

NO HC RELIEF FOR CBI'S SPECIAL DIRECTOR

FIR Against Asthana Stays, CBI Told to Probe Allegations in 10 Weeks

Our Political Bureau

New Delhi: Refusing to quash the FIR registered against him and others on charges of corruption, the Delhi High Court on Friday dismissed a petition filed by CBI special director Rakesh Asthana.

The court directed the agency to conclude its probe against Asthana and co-accused within 10 weeks.

The court ruled that the grounds of mala fide against ousted CBI director Alok Verma in registering the FIR against Asthana "are not made out". The court also ruled that "nor can the allegations against the petitioner be conclusively ruled out at this stage".

Asthana had claimed that the FIR against him was ante-dated and documents were fabricated to falsely implicate him. Rejecting the claim the court has ruled that the facts are not borne out from the records.

Referring to allegations levelled by complainant Satish Babu Sana in the case, the court has held "although Sana's complaint lists a certain sequence of events and details some facts, it does not mention any direct interaction with Asthana apropos ₹5 crores or any promise of leniency towards him".

Significantly, the court has further ruled that "Sana's conversations were all along with Somesh and Manoj. It is not known whether Somesh or Manoj spoke to Asthana or any other office of the CBI in the presence of such officers. The claim of Somesh Prasad that he managed investment of the petitioner in Dubai and London for many years or that the latter had stayed at the former's home in London is also not ascertained thus far".

Satish is a witness for Enforcement Directorate (ED) in the money laundering case against meat exporter Moyn Qureshi.

Asthana, who was heading the Special Investigation Team (SIT) in the Moyn Qureshi case, had sought to arrest Satish Babu Sana accusing him of paying illegal gratification to ousted CBI director Alok Verma to manage a bail-out.

As per available information, the SIT constituted by interim CBI chief M Nageswara Rao has already recorded the statement of Sana and found contradictions in his statements. The agency has collected evidence in the case and is soon likely to submit a report to the concerned court.

The court ruled that involvement in the offence will only be determined during the course of trial. It also did not find any merit in the challenge to Section 17-A of the Prevention of Corruption Act, which according to Asthana, prohibited the investigating agency from registering an FIR without seeking sanction from the government.

The court ruled that no sanction under Section 17-A to prosecute a public servant was required in cases where the public servant was not discharging a public duty or was indulging in corruption. The Court has ordered that all allegations should be probed swiftly to restore the credibility of the agency.

REMOVAL OF ALOK VERMA

Justice Katju Takes to Twitter to Defend Justice AK Sikri

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New Delhi: Retired Supreme Court judge Markandey Katju on Friday said in a social media post that he backed Justice AK Sikri's stand that Alok Verma should be removed as director of CBI and given another post till an inquiry against him is completed.

Sikri was part of the prime minister-led three-member panel which a day earlier had ousted Verma from the post citing charges of corruption against him. Verma was immediately named as director general of fire services and home guards, but the former CBI (Central Bureau of Investigation) chief has refused to take up the assignment and put in his papers.



Probe Needed

The charges against the petitioner (Asthana) cannot be conclusively ruled out at this stage, says HC

Allegations do not mention any direct interaction between Asthana and complainant or any promise of leniency

No sanction needed to prosecute an official where he is not discharging a public duty or indulging in corruption, says HC

STANDING BY ALOK VERMA

'Accused Criminal' Asthana Inspired CVC Report: Cong

Our Political Bureau

New Delhi: A day after the sacking of Central Bureau of Investigation (CBI) director Alok Verma on charges of corruption, the Congress maintained that he was removed without any verified and proven charges while CBI's special director Rakesh Asthana, who is believed to have a strong backing of the government, stood as an "accused criminal".

Congress spokesman Abhishek Singhvi questioned the credibility of the Central Vigilance Commission (CVC) report, which was made the basis for Verma's removal, saying the content of the report was inspired by the same "accused criminal" Asthana, who suffered a setback on Friday when the Delhi High Court cleared the way for his arrest and probe into corruption charges levelled against him.

Singhvi quoted from the CVC report to dismiss the four main charges levelled against Verma, just as Congress leader Mallikarjun Kharge had done in his note of dissent in the meeting of the high-powered committee that voted to sack Verma by a majority of 21. He said CVC had itself admitted its charges were not substantiated.

"(1) On the charge of (Verma) accepting a ₹2 crore bribe - The CVC itself concedes that 'there is however, no direct evidence on the allegation of payment of bribe of ₹2 crore to Shri Alok Kumar Verma to Shri Satish Sana...'. (11) On the charge of exclusion of a suspect from being named as accused in an FIR in IRCTC case - The allegation on Shri Alok Kumar Verma, Dir CBI tried to call off the searches at Patna is not substantiated," Singhvi said.

He further said, "(111) On the charge of inordinate delay in finalising investigation report in bank fraud case against main accused, indicating favouritism towards the main accused - The only allegation against him, and this is merely an allegation, that there was delay in finalising the investigation report by the CBI and that Alok Verma as Director CBI should have ensured its timely completion."

