

IN BRIEF



Samjhauta blast case hearing tomorrow

PANCHKULA
A special National Investigation Agency court on Monday posted the next hearing in the Samjhauta Express blast case for Wednesday. NIA counsel said the court adjourned the matter on an application filed last week by a Pakistani woman in connection with the case. The trial in the case has concluded and the court was expected to deliver a verdict on March 11. However, Rahila Wakeel, a Pakistani national and daughter of one of the victims of the blast had on March 11, filed a petition through advocate Momin Malik, to get her statement recorded as witness in the twelve year old case.

'Expunge adverse remarks against Khemka'

CHANDIGARH
The Punjab and Haryana High Court on Monday ordered expunction of the adverse remarks made by Haryana Chief Minister Manohar Lal Khattar in the annual performance appraisal report (2016-17) of senior Haryana official Ashok Khemka. Mr. Khemka, who is presently principal secretary of the Haryana Science and Technology Department, had approached the court for removal of the remarks in January this year. The 1991-batch IAS officer had said that the remarks hampered his chances of elevation to a higher level.

Veteran Bengali actor Chinmoy Roy no more

KOLKATA
Veteran Bengali actor Chinmoy Roy, renowned for his comic characters, has died of cardiac arrest at 79, his family said on Monday. Mr. Roy is survived by his son and daughter. His wife, actress Jui Banerjee, had died a few years ago. The actor had immortalised the character of Tenyda in the film *Charmurti*. Mr. Roy was cast by Satyajit Ray in a small role in children's fantasy *Goopy Gyne Bagha Byne*. Chief Minister Mamata Banerjee, acclaimed actors Soumitra Chatterjee and Aparna Sen have condoled his death. Actress-director Aparna Sen, who had acted with Roy in *Basanta Bilap* and other films said Mr. Roy had become a loner after his wife's death.

Repeat MPs' assets rose 142%

Financial details of 153 sitting MPs analysed by ADR-National Election Watch

DEVESH K PANDEY
NEW DELHI

The average financial assets of 153 re-elected Lok Sabha MPs grew by 142%, from ₹5.5 crore in 2009 to ₹13.32 crore in 2014, according to an analysis by National Election Watch and the Association for Democratic Reforms.

E. T. Mohammed Basheer of the IUML declared the highest jump of 2,018% (an almost 22-fold surge), followed by the TMC's Sisir Kumar Adhikari with 1,700%. The figure for AIADMK parliamentarian P. Venugopal went up by 1,281%.

However, there were also a few parliamentarians whose financial assets registered a sharp decline: the biggest drop of 67% was reported by the CPI (M)'s P. Karunakaran, while the assets of the BJP's Jagdambika Pal shrank 64%. Arjun Charan Sethi of the BJD declared a decrease of 39%; for BJP's Om Prakash Yadav it went down by 27%; and by 21% for the Congress's K.V. Thomas.

"Financial details of 153 sitting re-elected MPs fielded

Swelling kitty

The top 8 leaders who saw the maximum rise in assets in an analysis of re-elected MPs by Association for Democratic Reforms



Average asset increase

BJD	298%
SP	293%
TDP	283%
TMC	221%
BJP	140%
Congress	109%

Party	MP (2014)	2009 (₹)	2014 (₹)	% increase
IUML	E. T. Mohammed Basheer	6,05,855	1,32,16,259	2,081
TMC	Sisir Kumar Adhikari	10,83,159	1,94,98,381	1,700
BJP	Dr. Ramshankar Katheria	15,11,000	1,46,34,885	869
BJD	Prasanna Kumar Patasani	14,77,178	1,35,57,443	818
Congress	Kodikunnil Suresh	16,52,747	1,32,51,330	702
SP	Mulayam Singh Yadav	2,23,99,320	15,96,71,544	613
CPI (M)	P.K. Biju	4,61,000	32,31,047	601
NCP	Udayanraje Bhonsale	11,72,53,344	60,60,89,208	417

by various political parties have been taken from the recently filed affidavits by these MPs and the values of these financial assets have been compared to the corresponding values of the assets that the MPs showed in their affidavits from the previous elections," the two organisations said.

In the BJP, the assets of Dr.

Ramshankar Katheria grew by 869%; those of Shatrughan Sinha by 778%; the jump was 660% in the case of Danve Raosaheb Dadarao; 608% for Arjun Ram Meghwal; 592% for Hari Manjhi from Gaya; and 588% for D.V. Sadananda Gowda. Varun Gandhi's assets increased by 625%. The average for the party's re-elected MPs was

an increase of 140%.

The MPs of the Congress on average reported a little more than a doubling (109%) in their assets. Parliamentarian Kodikunnil Suresh's assets increased by 702%; it was 573% for the former party president Sonia Gandhi; and 304% for her son and current party chief Rahul Gandhi.

