

INX Media case: Chidambaram says never met Indrani

PRITAMPAL SINGH
NEW DELHI, SEPTEMBER 25

FORMER FINANCE minister P Chidambaram on Wednesday denied before the Delhi High Court that he met Indrani Mukerjea in connection with granting the Foreign Investment Promotion Board approval to INX Media.

"Blanket, full in totality, I deny that I ever met her (Indrani) at any place," senior advocate Abhishek Manu Singhvi, appearing for Chidambaram told Justice Suresh Kumar Kait.

The submission of the 74-year-old Congress leader and Rajya Sabha MP's counsel came after the judge asked during a hearing of his bail plea if "Indrani ever met P Chidambaram?"

The query was put to Singhvi in connection with Indrani, former director of INX Media, and her husband Peter Mukerjea's statement that when they met Chidambaram in his North Block office in 2006, he had asked them to meet his son and suggested that they help him in his business.

Karti, who was present in the courtroom, too said, "I deny 100 per cent. He (Chidambaram) never met her. I (Karti) have never met anyone connected directly or indirectly to this entity called INX."

She had recorded in her statement on February 17, 2018, now part of court documents, that Karti had asked them (Mukerjeas) for a bribe when



P Chidambaram

they met at a hotel in Delhi.

In July, the Delhi special court had allowed Indrani's application to turn approver in an alleged corruption case against her company. She is currently in Mumbai's Byculla jail in connection with the murder case of her daughter Sheena Bora.

Probing charges of corruption in the INX Media case, the CBI had arrested Chidambaram on August 21. The next day, he was remanded in CBI custody for 15 days and is now in judicial custody in Tihar jail till October 3. Karti is out on bail in the matter.

During the arguments, Singhvi also apprised the court that the charges of cheating and criminal conspiracy against Chidambaram are not grave in nature and he should be released on bail.

Justice Kait concluded hearing the submissions by Chidambaram's advocates on his bail petition and fixed the matter for Friday when Solicitor General Tushar Mehta will commence his arguments on behalf of the CBI.



No REVENGE POLITICS: FADNAVIS

Shiv Sena president Uddhav Thackeray and Maharashtra Chief Minister Devendra Fadnavis at an event to mark the 86th birth anniversary of Mathadi leader Annasaheb Patil, at APMC market, Navi Mumbai. Fadnavis clarified that the BJP-led state government had no role in the ED case against NCP president Sharad Pawar. "The state government doesn't harbour any revengeful approach," the chief minister told reporters. *Narendra Vaskar*

Maharashtra never bowed down before Delhi throne, says Pawar

'Will visit ED office, it shouldn't think I am untraceable'

EXPRESS NEWS SERVICE
MUMBAI, SEPTEMBER 25

A DAY after the Enforcement Directorate (ED) registered a case of alleged money laundering against him, NCP chief Sharad Pawar on Wednesday said that he would voluntarily visit the ED office in Mumbai on Friday despite not receiving any summons from the agency. Pawar claimed that he was volunteering to meet the ED, as he did not want the agency to believe that he had vanished or was avoiding an inquiry.

In a veiled reference to the Narendra Modi government at the Centre, the 79-year-old told mediapersons in Mumbai: "Maharashtra is a state that follows the ethos of Chhatrapati Shivaji. We have a history where we have never bowed down before the throne of Delhi."

"I will cooperate fully with the investigating agency. I also



NCP chief Sharad Pawar addresses the media in Mumbai. *Prashant Nadkar*

want to understand what the exact crime is."

"For the next one month, I will be campaigning across the state. I will be spending a lot of time outside Mumbai. In such a situation, if the ED decides to send me some sort of love message and in case I am not in Mumbai, they should not think that I have become invisible or am not traceable," he added.

"For this reason, I will personally

go to the ED office at 2 pm on Friday and share all the information that the ED officials need from me. I am also ready to accept any other hospitality that they want to dole out to me," the former Union minister said in an oblique reference to the manner in which former home minister P Chidambaram was arrested recently in the INX Media case.

Pawar claimed that the people of Maharashtra were wise enough to understand why he was being targeted. "Elections are just around the corner, nominations are to be filed soon. This issue has been raised at this juncture. People are wise enough to understand what it means," he said.

Meanwhile, five NCP activists were detained as party workers staged a protest outside the ED's office in Mumbai on Wednesday to condemn the registration of a money laundering case against party chief Sharad Pawar and 70 others.

Delhi court dismisses Shivakumar's bail plea

EXPRESS NEWS SERVICE
NEW DELHI, SEPTEMBER 25

A DELHI court Wednesday dismissed the bail application of Karnataka Congress leader DK Shivakumar in a money laundering case registered by the Enforcement Directorate, saying his release may hamper the probe which is at a crucial stage.

The ED arrested Shivakumar on September 3 in connection with a money laundering case filed last year following an investigation by the Income Tax Department in 2017, when unaccounted cash to the tune of more than Rs 8 crore was found in New Delhi in locations allegedly linked to the Congress leader.

Special Judge Ajay Kumar Kuhar refused to grant any relief to Shivakumar, currently lodged in Tihar jail, while noting that he is an influential person and may influence the witnesses or tamper with documents.

"The investigation in the present case is still at the initial stage. In the course of arguments, the ED



DK Shivakumar

has shown certain documents like the list of 317 bank accounts and other documents of properties, etc which show that investigation is still at the crucial stage of examining the documents and their nexus with the assets of the applicant/accused," the judge said.

The court said the court has to be conscious of an individual's liberty while considering bail application, but it cannot ignore the interest of society as such.

"Medical ground by itself considering the nature of the offence and the stage of investigation is not considered a justified ground for bail. The bail application is dismissed," the court said.