On the charge of transfer of SIR related to joint director, CBI, he said, "With regard to the allegation of transfer of SIR related to Shri Rajiv Singh, then JD, CBI, the CVC has concluded that allegation is not substantiated."



Abhishek Singhvi Congress Spokesman

CVC report is inspired by 'accused criminal'

Asthana against whom HC has ordered probe & cleared way for his arrest

OTHER NEWS OF THE DAY

Jagan an Ally if he Stays Away From Cong & BJP: TRS



HYDERABAD: Ahead of the Assembly elections in Andhra Pradesh this year, the TRS on Friday said the Y S Jaganmohan Reddy-led YSR Congress Party (YSRCP) can be its 'friend' if it does not align with the Congress or the BJP. On whether the TRS would support the YSRCP in Andhra Pradesh where elections are scheduled to be held in April-May, TRS spokesperson Abid Rasool Khan said no such decision has been taken. "That's (whether to support YSRCP) a call Mr KCR (Telangana Chief Minister K Chandrababoo Naidu) who leads the Telangana Rashtra Samiti) has to take," Khan told PTI.

Can't Stop Posts on Social Media: Poll Panel to HC



MUMBAI: The Election Commission of India (ECI) on Friday told the Bombay High Court that it could not restrain private individuals from making political comments or posts on social media in favour of or against any party 48 hours before polling day. The commission, through its counsel Pradeep Rajgopal, was responding to a PIL. The PIL sought directions to the ECI to prohibit all persons, whether politicians or private individuals, from posting advertisements related to politics or elections, or paid political content on social media platforms 48 hours before election day. -PTI

Dera Sacha Sauda Chief Held Guilty of Murder



PANCHKULA: A CBI court Friday convicted self-styled godman Gurmeet Ram Rahim Singh and three others for the murder of journalist Ram Chander Chhatrapati 16 years ago. The quantum of sentence for the Dera Sacha Sauda chief and the others will be pronounced by the special CBI court Judge Jagdeep Singh on January 17. The 51-year-old sect head appeared before the court through video conference from Sunaria jail in Rohtak, where he is already serving a 20-year sentence for raping two of his followers. -PTI



PM Modi being garlanded by BJP president Amit Shah and other leaders on the first day of two-day BJP national executive meet in New Delhi on Friday -BCCL

TWO-DAY BJP CONCLAVE: ABKI BAAR PHIR MODI SARKAR

Heading Into Polls, Shah Talks Quota, Mandir...

We want a grand Ram temple at Ayodhya as soon as possible, says BJP president

Rakesh Mohan Chaturvedi @timesgroup.com

New Delhi: BJP chief Amit Shah has likened the forthcoming Lok Sabha election to the Third Battle of Panipat, cautioning party cadre not to be complacent like the Marathas who lost the 1761 battle that "led to 200 years of slavery" in India.

Delivering the inaugural address at the BJP national convention here on Friday, Shah said, "Battles are of various types... there are some battles that have an impact for decades. 2019 battle is one which will have an impact for decades... The Marathas won several battles. Then came the Third Battle of Panipat... Unfortunately, the Marathas lost the battle... The Maratha army that had won 131 battles but lost one battle that led to 200 years of slavery for the country. The English ruled over us for 200 years... Today it is a similar battle."

The BJP president emphasised that the party is fighting an "ideological battle" in 2019 with cultural nationalism, antyodaya and welfare of the poor as its goal, while the opposition is a group of parties which has no leader or policy.

The two-day national convention is being held on an unprecedented scale with around 10,000 office-bearers from panchayats to district, state and national level attending it. All BJP MPs, MLAs, MLCs and mayors are participating in the conclave that is

The Modi govt has "fulfilled" the dreams of crores of youths with 10% reservation in jobs and education for the general category poor

In a massive relief to small businesses, the GST Council has doubled the limit for exemption from payment of GST to Rs 40 lakh

"It was not merely a loss in one battle (third battle of Panipat)... India was sunk in slavery for 200 years and the English ruled it for two centuries

AMIT SHAH



themed 'Abki Baar Phir Modi Sarkar' (Modi government once again).

Shah underlined the recent achievements of the Narendra Modi government and played up the 10% quota for the economically backward, the relief in goods and services tax to traders having turnover of up to ₹40 lakh, and the Ram Mandir issue in his speech.

His mention of the temple issue drew a long applause from the crowd at the Ramleela ground. "BJP wants that a grand Ram temple is built at Ayodhya as soon as possible," he said. The party's official stand, as stated by the prime minister, is that it will wait for the Supreme Court verdict on the issue.

In the presence of Modi and the top leadership, Shah said it was at the same venue that a pledge to get 272+ seats was taken by the party in 2014 and this time the pledge to make Modi PM again is being taken by them.

The party has come a long way since 2014 when it was in power only in six states, as it rules in 16 states today, Shah said.

However, he made no mention of the recent defeats in assembly elections in Madhya Pradesh, Rajasthan and Chhattisgarh in his 45-minute speech.