Life imprisonment is the rule, death penalty the exception: SC

Death penalty only when life term is 'inappropriate punishment'

LEGAL CORRESPONDENT
NEW DELHI

If a court finds it difficult to make a choice between death penalty and life imprisonment, it should opt for the lesser punishment, the Supreme Court said in a recent judgment.

"Life imprisonment is the rule to which the death penalty is the exception. The death sentence must be imposed only when life imprisonment appears to be an altogether inappropriate punishment, having regard to the relevant facts and circumstances of the crime," a Bench of Justices N.V. Ramana, Mohan M. Shantanagoudar and Indira Banerjee observed in its March 12 verdict.

The judgment was based on an appeal filed by a man sentenced to death for the rape and murder of a five-year-old in Madhya Pradesh. He had promised her family to drop her at school where



The fiat was based on an appeal by a man sentenced to death for the rape and murder of a minor. ■ISTOCK

victim's family on a false pretext. His intention was to gain custody of the child. By this, he had not only abused the faith reposed in him but also "exploited the innocence and helplessness of a child as young as five years of age."

At the same time, Justice Shantanagoudar said there is a probability that the man would reform, considering he never had a prior criminal record. The court also kept in mind his "overall conduct."

"With regard to the totality of the facts and circumstances of the case, we are of the opinion that the crime in question may not fall under the category of cases where the death sentence is necessarily to be imposed," the court held.

The court ordered the convict to serve his life sentence with a minimum of 25 years' imprisonment without remission.

his own daughter was studying, but the victim did not return home that day. The school authorities informed the parents about the absence of the child. Her body was found in a well.

Both the trial and high courts concluded the man, Sachin Kumar Singhraha, deserves death.

Writing the judgment for the Bench, Justice Shantanagoudar agreed the man has indeed committed a horrifying crime. It was both heinous and premeditated. He had gained the trust of the

CRPF jawan killed in Naxal attack

PRESS TRUST OF INDIA
RAIPUR

A jawan of the Central Reserve Police Force (CRPF) was killed and five others were injured in an attack by Naxalites in Chhattisgarh's Dantewada district on Monday, officials said.

The Naxalites first set off an improvised explosive device (IED) and then opened fire on the CRPF troopers of the 231st battalion, who along with a State police unit, were on road security duty in the district's Arampur area, they said.

The incident took place around 4.30 pm near the CRPF's Kamal post in Dantewada, the officials said.

In the attack, a head constable was killed, a senior official said.

The security forces were attacked in a forest between Kondapara and Kamalpur villages under the Arampur police station limits, Dantewada Superintendent of Police Abhishek Pallava said.

DMK working with an agenda in sexual abuse case: Jayaraman

'Ready to accept any punishment if found guilty'



Pollachi V. Jayaraman

T.K. ROHIT
CHENNAI

Insisting that his family was prepared for any probe in connection with the Pollachi sexual abuse case, Tamil Nadu Deputy Speaker Pollachi V. Jayaraman has reiterated his charge that the DMK was politicising the issue.

"Just look at the sequence of events in the whole issue. It is clear that it is the DMK's agenda. The party president M.K. Stalin and former Minister K. Ponnudiyave said that this case will be beneficial for the DMK in the elections," he told *The Hindu*.

"I was the first person who said that the case can

be investigated by the CB-CID, the CBI or even Interpol. If our family is found guilty, my family and I are ready to stand before the public and accept any punishment they give us," he said.

Stating that he had helped the affected girl lodge a police complaint when they were traumatised, he accused the media of trying to portray him as a culprit.

"Has anyone asked for

proof from *Nakkheeran* Gopal (editor of *Nakkheeran*) or Stalin or Kanimozhi, who are fanning the controversy, about the involvement of the AIADMK? Mr. Gopal has put out photos of my sons declaring that they were involved and that they should be shot. Isn't he inciting violence? How will the girl's family feel about this [videos leaked by *Nakkheeran*]," he asked. Mr. Jayaraman questioned why no Opposition leader, especially Ms. Kanimozhi, visited and supported the affected girl.

"The Opposition will run away from the issue after the Lok Sabha elections. But I will remain with her family. I am still insisting that all those affected should come forward and lodge complaints," he said.

'Govt's prerogative to frame schemes'

Courts should stay out, says SC

LEGAL CORRESPONDENT
NEW DELHI

It is the sole prerogative of the government to frame schemes and courts should stay out of governance, the Supreme Court has said in a judgment.

A Bench led by Justice A.M. Sapre criticised the Uttarakhand High Court for framing a scheme to regularise hundreds of casual workers engaged by the Border Roads Organisation (BRO) under the Ministry of Defence in the construction of roads for Char Dham Yatra pilgrimage.

"The High Court failed to see that it is not the function of the courts to frame any scheme but it is the sole prerogative of the government to do it... All that the High Court, in exercise of its extraordinary power under Article 226 of the Constitution, can do is to direct the government to consider framing an appropriate scheme," Justice Sapre, who wrote the judgment for the Bench, observed in the judgment dated March 15.