HC stays Azam's arrest in 27 land-grab cases

EXPRESS NEWS SERVICE
LUCKNOW, SEPTEMBER 25

IN A relief to Samajwadi Party MP Azam Khan, the Allahabad High Court on Wednesday ordered a stay on his arrest in 27 criminal cases of alleged grabbing of land in Rampur, subject to his cooperation in the police investigation.

The 27 FIRs were lodged between July 13 and July 20 this year by Rampur administration over alleged land grab for expansion of Mohammad Ali Jahar University — Azam Khan is the chancellor of the private university run by a trust.

Farmers in the area have alleged that Azam Khan and for-

mer deputy superintendent of police Aaley Hasan — who is now retired and currently working as the chief security officer of the university — forcibly took away their land between 2004 and 2005 and made it a part of the university campus, which is spread in an area of over 300 acres.

In total, Khan is facing 86 cases, including the 27 lodged since April this year. Other than land grab charge, allegations against him include theft, criminal intimidation, cheating, criminal trespass and hate speech, among others.

The Bench of Justice Manoj Misra and Justice Manju Rani Chauhan has fixed October 24 as the next date of hearing.

'DISCIPLINARY ACTION CAN BE TAKEN OVER SUCH MISCONDUCT'

Illegal for advocates to boycott court: Uttarakhand HC

LALMANI VERMA
DEHRADUN, SEPTEMBER 25

THE UTTARAKHAND High Court on Wednesday ordered that it is illegal for advocates to resort to strikes or boycott of the courts, and disciplinary action can be taken by the State Bar Council and its disciplinary committee for such misconduct. The court also said that a litigant, who suffers entirely on account of his advocate's non-appearance in court, can sue the lawyer for damages.

A bench comprising Chief

Justice Ramesh Ranganathan and Justice Alok Kumar Verma ruled that no court is obliged to adjourn a case because of a strike called as it is its solemn duty to proceed with judicial business during court hours.

The order came on a PIL filed by one Ishwar Shandilya in 2016. The petitioner's counsel, Kartikey Hari Gupta, said the hearing of Shandilya's case in Dehradun district court was getting repeatedly deferred due to strikes called by lawyers.

Gupta said that lawyers of District Bar Association of Dehradun, Haridwar and

Udhm Singh Nagar have been boycotting work on all working Saturdays for the last more than 35 years.

"For a common man, the most important part of the order is that every and any kind of strike by lawyers has been declared illegal," Gupta said.

"The District Bar Associations of Dehradun, Haridwar and Udhm Singh Nagar shall, forthwith, withdraw their call for a strike, and start attending Courts on all working Saturdays. All the District Bar Associations in the State shall forthwith refrain from abstaining from Courts because

of condolence references for family members of Advocates, or for other reasons. In case they do not start attending Courts, as directed, the District Judges concerned shall submit their respective reports to the High Court for it to consider whether action should be initiated against the errant advocates under the Contempt of Courts Act," the order stated.

The court order also stated that the Uttarakhand State Bar Council shall within a period of four weeks initiate disciplinary action against the office-bearers of the district bar associations for

calling illegal strikes or boycott of courts on Saturdays in Dehradun, Haridwar and Udhm Singh Nagar. "The District Judges of these districts shall ensure that courts function on Saturdays, and sufficient cases are listed and are disposed of by the courts, under the judgement, on all working Saturdays," the order stated.

"The High Court today also said that the Bar Council of India shall take action against striking bar associations in Uttarakhand and shall not permit them to go on strike any further," Gupta said.

Wakf lawyer: Didn't accept that Chabutra was Ram's birthplace

ANANTHAKRISHNAN
NEW DELHI, SEPTEMBER 25

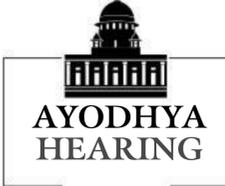
A DAY after conceding that the Ram Chabutra located on outer yard of the disputed site in Ayodhya was the birthplace of Ram, the Sunni Central Wakf Board on Wednesday told the Supreme Court that it had not made any such acceptance, but merely said it had not questioned a Faizabad court's 1886 finding that Hindus worshipped the Chabutra under the belief that it was Ram's birthplace.

"What I said was not our acceptance... Since the Faizabad judge said so, we have not taken any steps for eviction," senior advocate Zafaryab Jilani, appearing for the Sunni Board, told a five-judge Constitution bench headed by CJI Ranjan Gogoi hearing the Ayodhya dispute case.

The bench also comprises Justices S A Bobde, D Y Chandrachud, Ashok Bhushan, and S Abdul Nazeer.

Arguing the case for the mosque side later, senior advocate Meenakshi Arora also said, "Mr Jilani said something accidentally (on Tuesday) and it got registered everywhere."

On Wednesday, Arora tried to question contents of the Archeological Survey of India's (ASI) report — the ASI had excavated the disputed site on



AYODHYA HEARING

Allahabad High Court's orders.

The bench said the mosque side should have questioned this during the trial, and not now during appeal.

Referring to relevant provisions in Civil Procedure Code, which says any party to a suit may urge the trial court to summon the commissioner (author of the report) and examine them, Justice Chandrachud asked why this was not done.

"You should have sorted this out in trial court. You should have called for the witness... This is not the place for it," Justice Bobde said.

Arora replied that objections were filed before the HC, which was hearing the Ayodhya case trial at the time, and the court had said it will consider them at a later stage but did not do so.

"You had to do it in the process known to law," Justice Nazeer pointed out.

CJI Gogoi asked, "Why should we hear you?... None of your objections, however strong, can be

entertained by us when you have not raised these objections in trial."

Justice Bobde added, "The reason we say so is because the expert may have had an answer."

The bench asked Arora to consider this aspect and reply when she resumes her arguments on Thursday.

Arora said chapter 10 of the report — the "Summary" — was not attributed to any archeologist even as the other nine chapters were. So, she submitted, it could not have been accepted as evidence.

