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Chidambaram gets SC relief in ED case

However, the petitions failed to get listed on August 21 for hearing in the apex court. Mr. Chidambaram was arrested by the CBI from his Jor Bagh residence the same evening. He is on a five-day remand till August 26 with the CBI.

On Friday, the Bench led by Justice Banumathi deferred hearing Mr. Chidambaram's appeal against the CBI to August 26 – the date on which his remand ends. The ED appeal was also listed along with the CBI one.

The apex court indicated that it would, on Monday, comprehensively hear arguments both on the legality of the Delhi High Court's refusal to grant anticipatory bail and the circumstances leading to the arrest on August 21. At the outset of the hearing, Mr. Mehta said Mr. Chidambaram was already under arrest and there was no question of granting any anticipatory bail now.

Picking on this very point, senior advocate Kapil Sibal explained the events leading to Mr. Chidambaram's arrest.

He said his client, despite repeated attempts, could

not get his appeals listed in the Supreme Court. "I moved the Supreme Court on time. I had intimidated the CBI. I did not get a chance to be heard by the Supreme Court... I have a right to be heard. All I wanted was to be heard that day..." Mr. Sibal submitted.

He said his client did not attempt to "run away". He had appeared in public and given a statement to the press after the court did not list his appeals.

"I reached home as I had not slept the whole night. I was arrested from there... Now they are saying 'we have arrested you, you cannot be heard'. My right to life, liberty and dignity under Article 21 cannot be cut down like this," Mr. Sibal argued.

He alleged that the High Court judgment was a "cut and paste" job of a note handed over by Mr. Mehta after the conclusion of arguments in the anticipatory bail and after the judgment was reserved.

Mr. Mehta objected strongly, accusing Mr. Sibal of making false statements in court.

Govt. responds to slump with steps to boost growth

Companies doing business with government companies will also welcome the decision to expedite delayed payments by Central Public Sector Enterprises (CPSE) to service providers.

According to Expenditure Secretary Girish Chandra Murmu, so far about ₹60,000 crore worth of pay-

ments are pending, including ₹13,000 crore at the government e-marketplaces.

Another move aimed at freeing up the capital of MSMEs is the decision to release pending GST refunds to these companies within 30 days, and release any fresh refunds within 60 days.

Coimbatore comes under a security blanket

In a communication to all zonal IGs/Commissioners of Police and SPs, Mr. Tripathy urged them to keep a close watch on the movement of strangers/infiltrators.

The movement of ferries/boats should also be monitored closely to prevent any illegal ferrying and infiltration. The unit officers should sensitise the fishermen in the wake of this input to identify any such infiltration, he said.

Mr. Murali gave instructions to Coimbatore City Commissioner of Police Sumit Sharan and other officers on tackling the security-related situation. He also visited the Air Force Station in Sulur for a brief consultation with Air Force officers. The 105 Battalion of Rapid Action Force camp at Mahalingapuram has also been put on alert, sources added.

Mr. Sharan said a red alert has been maintained and the city police have undertaken "extensive bandobust" in places such as shopping malls and temples. "We have also informed the Army and the Air Force to alert their defences," he said. A total of 10 Quick Response Teams (QRT) have been "located in strategic places."

Citizens left out of NRC will not go to jail at once

They can explore all legal options

Inform people of legal options, says Assam CM

VIJAITA SINGH
NEW DELHI

None of the persons excluded from Assam's National Register of Citizens (NRC) to be published on August 31 will be immediately put in detention centres, a senior government official said.

The official clarified that any decision would be taken only after the excluded applicants have exhausted all legal options, like the Foreigners' Tribunals (FTs), the High Court and the Supreme Court.

He said a section of the foreign press had created unnecessary hype around the NRC through incorrect reports that millions would lose citizenship once the final list is published on August 31.

By September 1, 200 FTs will be operational; 100 of them already exist. The Ministry of Home Affairs has sanctioned 1,000 FTs that will come up in phases, another official said. From 1985, when FTs were first set up in Assam, till February 28 this year, 63,959 persons were declared foreigners through *ex parte* proceedings. The MHA has already amended the Foreigners

SPECIAL CORRESPONDENT
GUWAHATI

Assam Chief Minister Sarbananda Sonowal on Friday asked officials to sensitise the people to the legal options available to those who would be left out of the final NRC to be published on August 31. At a meeting, he also discussed measures to deal with any crisis after the publication of the list.

(Tribunal) Order, 2019 that empowers individuals to approach the FT, as earlier only the State administration could move the Tribunal against a suspect.

The Home Ministry had earlier clarified that those whose names were excluded in the NRC would not automatically be declared foreigners as they would be given adequate opportunity to present their case before the FTs. The time limit to appeal before the FTs is also being increased from 60 to 120 days.

CBI seeks leads from abroad

It has sent requests to 5 countries for details of financial transactions in INX case

DEVESH K. PANDEY
NEW DELHI

The Central Bureau of Investigation has sent requests to the authorities in five countries seeking information on the financial transactions related to the INX Media case, in which the agency has got the custody of former Finance Minister P. Chidambaram.

