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AFTER WEST BENGAL AND GUJARAT, ODISHA SCRAPS NO-DETENTION POLICY

The no-detention policy in classes 5 and 8 was scrapped with the Right of Children to Free and Compulsory Education (Amendment) Act moved by the central government, passed in both Houses in the winter session this year

VIDEO OF THE DAY



BALA MOVIE CAST INTERVIEW

In an exclusive, Ayushmann, Yami talk about the movie

FULL COVERAGE



SC RAPS DELHI, PUNJAB GOVTS

'Want to rule from ivory tower and leave people to die'

EXPRESS AUDIO

The arguments and claims in the Ayodhya title suit

NEW EPISODE EVERYDAY

In today's episode of the 3 Things podcast, we look at the arguments and claims that will determine the verdict of the Ayodhya title suit

FROM PAGE ONE

Ayodhya hearing

only when when karsewaks came from outside Ayodhya, says Dharmendra Kumar Sonkar, who sells paan and cigarettes at the Tulsi Udyan Park area.

Asked about the upcoming verdict in the Ayodhya title suit, Sonkar says, "Mandir toh bana chahiye (The temple should be built). The rest depends on Ramji."

At the Naya Ghat Chauraha, over 2 km from the first barricade on the road leading to the disputed site, a group of three sadhus sit soaking in the early winter sun. The temple is an easy conversation starter. One of them, Shiv Shankar Pandey, says to the others, "Agar mandir ab nahi bana, toh kab banega (If not now, when will the temple be built)?"

Another in the group, Gopal Das, nods in agreement and says, "Modi hain, dekho kya hoga (Modi is there. Let's see what happens)." They dismiss possibility of tension after the judgment with a terse "kuch nahin hoga (nothing will happen)".

A policeman passes by and the men exchange a nod. Asked about the security arrangements, the policeman, a senior officer who didn't want to be quoted, says they are using locals as their "eyes and ears". "We have identified residents, mostly small shopkeepers with a clean background, and told them to inform the police teams if they see any suspicious activity. In case of trouble, we will take them to the CCTV control room where they will identify suspicious persons," he says.

Additional Director General of Police, Prosecution, Ashutosh Pandey, who has been assigned to chalk out the security arrangements and supervise the deployment of the police force, reached Ayodhya on Wednesday and held a meeting with officials. Besides the present deployment, more personnel will arrive in Ayodhya, Pandey said.

At 3 pm, in Panji Tola area of Ayodhya, the lane leading to the single-storey house of Iqbal Ansari, one of the main litigants in the title suit, is teeming with policemen. Outside Ansari's house sit two policemen, who hold up their phones every now and then to take pictures of people visiting Ansari. "We have been told to check the identity of every person who comes to Ansari's house," says the constable. A small tent has been erected outside Ansari's house, where the policemen sit round-the-clock and where Ansari meets mediapersons and other visitors.

Speaking on the upcoming verdict, Iqbal says, "Nothing will happen in Ayodhya, there will be no tension. The administration has assured us and I trust them. If something does happen, it will be in the neighbouring districts." A portrait of his late father, Haji Mohammad Hashim Ansari, the original litigant in the case, hangs from a bamboo pole in the tent.

Ansari goes on to add that he has appealed to all Muslims in Ayodhya to accept the verdict, "whatever it may be, sitting inside their homes". According to Census 2011, Muslims make up a mere 6.19 per cent of Ayodhya's population, with Hindus at over 90 per cent.

Across the road from Ansari's house sits Nafeesa, 47, polishing khadauns (wooden slippers worn by sadhus). Her neighbor Kamlesh Devi, 37, drops by to ask if she has a gas cylinder to spare. "Nahi, laga hua hai (I am using it)," she says, smiling apologetically.

As the neighbour leaves,

Nafeesa says, "These people are like our relatives. We go for each other's weddings, eat with each other. If there is any fear, it is from those who might come from outside."

A few houses away from Nafeesa's, Mohammad Shakir, who graduated last year from a government college in Ayodhya and is now looking for a job, sits watching a news clip on the upcoming verdict on his smartphone. "So far, things are under control because the administration is very alert," says Shakir, adding, "Aage Allah maalik hai (What happens in the future is in the hands of God)."

