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2017	105.34	154	154	
2016	116	152	152	
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NEARBY



Nirbhaya case: apex court rejects convict's plea

NEW DELHI
 The Supreme Court on Friday dismissed a petition filed by Nirbhaya case convict Vinay Sharma challenging the rejection of his mercy plea by the President. A three-judge Bench, led by Justice R. Banumathi, found no merit in Sharma's contention that the mercy plea was rejected because of non-application of mind. Justice Banumathi in her order rejected the grounds raised by Sharma.

NATION ▶ PAGE 9

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Following SC rap, telcos asked to pay AGR dues immediately

Furious Bench issues show-cause notice to DoT for letter 'staying' judgment

KRISHNADAS RAJAGOPAL
NEW DELHI
 The Supreme Court on Friday ordered the managing directors and directors of companies, including telecom majors Bharti Airtel and Vodafone Idea, to show cause why contempt proceedings should not be initiated against them for failing to pay even a "single penny" to the government in Adjusted Gross Revenue (AGR) dues, worth ₹1.47 lakh crore, despite an October 2019 judgment.

Missed call

The SC on Friday warned telecom firms of contempt proceedings if they delay paying dues. A timeline:

- 2005:** Govt.'s definition of Adjusted Gross Revenue (AGR) calculation challenged by firms. Govt. says AGR includes all revenues while companies argue that it includes only revenue from core services
- 2015:** Telecom Disputes Settlement and Appellate Tribunal rules that the companies' definition is right
- Oct. 24, 2019:** SC sets aside the tribunal's judgment saying govt.'s definition is right. Orders telecom firms to pay ₹1.47 lakh crore
- Feb. 14, 2020:** SC threatens telecom firms with contempt proceedings, slams officials for failing to enforce ruling



SOURCE: AGENCIES

A three-judge Bench, led by Justice Arun Mishra, called the non-compliance with the judgment a "very disturbing scenario". It also drew contempt proceedings against a Department of Telecom (DoT) officer responsible for issuing an order to the Accountant General, a

constitutional authority, on January 23, 2020, to desist from taking any coercive action against the defaulting companies. Following the strictures, the DoT began issuing notices to the telcos to pay the AGR dues as early as mid-

CONTINUED ON ▶ PAGE 12

Bharti Airtel to pay ₹10,000 cr. by February 20

YUTHIKA BHARGAVA
NEW DELHI

Bharti Airtel, one of the defaulting telcos hauled up by the Supreme Court for not paying AGR dues, informed the Department of Telecommunications (DoT) that it would deposit ₹10,000 crore by February 20, and promised that the remaining amount would be cleared "well before" the next date of the hearing - March 17. The DoT began issuing of notices circle wise to the telcos.

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PART PAYMENT ▶ PAGE 15

European Union calls for swift end to all curbs in Kashmir

It is in touch with India for a dialogue on the situation

SPECIAL CORRESPONDENT
NEW DELHI

The European Union (EU) has called for a swift removal of communication and political restrictions in Kashmir and is in touch with the Indian authorities for a continuing dialogue on the situation in Kashmir, a spokesperson said.

"Some restrictions remain, notably on Internet access and mobile services, and some political leaders are still in detention. While we recognise the serious security concerns, it is important that the remaining restrictions are lifted swiftly," said Virginie Battu-Henriksen, EU Spokesperson for Foreign Affairs and Security Policy.

The statement was issued a day after a delegation of 25 diplomats, which included EU Ambassador to India Ugo Astuto and several other Eu-



All for talks: European Union diplomats at a meeting in Srinagar on Wednesday. ▶ PTI

ropean envoys, returned from a visit to Jammu and Kashmir on February 12 and 13. The delegation was not part of the earlier team of diplomats that visited Kashmir in January as they had insisted on meeting the jailed political leaders.

'A CHANCE TO SEE GROUND SITUATION' ▶ PAGE 12
TRADERS' CHARGE ▶ PAGE 12

Omar's custody: SC seeks reply

The Supreme Court on Friday asked the Jammu and Kashmir government to respond to a petition by Sara Abdullah Pilot against the detention of her brother and former Chief Minister Omar Abdullah under the Public Safety Act. ▶ PAGE 12

2 women get conditional bail in Bidar

STAFF REPORTER
BIDAR

A court in Bidar on Friday granted conditional bail to Nazbunnisa and Fareeda Begum who were arrested on January 30 on sedition charges. The case was filed against the Shaheen School management in connection with children staging a play during annual day celebrations on January 21, in which a character had allegedly delivered a dialogue "insulting" the PM.

