

TRINAMOOL MP MAHUA MOITRA'S PETITION

## UIDAI to SC: Tender expired, no plan to hire agency for social media management

EXPRESS NEWS SERVICE  
NEW DELHI, DECEMBER 17

WITH ITS plans to hire an agency for social media management coming under legal challenge, the Unique Identification Authority of India (UIDAI) on Tuesday told the Supreme Court that the tender floated for this had “expired”, and it had no plans to revive that.

The UIDAI communicated this to a bench of Justices S K Kaul and KM Joseph, which was hearing a PIL by Trinamool Congress MP Mahua Moitra who alleged that the project was intended for “mounting surveillance on social media platforms”.

The UIDAI said the tender was put on hold till further directions after the PIL was filed.

Moitra had earlier challenged the Information and Broadcasting Ministry’s plan to set up a social media hub. Following the litigation, the Centre had dropped the plan.

In the present case, UIDAI told the court that the tender for hiring the agency was floated in 2018 through the Central Procurement Portal. It was “never pursued further and had automatically expired”. UIDAI said it “neither has any plans to revive the same tender nor is floating similar tender again”.

In her plea, filed through advocates Mohammad Nizam Pasha and Ranjeeta Rohatgi, Moitra pointed out that UIDAI had come out with a Request for Proposal (RFP) inviting tenders

for this, and its “scope of work as per the RFP” includes appointing a private agency and assigning to it the task, inter alia, of employing a “Social Listening Tool” to monitor social media platforms.

Appearing for the petitioner, senior advocate Abhishek Singhvi had contended that the “impugned RFP violates...fundamental rights guaranteed under Articles 14, 19(1)(a) and 21 of the Constitution...the same aims to mount surveillance on social media platforms”.

The petitioner argued that the tool was “an attempt by the State to overreach the jurisdiction of this Hon’ble Court in matters where legality of social media surveillance and Aadhaar itself is under challenge and this Court is seized of these issues”.

The plea contended that “through this back door, the State through its agency is seeking to aggregate this power of information about individuals in its hands without authority of law and without any corresponding checks and balances on that power in the form of a data protection regime. It is settled law that the placing of unguided and uncontrolled discretionary power in the hands of the executive is violative of Article 14 of Constitution.”

The plea stated, “While surveillance by agents of the State is itself violative of the right to privacy, in this case, privacy of the citizens is sought to be placed at the mercy of non-state actors, which reeks of manifest arbitrariness.”

UNNAO RAPE CASE

## CBI points to crime’s impact on society, wants life term for Sengar

ANAND MOHAN J  
NEW DELHI, DECEMBER 17

THE CBI on Tuesday told a special court that expelled BJP MLA Kuldeep Singh Sengar must be awarded the life sentence for rape of a minor girl in Unnao, Uttar Pradesh, and called it a case of an individual’s fight against the system.

The court had on Monday found Sengar guilty of rape, and under Sections 5(c) and 6 of POCSO Act. His co-accused, Shashi Singh, was acquitted after the court granted him benefit of doubt.

CBI prosecutor Ashook Bhartendu on Tuesday told the court: “It was basically the fight of an individual against the system. Keeping in view the kind of impact such offences have on the society, the mindset of the people, in this case the accused deserves maximum punishment.”

District Judge Dharmesh Sharma adjourned proceedings on quantum of sentence to December 20 after arguments remained inconclusive.



Kuldeep Singh Sengar

The court also sought a copy on Sengar’s election affidavit to ascertain assets he had declared to decide the compensation to be awarded to the victim.

During the arguments on quantum of sentence, Bhartendu cited several Supreme Court judgments to drive home the point that gravity and seriousness of the offence, and its impact on the society, has to be looked into. Citing a Supreme Court judgment, he told the court, “Any liberal attitude by imposing a meagre sentence or too sympathetic a view merely on the account on lapse of time...may be counterproductive in the long run and against societal interest, which needs to be taken care of...”

He also said, “It has been clearly and categorically laid down by the Supreme Court by various judicial pronouncements that gravity and seriousness of the offence and its impact over society at large is to be looked into.”

The CBI told the court that it is the duty of every court to award proper sentence regarding the nature of the offence, and the manner in which it was committed. “It is expected that the court would operate the sentencing system so as to impose such sentence which reflects the conscience of the society and the sentencing process has to be stern,” Bhartendu told the court.

The victim’s counsel, Dharmender Kumar Mishra, told the court that she must be awarded compensation, apart from the one already awarded by Supreme Court. Judge Sharma said, “No amount of compensation would repair her injury.”

