#### FROM PAGE ONE

### Chidambaram arrested in INX Media case

"I believe that the foundation of a democracy is liberty, [and the] most precious article of the Constitution is Article 21 that guarantees life and liberty. If I am asked to choose between life and liberty, I will choose liberty," Mr. Chidambaram said.

He said that when he got summons from the CBI and the ED it was only natural that he moved the court to get interim relief.

After rejection of the anticipatory bail plea in the Delhi High Court, on the recommendation of his lawyers he moved the apex

He said that he was aghast that he was being branded as an absconder.

"I was accused of running away from justice. On the contrary I was engaged in the pursuit of justice," he added explaining that he along with his team were working to complete the necessary papers to move the Supreme Court.

His bail plea is listed for Friday in the apex court.

### No plan to curb social media: Madras HC

Differentiating between issues being adjudicated by other High Courts and that which they were dealing with, the judges said, a decision was taken by them long back to "not address" the prayers as such in the two PIL petitions in view of the Supreme Court verdict upholding the constitutional validity of Aadhaar with

In a majority opinion delivered in Justice K.S. Puttaswamy's case on September 26, 2018, the Supreme Court had held that there was nothing wrong in linking Aadhaar with the Permanent Account Number (PAN) issued by the Income Tax department but declared as unconstitutional its linkage with bank accounts and SIM

The court had also insulated children from the Aadhaar regime and ordered that educational institutions should not insist on production of Aadhaar cards. Therefore, the Division Bench of the Madras High Court had chosen to not entertain the PIL petitioners' plea for linking Aadhaar with social me-

However, when the State police complained to the court about lack of cooperation by most of the social media giants in solving cyber crimes, the Bench decided to adjudicate that issue alone in terms of the provisions of the Information Technology Act of 2000 and the statutory rules framed

thereunder.

Senior counsel Mukul Rohatgi, representing one of the social media companies, stated that all these issues were brought to the notice of the Supreme Court on Tuesday by Attorney General K.K. Venugopal. Yet, the apex court had restrained the Madras High Court from passing any kind of "effective order" on the PIL

Stating that it was actually a polite way of asking the High Court to not proceed with the hearing on the PIL petitions until a decision was taken by the apex court on the transfer petitions, the senior counsel urged the court to simply adjourn the hearing after September 13, the next date of hearing on the transfer plea.

Accepting his submissions, the Bench led by Justice Manikumar adjourned the hearing on the two PIL petitions to September 19. It said, propriety would demand that the High Court await the decision of the su-

#### Cleaning services on trains will be hit

"The estimation of the money saved due to this exercise should be sent to Headquarters by 22/08/2019 after which further curtailment of services such as Annual Maintenance and Operation Contract (AMOC) of bio-toilets, pest control and even linen will be considered," he

#### **Bills mounting**

With old dues pending and fresh bills mounting, Southern Railway saw the trouble coming and sent an SOS to the Ministry of Railways on 05/07/2019 pointing to the shortage of funds.

It said adequate fund allocation was urgently required not only to run OBHS on 110 long distance trains originating from the zone but to introduce the service on 37 trains that qualified for it as per Railway Board norms.

A month later, General Manager Rahul Jain sent a reminder reiterating the urgent requirement of funds for essential passenger amenities. Besides ₹22 crore due to contractors, he said fresh bills to the tune of ₹40 crore were ready for submission.

"This lack of funds has caused serious distress to the contractors as they are unable to pay their staff and to procure consumables. There is a strong likelihood that work may cease...it is requested that urgent provision of funds may please be made for these essential passenger amenity activities," he said.

A senior railway official said there was no word from the Railway Board on funds and hence there was no choice but to run trains without housekeeping.

"If the situation continues, we will soon withdraw linen, pest control services, bio-toilet maintenance services...yes it's going to be tough to handle passenger complaints on dirty coaches and stinking toilets. This is a major setback to the ongoing Swachch Bharat mission on Indian Railways," the official, who preferred not to be quoted, said.

### In Hyderabad, Amazon opens its biggest campus

around 3% of the total retail market in India. "When it is that small, there is so much room to grow," he added.

Macro conditions were unlikely to seriously impact e-commerce growth, Mr. Agarwal said. He said Amazon was committed to the long term and "does not get distracted by what's happening in short cycles. We continue to invest, add

more selection, continue to make things more affordable, faster... growing at a very heavy rate."