"The Letters Rogatory [judicial requests] have been sent to the United Kingdom, Singapore, Mauritius, Bermuda and Switzerland. The suspected role of several shell companies in routing funds is being looked into," a CBI official said.



Security personnel patrolling outside the CBI headquarters in New Delhi, where former Finance Minister P. Chidambaram has been detained after his arrest in the INX Media case. •PTI

Kin meet Chidambaram

Strict access control is being maintained at the CBI headquarters where Mr. Chidambaram has been held for questioning till August 26. On Friday, his wife Nalini Chidambaram and son Karti, accompanied by a lawyer, met him around 6 p.m.

The CBI has alleged that Indrani and Peter Mukerjee paid \$5 million and \$4.5 lakh in 2007-08 and 2008-09 for settling issues related to violation of the Foreign Exchange Management Act by their companies, INX Media and INX News.

Proposing an investigation, the Department of Revenue had then flagged the alleged violation in downstreaming 26% of the funds received from three Mauritius-based companies in INX News.

The agency alleges that the Mukerjeas paid to scuttle the probe and get FIPB clearance for the investment.

While INX Media got FIPB approval for a ₹4.62-crore influx, as alleged, it received ₹305 crore by selling its shares at a premium of ₹800 a unit.

CBI's charge

Mr. Chidambaram was arrested on Wednesday evening, based on a non-bailable warrant issued by a special CBI Judge on the agency's request. The CBI had alleged that he was not cooperating in the probe and was evasive in his replies to crucial questions.

In a statement to the Enforcement Directorate under the Prevention of Money Laundering Act, one of the then Secretaries is believed to have said that the violation on the part of INX Media was not intimidated to the FIPB. The issue should have been referred to the Reserve Bank of India, but it was "regularised" and clearance was given.

Cong. leader's right denied, say lawyers

'SC didn't hear his plea on Aug. 21'

LEGAL CORRESPONDENT
NEW DELHI

Senior lawyers of the Supreme Court expressed deep concern about the way former Union Finance Minister and their senior colleague P. Chidambaram was denied a chance to be heard by the Supreme Court on August 21.

Mr. Chidambaram's appeals for interim protection from arrest failed to be listed before any Bench of the Supreme Court for urgent hearing. Despite multiple mentioning before a Bench led by Justice N.V. Ramana in the morning and later in the afternoon for a hearing, the appeals lay tangled in procedural nitty-gritty the whole day in the Supreme Court Registry. Mr. Chidambaram was arrested the same evening by the CBI.

Arguing the appeals before a Bench led by Justice R. Banumathi, senior advocate Kapil Sibal on Friday recounted how a senior member of the Bar and a man of

impeccable credentials was denied a hearing by the Supreme Court on August 21. He said it was a denial of Mr. Chidambaram's right to life and liberty.

The open letter, written by senior advocates like C.U. Singh, Jaideep Gupta and Harin P. Raval to the Executive Committee of the powerful Supreme Court Bar Association on August 22, said the "founders of the Constitution could never have imagined that the Supreme Court could deny urgent and immediate listing upon mentioning of a matter relating to the most senior member of the Bar with more than 40 years of experience, 35 years of which he has been a senior advocate."

The letter expressed concern about the manner in which "matters relating to life and liberty of citizens are being dealt with by the judiciary". The letter urged the committee to bring the issue to the urgent attention of the Chief Justice of India.

Tharoor, Singhvi back Ramesh on Modi praise

He said Opposition won't gain from constant PM bashing

SANDEEP PHUKAN
NEW DELHI

Former Union Minister Jairam Ramesh's statement that "demonising Prime Minister Narendra Modi doesn't help the Opposition" started a debate within the Congress on Friday, with party leaders Shashi Tharoor and Abhishek Singhvi coming out in support of Mr. Ramesh.



Shashi Tharoor

However, the Congress, at its official press briefing, refused to react to the comments.

"Always said demonising #Modi wrong. Not only is he #PM of nation, a one way opposition actually helps him. Acts are always good, bad & indifferent—they must be judged issue wise and not person wise. Certainly, #ujjwala scheme is only one amongst other good deeds," tweeted Mr. Singhvi.

At a book launch on Wednesday, Mr. Ramesh said the "governance model of Prime

Chidambaram seeks stay on remand

Files fresh plea in Supreme Court

LEGAL CORRESPONDENT
NEW DELHI

Former Union Finance Minister P. Chidambaram on Friday filed a fresh plea in the Supreme Court for stay of the trial court order remanding him to CBI custody till August 26 in the INX Media case.

Mr. Chidambaram has also challenged the arrest warrant issued against him by the trial court.

The senior Congress leader said the trial court had passed the order of his arrest without application of mind and without considering that the Supreme Court was already seized of the matter.

"It is submitted that the conduct of the respondent (CBI) is not only deplorable but, in fact, the action of the respondent clearly shows that the whole action was planned to overreach the authority and majesty of

this court, in which the special judge was misled and made to pass the impugned orders," the plea said.