Sengar’s counsel, Tanvir Ahmad Mir, told the court that a minimum sentence must be implemented. Reading out a list of development work carried out by Sengar in his constituency - bridges, power plants, and pri-

mary health care centres, etc - he argued that there was no blemish on his career.

“Looking into his previous conduct, depraved mentality is not seen in prior conduct. For the indictment and conviction in such a scenario a minimum sentence must be implemented,” Mir told the court.

He also said Sengar is father of two minor children and there was no complaint against him during his stay in Tihar jail.

The court had conducted day-to-day hearings from August 5 this year after the Supreme Court transferred five cases from the Unnao incident to Delhi.

Sengar had raped the victim, then 17, on June 4, 2017. On April 3, 2018, her father was allegedly framed in an illegal arms case and arrested. He died in judicial custody on April 9, 2018.

On July 28 this year, a speeding truck rammed into the car in which the victim, her two aunts and their lawyer were travelling. Her aunts were killed and the victim and her lawyer were critically injured.

UP: Month after ‘rape’, youth arrested; SHO suspended for delay in FIR

A DAY after an audio recording of a panchayat trying to allegedly settle a rape case was uploaded on social media, a 20-year-old youth was arrested on Tuesday for the alleged crime against his 15-year-old neighbour at a village in Kushinagar last month.

A station house officer (SHO) of the local police station concerned was suspended for alleged delay in filing an FIR and arresting the accused.

Further, Kushinagar Superintendent of Police (SP) Vinod Kumar has ordered an inquiry into reports that the panchayat on December 6 tried to hush up the rape case by paying the victim’s family Rs 1.5 lakh.

Kushinagar police on Monday lodged an FIR against the accused on charges of rape and intentional insult with intent to provoke breach of peace. Police also invoked the Protection of Children from Sexual Offences (POCSO) Act the accused.

“The accused, a farmer, was produced before a local court of Lucknow which sent him to judicial custody,” said a sub-inspector.

According to the complaint, the incident took place on November 21 when her parents had gone out for some work. Her father alleged that the accused took the girl to his home and raped her there. The victim returned home and narrated the incident to her parents, the father alleged.

It is alleged that due to pressure by villagers, the girl’s family did not approach police. “Three days later, the family reached the local police station and filed a complaint. They claimed that when they returned from the police station, villagers again asked them to compromise with the accused. On December 6, a panchayat directed the accused’s family to pay Rs 1.25 lakh to the victim to settle the case,” said the SI.

The officer said the money was not paid to the girl’s family.

## Jagan moots multiple state capitals for decentralised growth

REENIVAS JANYALA  
HYDERABAD, DECEMBER 17

ANDHRA PRADESH Chief Minister YS Jagan Mohan Reddy on Tuesday said that his government was considering establishing multiple capitals in the state so that there is decentralised development.

Making a statement in the Assembly during a discussion on Amaravati capital city, Jagan strongly advocated decentralised development. “The priorities of the state should be in tune with the aspirations of the people and the option of multiple capitals could be considered,” he said.

The CM’s statement deals another blow to the possibility that the YSRCP government could continue to develop Amaravati as the state capital, which former CM N Chandrababu Naidu had started building.

Jagan said that a committee has been formed to decide on the capital area region, and it will submit its report in a couple of days.

“We have to discuss in the direction of developing all the regions and the concept of multiple capitals too could be considered. We can think in terms of having three capitals – one being the legislative capital and the other two being an executive capital and a judicial capital. A reputed consultancy



Andhra CM Jagan Reddy

firm will give its report and a decision will be taken after discussing the details and logistics,” he said.

Officials said that Visakhapatnam – which has better civic infrastructure – can be considered for the executive capital without much investment, while Amaravati can be retained as the legislative capital and Kurnool can be considered the judiciary capital, which would lead to balanced development.

Jagan said the previous TDP government had brought in a grand design of a capital city, developing 53,000 acres at a cost of Rs 1.09 lakh crore, but there were many irregularities which the House has discussed earlier. “But as and when I have that kind of amount of Rs 1.09 lakh crore, the priorities of our government would be different...,” he said.

2002 AKSHARDHAM ATTACK

## Court allows ‘prime conspirator’ to stay in Kashmir for three months

EXPRESS NEWS SERVICE  
AHMEDABAD, DECEMBER 17

AN AHMEDABAD court on Tuesday allowed Yasin Bhat, alleged to be the prime conspirator of the 2002 Akshardham Temple attack, to live in Anantnag for a period of three and a half months.

GULBERG MASSACRE

## Trial court acquits one after prosecution fails to determine his identity

EXPRESS NEWS SERVICE  
AHMEDABAD, DECEMBER 17

A SPECIAL designated court for trial of riot cases in Ahmedabad on Monday acquitted an accused of Gulberg society massacre, Ashish Ranjag Pandey, on Monday, largely on the ground that the prosecution failed to determine the identity of the said accused.