To this, the bench said the report was submitted as a whole by archeologists Hari Manjhi and B R Hari. Later, after inquiries, the CJI said it was submitted along with a miscellaneous application, requesting the court to take it on record and the HC had passed an order in it.

Arora also disputed the ASI findings on pillar bases and other evidence recovered after digging the site, which the court again said should have been put to the experts during trial.

The senior counsel said archeology is a social science, and not a natural science, and the ASI report does not provide any verifiable conclusion. It is thus only an opinion of the archeologists, and being an opinion is very weak evidence, she submitted.

POWER, WATER TO BE CUT Kerala govt moves in to demolish flats near Kochi

SHAJU PHILIP
THIRUVANANTHAPURAM, SEPTEMBER 25

WITH THE Supreme Court set to take up on Friday the case of action taken to demolish four apartment complexes constructed in violation of Coastal Regulation Zone (CRZ) norms in Maradu municipality, in Ernakulam district, the Kerala government has initiated steps to vacate the flats.

Following a direction from the state government, the municipality has directed the State Electricity Board, Kerala Water Authority and public sector gas agencies to cut supply to these complexes within three days.

Residents of 343 units in these residential complexes are, meanwhile, gearing up to resist moves to evict them — they say they have been staying in these flats for several years, and they should not be punished for a fault on part of the authorities.

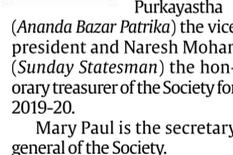
Mid-Day's Shailesh Gupta is new INS chief

EXPRESS NEWS SERVICE
BENGALURU, SEPTEMBER 25

SHAILESH GUPTA of Mid-Day has been elected president of The Indian Newspaper Society for 2019-20 at its 80th annual general meeting held here Wednesday.

He succeeds Jayant Mammen Mathew of Malayala Manorama. L Adimoolam (Health & Antiseptic) is the deputy president, D D Purkayastha (Ananda Bazar Patrika) the vice president and Naresh Mohan (Sunday Statesman) the honorary treasurer of the Society for 2019-20.

Mary Paul is the secretary general of the Society.



Shailesh Gupta

Key accused in Bulandshahr riots case granted bail

EXPRESS NEWS SERVICE
NOIDA, SEPTEMBER 25

YOGESH RAJ, main accused in the Bulandshahr riots case, was granted bail by the Allahabad High Court on Wednesday.

"An official copy by the Allahabad High Court will be sent for verification. The process can take up to three-four days after which the jail authorities will release him. We had been pleading his innocence since the beginning, and we respect the decision of the honourable court," said Yogesh Raj's lawyer Bruno Bhushan.

Yogesh Raj was granted bail in the seditious case on Wednesday and had earlier been given bail in the rioting and conspiracy case.

On December 3, a riot broke out in Bulandshahr's Siyana area following a protest over alleged cow slaughter at a farm. In the melee, Siyana in-charge inspector Subodh Kumar Singh was shot dead allegedly by one of the protesters using his service revolver. Another accused, Sumit, who was part of the mob, was killed as the policeman fired at him in self-defence.

A special investigation team had filed a chargesheet against 38 accused in connection with the violence. Thirty-three of them, including Yogesh Raj, were charged with rioting and violence, and the rest with the murder.

GOVERNMENT OF HIMACHAL PRADESH DEPARTMENT OF NES
No. Himurja/SHP/Advt/2019-20 Dated: 25.09.2019
(INVITATION TO PRIVATE INVESTORS FOR EXPLOITING SMALL HYDRO POTENTIAL IN THE STATE)

Himachal Pradesh Government invites proposals from Private investors for setting up small Hydro Electric Projects upto 5.00 MW capacity for 11 identified Project sites. The proposals are also invited for self identified Projects upto 5.00 MW capacity. The Private Investors will have to execute the project from beginning till commissioning including preparation of feasibility report, survey & investigation and preparation of DPR.

Details of the 11 Identified Small Hydro Electric Projects, application format and guidelines can be obtained from the office of the Director Himurja, SDA Complex, Kasumptai Shimla-9, from 26.09.2019 to 25.11.2019 against payment of application fee of Rs. 10,000/- only (Rs. Ten Thousand) (non refundable) to be paid in the shape of Demand Draft in favour of "Director Himurja" payable at Shimla. The guidelines and application format can also be obtained from Himurja website: www.himurja.hp.gov.in. In such case the application fee of Rs. 10,000/- only is to be deposited with the application in the shape of Demand Draft payable at Shimla. The applications should be submitted on or before 25.11.2019 upto 5.00 PM.

The applicants have also to furnish Earnest Money Deposit (EMD) @ Rs. 50,000/- per MW (Refundable in case of unsuccessful applicants and to be adjusted against security deposit in case of successful applicant) with the application in shape of Demand Draft in favour of Director Himurja payable at Shimla. The applications shall be submitted in sealed cover duly superscribed "APPLICATION FOR ALLOTMENT OF IDENTIFIED SELF IDENTIFIED SMALL HYDRO ELECTRIC PROJECT". Applications not submitted on the prescribed format or not accompanied with application fee and EMD shall not be accepted and shall be rejected outrightly.

IMPORTANT:

- Small Hydro Electric Projects upto 2.00 MW capacity are exclusively reserved for Himachalis.
- If the IPP is interested to apply for more than one project, separate application along with requisite application fee & EMD is to be submitted.
- The Government of Himachal Pradesh reserves the right to reject any or all the applications without assigning any reasons.
- The IPPs are advised to visit the sites before putting in application(s) for identified as well as self identified projects to ensure that the site does not clash with already allotted/identified or under investigation schemes of Himurja/Directorate of Energy/HPSEB Ltd. by any other Government Agency. It will be the responsibility of the applicant to check with the record of concerned agency before putting in an application. In case of subsequent discovery of any overlap or duplication, the application will be rejected and application fee will not be refunded.
- No applications/proposals will be entertained on Tirthan River & its tributaries in Kullu district and on major rivers: Ravi, Satluji, Yamnuna, Chanderbhabha & Beas.

