

## Apex court recalls its order on SC/ ST Act: It is discriminatory

EXPRESS NEWS SERVICE  
NEW DELHI, OCTOBER 1

THE SUPREME Court on Tuesday recalled its earlier direction which diluted provisions of arrest under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

In its order on March 20, 2018, a Bench of Justices A K Goel and U U Lalit had directed that no arrests under the Act could be made without prior permission — from the appointing authority in case of public servants, and from the Senior Superintendent of Police (SSP) for others — and a preliminary enquiry should be conducted before registration of FIR.

But the Bench of Justices Arun Mishra, M R Shah and B R Gavai, on Tuesday, said if this was allowed, “the very purpose of the

EXPLAINED



**EXPERT EXPLAINS  
SC/ ST JUDGMENT,  
IN REVIEW  
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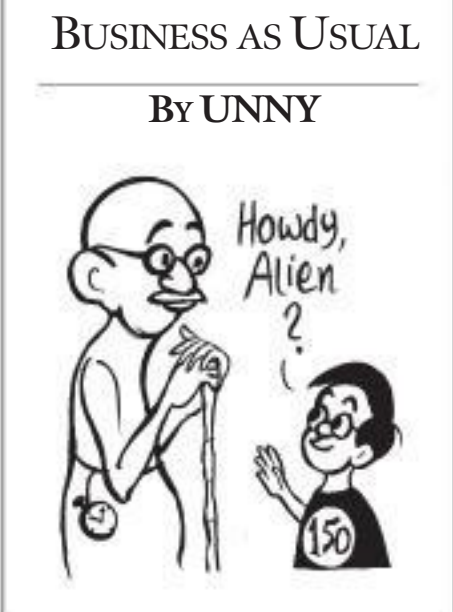
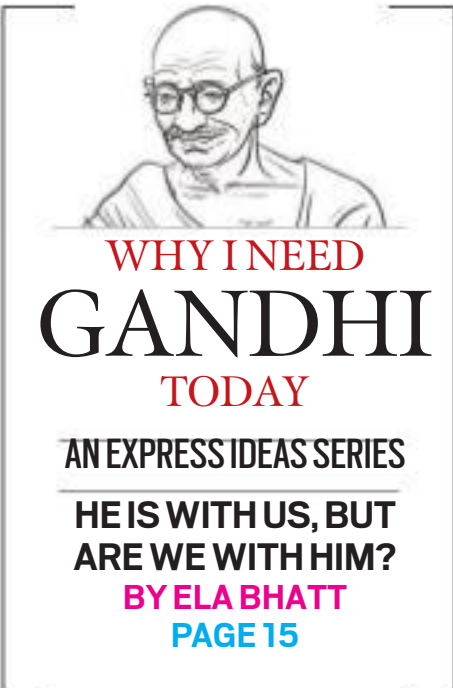
Act is likely to be frustrated. Various complications may arise. Investigation cannot be completed within the specified time, nor trial can be completed as envisaged... delay would be adding to the further plight of the downtrodden class”.

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### HIS REFLECTION

At the Lalit Kala Akademi, a day ahead of an exhibition, 'Bapu, 150 Years', on Mahatma Gandhi's birth anniversary, in New Delhi on Tuesday. Renuka Puri



## In one Jharkhand dist, 53 booked in cow slaughter cases in 6 years, all acquitted

ABHISHEK ANGAD  
KHUNTI, OCTOBER 1

BALI MUNDA cannot forget the 89 days he spent in jail after being “falsely” accused of cow slaughter. Nor can he forget the 21 trips he made from his village to the Khunti district court or the Rs 14,000 he borrowed from relatives to meet legal expenses.

The 63-year-old was acquitted in January this year for lack of evidence and now says he is just fortunate to be alive. But in this Jharkhand district, where police last week arrested three men for lynching 40-year-old Kalantus Barla on suspicion of cow slaughter on September 22, Munda is not alone.

A scrutiny of district court records by *The Indian Express* found that at least 53 people booked on charges of cow slaughter, or intent to slaughter cows under the Prevention of Cruelty to Animals Act, in 16 cases have been acquitted since 2018.

While some acquittals came after courts observed that the alleged cow meat seized was not sent to the FSL, in others, witnesses never appeared before court. In two such cases, Bajrang Dal members were witnesses. Munda was assaulted by cow



Bali Munda is among those acquitted. Abhishek Angad

vigilantes near Jaltanda Bazaar in Khunti in August 2017 and arrested soon after. Two years later, Barla was killed, and two others injured, by a mob in Suari village, barely 8 km from where Munda was attacked.

“I can imagine what happens when a mob attacks... Bajrang Dal members slapped me and handed me to police. I am fortunate to be alive,” he said.

Consider some of the acquittals.

