



NEARBY



Talk about Rafale, job promise: Rahul to Modi

GURUGRAM Congress president Rahul Gandhi on Thursday said Prime Minister Narendra Modi was free to talk about him and his father Rajiv Gandhi, former Prime Minister, but he must also talk about Rafale deal and his promise of employment to two crore youth.

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SC frowns on foreigners' tribunals plan

NEW DELHI The Supreme Court on Thursday questioned a proposal by the Assam government to quickly throw open 1,000 foreigners' tribunals all over the northeastern State to try suspected illegal immigrants. A Bench led by Chief Justice Ranjan Gogoi said it looked like the State government hatched the plan without bothering to conduct a "basic study" of how to carry it out.

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Key accused held in Alwar gang-rape case





JAIPUR Two more men, including the key accused, have been arrested in connection with the Alwar gang-rape case, police said on Thursday, even as Opposition parties held protests against the Rajasthan government for allegedly covering up the matter due to the ongoing Lok Sabha polls.

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# Supreme Court pushes for 'full' strength of 31

Collegium is against rethink on new judges; adds two names

SC calling		Brief profiles of the four judges recommended to be elevated to the Supreme Court	
REITERATION OF PREVIOUS RECOMMENDATIONS		FRESH RECOMMENDATIONS	
	<b>JUSTICE ANIRUDDHA BOSE</b> ▪ Chief Justice of the Jharkhand High Court since August 11, 2018 <b>No. 12</b> in the combined seniority		<b>JUSTICE A.S. BOPANNA</b> ▪ Chief Justice of the Gauhati High Court since October 29, 2018 <b>No. 36</b> in the combined seniority
	<b>JUSTICE B.R. GAVAI</b> ▪ Judge of the Bombay High Court since November 14, 2003 <b>No. 8</b> in the combined seniority		<b>JUSTICE SURYA KANT</b> ▪ Chief Justice of the Himachal Pradesh High Court since October 5, 2018 <b>No. 11</b> in the combined seniority

KRISHNADAS RAJAGOPAL  
NEW DELHI

In a single stroke on the same day, the Supreme Court Collegium, led by Chief Justice of India Ranjan Gogoi, recommended the names of two judges to the court and rejected the government's disapproval of the elevation of two others.

If the four judges are elevated without delay, the Gogoi Court would reach the full sanctioned judicial strength of 31 judges by the time it re-opens in July after the summer vacations.

No review of decision

On Thursday, the Collegium refused the government's request to reconsider its April 12 recommendation to elevate Jharkhand High Court and Gauhati High Court Chief Justices Aniruddha Bose and A.S. Bopanna as Supreme Court judges. The Collegium said their names

were recommended after all parameters were considered. The Collegium said there was no reason to agree with the government as there was nothing adverse found in the two judges' conduct, competence or integrity. Now, the government is bound to appoint Justices Bose and Bopanna to the court.

On May 8, the Collegium also recommended Justice B.R. Gavai, a judge of the Bombay High Court, and Chief Justice of the Himachal Pradesh High Court Surya Kant for elevation to the Supreme Court.

On this recommendation, the Collegium said it zeroed in on Justices Gavai and Kant to provide "due representation", as far as possible, to all High Courts as well as to all sections, including those belonging to the SC/ST/OBC categories, women and minorities.

The Collegium said Justice Gavai superseded three judges in the Bombay High Court, but this should not be misconstrued as a reflection on the ability of the three senior judges.

It said that though seniority was to be given due weightage, merit should be the "predominant consideration".

Representation for the SC/ST category seems to have played in the mind of the Collegium while recommending Justice Gavai's elevation.

The Collegium noted that "on his appointment, the Supreme Court Bench will have a Judge belonging to the Scheduled Caste category after about a decade".

Justice Kant was the subject of controversy over a letter written by Justice A.K. Goel (retired) to the then Chief Justice of India Dipak Misra.

# Govt. denies perjury charge in Rafale case

Informs Supreme Court that petitioners relied on media leaks, not on CAG report

LEGAL CORRESPONDENT  
NEW DELHI

Rubbishing the charge of perjury, the government on Thursday said the contents of briefs and responses made in the Supreme Court in the Rafale fighter purchase case were "finalised after extensive deliberations at the highest levels in government after a series of meetings".