Chief Executive Officer, Himurja, 8-A, SDA Complex Kasumptai Shimla-171009 Tel:0177-2620365/2621783

Principal Secretary (NES) to the Government of Himachal Pradesh Shimla-171002

shortstories

CHIDAMBARAM'S BAIL HEARING TO CONTINUE ON FRIDAY

NEW DELHI: Former finance minister P Chidambaram, arrested in the INX Media case, told the Delhi high court on Wednesday that the alleged offences of cheating and criminal conspiracy against him were not grave in nature and he should be released on bail. His counsel submitted in the court that the offences for which Chidambaram has been booked carry only a punishment of up to 7-year imprisonment. Justice Suresh Kait concluded hearing the submissions advanced by Chidambaram's lawyers on his bail petition and fixed the matter for Friday when Solicitor General Tushar Mehta will commence his arguments for the CBI. The agency has opposed his bail plea and said it was a "gravest case of economic offences" and the magnitude of financial embezzlement as also misuse of high public office disintitiled him for any relief.



SC TO HEAR AHMED PATEL'S PLEA ON OCT 15

NEW DELHI: The Supreme Court on Wednesday said it would hear on October 15 a plea of senior Congress leader Ahmed Patel seeking stay on further proceedings in the Gujarat high court regarding his 2017 election to the Rajya Sabha which has been challenged by rival BJP candidate Balwantsinh Rajput. The matter came up for hearing before a bench of justices NV Ramana, Sanjiv Khanna and Krishna Murari. Patel's counsel told the apex court that the high court had listed the case for further proceeding in this week itself.

HC REJECTS SANJIV BHATT'S BAIL PLEA

AHMEDABAD: The Gujarat high court on Wednesday rejected the bail application of sacked IPS officer Sanjiv Bhatt in a custodial death case in which he has been sentenced to life imprisonment by a Jammu court. A division bench of justices Bela Trivedi and AC Rao rejected the bail applications of Bhatt and co-convict Pravinsh Zala. Bhatt and Zala's appeals against conviction are pending before the same division bench. Earlier, Justice VB Mayani had recused himself from hearing on Bhatt's plea seeking that his sentence be suspended.

AZAM'S ARREST STAYED IN LAND CASE

PRAVAGRAJ: The Allahabad high court has stayed the arrest of Rampur MP Azam Khan in connection with 27 FIRs registered against him for allegedly grabbing farmers' land in Rampur. A bench of justices Manoj Mishra and Manju Rani Chauhan passed the order on a petition filed by Khan, a senior Samajwadi Party leader. The court also issued notices to actor-turned-politician Jaya Prada and several farmers, asking them to file their reply by October 24, the next date of hearing. The petition alleged that FIRs registered against Khan were politically motivated and at the instance of Jaya Prada who had contested the Lok Sabha election against him. The court then directed the police to not arrest Khan till the next date of hearing.

Survivor discharged from Delhi's AIIMS

UNNAO RAPE CASE CBI gets two more weeks for accident probe

HT Correspondent
letters@hindustantimes.com

NEW DELHI: The Supreme Court on Wednesday gave two more weeks to the Central Bureau of Investigation (CBI) to complete its probe of the July truck-car collision in Uttar Pradesh's Rae Bareilly in which the Unnao rape survivor and her lawyer were grievously injured and two of her aunts were killed.

THE AGENCY GOT TWO MORE WEEKS AFTER SUBMITTING BEFORE A BENCH THAT THE INJURED LAWYER WAS STILL UNFIT TO RECORD HIS STATEMENT

after a truck rammed into their car while the woman was on her way to Rae Bareilly in Uttar Pradesh. She fractured her femur and collar bone and suffered chest injuries in the collision.

On the top court's intervention, the now 19-year-old woman and the lawyer were moved from a Lucknow hospital to AIIMS, Delhi, for treatment.

"She is fine and would not need any active treatment at the moment. She will just have to come for her follow-ups," a doctor from the hospital said on condition of anonymity.

A temporary court was set up in the conference room of the hospital on September 11 as the survivor was not strong enough to stay upright in court for hours.

SC had on August 1 transferred the trial in all cases involving the Unnao survivor to Delhi. It designated a sessions judge of the Tis Hazari court in Delhi to hear the cases and set a 45-day deadline for the trial. An interim compensation of Rs 25

lakh was also ordered to be given to the rape survivor.

It had then fixed a week's deadline for the CBI to complete its probe into the accident case. However, the agency was given liberty to seek an extension for another week under exceptional circumstances.

The CBI has booked 10 people for murder, including Sengar, who was expelled by the BJP and is already in jail, charged with the rape of the woman when she was a minor in 2017. Sengar is lodged in Delhi's Tihar jail.

A day ago, a Delhi court had issued directions under the witness protection guidelines for arranging accommodation for the survivor and her family in Delhi after the Uttar Pradesh government said they wanted to reside in the national capital apprehending threat in their home state.

The report was filed as per the court's earlier directions to the UP government to apprise it about the possible measures that could be taken for relocating the woman and her family to a safe place.

District judge Dharmesh Sharma directed that the survivor and her family members -- mother, two sisters and one brother -- be temporarily accommodated in the hostel of the Jay Prakash Narayan Trauma Centre, AIIMS, New Delhi, for the next seven days, a lawyer privy to the proceedings said.

On ED radar, Pawar says will 'voluntarily visit' agency office

HTC & Agencies
letters@hindustantimes.com

MUMBAI: Nationalist Congress Party (NCP) chief Sharad Pawar said on Wednesday that he would voluntarily visit the Enforcement Directorate (ED) office on September 27 in connection with the probe launched against him by the agency for alleged loan fraud to the extent of Rs 25,000 crore involving Maharashtra State Cooperative Bank (MSCB).