The built-up area at the new campus includes 1.8 million sq.ft. of office space that can seat 15,000 people, a large space that Amazon planned to use to consolidate its operations. Hyderabad hosts one-third of the India headcount of over 60,000 for Amazon.

# ED, CBI allege 'illegal' FIPB nod

Agencies say these relate to clearances given when Chidambaram was Minister

SPECIAL CORRESPONDENT

The main offence against Congress leader P. Chidambaram revolves around certain "illegal" approvals by the Foreign Investment Promotion Board during his tenure as former Finance Minister and alleged kickbacks received by his son Karti through shell companies, according to the Enforcement Directorate (ED) and the Central Bureau of Investigation (CBI).

On Wednesday, CBI officials visited Mr. Chidambaram's Jor Bagh residence again, hours after they had pasted a notice on the wall outside his house asking him to appear before the INX Media case probe team within two hours.

Both the Central agencies have already issued look-out

The agencies allege that in

several cases, including Air-Karti, which were floated in cel-Maxis and INX Media, "ilthe name of his employee legal" FIPB approvals were and business associates. granted. "These approvals are being investigated by the

P. Chidambaram's house in Delhi on Wednesday. • R.V. MOORTHY

**Panama Papers** 

In one shell company, deposits of more than ₹300 crore were made. One firm received payments from a British Virgin Islands-based company, which had figured in the Panama Papers. Payments by an Indian home fi-

being probed, the official said. The ED is pursuing money-laundering charges and investments in moveable/immoveable assets in India and countries such as the U.K., Spain and Malaysia. It claims to have identified more than two dozen foreign bank accounts.

nancing company to a Singa-

pore-based entity are also

"Investigations by the CBI and the ED are still continuing in above referred cases," the official said. "Only in the case of Aircel-Maxis, charge sheet and prosecution complaint [by ED] has been filed," the official added.

The shareholders and directors of a main shell company had made a Will transthe ferring shareholding to Mr. Chidambaram's granddaughter, the ED says. The Executor of the Will was Mr. Karti, the agen-

# Witch-hunt for speaking truth: Cong.

Party leaders say Modi government is only reiterating its cowardly nature

SPECIAL CORRESPONDENT NEW DELHI

The Congress on Wednesday rallied around former Finance Minister P. Chidambaram, who is facing arrest in two cases of alleged corrup-

Many senior leaders, including former Congress president Rahul Gandhi and general secretary Priyanka Gandhi Vadra, have called the action taken by the CBI and the Enforcement Directorate a witch-hunt for speaking out against the government.

Stalin's support Barring Dravida Munnetra

Kazhagam president M.K. Stalin, who came out in support of Mr. Chidambaram,

Modi's government is using the ED, CBI and sections of a spineless media to character-assassinate Mr. Chidambaram. I strongly condemn this disgraceful misuse of power

the other Opposition parties have maintained a studied

Central Bureau of Investiga-

tion and the ED," said a se-

nior official, speaking on

The CBI is investigating

the alleged receipt of kick-

backs paid to various shell

companies "linked" to Mr.

condition of anonymity.

"[Prime Minister Narendra] Modi's government is using the ED, CBI and sections of a spineless media to character-assassinate Mr. Chidambaram. I strongly condemn this disgraceful misuse of power," Mr. Gandhi said on Twitter.

His sister and Congress

Gandhi Vadra, tweeted that Mr. Chidambaram was being hunted down for speaking the truth.

"He unhesitatingly speaks truth to power and exposes the failures of this government, but the truth is inconvenient to cowards so he is being shamefully hunted down," Ms. Vadra said in a

She said the party would stand by him and continue to fight for the truth no matter what the consequences are. The Congress officially too has taken an unequivocal stand supporting him, and accused the government of "persecuting" him for speaking truth.

"A government that persecutes its citizens for speaking truth to power is only reiterating its own cowardly nature. P. Chidambaram is an extremely qualified and respected leader. He has served this nation with dedication & humility. We stand by his quest for truth no matter what," the Congress said on its official Twitter account.