In a reply affidavit filed in the court, the Centre said its averments in court were based on the final decisions taken by the Cabinet Committee on Security. The submissions were based on the final decisions of the Defence Acquisition Council, the Defence Minister, provisions in the Defence Procurement Procedure and inputs received from the Air

## Fight over the jet

Some of the key points made in the reply affidavit filed by the Centre in the Rafale case

**1**The submissions to the court brought out the final conclusions of the process which led to the signing of the Inter-Governmental Agreement with France for purchase of Rafale jets

**2**There is no act of perjury involved in the submissions made before the Supreme Court as they are based on records

**3**The petitioners are relying on selective leaks in the media from MoD files, which only present an incomplete picture on a matter relating to national security and defence

**Petitioners' rejoinder:** The Dec. 14, 2018 ruling has been obtained through falsehoods and suppression of information



Force and the Ministry of Defence. These had endeavoured to bring out the final conclusions of the process, which led to the signing of the Inter-Governmental Agreement with France, the government said.

The government played down the "mismatch" between the December 14, 2018, judgment of the court, upholding the deal on the basis of a "non-existent" Comptroller and Auditor General (CAG) report, and

unsigned confidential notes filed by the Centre in the court. "The mismatch is not a substantial error," the government argued.

'No fault found'

After all, it said, the CAG report had "ultimately not found any fault either in the decision-making process or in the pricing" for the procurement of 36 Rafale jets from France.

It said that instead of quoting the CAG report, which has a constitutional mandate to scrutinise the procurement and took almost two years to audit and present its report on February 13, 2019, the petitioners continued to rely on selective media leaks to mislead the court.

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## SC to hear Ayodhya title appeals today

LEGAL CORRESPONDENT  
NEW DELHI

A five-judge Bench led by Chief Justice of India Ranjan Gogoi will convene on Friday to hear the Ayodhya title dispute appeals.

The Bench had sent the Ayodhya dispute for mediation on March 8 in a bid to "heal minds and hearts".

The Supreme Court had appointed a panel of mediators, including former apex court judge, Justice F.M.I. Kalifulla, as chairman, spiritual leader Sri Sri Ravi Shankar and senior advocate Sriram Panchu.

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## SC rejects petition to debar Rahul from poll

Plea said he acquired U.K. citizenship

LEGAL CORRESPONDENT  
NEW DELHI

The Supreme Court on Thursday dismissed a public interest litigation (PIL) petition to debar Congress president Rahul Gandhi from contesting the Lok Sabha election and "becoming a Member of Parliament" after he had "voluntarily acquired British nationality".

The petition alleged that Mr. Gandhi had acquired British nationality on the basis of an incorporation certificate of BACKOPS Limited, a defunct company in that country, and also the returns filed by it.



Rahul Gandhi

The plea was filed by Jai Bhagwan Goyal, a "social worker", shortly after the Ministry of Home Affairs issued notice to Mr. Gandhi on the question of his "dual citizenship".

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## BJP will add to its 2014 tally: Amit Shah

NISTULA HEBBAR  
INDORE

After five rounds of voting for the Lok Sabha election, BJP president Amit Shah expressed confidence that the government, led by Prime Minister Narendra Modi, would be re-elected with an increased majority.

In an interview on the campaign trail in Madhya Pradesh, he said that compared with 2014, the BJP would "increase our seats, improve our margins of victory and expand in terms of the areas that we represent."

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## Celebrating Tagore



Well-trained moves: Artistes perform in a running metro train to mark the birth anniversary celebrations of Nobel laureate Rabindranath Tagore in Kolkata on Thursday. •PTI

## From village sabhas to cricket, Scindia pitches for Guna again

Sidhu joins incumbent MP's campaign in constituency, urges crowd to elect him by record margin

DAMINI NATH  
SHIVPURI

If he wins by a margin of 3 lakh votes, then the people of Guna would have hit a six, says former cricketer-turned-politician Navjot Singh Sidhu, talking about the incumbent MP, Jyotiraditya Scindia, on Thursday evening.

The two Congress leaders had just wrapped up a for-show cricket match in Guna Lok Sabha constituency's Shivpuri as a part of Mr. Scindia's campaign, when they returned to the field of the Madhavrao Scindia Cricket Stadium for the political part of the evening. Seeking re-election to a

seat that was held by his father, Madhavrao Scindia, and before that his grandmother, Vijaya Raje Scindia, and that he has represented since his father's death in 2002, Mr. Scindia spent the day holding sabhas in villages, ending with the cricket match in Shivpuri.

As the scion of the erstwhile Scindia royal family scored a boundary, the crowd celebrated with "Maharaj zindabad", while a fan of Mr. Sidhu shouted "Come on, Sidhu paaji".

After wrapping up the 'match', Mr. Sidhu told the crowd: "Take it from me in writing, after Rahul Gandhi, the Minister at the second



Navjot Singh Sidhu with Jyotiraditya Scindia

spot will be Mr. Scindia."