Such directions to the government to "consider" framing a scheme should be with regard to the facts and circumstances of each case.



A Bench led by Justice A.M. Sapre criticised a judge of the Uttarakhand HC.

"It is only in exceptional cases when the court considers it proper, should it issue appropriate mandatory directions," the Supreme Court held.

Instead, in the present case, a single judge of the High Court framed "a scheme itself to regularise the services of the casual labourers and granted them benefits similar to those of regular employees under the labour law."

The case was filed in the High Court by unions representing the casual workers, including the All India Trade Union Congress. They submitted that the Centre had not regularised the labourers though they had worked for BRO for years.

Custodial deaths in Bihar earn rebuke

SPECIAL CORRESPONDENT
NEW DELHI

Eight retired police chiefs have demanded action against Bihar policemen for allegedly torturing and killing two men in police custody.

Two suspects, Gufran Alam, 30, and Taslim Ansari, 32, who were picked up by the Sitamarhi police in an alleged case of motorcycle theft, were found dead on March 7 with nails hammered into their bodies.

"We (former DGPs) condemn the alleged custodial torture of two men at the Dumra police station in Bihar's Sitamarhi district that eventually caused their death. Third-degree' [torture] is simply not acceptable and reflects poor professional skills," the statement said.

The signatories include Julio Ribeiro, former DGP Punjab, Prakash Singh, former DGP U.P., Assam and BSF, P.K.H. Tharakan, former DGP Kerala, Kamal Kumar, former DGP National Police Academy, Jacob Punnoose, former DGP Kerala, Sanjeev Dayal, former DGP Maharashtra, Jayanto N. Choudhury, former DGP Assam and NSG and N. Ramachandran, former DGP Meghalaya.

Septic tanks meet norms: Ministry

Govt. responds to *The Hindu* report

SPECIAL CORRESPONDENT
CHENNAI

Septic tanks and single pits are safe sanitation technologies that meet the standards prescribed by the Sustainable Development Goals, according to the Union Ministry of Drinking Water and Sanitation.

In response to an article in *The Hindu* titled "Only 26% of rural toilets use twin-leach pits..", on March 18, 2019, the Ministry said the States were making adequate arrangements to ensure that the faecal waste generated caused no environmental damage.

The article, based on raw data from the National Annual Rural Sanitation Survey (NARSS) 2018-19, concluded that "the remainder of rural toilets [that do not use twin-leach pits] could create a new sanitation nightmare...".

The article itself mentioned that 34% of rural toilets are connected to septic tanks but failed to clarify that this was a perfectly safe sanitation solution, the Ministry said.

A large proportion of the remaining toilets have single-leach pits which, like the twin-leach pits, are also safe. The twin-leach pit toilet is among the most economical and safe sanitation technologies, and has been promoted and extensively

adopted. However, there are other safe technologies like septic tanks or single pits.

The Ministry had been informed by UNICEF that their preliminary findings from a study indicate that Open Defecation Free (ODF) villages are over 20 times less likely to have their groundwater sources and drinking water contaminated, and over 30 times less likely to have their food contaminated (a proxy for reduction in soil pollution), a statement said.

The Hindu had reported (full version here: <http://bit.ly/twinpit>) that the problem was lack of manpower to empty and clean such tanks. It quoted the head of Water Aid, who is part of the Ministry's own expert group on NARSS, as saying that there is a manpower challenge, given the social context of the country and caste prejudices against such cleaning work, even while acknowledging that the government was preparing technological and entrepreneurial solutions to the problem.

The Hindu had also reported that transportation and treatment of faecal waste - including waste emptied from septic tanks - is a problem, and that surveys have shown such waste is often dumped into local ponds and farmlands.

Acid attack is a heartless crime: SC

LEGAL CORRESPONDENT
NEW DELHI

An acid attack is an "uncivilised and heartless crime" which does not deserve any clemency, the Supreme Court has said.

"This court cannot be oblivious of the situation that the victim must have suffered an emotional distress which cannot be compensated either by sentencing the accused or by grant of any compensation," a Bench of Justices A.M. Khanwilkar and Ajay Rastogi observed in a recent judgment.

The Bench ordered two men, who have already suffered a five-year imprisonment for throwing acid on a 19-year-old girl, to pay her ₹1.5 lakh compensation each.

The apex court was deciding an appeal filed by the Himachal Pradesh government against a March 2018 judgment of the High Court, which reduced their 10-year jail term by half.

The victim was attacked while on her way to college in July 2004. They came on a two-wheeler and threw acid on her. She suffered 16% burns. The court said it must have been the "darkest day of her life."

The apex court further directed the State to pay compensation to the girl under the victim compensation scheme and deposit it within three months.