The accused was charged under IPC sections pertaining to murder, attempt to murder, gangrape, unlawful assembly, rioting, armed rioting, attack upon particular community, defiling place of worship, dacoity with murder, arson, read together with section 120B (conspiracy) and provisions of the Bombay Police Act.

Pandey was alleged by the prosecution part of the mob which ran havoc leading to the Gulberg massacre and was recorded as absconding in the original previous chargesheets.

Pandey faced trial only after he was arrested on January 9, 2018. A supplementary chargesheet came to be filed against Pandey in March 2018. The court proceeded with framing charges in October 2018.

The court in its judgment recorded that of the nine prosecution witnesses, all but one supported the prosecution’s case. The only one to not support the case was a victim of the massacre – Taiyabali Fakirmohammad Saiyed. The remaining witnesses were police officers.

While three witnesses admitted that they had seen the accused with a pipe in hand, it was not substantiated further. One witness identified the accused to have participated in the mob with a knife.

## 4 booked after school students re-enact Babri Masjid demolition in Karnataka

DARSHAN DEVAIAH B P  
MANGALURU, DECEMBER 17

KARNATAKA POLICE booked four members of the management committee of Sri Rama Vidyakendra High School in Kalladka town after its students in a play reenacted the demolition of Babri Masjid as part of its Sports Day programme on Sunday.

The school is owned by Kalladka Prabhakar Bhat, who is a member of the south-central regional executive committee of the RSS. According to Mangaluru police, a case was registered against Bhat along with Vasanth Madhav, Narayan Somayajji and Chinappa Kotiyana at the Bantwal town police station on Monday evening.

The police registered a case based on a complaint filed by a PFI leader Aboobacker Siddique.

Dakshina Kannada SP B M



Students re-enact the demolition of Babri Masjid as part of its sports day programme at Sri Rama Vidyakendra High School in Kalladka town.

Laxmi Prasad told *The Indian Express*, “Four people from the management committee of the school are named in the FIR. The case has been registered under IPC Sections 295A (Deliberate and malicious acts, intended to outrage religious feelings of any class

by insulting its religion or religious beliefs) and 298 (Uttering, words, etc., with deliberate intent to wound the religious feelings of any person) and the investigation is in progress.”

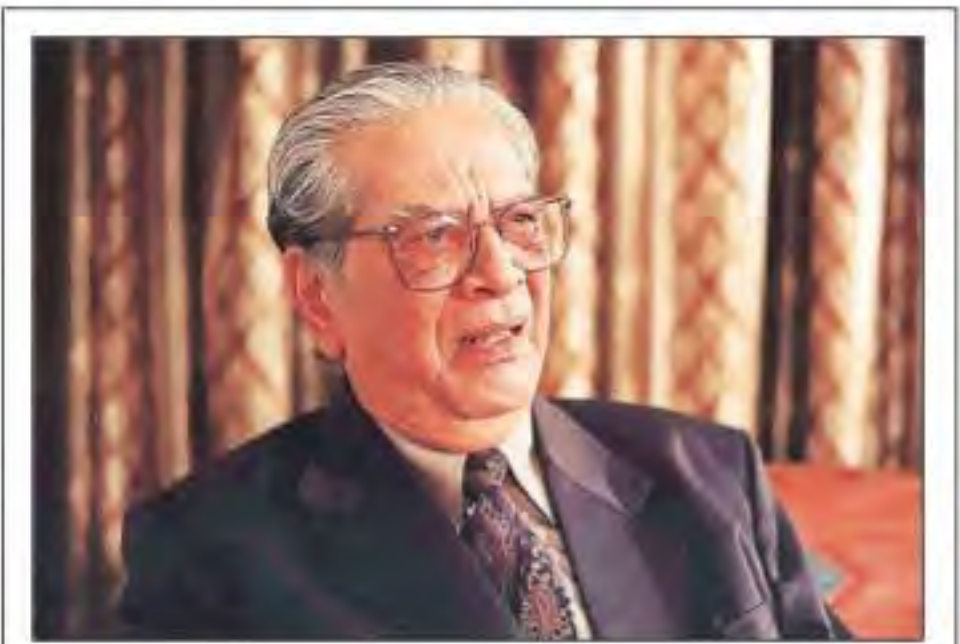
A video clip of the play, which went viral on social media, shows

more than a hundred students, dressed in white shirts and saffron dhotis and holding saffron flags, rushing towards a poster of the Babri Masjid as a narrator says in Kannada. “They demolish the structure with anything they can get their hands on. With enthusiasm, Hanuman bhakts with Hanuman’s anger demolish the Babri structure.”

