is developing the technology, said the system will be tested in phases from this year-end. By 2022, a prototype will be ready for trials. "The first stage test with the pumping system will collect nodules from the seabed. We will pump it out again in the same location," he said. The test will also include locomotion trials of the seabed crawler.

The search for potato-shaped polymetallic nodules or manganese nodules — a source of nickel, cobalt, copper, manganese and iron — will be in a 75,000sqkm region in the central Indian Ocean basin, where India has been exploring for minerals through a contract with the UN's International Seabed Authority for 15 years. The licence was extended for five years in 2017.

According to NIOT scientists, the integrated mining system has a ship from which an intermediate pump sta-



Graphic: Devan Sasi & Deepak Davis Thottan

tion and the mining machine would be deployed. The systems will be linked through a cable and slurry hose.

Prior to the deployment, an in-situ soil tester will evaluate the seabed to ensure it can withstand the load of the mining machine. Once the crawler is deployed, onboard systems will collect and crush the nodules into granules. It will be then pumped to the mothership where it will be segregated and transported to land.

Scientists have to ensure the crawler lands on the seabed, traverses smoothly and

collects the nodules at a crushing pressure that is nearly 600 times more than the atmospheric pressure. In an update, the ministry of earth sciences said the pressure is enough to crush a car in minutes.

The underwater mining system was tested at 512m depth at Angira Bank off the Malvan coast in Maharashtra in 2010. The trials have been planned at a time when India is expected to launch the ₹10,000cr Deep Ocean Mission, an inter-ministerial effort, in October 2019. The development of the mining machine

as well as manned submersibles are some of the components of the mission. In July, NIOT signed a memorandum with Krylov State Research Centre in Russia to develop machines and technologies for deep-sea mining.

But why mine minerals in the ocean? "Government is focusing on blue economy in terms of sustainable use of ocean resources for economic growth. The Deep Ocean Mission will help in leveraging blue economy for economic growth," said M Rajeevan, secretary, MoES, at a recent event.

Jaishankar unveils dashboard for MEA transparency

New Delhi: Foreign minister S Jaishankar on Wednesday launched MEA's Performance Smartboard, or dashboard, meant to ensure transparency and accountability in the functioning of the ministry.

The dashboard aims to put performance indicators of MEA at the disposal of people in a "smart and uncluttered manner". Jaishankar said by using dashboards, government organisations can track performance metrics of individual agencies and cross-departmental activities. "MEA Performance Smartboard is a visual display of the most important information needed to achieve objectives of the ministry. A user can, for example... see the data on passports issued in his state since 2014," he added. **PTI**

You're stifling interests of young minds, HC tells CBFC

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@timesgroup.com

Mumbai: The Bombay high court on Friday lambasted the Central Board of Film Certification (CBFC), popularly known as Censor Board, saying it is not capable of discerning what kind of films children should see.

"You are stifling the interests of young minds," said a bench of Justice Satyanarayan Dharmadhikari and Justice Gautam Patel who heard a petition by Children's Film Society of India whose film "Chidiakhana" was given a U/A (parental guidance for children below 12 years) and not a U (unrestricted public exhibition) certificate.

Are you aware of a child's life below 12 years and the level of violence a child can expose another to? The level of violence is precisely why you need guidelines

JUSTICE GAUTAM PATEL

The bench's observations came after senior advocate Rajeev Chavan for CBFC said there is "inherent violence in this film" and referred to two scenes including where a child is showing a gun to another. "It definitely should not go with U," he added.

The judges enquired if kids' films have guidelines.

"Are you aware of a child's life below 12 years and the level of violence a child can expose another to? The level of violence is precisely why you need guidelines. Are you wrapping it in candy floss and cotton wool?" asked Justice Patel. He then said that the CBFC is stifling the interests of young minds and added, "If that is the limit of your understanding, your board members have our sympathy."

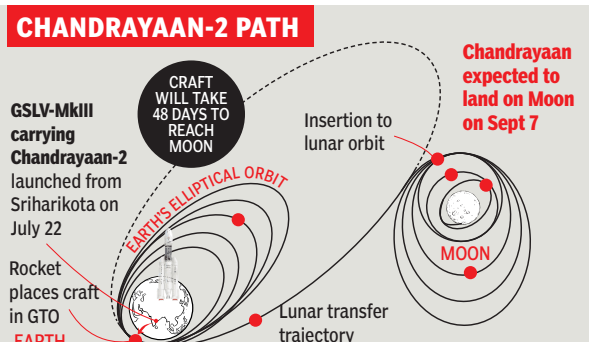
The judges also said the CBFC has its own norms for classifying films. Chavan said films where the characters are kids doesn't necessarily have to be U. The judges said the court will look at the law. The bench will hear the matter on August 23.

Chandrayaan-2 enters lunar trajectory

Chethan Kumar & Surendra Singh | TNN

India's second lunar mission, Chandrayaan-2, is now just six days away from reaching Moon's orbit on August 20 as Indian Space Research Organisation early on Wednesday morning conducted an important manoeuvre to put the spacecraft on the lunar trajectory.

At exactly 2.21am, Isro conducted the crucial 'trans lunar injection' (TLI) manoeuvre of Chandrayaan-2 after the spacecraft's engine was fired between 2am and 2.20am to make it enter a straight path to the lunar orbit. Chandrayaan-2 left Earth's elliptical orbit after spending 22 days there post its launch from Sriharikota on July 22.



After it was launched at 2.43pm by GSLV-MkIII on July 22, module was placed in GTO after 16 minutes. It will remain in Earth's elliptical orbit for 22 days. On 23rd day or Aug 14, trans-lunar injection will be conducted (craft put into lunar transfer trajectory). For 6 days, craft will travel towards lunar orbit & reach there on Aug 20. It will remain in orbit for 13 days. Lander will separate from orbiter & land on Sept 7

TLI manoeuvre and upcoming lunar orbit insertion of Chandrayaan-2, Isro chairman K Sivan told TOI on

Wednesday, "Earlier the TLI was scheduled between 3am and 4am. But the condition was such that we could put the

spacecraft on the lunar trajectory early at 2.21am. After six days, we will do five manoeuvres, including the important lunar orbit insertion, to put the spacecraft around Moon (100km x 100km orbit). Thereafter, two manoeuvres will be conducted after Vikram lander separates from the orbiter. We hope Vikram will land on Moon between 1.30am and 2.30am on September 7."

Isro said, "The health of the spacecraft is being continuously monitored from the Mission Operations Complex at Isro Telemetry, Tracking and Command Network in Bengaluru with support from Indian deep space network antennas at Byalalu. Since its launch on July 22, all systems onboard Chandrayaan-2 are performing normal."

Full report on www.toi.in