The Congress, however, did not hold a formal press briefing to take a stand on

## Chidambaram fails to get hearing at SC

Bail plea caught in filing procedure

KRISHNADAS RAJAGOPAL NEW DELHI

Former Union Finance Minister P. Chidambaram's plea on Wednesday to protect him from arrest in the INX Media case got tangled in the nitty-gritty of filing procedure in the Supreme Court and failed to reach the judges on time for a hear-

The day saw senior advocates Kapil Sibal, Salman Khurshid and Vivek Tankha engage in a dogged pursuit to have the case listed before a Bench.

Mr. Tankha told The Hindu that it had been orally conveyed to them by the apex court Registry that the case would be listed on August 23 (Friday) before an appropriate Bench.

'We want a hearing. My client is not running away. A lookout notice has been issued against him. It is painful...", Mr. Sibal said at one

Mr. Sibal and his team waited expectantly to catch the attention of Chief Justice of India (CJI) Ranjan Gogoi, who was at the head of a Constitution Bench rising for the day at 4 p.m. after hearing the Ayodhya appeals. They expected him to address them before leaving the courtroom. But he left without a word.

The series of events began with Mr. Sibal making an oral mention before Justice Ramana at 10.30 a.m. He fervently sought an urgent hearing of Mr. Chidambaram's appeal against the dismissal of his anticipatory bail plea by the Delhi High Court on Tuesday. "Please give him [Mr. Chi-

dambaram] the relief of protection from arrest. If he is arrested, this entire petition for anticipatory bail be-



bal urged.

The mentioning was made before Justice Ramana, the third most senior judge of the apex court, as Chief Justice Gogoi and Justice S.A. Bobde, the second most senior judge, were both part of the Ayodhya Bench.

But Justice Ramana was non-committal. He simply told the lawyers that the case file would be placed before the Chief Justice. It was the prerogative of the CJI, as master of roster, to decide the time of the hearing and appropriate Bench for the

Solicitor General Tushar Mehta, for the CBI, intervened to say that the INX Media case involved "money laundering of monumental magnitude."

Mr. Sibal and his team left Iustice Ramana's court to immediately troop into the CJI court next door where the Ayodhya Bench was about to assemble. However, when the judges sat for the day, the legal team, after a few moments of taut silence, inexplicably withdrew from the courtroom without mentioning the

By afternoon, after a closed-door huddle in the Supreme Court consultation rooms, Mr. Sibal and his team were back in Justice Ramana's court room at 2

### Present evidence on Ram temple claim: SC

'People's faith had never been in question'

NEW DELHI

The Supreme Court on Wednesday asked the Hindu parties' lawyers to present objective evidence to show that a temple, especially one dedicated to Lord Ram, stood on the Ramjanmabhumi.

Both Chief Justice of India Ranjan Gogoi and Justice D.Y. Chandrachud said the lawyers need not labour to prove that people believed in Ramjanmabhumi. People's faith had never been in question. The lawyers instead should present evidence on their claim that a massive temple stood on the exact spot.

Wednesday saw senior advocate C.S. Vaidyanathan for Ram lalla concluding his arguments by submitting that the Ramjanmabhumi was itself a deity and could not be partitioned. "If the property itself is the deity, nobody can claim owner-



ship of the land. Nobody can claim adverse possession [on the basis of Babri mosque]," he submitted.

Mr. Vaidyanathan contended that if there was once a temple on the Ramjanmabhumi and people were worshipping there as the birthplace, then nobody could possibly claim ownership by adverse possession.

He said the Ayodhya deity was a perpetual minor. The property of a minor cannot be dealt with, sold or alienated. He questioned how the Allahabad High Court, in its verdict in September 2010, could have handed over the property of the minor Ayodhya deity to others.

# 23 new members join Yogi Adityanath's Ministry

Upper castes and OBCs get greater representation

SPECIAL CORRESPONDENT

Upper Caste and Other Backward Classes legislators and leaders with an RSS background were favoured as Uttar Pradesh Chief Minister Yogi Adityanath expanded his Ministry on Wednesday, his first since March 2017 when the BJP-led alliance formed a majority government in the State.

Twenty-three Ministers, including six Cabinet Ministers, were administered oath by Governor Anandiben Patel at the Raj Bhavan.

Out of the 23, upper castes dominated with 11 Ministers, while the OBCs who form over 40% of the State:s population, had nine representatives.