He sought a stay till the apex court finally disposed of his appeals in the Supreme Court against the Delhi High Court order of August 20 refusing him protection from arrest.

The Congress leader said, "The detention/arrest of the petitioner and the subsequent remand of the petitioner to custody of respondent agency are a direct sequitur of the judgment dated August 20, 2019." He said his liberty was "illegally curtailed."

"The detention/arrest of the petitioner in pursuance of a non-bailable warrant issued on August 21, 2019 and his subsequent remand by the order dated August 22, 2019 are totally without jurisdiction and authority of law," the plea said.

Akhilesh dissolves all SP units in U.P.

PRESS TRUST OF INDIA
LUCKNOW

Attempting a course correction in the party after its Lok Sabha poll debacle, Samajwadi Party (SP) president Akhilesh Yadav on Friday dissolved all its units in Uttar Pradesh, including the State executive and district and youth wings, sources said.

The party has retained State president Naresh Uttam, they said.

SP chief spokesman Rajendra Chowdhury said: "After the Lok Sabha election, party president Akhilesh Yadav has been meeting people and taking feedback from workers and office-bearers. After analysing all aspects, the party executives will be reorganised with new *josh* (enthusiasm) to take on the BJP."

The surprise development is being seen as an effort by the SP to recover its electoral base after its poor performance in the recent Lok Sabha polls when it won just five seats.

Akhara quizzed on rights to Ayodhya site

SC asks if it can differ from the deity's

LEGAL CORRESPONDENT
NEW DELHI

The Supreme Court on Friday asked Nirmohi Akhara whether it can have rights on the Ramjanmabhoomi at variance with or independent of the rights of Ayodhya's infant deity.

The Constitution Bench led by Chief Justice Ranjan Gogoi was responding to submissions made by Nirmohi Akhara that it was the shebait of the deity, entrusted to protect the interests of the infant Ram Lalla.

Nirmohi Akhara was given one-third possession of the disputed land by the Allahabad High Court in September 2010. The court pointed out that the Akhara's claim in the apex court for exclusive possession of the disputed land was at cross-purposes with the deity's separate suit for exclusive title over the Ramjanmabhoomi. The Bench said the Akhara has no independent claim. If the suit of the deity for the land is dismissed, the shebait's claim does not survive. "Claim of the shebait can never be adverse to the deity. But if you are contesting suit five (suit filed by the deity for title), then you are going against the title of the deity. So, as a shebait, you are asking to dismiss the suit of the deity," Justice Chandrachud said.

Over the past 10 days of arguments, lawyers for the Ayodhya deity have been

Judge's plea for protection taken up

The Supreme Court on Friday asked the Uttar Pradesh government to respond to a request made by CBI judge S.K. Yadav, who is trying the Babri Masjid demolition cases against senior BJP leaders, for protection. In a brief hearing, a Bench led by Justice Rohinton Nariman observed that the judge's concern about his safety was valid.

contending that the disputed Ramjanmabhoomi is itself a deity and could not have been partitioned.

Senior advocate C.S. Vaidynathan, for the deity, had said if there was once a temple on the Ramjanmabhoomi and people were worshipping there as the birthplace, nobody could possibly claim ownership by adverse possession. He had said on Wednesday that the deity was a perpetual minor. The property of a minor cannot be dealt with, sold or alienated. He had 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.

Friendly fire downed IAF copter: probe

Four officers, including Group Captain, held responsible for crash in J&K in Feb.

SPECIAL CORRESPONDENT
NEW DELHI

An Mi-17 helicopter of the Indian Air Force, which crashed in Kashmir in February as an aerial engagement was on with the Pakistan, was shot down by friendly fire, an inquiry has confirmed.

At least four officers, including a Group Captain, were found responsible for the crash, defence sources said on Friday.

The IAF had ordered a Court of Inquiry (CoI) to investigate the crash, which killed six personnel and one civilian on the ground.

The Mi-17 was shot down by the Israeli-origin ground-based Spyder surface-to-air missile system of the IAF.

The CoI examined the



Six personnel and a civilian were killed in the Mi-17 chopper crash in Kashmir's Budgam on February 27. • NISSAR AHMAD

sector, the Mi-17 crashed in Budgam shortly after take-off from Srinagar.

Preliminary findings had found several procedural violations surrounding the crash. Top among them is that the Identification of Friend or Foe (IFF), a transponder-based identification system that communicates with radars, was switched off. Due to this, in the middle of the air battle over the skies close by, the Mi-17 was mistaken to be that of the adversary. Apart from the IFF systems, there are designated air corridors for friendly aircraft to fly and some areas considered sensitive are designated as weapons free, meaning none can fly there and air defences are authorised to shoot violators.

role of various people involved, including those controlling the air defence system when the helicopter was hit by a surface-to-air missile, sources said and added that the quantum of punishment would be determined by the IAF based on the recommendations of the CoI.

On the morning of February 27, as jets of India and Pakistan were engaged in a dogfight over the Naushera