**CASE:** August 23, 2013, at Khunti police station

**FIR:** Four men accused of cow slaughter.

**VERDICT** - September 27, 2018: Court said no witnesses were presented and noted that it issued summons and warrants and also wrote to SP Khunti but the prosecution neither

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THE EDITORIAL PAGE

**SWACHH BHARAT IS GLOBAL BENCHMARK**  
BY PARAMESWARAN IYER  
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## Malegaon trial: Court rejects NIA plea for gag on media

EXPRESS NEWS SERVICE  
MUMBAI, OCTOBER 1

REJECTING THE NIA's plea for an in-camera trial in the 2008 Malegaon blast case, a Special Court on Tuesday observed that the media, “being the main pillar of democracy”, plays a role in providing correct information to the public.

Allowing the intervention application filed by 11 journalists, including from *The Indian Express*, Special Judge V S Padalkar said that conducting the trial in a “transparent manner” is among the reasons for rejecting the NIA's plea.

In its application filed in August, the NIA had asked for the media to be restrained from reporting on the trial, which is currently underway against seven accused, including BJP MP Pragya Singh Thakur, Lt Col Prasad Purohit and Dayanand Chaturvedi, who supported the plea.

The NIA cited several reasons, including security of protected witnesses, sensitive nature of the case, and “unwarranted publicity” which has the “potential to cause damage to communal harmony”.

“Though special public prosecutor (Avinash Rasal), through

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ANANTHAKRISHNAN G  
NEW DELHI, OCTOBER 1

THE REORGANISATION of Jammu and Kashmir into two Union territories is all set to proceed as scheduled on October 31 with the Supreme Court Tuesday not ordering a stay and adjourning hearing to November 14 on a clutch of petitions challenging the Constitutional validity of the Centre's decision to revoke special status granted to the state under Article 370.

A five-judge Constitution bench headed by Justice N V Ramana allowed requests from the Centre and the J&K administration seeking more time to file a written response to the petitions. “The court can put the clock back... But it cannot hear such a matter without getting a response from the government,” said the bench also comprising Justices S K Kaul, R Subhash Reddy, B R Gavai and Surya Kant. Later, hearing a separate batch of petitions questioning the restrictions on movement and communication in J&K, following the government's August 5 move on Article 370, a three-judge bench of the apex court said that “personal liberty will have to be balanced with

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## Will bring Citizenship Bill before NRC exercise in Bengal, says Amit Shah

EXPRESS NEWS SERVICE  
KOLKATA, OCTOBER 1

ACCUSING WEST Bengal Chief Minister Mamata Banerjee of “misleading” the state on the National Register of Citizens (NRC), Union Home Minister and BJP president Amit Shah said Tuesday that the Centre will bring in the Citizenship (Amendment) Bill before implementing the NRC



**‘Won’t force Hindus, Sikhs, Jains, Buddhists, Christians to leave’**

to identify and deport “each and every infiltrator”.

Addressing BJP workers at the Netaji Indoor Stadium in

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Gupta's emails have named Ganguly, Laxman, Tendulkar

temporary but had become imperative given the history of the state for being on the radar of terrorism”.

“To the credit of the government, not a single bullet has been fired till date and there has not been any loss of life on account of any police firing,” stated the affidavit filed under oath by

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## Identify illegal Bangladeshis in UP, DGP tells districts; police say not linked to NRC

ASAD REHMAN  
LUCKNOW, OCTOBER 1

AMID THE political row over the National Register of Citizens (NRC), Uttar Pradesh DGP O P Singh has directed all district police units to start a drive to identify “Bangladeshis” and other foreigners staying in the state illegally and without valid documents. Police said Tuesday that the direc-

WORLD



**PARADE, PROTESTS ON CHINA'S 70TH ANNIVERSARY P 17**

tive was a “routine” exercise and “does not mention the NRC”.

The circular, issued Monday, states: “In the past few years, cases of people from Bangladesh staying illegally in various districts of the state has come to light. Action has been taken in these cases on several occasions. In order to strengthen the internal security of the state, it is necessary to identify and get verification

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off-spinner, remains in constant touch with reporters. But he has steadfastly refused to be interviewed or even share his photograph. In one of his email complaints to the CoA — he shares most of them with the media — Gupta provides the reason for his campaign: “I do not have any personal vendetta against anyone, I have nothing to attain from anybody and nothing of mine is at stake. I do not have any vested interest, whatsoever. My only

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ANCHOR

DEVENDRA PANDEY  
MUMBAI, OCTOBER 1

FOR ALMOST three years now, a little-known cricket official from Indore has kept the BCCI's Committee of Administrators (CoA) and Ethics Officer on their toes.

A life member of the Madhya

Pradesh Cricket Association (MPCA), 45-year-old media-shy businessman Sanjeev Gupta has so far sent close to 400 emails to the CoA, most of which highlight cases of non-compliance within the BCCI and its affiliated units.

It was because of his complaint that Sachin Tendulkar, Rahul Dravid and V V Laxman were found to be in breach of the conflict-of-interest clause, which was introduced in BCCI's new constitution post-Lodha reforms. Gupta, a one-time university