Across the town, in the Ram Ghat area, Acharya Satyendra Das, head priest of the makeshift temple at the disputed site, is talking to a journalist on the phone. After he hangs up, he says, "Whatever the judgment of the court, it will be accepted by all."

Asked about what might follow if the verdict goes in the favour of the Hindu side, he says, "Diwali and Holi will be celebrated if the verdict is in our favour. But it will be done inside temples and our homes, or on the doorsteps of temples. We will not hold a procession, no matter what the judgment is. I have told my followers the same," Das says as he gets up to leave for a TV debate.

Justice Srikrishna

surveillance is done strictly in accordance with and within the Constitutional parameters laid down in Part III of the Constitution and as interpreted in the Puttaswamy judgment."

The Puttaswamy judgment refers to the Supreme Court's August 2017 order in Justice (ret'd) K S Puttaswamy and Another vs Union Of India and Others by a nine-judge Constitution Bench which unanimously ruled that privacy is a fundamental right.

On whether whistleblower protection can help uncover unconstitutional and illegal acts of surveillance by the State, Justice Srikrishna said: "Any law is only as strong as the will of the persons implementing it. Whistleblower protection must be insisted upon and upheld, particularly when it is directed to uncover wrongs of the State."

SC on stubble burning

as "worse than the Emergency". On Wednesday, the court also asked the Centre and states, and the ministries of agriculture and environment, to draw up within three months a comprehensive action plan that will take care of the interests of farmers. "The intention is not to punish farmers... Our aim is to ensure that stubble burning does not recur," the bench said.

Responding to a submission from the Chief Secretaries of Punjab, Haryana (KA Arora) and UP (Rajendra Kumar Tiwari), that they had held meetings to sensitise farmers on the harmful effects of stubble burning, Justice Mishra said: "You are trying to sensitise people, but first you have to sensitise yourself. If you Chief Secretaries were sensitised enough, this would not have happened."

Questioning the Delhi Chief Secretary, the bench said that the state government had not been able to deal with the issue of construction waste, road dust, and open garbage dumping and burning.

The bench noted that there were 13 hotspots in Delhi with alarming air quality index and hoped that action will be taken in seven days as promised by the Chief Secretary. "If you don't solve... you are out. You can't play with lives of people," Justice

Rs 25,000-crore fund to help complete stalled projects: Govt

The funds will be set up as Category-II Alternate Investment (AIFs) Fund registered with the Securities and Exchange Board of India (SEBI), and managed by professional fund managers. For the first AIF under the special window fund, SBICAP Ventures Limited has been proposed as the investment manager. The fund is expected not only to support the sector but also generate commercial return for its investors, the government said.

"This will, in due course, help relieve the financial stress

by a large number of middle-class home buyers who have invested their hard-earned money. This will also restore trust between buyers and developers and boost the sentiments of the housing sector as a whole and release large amount of funds stuck in these projects for productive use in the economy," the government said.

The funds will provide money in escrow accounts that can be used only for completion of the identified projects while the receivables from the project will be used to repay

the fund. Sitharaman had announced setting up such a fund on September 14 and the scheme has now been finalised after consultations.

A detailed investment policy will also be laid down for the selection of projects after a detailed due-diligence process that will include legal due-diligence, title due-diligence, micro-market analysis and financial analysis. An Investment Committee of the each fund will take decisions relating to the projects.

CREDAI national chairman

Jaxay Shah said: "It's a very welcome change from the initial announcement. Now the only criteria for eligibility is net worth positive projects... this will ensure that the fund is actually deployed to complete incomplete projects which are even NPA or also in NCLT. Quick deployment of money and efficient decision-making for qualification of projects will solve the long pending problems of home buyers. The establishment of an alternative investment fund is also welcome."

Mishra warned. The court also rejected Attorney General K K Venugopal's suggestion to divide the areas where crop stubble was being burnt into seven zones and allow burning in each by turn.

"What's the use of all this development if we can't control stubble burning... We are outrightly rejecting your suggestion. We will not allow it. We want the states to act," Justice Mishra said.

The AG said he was only advancing a "practical" and "workable" solution as the livelihoods of lakhs of small farmers were involved as other options were too expensive for them.