Sharad Pawar

Pawar questioned the ED move which comes weeks before the Maharashtra Assembly elections on October 21, but said he would visit ED's office at 2pm on September 27 to submit "whatever information" was sought in connection with the Maharashtra State Co-operative Bank scam.

Pawar said he had not received any notice from the ED yet, but had come across the press statement the agency issued.

"Now that such a decision has been taken, it is my duty to cooperate with them. And therefore, I have decided to go there on my own," Pawar said. "Maharashtra follows the ideology of Chhatrapati Shivaji Maharaj. We don't know bowing down before the Delhi takht (throne)," he added.

Apart from Pawar, his nephew Ajit Pawar and many directors of the bank are being investigated.

The allegation is that the bank provided loans, flouting procedure, to the directors or people linked to them; sold sugar factories of some borrowers to people

with links to the directors at prices well below their market value; and that some of the buyers in the second instance, had political links with the Pawars.

Pawar said he would be campaigning for the elections, and his absence should not be seen as efforts to avoid ED.

Meanwhile, NCP youth wing protesters, led by state unit chief Mehboob Shaikh, shouted slogans against the BJP and the state government outside ED's office. Shaikh also claimed that the protesters were baton-charged and later detained by the police.

Maharashtra chief minister Devendra Fadnis has refuted allegations that the ED's probe is politically motivated.

"The government has nothing to do with the case. The Bombay high court had directed registering the FIR against the accused directors of the MSCB in the alleged corruption charges," he said.

K'TAKA MLAs TO TOP COURT

'Allow us to contest or defer by-elections'

HT Correspondent
letters@hindustantimes.com

NEW DELHI: The 17 lawmakers disqualified by the former speaker of the Karnataka assembly should be allowed to contest the by-elections in the state -- the last date for filing nominations is Monday -- or the by-polls themselves should be deferred till the court rules on the case, senior advocate Mukul Rohatgi, appearing for some of the MLAs (members of the legislative assembly) told the Supreme Court on Wednesday.

The Election Commission's counsel said the body has no view on the disqualifications but that the polls should not be deferred.

The new Karnataka Assembly Speaker Vishweshwar Hegde came out in support of the disqualified MLAs of Congress Party as he assailed his predecessor's decision to disqualify and prohibit the former legislators from contesting elections. Appearing before a bench led

by Justice NV Ramana, Solicitor General of India Tushar Mehta submitted that a legislator has a right to resign from the membership of assembly as he owes it to the electorate who voted him to power.

The court is hearing the disqualified MLAs' petition questioning the Speaker's decision to disqualify them as members of the house instead of giving a final verdict on their resignations.

The resignation of the 17 MLAs from the Congress and JD(S) parties brought down the HD Kumaraswamy-led government in Karnataka in July this year. They were thereafter disqualified on grounds of defection by former the Speaker, KR Ramesh.

Mehta asked the court to frame guidelines for the speaker to decide on disqualification petitions and resignations. But the bench wondered if it can accept Mehta's suggestion. "A speaker is a constitutional authority. How can we lay down guidelines," the judges said.

Bail plea rejected, Shivakumar to move high court

Richa Banka
richa.banka@htlive.com

NEW DELHI: A Delhi court on Wednesday dismissed the bail application of Congress leader DK Shivakumar, arrested by the Enforcement Directorate (ED) in connection with a money laundering case. The court said the investigation in the case was still in the initial stage.

Rejecting the bail plea, special Judge Ajay Kumar Kuhar said, "In course of arguments, the ED has produced documents, like the list of 317 bank accounts and other documents of properties, which show that the investigation is at the crucial stage of examining the documents and their nexus with the assets of the applicant/accused."

Shivakumar's counsel Mayank Jain said, "We are not satisfied with today's judgment and we would challenge it in the Delhi High Court," Jain said.

The court said the apprehension of the accused tampering with the evidence could also not be ruled out.

Ayodhya case: Sunni board clarifies stand on birthplace

HT Correspondent
letters@hindustantimes.com

NEW DELHI: The Sunni Central Wakf Board clarified on Wednesday its Tuesday statement before the Supreme Court accepting Ram Chabutra (a platform within the disputed area) as the birthplace of Lord Ram, saying the board's decision not to challenge the Faizabad court's 1886 finding holding the spot as the birthplace should not be construed as an acceptance of the same.

advocate Zafaryab Jilani made the submission before a five-judge bench hearing the Ayodhya land dispute case.

Led by Chief Justice Ranjan Gogoi, the bench is hearing cross-appeals filed against Allahabad high court's 2010 verdict in the dispute. Jilani also read out various gazetteers and from travelogues to claim there was nothing to show that Hindus had any "attached aashta" to the central dome of the Masjid till 1850 or that the mosque was built over the remains of a temple.

TOP COURT IS HEARING CROSS-APPEALS FILED AGAINST ALLAHABAD HC'S 2010 VERDICT

Justice DY Chandrachud, one of the judges on the bench, referred to a gazetteer to say Hindus and Muslims offered prayers at the disputed site before the communal riots broke out in 1855. "But the subsequent documentary evidence has belied this

stand," Jilani said. Justice Ashok Bhushan, another judge, recounted statements of witnesses who said what they called Babri Masjid was the Jannabumi for Hindus and wondered if this amounted to admission.

Justice SA Bobde asked whether Hindus had tried to worship at the site after 1528 and Muslims not allowed it. Senior Advocate Meenakshi Arora, also an advocate for Muslim parties, questioned the Archaeological Survey of India's report prepared after the site was excavated on

the orders of Allahabad high court.