DETAILS ON ▶ PAGE 8

Violence breaks out



A protest against the CAA and the NRC in Chennai turned violent after the police took into custody a large number of protesters. The clashes lasted for four hours. ▶ B. JOTHI RAMALINGAM

Justice Dharmadhikari of Bombay HC resigns

He made the announcement in court during the course of a hearing

SPECIAL CORRESPONDENT
MUMBAI

In an unprecedented move, Justice Satyaranjan C Dharmadhikari, the most senior judge after the Chief Justice of the Bombay High Court, told an advocate appearing before him on Friday that he had demitted his office.

Advocate Mathews Nandumpara told *The Hindu* that when he was mentioning a matter before him in the morning, Justice Dharmadhikari said, "I cannot grant you any relief as today is my last day". Mr. Nandum-



Justice S.C. Dharmadhikari

para asked, "Is your Lordship being elevated?" to which Justice Dharmadhikari said, "I am demitting my office." He later told journalists in his chamber that his resignation was because of "fami-

ly reasons and purely personal".

When asked about being elevated as the Chief Justice of the Orissa High Court and the discussions that had started in 2019, he said certain developments happened in between, which were not known to him. As a result, he was left with an option either to shift to Odisha or resign, and that he was reluctant to move to Odisha because of the short tenure.

Had he not put in his papers, Justice Dharmadhikari would have been the acting

Chief Justice after current Chief Justice Pradeep Nandrajog retires on February 24. His father, the late Chandrashekar Dharmadhikari, had held the post of Chief Justice.

Justice Dharmadhikari, who did not want to move out of Mumbai for personal reasons, said he had hoped to be in the city but that the Bombay HC was not an option. He added that while he did not mind the expectations and the work pressure, he felt bad when the expectations were not fulfilled.

Gujarat hostel girls checked for menstruation

Undergarments inspected after complaints of temple, kitchen entry by some having periods

SPECIAL CORRESPONDENT
AHMEDABAD

At least 60 girls in a hostel in Gujarat's Kutch were allegedly asked to remove their undergarments to prove that they were not menstruating, after complaints that girls having periods had entered the temple and kitchen in the premises.

The hostel is part of the Shree Sahajanand Girls Institute (SSGI), run by a trust of the Swaminarayan Temple. The hostel rector and college principal are reported to have given instructions for

the checking on Tuesday. Shocked and humiliated, some girls complained to local media in Bhuj, Kutch, on Thursday. Girls in the hostel are mostly from villages of Kutch district.

"What has happened is condemnable," said the institute's trustee Pravin Pindoria.

However, some hostel authorities have defended the sect's norms on keeping away menstruating women from the temple and the kitchen. A student said the incident



Instructions for checking were reportedly given by the hostel rector and the college principal. Twitter/NCWIndia

took place in the hostel located on the campus of the SSGI, which offers graduate and undergraduate courses.

The State Women's Commission has ordered an inquiry and a team has been formed by Kutch University, to which the institute is affiliated. "I have spoken to the local police regarding the incident and strong action will be initiated," said State Women's Commission chairperson Leela Ankolia.

NCW seeks report
 The National Commission for Women has also sought a report. "We have sent a police team under a woman inspec-

tor to talk to the girls and are in the process of filing an FIR. Though the girls are not ready to come forward, we are confident that at least one girl will come forward to lodge an FIR," Kutch West Superintendent of Police Saubrahm Tumbolia said.

Gujarat's Deputy Chief Minister Nitin Patel and State Congress chief Amit Chavda condemned the incident. Mr. Patel said that the Education Department must take action. Mr. Chavda demanded that the State government order an inquiry.

SC lifts Delhi-NCR construction ban

The restrictions were partially eased by the court in Dec.

LEGAL CORRESPONDENT
NEW DELHI

The Supreme Court on Friday lifted completely the ban on construction and demolition in Delhi-NCR after putting a stop on such activities for over three months.

Revoking its ban of November 4 last year, a Bench of Justices Arun Mishra and Deepak Gupta concluded that the ban has served its purpose and there has been a significant improvement in air quality.

"The ban has been completely lifted," confirmed senior advocate Aparajita

Singh, an amicus curiae in the case. The ban had however been partially eased on December 9 and the court had allowed incomplete construction activities to resume during the daytime.