Justice Gupta then noted that instances of stubble burning had reduced considerably in Haryana, which showed that proper implementation could produce results.

Solicitor General Tushar Mehta pointed out that Haryana had a scheme to purchase crop residue from farmers to produce power and compressed bio-gas. Justice Mishra said the data also showed that while Haryana had used the funds provided for dealing with the situation, Punjab had not used it as much.

Questioning the Punjab Chief Secretary, Justice Mishra said: "You have to be hauled up under the law of torts (civil misdeeds that require compensation). It's sheer inaction of the state machinery... We can't be protecting these officers now. Everybody knew this was going to happen this year too. What steps did you take to prevent?"

The court asked the official if the state had devised a policy to incentivise farmers against burning stubble. Singh responded that it would require about Rs 1,800 crore which the state could not afford at present, as it is facing difficulties even in paying salaries.

"You are running the government. You have money for all other purposes. But you don't have money to pay poor farmers. You don't have money for right to life of people," Justice Mishra said.

The bench also expressed dissatisfaction with Haryana not doing enough to quell farm fires in four districts. "You are worse... Punjab says they began preparations some months back. You only did meetings yesterday," Justice Mishra said even as Chief Secretary Arora submitted that meetings of gram sabhas had been held over the last two-three days.

Next in the court's line of fire was UP Chief Secretary Tiwari who said instances of stubble burning in western parts of the state had fallen 48 per cent over the last year. "But 52 per cent remains. Is it not your failure? You knew it's coming," said Justice Mishra.

responsibility to deal with the situation, Justice Mishra said that if they continued to pass the buck to the Centre, "then don't have state governments, let the Centre rule the country".

9-judge bench rejects plea

The petition filed by Mumbai-based National Lawyers Campaign for Judicial Transparency and Reforms had sought review of the 1993 judgment in the Supreme Court Advocates-on-Record Association and Another vs. Union of India, also known as the Second Judges Case.

A review petition of a ruling is allowed within thirty days of the date of judgment and on specific grounds. Reviews, except in cases of death penalty, are heard by circulation of the file between judges and without oral arguments.

In the Second Judges Case, the Supreme Court said that the office of the Chief Justice of India would have primacy over the government in recommending names of judges to the President for appointment and transfer but that recommendation, virtually binding on the executive, could only be made in consultation with the two most senior judges of the court — the introduction of the Collegium system.

In December 2018, the Supreme Court had also rejected a similar petition filed by the same group seeking a review of its October 2015 ruling that declared the National Judicial Appointments Commission Act as unconstitutional. The NJAC Act was also a legislation brought to give the government a greater say in appointment of judges. With the court striking down the legislation, the Collegium system was revived.

Visva-Bharati campus

the university administration and students and karamcharis (staff), to request for CISF deployment on the campus.

In his letter, Chakrabarty has said that private security personnel currently employed by the university owe their allegiance to the "TMC local bosses" and, hence, "disobey" Visva-Bharati's security officer "with impunity".

He had cited the protest by students in May this year against the increase in the price of application forms. The students had held a sit-in protest, preventing faculty members and officials from leaving the university campus. The V-C had alleged that in such instances, the security guards "remained silent on-lookers" and even created enabling conditions for the protesters.

Deployment of paramilitary

forces on educational campuses is a sensitive issue and often perceived to be an attack on the right to dissent or a way to preempt student protests. In 2017, Banaras Hindu University had made a similar request, but the HRD Ministry did not push the request with CISF.

However, two years later, the Ministry seems to have changed its stand on the issue. In its letter to the CISF, it has argued that Visva-Bharati is not a closed campus and there have been incidents of chain-snatching and that private security guards on campus have failed to do their duty.

4 lawyers on police radar

to a woman lawyer who claims to provide free legal advice to those caught violating traffic rules.

Speaking to The Indian Express, the lawyers and their family members denied their involvement in the violence and accused the police of biased investigation. On Tuesday, police registered an FIR against one of the advocates seen in a clip from outside the Saket court, where a constable on a bike was allegedly beaten up.