The report, she argued, did not offer any verifiable conclusion and was just an opinion. Disagreeing with Arora's contention, the bench said the forum to question the ASI report was the high court and not the Supreme Court which is hearing the first appeal. Justice Chandrachud said the author of the report should have been summoned during the trial. "Without doing that, how can you say it suffers from inconsistencies."



Ziro Valley beckons you with a musical kaleidoscope!

India's greatest outdoor music festival at Ziro Valley, Arunachal Pradesh enralls you to the core with music, art & fun in abundance. The pristine surrounding and sound infrastructure, mostly built by locally sourced bamboo and naturally degradable sources, make your stay all more memorable. Come for an experience of a lifetime.

For planning your itinerary, please contact: Phone: +918974052594, +919810549494, +919810226132.

Email: management@zirofestival.com | Website: www.zirofestival.com

Come to the **ZIRO** MUSIC FESTIVAL
4 days of art, music & culture from
26 to 29 September 2019
at Ziro Valley, Arunachal Pradesh



Gadkari: Delayed court rulings put financial burden on govt

'Niti Can Study Govt's Extra Outgo Due To Delay In Decisions'

Dipak.Dash@timesgroup.com

New Delhi: Union minister Nitin Gadkari on Wednesday pitched for quick decisions by the judiciary, government and other agencies, including banks, to cut down on expenditure and accelerate growth.

Addressing a panel of jury members for ET Awards

Deloitte.

THE ECONOMIC TIMES CEO ROUNDTABLE

for Corporate Excellence at the ET CEO Roundtable, Gadkari said NHAH has paid nearly Rs 5,000 crore to contractors for delayed projects due to court orders.

"I respect the Supreme Court, the judiciary. But in many cases, courts take a long time to deliver a verdict.



Union minister Nitin Gadkari at the ET CEO Roundtable on Wednesday

Not taking a decision is a big problem and we know how courts take time. The delay in decision results in creating burden on agencies like NHAH to pay thousands of crores as compensation to contractors," Gadkari said.

"Time is the essence of all agencies. Either you accept

or reject; but there is no justification to sit on a proposal for months... Think how much extra financial burden the government had to bear for the delay in Chardham project clearance. Apart from the people, who else has suffered? The amount of extra money that we will pay to the

contractors belongs to the people," the minister said.

He asked the Niti Aayog to carry out a study to find out how much extra money the government had to outgo for claims that were results of delay in court decisions.

The minister also said that the people in authority were adept at ducking the responsibility of taking decisions and would dodge issues just the way footballers do in a soccer match.

"I was stumped when officials put forward a file to seek the finance ministry's approval in order to raise Rs 25,000 for the NHAH. The finance ministry has already allocated the NHAH Rs 75,000 crore in the budget. So, where was the need for a fresh permission? We have made the process more complex," Gadkari added.

Power minister asks CMs to step in as 3 discoms go on the brink

Sanjay.Dutta@timesgroup.com

New Delhi: Power minister R K Singh has sought personal intervention of CMs of Tamil Nadu, Andhra Pradesh and Jharkhand to save state finances from being hit as a result of their discoms going on the brink, which could prove to be a drag on the Centre's plan to refresh its ambitious turnaround plan for utilities — UDAY.

In separate letters to E K Palaniswamy, Y S Jaganmohan Reddy and Raghubar Das, respectively, Singh blamed the ballooning financial losses and worsening operational parameters of their discoms on "gross inefficiency" in metering, billing, bill collection and tariffs not reflecting cost of power supplied.

Under UDAY, beneficiary states had to meet milestones in operational improvement.

The results, however, have not met the expected trajectory, largely due to weak political will to implement tough measures. But the state of the discoms in the three states are alarming because of the drastic deterioration in conditions — which have slipped below the pre-UDAY levels in some cases.

Tamil Nadu's TANGEDCO, for example, accounts for 30% of total accumulated losses of all discoms in the country. Its total accumulated losses have topped Rs 1 lakh crore in 2018-19, roughly Rs 25,000 crore more than pre-UDAY level. The discom's cost-revenue gap has widened to 85 paise per unit in 2018-19 from 60 paise in 2015-16. Annual loss too has risen to Rs 9,257 crore in 2018-19 from 2015-16.

The annual loss of Andhra discoms has risen to Rs 1,563 crore in 2018-19 from Rs 7 crore in 2017-18, a jump of more than 22,000%. The cost-revenue gap has widened to 39 paise instead of hitting zero, while the outstanding payable has risen to Rs 13,046 crore. The annual loss of Jharkhand's JBV stands at Rs 695 crore in 2018-19, while it is losing 54 paise on every unit of power supplied to consumers. The discom's line losses have more than doubled to 32% in 2018-19 instead of coming down to 15% as prescribed in UDAY.

Is Waqf Board's challenge to ASI's temple report too late?

Dhananjay.Mahapatra@timesgroup.com

New Delhi: The Sunni Waqf Board and the Muslim parties faced a big challenge on Wednesday as they sought to convince the Supreme Court to trash the Archaeological Survey of India's 2003 excavation report, which indicated existence of a massive Hindu structure resembling north Indian temples beneath the demolished Babri Masjid at the disputed site in Ayodhya.

Appearing for the Muslim parties, senior advocate Mee-nakshi Arora said, "The ASI report cannot be accepted by the court as its conclusions were not signed by anyone. So, no one took responsibility for the correctness of the conclusions... The SC, if it takes it into account, must regard it as extremely weak evidence."

"The ASI's excavation report suffers from glaring inconsistencies and mistakes in identifying periods to which



ARGUMENTS IN SC

various stages of construction of the massive structure belonged to. The Allahabad high court erred in accepting the report without considering serious objections raised by Muslim parties."

The ASI report of August 25, 2003, said, "Viewing in totality and taking into account the archaeological evidence of a massive structure just below the (disputed) structure and evidence of continuity in the structural phases from the 10th century onwards up to the construction of the disputed structure... are indicative of remains which are distinctive features found associated with

the temples of north India."