The remaining three were Dalits, who make up 21% of Uttar Pradesh's electorate. While four Ministers of

State (independent charge)



net rank, two fresh faces were also inducted. They were Kamal Rani Varun, a Dalit (Pasi) MLA from

Ghatampur in Kanpur, and Ram Naresh Agnihotri, a Brahmin MLA from Bhogaon in Mainpuri. Ms. Varun, a first-time

MLA, is a former councillor and pracharak of Seva Bharti, an RSS affiliate.

SPECIAL CORRESPONDENT

Wednesday appointed out-

going Home Secretary Rajiv

Gauba as Cabinet Secretary

for two years. His tenure

will be effective from August

30, 2019, says the official or-

The order issued by the

Department of Personnel

Mr. Agnihotri was an RSS

Cabinet Secretary

Ajay Kumar to be Defence Secretary

pracharak during 1980-82. Suresh Rana and Mahen-

dra Singh (both Thakurs), and Anil Rajbhar and Bhupendra Singh Chaudhary (both OBCs) were promoted to the Cabinet.

The elevation of Mr. Rajbhar is in line with the BJP's strategy to project him as the leader of the Rajbhar community which is politically active in eastern Uttar

Pradesh.

# Rajiv Gauba appointed

tary from August 30. A 1982-batch IAS officer of The Modi government on

the Jharkhand cadre, Mr. Gauba will replace P.K. Sinha, who was appointed Cabinet Secretary in 2015. Ajay Kumar, Secretary,

Defence Production, has been shifted as Secretary,

A 1985-batch IAS officer belonging to the Kerala cadre, he will replace Sanjay Mitra, who was Defence Secretary for more than two

It seems the government has done away with the twoyear tenure for the Defence

#### **CBI** registers fresh case against NDTV

SPECIAL CORRESPONDENT

The Central Bureau of Investigation has registered a fresh case against NDTV Ltd., its promoters Prannoy Roy and Radhika Roy and others for alleged Foreign Direct Investment rule violation and routing of tainted money of unknown public servants through shell firms.

In its response, the company on Wednesday said: "Despite a series of cases in which the investigation is deliberately stalled, agencies have found no evidence of any corruption by NDTV. Prannoy and Radhika Roy, the founders of NDTV, as also the company, have cooperated in all filed matters

Alleging continued persecution of the free press, NDTV said the new case had been filed about a \$150-million investment in its non-news business by NBCU, then owned by U.S.based General Electric.

Ludicrous charge

"The case makes the ludicrous charge that the transaction, declared to all relevant authorities in the U.S. and India, laundered money for unknown public servants," the company said, expressing faith in the Indian judiciary.

Among those accused in the FIR are the then NDTV CEO and director Vikramaditya Chandra, whose premises were searched on Wednesday, and unknown Income Tax Department officials.

The FIR is based on a preliminary inquiry.

The agency said that between 2004 and 2010, NDTV floated around 32 subsidiary firms all over the world, "mostly in tax havens viz. Holland, U.K., Dubai, Malaysia, Mauritius, etc."

# Panel to study corporatisation of Ordnance Factory Board

'At the current rate and in the present model, OFB has no future'

The Kolkata-headquar-

tered OFB with 41 factories

DINAKAR PERI

The Government is set to form a high level committee to examine the aspects of corporatisation of the Ordnance Factory Board (OFB) and work out the modalities, defence sources said while rejecting apprehensions from employees that there is an attempt at privatisation.

"A high-level committee will study the issue and take a call on what needs to be done," a senior source said. It will be a political call on how to go about.

spread across the country functions under the Department of Defence Production. Due to this every decision and action needs the approval of the Cabinet, officials said. For instance, in 2001 the OFB was to set up a plant at Nalanda in Bihar to manufacture bi-modular charges for the Army with initial investment of around ₹800 crore, which went up to ₹2,000 crore later. But the plant has not been set up till date, the source said.

fence Public Sector Undertakings (DPSU) do not have such hassles and have been establishing joint ventures and partnerships for technology development and other things. "At the current rate and in the present model OFB has no future," the source said, and added that today there is "no accountability and result orientation". The total support to OFB is around ₹6.500 crore both from indents from the Army and direct budgetary support.

On the contrary the De-

#### and Training has stated that the Appointments Committee of the Cabinet had also approved his appointment as Officer on Special Duty in the Cabinet Secretariat with immediate effect till he

takes over as Cabinet Secre-Secretary's post.