KAPIL TANWAR

VIDEO: SEEN ELBOWING POLICEMAN Tanwar stays with his family, which runs a milk business, at Kahiyia Mohalla in South Delhi's Fatehpur Beri. He completed his BA, LLB from Chaudhary Charan Singh University in Meerut, and takes up civil and criminal cases. On Facebook, he claims to work in the Delhi High Court. The 26-year-old is also contesting for the post of member executive of the Saket court bar association. "He started working when he was studying and has been with a senior lawyer from Badarpur for the last three years. He has not returned home since Monday morning," said Tanwar's mother Puspaha.

In a video clip, Tanwar is seen hitting a constable on a bike with his elbow, slapping him twice, and throwing a helmet at him. "He left for his office on Monday morning. We came to know about the incident after we saw the video on news channels in the afternoon. I called him and he told me that the channels were running a half-baked story. He said that he and a friend were going to drop a relative when the constable hit his friend with his bike and threatened them. After the video came out, an FIR was lodged against him under wrong sections," claimed Tanwar's father, Subhash Tanwar.

SAGAR SHARMA

VIDEO: SEEN AT CENTRE OF PARKING ROW CCTV footage from the court lock-up premises shows Sharma

and two colleagues arguing with a constable. Police claim that the constable, Pradeep Kumar, wanted Sharma to remove his Jeep that was allegedly parked in their allotted area. The footage shows Sharma pushing the policeman, after which he is taken away by another policeman inside the lock-up premises. He is seen coming out within seconds while fixing his collar.

Sharma is a graduate of Delhi University's Campus Law Centre and is a resident of Gulabi Bagh in North Delhi. He has been working with his senior, Advocate Lalit Sharma, for the last three years. He takes up civil and criminal cases, and appears on the legal panels of private firms. "I work an 18-hour shift. That day, I was in a hurry. It was a small argument with the police and I could have shifted my vehicle, but they abused me," he said.

Insisting that he is a stickler for rules, Sharma said the police action of locking up a judicial officer was illegal. He claimed that he was taken to the lock-up when he asked the policemen to identify themselves. "We are in the court premises and you cannot break the rules. I politely wanted to follow the due process of law. The videos released by the police do not show the complete picture," he said. Sharma has lodged an FIR against police personnel for allegedly beating and confining him.

RAKESH KUMAR

VIDEO: SEEN TRYING TO OPEN LOCK-UP Kumar takes up civil cases at Tis Hazari. He appears in more than three videos shot by policemen who had locked themselves up inside the court lock-up when it was stormed by lawyers. In one clip, he is seen running towards the lock-up with a chain. In another, he is seen trying to open the lock-up. "I snatched the chain from police. I was using it in self-defence," said Kumar.

A graduate from Delhi University, Kumar has spent over a decade at Tis Hazari court, and claims to possess evidence of police corruption. "I have evidence that will blow the lid of police's reputation. The police establishment is imperialist in nature, and is a continuation of the British policing history," he said.

PREETI TIWARI

VIDEO: SEEN TRYING TO SET A BIKE ON FIRE In footage being probed by police, Tiwari is seen trying to set a bike on fire. In another video, she is seen pushing away some lawyers who are advancing to the lock-up.

A law graduate from Purvanchal University, Tiwari has been handling criminal and civil matters at Tis Hazari for the last seven years. She also follows

the Tis Hazari-virtual court, fighting cases for e-rickshaw pullers handed heavy fines under the amended Motor Vehicles Act. She claims to give free legal advice to those handed challans for violating traffic rules. "I was saving the policemen and under-trial prisoners. I was hit by policemen on my back. They have released my video and it shows me burning things. Let them do that, I know what the truth is. I will plead my case," Tiwari said.

Press Council awards

Sanjay Saini, Correspondent, Dainik Bhaskar, Mandi, and Raj Chengappa, Group Editorial Director, India Today, are the joint winners in the category of Rural Journalism. Shiva Swarup Awasthi, Senior Reporter of Dainik Jagran, and Anu Abraham, Sub-Editor of Matrubhumi, Calicut, have been declared winners in the Developmental Reporting category.

P G Unnikrishnan, Senior Photographer, and Akhil E S, News Photographer, Mathrubhumi, were named winners in the Photo Journalism-Single News Picture category. Sipra Das, Consulting Editor (Photography), India Empire Magazine and Parliamentary Magazine, has won the 'Photo Journalism-Photo Feature' category award. Under the Sports Reporting category, Saurabh Duggal from the Hindustan Times has been named the winner.