The bench comprising Chief Justice Ranjan Gogoi and Justices S A Bobde, D Y Chandrachud, Ashok Bhushan and S Abdul Nazeer put Arora in a spot by informing her that the ASI report appeared to have been validly accepted by the three-judge bench of the HC, thus making it part of records and giving it the weight of a court commissioner's report.

CJI Gogoi and Justices Bobde, Chandrachud and Bhushan asked her why the Muslim parties did not ask the HC to summon the archaeologists for cross-examination to discredit the ASI report to entrench their argument that the report was legally untenable as a piece of evidence.

The CJI said, "You did not avail of the right available to you at the stage of trial of suits. At the appeal stage, can it be raised for the first time?" Arora promised to meet the question on Thursday.

Full report on www.toi.in

Frame rules on MLA disqualification: K'taka Speaker to SC

TIMES NEWS NETWORK

New Delhi: Alleging that the recent political crisis in Karnataka, where MLAs were disqualified after they tendered their resignation to the then Speaker, may be replicated in other states also, the present Speaker pleaded the Supreme Court on Wednesday to frame guidelines to deal with such situations.

Without directly criticising the decision of his predecessor of disqualifying 17 MLAs, Speaker Vishveshwar Hegde Kageri told a bench of Justices N V Ramana, Sanjiv Khanna and Krishna Murari that a balance has to be maintained between an elected representative's loyalty towards the electorate and his party.



Solicitor General Tushar Mehta, appearing for the Speaker, said the issue needed to be settled once and for all as such situations may happen anywhere in future. The bench, however, said it would not be possible for it to frame guidelines as the Speaker is a constitutional post and passing such direction would amount to judicial overreach.

Mehta contended that right of a legislator to resign is equally important as right of a Speaker to disqualify a lawmaker. Senior advocate Mukul Rohatgi, appearing for the disqualified MLAs, told the bench that the disqualification order had virtually "caged" them as they cannot contest election despite being not afraid to face the electorate. The hearing remained inconclusive and would resume on Thursday.

MiG-21 crashes in MP, 2 pilots eject safely

New Delhi: In yet another crash in the IAF, a MiG-21 trainer fighter went down near the Gwalior airbase in MP on Wednesday morning. The two pilots ejected safely.

The MiG-21 "Type-69" trainer was returning to the Gwalior airbase after a routine mission when it developed a technical snag at 10am. "The aircraft crashed approximately six nautical miles away while on its approach for landing. The two pilots, a group captain and a squadron leader, were picked up by a rescue helicopter after ejecting safely. A court of inquiry has been ordered to investigate the cause of the accident," said an officer.

The IAF has already lost a dozen aircraft this year. It has lost eight fighters (three MiG-21s, two MiG-27s and a Jaguar), Sukhoi-30MKI and Mirage-2000 each, an AN-32 transport aircraft, two Hawk advanced jet trainers and a Mi-17 V5 helicopter this year till now, in which over 20 personnel have been killed. TNN

BJP pays tribute to Deen Dayal, will crank up outreach on 370

TIMES NEWS NETWORK

New Delhi: On the 105th birth anniversary of its ideologue Deen Dayal Upadhyay, BJP on Wednesday pledged to give more impetus to its ongoing campaign involving senior leaders, including state chief ministers and Union ministers, to amplify steps taken in the recent past like slashing corporate tax and nullifying Article 370 and 35-A to withdraw special status to J&K.

On the birth anniversary of Deen Dayal Upadhyay, senior party leaders paid rich tributes to one of its founding fathers as PM Narendra Modi tweeted, "Paying homage to one of the greatest icons of India, Pandit Deendayal Upadhyaya Ji. His life's message of serving the most downtrodden with compassion resonates far and wide!"

Home minister Amit Shah paid homage to Deen Dayal Upadhyaya and Syama Prasad Mookerjee at BJP headquarters here. "Pt Deen Dayal Upadhyaya was a visionary politician who sowed the seeds of an alternative political ideology. His politics was not for government formation but for nation-building and his ideology is a great lesson to learn from for millions of BJP workers today," he said.

On the occasion, the party embarked on a massive outreach programme to apprise people of the benefits of the recent cut in corporate tax.

'Probe at initial stage', court junks DKS bail petition

Aamir.Khan2@timesgroup.com

New Delhi: A special court on Wednesday rejected the bail plea of Karnataka Congress leader D K Shivakumar and said while the judiciary had to be conscious of the liberty of an individual, it could not ignore the interest of society.

"A balance has to be struck between the two," observed special judge Ajay Kumar Kuhar. Responding to the plea that the Congress leader be granted bail on health grounds, the court directed the jail superintendent to ensure that all his medical needs were attended to immediately and in case of emergency, he be taken to RML Hospital or AIIMS. However, Kuhar said that health reasons, given the nature of the offence and the stage of investigation, could not be a "justified ground" for bail.

The ED, through additional solicitor general K M Nataraj and special prosecutor N K Matta, had claimed that Shivakumar, his family members and close associates owned 317 bank accounts. They also claimed that the probe had found laundering of Rs 200 crore and benami proper-



NO RESPITE: Shivakumar

ties worth over Rs 800 crore. It was also alleged that his 22-year-old daughter had Rs 108 crore worth of transactions in her name.

While rejecting the politician's bail, Kuhar highlighted that investigation was still at an initial stage.

The court also took into consideration the ED's submission that Shivakumar was an influential person and "the apprehension that he may influence witnesses or tamper with evidence" could not be ignored. "The investigating agency must have a full, fair and free chance to investigate in depth so that it can reach a logical conclusion. The release of the applicant at such a crucial stage of investigation may hamper it. Accused is not entitled to bail at this stage of investigation," the court said.