The narrator then says, “Bolo Shri Ramachandra ki jai! Bharat mata ki jai!”, at which point the poster of the Babri Masjid is brought down by the students.

At this point, members of the audience start cheering.

Present in the audience were Puducherry Governor Kiran Bedi, Union minister D V Sadananda Gowda, Karnataka Minister for Women and Child Welfare Shashikala Jolle and other political leaders, who had been invited as guests to the school’s annual ‘Kreedotsava’.



DR SHRIRAM LAGOO  
1927-2019

started working on the silver screen and came into the limelight with *Pinjara*. This was fol-

lowed by roles in political dramas like *Saamna* (1974) and *Sinhasan* (1979), both directed

### STATES/UTs WITH ‘SECOND’ CAPITAL

**UTTARAKHAND** DEHRADUN is the temporary capital of Uttarakhand, with the state yet to get a permanent capital 19 years after its formation. There have been demands from several quarters to declare Gairsain in Chamoli district as the permanent capital. It has been argued that Uttarakhand was formed as a hill state and its capital should also be in the hills. The government has held Assembly sessions in Gairsain, too, where a Vidhan Bhawan and residential buildings are being developed. However, Dehradun has a Vidhan Sabha, Secretariat, CMO. Headquarters of state bodies and regional centres of several Government of India departments are also based in Dehradun.

**MAHARASHTRA** NAGPUR is referred to as Maharashtra’s ‘second capital’, but it has no such legal status. According to former advocate general of Maharashtra, Shrihari Aney, “Nagpur was only deemed to be the second capital of Maharashtra as per the Nagpur Pact of 1953 that led to Vidarbha becoming part of

Maharashtra in 1960. Since Nagpur lost its status as capital of erstwhile Central Provinces & Berar, it was declared the second capital, where the state government was supposed to move once a year. Thus, the winter session of the state legislature is held in Nagpur. It doesn’t have any legal status as a capital.”

**HIMACHAL PRADESH** AFTER COMING to power in 1993, then CM Virbhadra Singh started the practice of a winter sojourn in Dharamshala. He would camp there for a month in order to give greater attention to lower Himachal. The practice was followed by successive CMs and in December 2005, the Vidhan Sabha held its winter session in Dharamshala. Since then, the winter session has been held there in an Assembly complex built in 2006. A mini-secretariat was also built. In 2017, the Congress-run government issued a notification declaring Dharamshala the ‘second capital’. The BJP soon came to power and notification is yet to be implemented. The sojourn was also discontinued. As of now, only the winter session is held in Dharamshala.

**JAMMU AND KASHMIR** J&K may have become a Union Territory, but it continues to observe the 147-year-old practice of bi-annual durbar move between its two capital cities, from Jammu to Srinagar with the onset of summer and vice versa in winter. The tradition was started during Dogra rule to avoid extreme weather

conditions and take the higher rungs of administration to people in both provinces. The practice costs Rs 150 crore for transporting files, equipment, DA payment, etc. Former CM Farooq Abdullah during his tenure in 1987 tried to stop the practice, but withdrew the decision after protests by people.

## ‘Rare actor, highly intelligent, had logic to apply to character’

ATIKH RASHID & DIPANITA NATH  
PUNE, DECEMBER 17

DR SHRIRAM Lagoo, who acted in more than 100 Hindi and Marathi films, around 40 Marathi, Hindi and Gujarati plays, and directed a number of Marathi plays, died in Pune due to age-related complications. He was 92.

Lagoo is most well known for playing a retired and elderly actor in Marathi play *Natasamrat*, and a shy and gullible teacher in V Shantaram’s film *Pinjara*, apart from his performances in Jabbar Patel’s political dramas of the 1970s.

“He was bedridden for about a year. He was suffering from age-related issues includ-

ing dementia. He passed away at about 9.30 pm,” said Uday Lagoo, his cousin. Doctors at Dinanath Mangeshkar Hospital said Lagoo had cardiac problems.

Born in Satara in 1927, Lagoo did his schooling and college in Pune. He enrolled for medicine at BJ Medical College there, and went on to specialise as an ENT surgeon from London and obtain an FRCS qualification. He worked as a medical practitioner in Tanzania before deciding to take the plunge as a full-time actor at age 42.

Before his debut in Vasant Kanetkar’s play *Ithe Oshalala Mrityu*, Lagoo was linked with Pune’s Progressive Dramatic Association and would work there in various capacities when time permitted. He soon

started working on the silver screen and came into the lime-