Shah claimed that the party will repeat its 2014 performance in Uttar Pradesh and get 73-74 seats in 2019 polls from the state. His remarks came on the eve of the proposed announcement of an alliance in UP by Samajwadi Party president Akhilesh Yadav and BSP chief Mayawati on Saturday.

Shah also attacked Congress chief Rahul Gandhi, alleging somebody out on bail in a case does not have the right to question Modi on corruption. He said the people of the country know better than Gandhi about Modi's credentials and will not be misled.

LISTING GOVERNMENT ACHIEVEMENTS

Farm, Garib Kalyan Resolutions Adopted

Our Political Bureau

New Delhi: Amid opposition attacks that the Narendra Modi government has failed to get the farmers their due, the BJP national convention here passed a resolution on the steps taken by the NDA dispensation for welfare of farmers and the growth in the agriculture sector. Another resolution on the work done for upliftment of the poor was also adopted.

The resolution on agriculture underlined that the Modi government had implemented the Swaminathan Commission report and given 1.5 times the cost of production to the farmers. It has also increased the budget allocated to the agriculture

sector to ₹2,11,694 Cr.

The process of procurement of crop produce and agriculture trade has been improved. The Modi government is committed to doubling the farmer's income by 2022, the resolution said.

The resolution emphasised that the Modi government is working towards strengthening the job sector in rural areas. The salary given to Kisan Mitra has been doubled to ₹12,000; Block Development manager's salary has been hiked from ₹25,000 to ₹30,000; the grant given

for inter-state exposure visit to a farmer per day has been increased from ₹800 to ₹1,000.

Moving the Resolution on Garib Kalyan, external affairs minister Sushma Swaraj said in 2014 when the NDA government was formed, one-third of the population did not have a bank account. When the Prime Minister realised this, he sent the banks to the people to open zero balance accounts.

"It is because of the PM's strong will that everybody has a bank account today," Swaraj said, referring to the Jan Dhan accounts.

The Modi government has tried to counter "suit-boot ki Sarkar" charge with measures aimed at the welfare of the farmers and the poor:

Taking Time Out for Indians Abroad



DUBAI: Congress president Rahul Gandhi on Friday praised the UAE for declaring 2019 as the 'Year of Tolerance', saying India on the other hand has been witnessing four-and-a-half years of "intolerance". Addressing the Indian diaspora in Dubai, Gandhi said he met PM of the UAE Sheikh Mohammed bin Rashid Al Maktoum and was impressed by his humility. -PTI

Rahul Gandhi at a labour camp in Dubai on Friday -ANI

EC RETHINK Poll panel has sought details of expenditure incurred on such public notices by the candidates who contested in the recent elections

In it Together, BJP & Cong Oppose Candidates Footing Bill for Ads on Criminal Record

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New Delhi: Ahead of the Lok Sabha polls, Congress and BJP have both questioned the Election Commission's diktat that a candidate should foot the bill to publicise his criminal record, especially since it eats into his poll expenditure limit.

Candidates from both the national political parties are learnt to have written to the EC red-flagging their concerns over the decision initiated by a Supreme Court order in September last year.

People familiar with the development said the EC would look into the issue in view of the communications

and take a fresh position on it.

The SC had, in a bid to check increasing criminalisation of politics, ordered that it be made mandatory for every candidate in the fray in an election to inform the public at large about his criminal record in "bold letters" and at least three times after filing of nomination papers through newspapers at large and electronic media.

EC implemented the order for the first time in the recently held state elections, bringing out standard formats for each candidate to make a public declaration of his criminal record.

While the SC order did not clarify on who would foot the bill for these ad-



vertisements and under which precise electoral account it would fall, it was added to the candidate's election account in the elections in Madhya Pradesh, Rajasthan, Chhattisgarh, Telangana and Mizoram.

Now, politicians from both Congress and BJP have written to EC that the candidate should not be made to bear the cost of advertising his criminal record since he is faced with an expenditure limit as per EC rules and this could impose a constraint on his campaign-related expenses, people familiar with the development said.

They pointed out

that the impact could be significant for candidates in urban centres as compared to their counterparts from rural constituencies as newspaper and TV advertisements pricing is typically higher in cities.

The Election Commission has already sought details of expenditure incurred towards such public notices by the candidates who contested in the recent elections, to make an assessment, sources said.

One suggestion being made to EC is to shift the expenditure to the political party's account instead as there is no expenditure limit for the party as of now. There are also, however, arguments that the party and candidates are being unfairly made

to bear expense for advertising their own criminal record and it may be better to allocate airtime and newspaper space for this purpose as well just as is done for campaign purposes.

As of now, the expenditure limit for a state assembly candidate is capped at ₹28 lakh while it is ₹70 lakh for candidates for general elections. All newspaper and electronic media advertisements/publicity material are currently included within this limit. Interestingly, many a candidate do not even exhaust this limit towards campaign expenditure even as flow of cash and freebies is only increasing in every election.