He said Mr. Scindia had won by 1.20 lakh votes in 2014 and if he won by the same margin, it would be like scoring two runs. "Two lakhs would be hit-

ting a four and if he wins by 3 lakh, then you would have scored a six," he said.

The possible margin comes up often in conversations with Congress workers as well as residents. Having won the 2002 bypoll by over 4 lakh votes, Mr. Scindia's victory margin went down to 1.2 lakh in 2014.

Ankit Singh, a businessman from Shivpuri and self-professed BJP supporter who attended the cricket event, said: "This seat is reserved, for the Scindias. But I voted for the Congress in the Assembly elections, because that was about the Chief Minister. This election is about the Prime Minister

and there is no one else but [Narendra] Modi."

Earlier in the day, at one of his sabhas, the candidate spoke to residents of Naguli village about the work he had done for the area in the past 17 years, from the construction of roads to the setting up of a footwear design institute.

Aide-turned-opponent

This time, Mr. Scindia is facing his own former aide, K.P. Yadav, who joined the BJP ahead of the Assembly polls, a contest that locals say is not a real one.

"He is a dummy candidate," said a Congress worker in Shivpuri.

## AAP candidate accuses Gambhir of slander

Ex-cricketer says he will quit if charges are proved, sends defamation notice

STAFF REPORTER  
NEW DELHI

The Aam Aadmi Party (AAP) on Thursday accused the BJP's East Delhi candidate Gautam Gambhir of distributing pamphlets slandering his AAP rival Atishi in Krishna Nagar, Vishwas Nagar and other areas of the constituency.

Denying the charge, Mr. Gambhir said he would withdraw if the AAP could prove its accusation and challenged AAP chief Arvind Kejriwal to quit politics if the party failed to substantiate the allegation it had made against him.

Mr. Gambhir also sent a defamation notice to Ms. At-



Atish and Manish Sisodia at a press conference in New Delhi on Thursday.

SPECIAL ARRANGEMENT

ishi, Mr. Kejriwal and AAP leader Manish Sisodia.

Addressing a press conference at the AAP headquarters, Ms. Atishi broke down while reading out from the pamphlet which cast several aspersions on her character.

The pamphlet titled "Atishi Marlana - know your candidate" had been distributed with newspapers in East Delhi, the AAP candidate claimed.

"BJP and Gautam Gambhirji distributed it in different apartment complexes... the pamphlets should raise a question to the country, how politics happens in the country, mainly against a woman," Ms. Atishi said.

Hitting out at the former cricketer, Delhi Chief Minister Arvind Kejriwal tweeted, "Never imagined Gautam Gambhir to stoop so low. How can women expect safety if people with such mentality are voted in?"

"How low he [Mr. Gambhir] can stoop down in this election, he and his party has shown," Mr. Sisodia asserted at the press conference. "Gambhir should be ashamed for distributing such pamphlets," he added.

"These pamphlets were distributed so that Gautam Gambhir can win," Mr. Sisodia claimed.

Decrying AAP's "dirty tricks" and asserting that he hailed from a "reputed family", Mr. Gambhir tweeted, "I declare that if its proven that I did it, I will withdraw my candidature right now. If not, will u quit politics?"

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## FIR lodged against J&K BJP chief, MLC in Leh 'bribe' case

PEERZADA ASHIQ  
SRINAGAR

The police have lodged an FIR against two BJP leaders, including the party's J&K State unit chief, accused of trying to bribe scribes at a press conference in Ladakh's Leh district on May 2.

The Chief Judicial Magistrate, Leh, clubbing the three separate complaints of scribes and the local administration, directed the police on Wednesday to lodge an FIR against the BJP leaders for allegedly trying to bribe scribes "to influence the outcome of the elections" in the Ladakh Lok Sabha seat. Polling for the

seat was held on May 6.

Sources said BJP State president Ravinder Raina and MLC Vikram Randhawa are facing charges of "bribery" and "undue influence in elections".

Video grab

A video grab showed Mr. Raina being present when Mr. Randhawa was distributing envelopes to journalists.

"When I opened the envelope, it had cash in it. I immediately returned it," Leh journalist Rinchen Angmo told *The Hindu*.

Besides a complaint lodged with the police by

members of the Press Club of Leh, an application on violation of the model code of conduct was also filed by Congress candidate Rigzin Spalbar.

In an inquiry report, District Election Officer Avny Lavasa said that "perusal and consideration of the material on record reveals prima facie commission of non-cognisable offences punishable under Section 171E and 171F of the Ranbir Penal Code" and warrants an investigation.

Denying the allegations, the BJP said the envelopes were carrying invitation for an upcoming rally in Leh.