Air quality
 That decision was based on an affidavit submitted by the Central Pollution Control Board that air quality was less toxic than it was in the previous month.

On November 4, the court was compelled to take a series of stern steps, from a ban on stubble burning to a blan-

ket ban on construction activities and garbage burning, to rescue Delhi from choking on the toxic air quality.

The court had in November ordered that municipal authorities in Delhi and NCR, including zonal commissioners and their deputies, would be personally held responsible for violation of the construction ban. Ordering the construction and demolition activities to be stopped forthwith, the court had held that any person violating the ban would be penalised with ₹1 lakh fine. **SEE ALSO** ▶ PAGE 3

Odisha ex-MLA held for double murder

Anup Sai, three-time lawmaker, remanded in judicial custody

STAFF REPORTER
BHUBANESWAR

The Chhattisgarh police on Friday claimed that three-time Odisha MLA Anup Sai has confessed to committing the murder of a woman and her minor daughter in 2016.

Mr. Sai was produced before a local court in Raigad district of Chhattisgarh on Friday and remanded in judicial custody.

Addressing a press conference, Raigad SP Santosh Kumar Singh said the Chhattisgarh police talked to 700 people and pieced together the facts behind the murder before arresting the former MLA.

"Despite having a family, the accused had developed a



Anup Sai

relationship with the woman identified as Kalpana Das. They were living together in Bhubaneswar until the deceased woman demanded that the accused marry her. Worried over the demand that could put his political career in jeopardy as well as his family life, Sai decided to finish her off," said Mr. Singh.

The mutilated bodies of the woman and her 14-year-old daughter were found along the Hamirpur road in Raigad district on May 7, 2016.

The Raigad police found it difficult to make much headway in the investigation initially because the bodies were unidentified. "We sent Kalpana's photographs to police in six States. The investigation picked up momentum after one year. From the call details retrieved, we came to know that the woman was in regular touch with the former MLA. Despite our repeated intimations to present himself before the investigating team, he avoided us," the Raigad SP said.

SC disposes of DMK's appeal on disqualification of 11 AIADMK MLAs

Advocate General says Assembly Speaker has issued notice

LEGAL CORRESPONDENT
NEW DELHI

The Supreme Court disposed of an appeal by the DMK on the disqualification of 11 AIADMK MLAs for voting against Tamil Nadu Chief Minister Edappadi K. Palanisamy in a confidence motion in 2017 after the Advocate General informed the court on Friday that the Speaker had issued notice in the disqualification proceedings.

Chief Justice of India Sharad A. Bobde refused to put the Speaker on a deadline. "Needless to mention the Speaker had to take a decision in accordance with the

law," he observed. Senior advocate Kapil Sibal again referred to a January 21 judgment by a Bench, led by Justice Rohinton F. Nariman, which required the Speakers of the Lok Sabha and the Assemblies to decide disqualification petitions within a "reasonable period" of three months.

Independent tribunal
 This judgment also urged Parliament to amend the Constitution to strip Speakers, who may be biased by their political ideology, of their power to decide disqualification pleas under the

Tenth Schedule and hand it over to an independent tribunal to decide fairly and impartially.

Mr. Sibal appealed for DMK leader R. Sakkarapani, who appealed an April 2018 order of the Madras High Court. The High Court held that it could not, merely on the basis of a writ petition under Article 226, encroach on the Speaker's powers under the Tenth Schedule. It refrained from passing any order on the prayer for a mandamus to the Speaker to disqualify the 11 AIADMK legislators under the anti-defection law.

U.P. gov. invokes NSA against Kafeel Khan

For making 'inflammatory' comments

SPECIAL CORRESPONDENT
LUCKNOW

The Uttar Pradesh government has invoked the National Security Act (NSA) against Dr. Kafeel Khan of Gorakhpur for his alleged inflammatory comments against the Citizenship (Amendment) Act (CAA) at Aligarh Muslim University recently.

Dr. Khan was booked on the day he was expected to be released on bail from the Mathura jail, where he had been lodged after his arrest on January 29. His family said he was be-

ing targeted by the Yogi Adityanath government for his activism, as despite being granted bail by an Aligarh court on February 10, he continued to languish in jail.

SP (Crime) Arvind Kumar said Dr. Khan was booked under the NSA by the district administration.

District Magistrate Chandrabhusan Singh said it was necessary to book Dr. Khan under the NSA to prevent him from doing acts against "maintenance of public order".

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