INX Media case papers obtained from PC's kin, lawyers tell HC

Abhinav.Garg@timesgroup.com

New Delhi: Former finance minister P Chidambaram's lawyers apprised the Delhi high court on Wednesday that the "documents in question" relating to his FIPB approval in the INX Media case were obtained from Chidambaram's wife, Nalini, and son Karti.

In an affidavit filed before Justice Suresh Kumar Kait, his lawyers said "the said documents have been obtained by the petitioner from his son and wife" and are part of the relied upon documents (RUDs) filed by the ED in the proceedings initiated before the adjudicating authority in which Karti and Nalini Chidambaram were made the defendants.

The HC had asked Chidambaram on Friday to file an affidavit stating the source of the documents related to the approval to which his lawyers had been referring during the hearing of his bail plea.

Concluding arguments for Chidambaram, his legal team said the offences of cheating and criminal conspiracy were not grave in nature and he was eligible to be released on bail. They said the offences for which Chidambaram has been booked carry a maximum punishment of 7 years' imprisonment.

Full report on www.toi.in

Court summons TMC MP in defamation case

TIMES NEWS NETWORK

New Delhi: Trinamool MP Mahua Moitra's act of accusing a news channel of peddling "paid news" and calling its owner "a thief" was prima facie defamatory, a special court said on Wednesday while summoning her in a case filed by the company.

"There exists sufficient grounds to proceed against the respondent, Mahua Moitra, under Section 500 of the IPC (defamation)," additional chief metropolitan magis-

trate Samar Vishal said.

According to the petition filed by the news channel, it has an "unblemished" record and commands goodwill, credibility and reputation in the eyes of the public. "But it is aggrieved by certain imputations made by Moitra against it and its owner on July 3, 2019," the petition states.

The court observed that the news channel's complaint had "clearly set out the imputations" made against it by Moitra in her interaction with the press on July 3.

In-camera hearing of Kol ex-top cop's bail plea starts

TIMES NEWS NETWORK

Kolkata: The Calcutta high court on Wednesday began in-camera proceedings of CID additional director-general Rajeev Kumar's bail plea. The development coincided with the CBI shooting off a letter to West Bengal DGP Virendra, asking him on Kumar's whereabouts since his sanctioned leave was till September 25.

In the afternoon, Kumar's counsel Debashish Roy moved a division bench of Justices Sahidullah Munshi and Sub-

hasis Dasgupta, and pleaded for in-camera proceedings. The HC granted his plea.

The CBI, sources said, has also written to the state top cop, seeking to know where Kumar is. According to CBI sources, they were earlier informed by the DGP that Kumar was on leave till September 25. Kumar had also sent an email to the CBI, seeking

reprieve till his leave ended. But that didn't stop the CBI from issuing fresh summons. These summons were issued both for Saradha scam and Rose Valley chit fund cases.

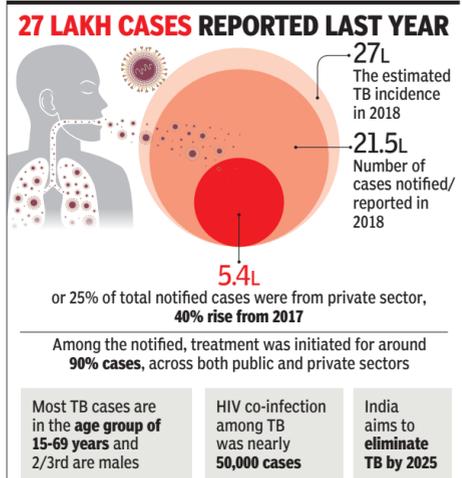
16% more TB cases reported in 2018

Sushmi.Dey@timesgroup.com

New Delhi: TB-related deaths declined in India by 82% in 2018, as compared to the mortality registered in 2010, while reporting of the disease improved significantly with 21.5 lakh cases notified last year out of the total 27 lakh estimated. The reporting of the disease has jumped by 16% from 2017 and is the highest so far, according to the India TB Report 2019 released by the health ministry.

Among the notified, treatment was initiated in about 90% of cases in 2018 in both public and private sector health facilities. The improvement is primarily driven by better access to diagnostic services, public-private partnership and enhanced investment by the government to make treatment available.

Around 5.4 lakhs cases or 25% of the total notified cases were reported from private sector health care providers, up 40% from 2017. India aims



to eliminate TB by 2025 — five years ahead of the global target. "By employing a multi-sectoral and community led

approach, we are building a national movement to eliminate TB by 2025. Accordingly, we have increased allocation

towards the TB programme four-fold and are confident of achieving our target," health minister Harsh Vardhan said after releasing the report.

Vardhan got emotional as he recalled how his brother-in-law died because of multi-drug resistance TB.

In 2017, around 18 lakh TB cases were reported. Of this, 79% of patients successfully completed their treatment. Public health groups have also hailed the government's initiatives towards ending the disease, while raising concerns over high prices of innovative TB medicines posing a potential threat to TB eradication programmes.

"India is taking a number of positive steps including the scale up of fixed dose combinations for first-line TB, active case finding, a scale up of preventive therapy, all aimed at reducing the public health burden of TB," says Leena Menghaney, head (India & South Asia), MSF Access Campaign. Full report on www.toi.in

INDIAN DIRECT SELLING ASSOCIATION

Indian Direct Selling Association (IDSA) resolved to work towards Making of a New India by enhancing Socio-Economic Impact of Direct Selling

IDSA thanks Hon'ble Minister Shri Anurag Singh Thakur (Minister of State for Finance and Corporate Affairs) and all stakeholders of the industry for making 'Release of Annual Survey 2018-19' and 'Leadership Forum Discussion on How Direct Selling can contribute towards building New India' a big success.

IDSA MEMBERS

facebook.com/IndianDirectSellingAssociation | twitter.com/IndianDSA | instagram.com/indiandirectsellingassociation