Unnao case accused

murder case related to the deaths of two relatives of the girl from Unnao who accused him of rape in 2017. In July, the victim's two aunts were killed, and the victim and her lawyer critically injured, when a truck rammed into the car they were travelling in.

Apart from Sengar, records show, two of the 155 undertrials in the lock-up at that time were tagged as high-risk — one of them has a "special armed guard" as he was a "potential threat with escape possibilities. Among the undertrials were 12 women, and the facility was being guarded by the 3rd battalion of Delhi Police.

On Saturday, a parking row between police and lawyers at the complex took an ugly turn — one advocate suffered a gunshot injury and eight of his colleagues were injured in a lathicharge, and at least 20 policemen were beaten up. Both sides have blamed the other.

A senior police officer told The Indian Express: "Ensuring the safety of the inmates was a priority as some were flight-risks, too. The lawyers set items ablaze in front of the lock-up and if the fire had spread, it would have been a disaster. Safety of the inmates was a priority. The window panes of the jail vans were broken and police personnel removed the shards of glass with their bare hands so that inmates don't use them as weapons."

As per the document, "apart from Sengar's presence, the safety and security, the modesty, dignity of female UTPs was at stake during the ruckus created by violent group of advocates who barged into the lock-up premises by breaking the main gate of the Tis Hazari lock-up."

On Wednesday, the standoff between the lawyers and the police reached the Rohini district court with two lawyers threatening to attempt suicide. At the Saket district court, meanwhile, advocates allegedly locked the gates and didn't let anyone enter the premises, including litigants.

INX MEDIA CASE

Chidambaram to HC: Evidence documentary, can't be tampered with

PRESS TRUST OF INDIA

NEW DELHI, NOVEMBER 6

SEEKING BAIL in Delhi High Court on Wednesday, former Union minister P Chidambaram argued that as the evidence is documentary and in the custody of probe agencies, he cannot tamper with it.

The Congress leader's counsel told Justice Suresh Kait that the prosecution's complaint has not been filed by the Enforcement Directorate (ED) in the court and asked how Chidambaram can influence witnesses when he does not know them. Chidambaram is in the Tihar jail in the INX Media money laundering case.

Senior advocate Kapil Sibal, representing Chidambaram, said that from the beginning, the probe agency's case was never that the Congress leader tried to influence witnesses, but suddenly in October, when he was in custody, it was alleged that he tried to pressure and influence key witnesses.

The court listed the matter for hearing the ED's arguments on November 8.

The ED, in its written response filed through advocates Amit Mahajan and Rajat Nair, has opposed the bail plea, saying the gravity of offences allegedly committed by Chidambaram does not entitle him to the relief.

Iqbal Mirchi aide acted as gangster's frontman, says ED

EXPRESS NEWS SERVICE

MUMBAI, NOVEMBER 6

OPPOSING THE bail application of Humayun Merchant, the alleged aide of Iqbal Memon alias Iqbal Mirchi, the Enforcement Directorate (ED) said on Wednesday that he acted as the late gangster's "frontman".

Merchant was arrested last month for his alleged involvement in illegal deals of three properties belonging to Mirchi in Mumbai to the tune of over Rs 200 crore. The agency claimed that after Mirchi absconded, Merchant worked on his behalf on the transactions of the three properties in Worli.

ED claimed that Merchant received Rs 5 crore for the deal on the three properties from Sunblink Real Estate, which purchased them in 2010 and transferred the money to Mirchi's son, Junaid. The ED claimed that Mirchi, through his illegal acts of extortion, and smuggling of drugs and arms, had generated "huge amounts" of money, which were then laundered. "After Iqbal Mirchi became an absconder, the accused (Merchant) worked as a frontman in the dealings with Joy Home (the company with which a deal on the properties was done earlier) and Sunblink," it said.

CLARIFICATIONS & CORRECTIONS

6.11.19, PAGE 19

THE HEADLINE of the report, 'IndiGo, Etihad to announce strategic deal tomorrow', published on the Economy page, should have read 'IndiGo, Qatar Airways to announce strategic deal tomorrow'. The error is regretted.