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## NEARBY



### No larger Bench for Article 370 case

NEW DELHI  
A five-judge Constitution Bench led by Justice N.V. Ramana on Monday declined a plea to refer to a larger Bench petitions challenging the abrogation of special status of Jammu and Kashmir under Article 370 of the Constitution. The Bench said it would continue to hear the case on merits.

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### Bhim Army chief meets SBSP president Rajbhar

LUCKNOW  
Signalling a possible new anti-BJP front in Uttar Pradesh, Bhim Army leader Chandrashekhar Azad on Monday met Suheldev Bhartiya Samaj Party president Om Prakash Rajbhar in Lucknow. While no formal tie-up was announced, both sides pitched for the coming together of OBC and Dalit parties and outfits in U.P. if they wanted to pose a challenge to the BJP.

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## Supreme Court to hear petition on Delhi violence tomorrow

We cannot stop things from happening, Chief Justice Bobde says on the riots

KRISHNADAS RAJAGOPAL  
NEW DELHI

Chief Justice of India Sharad A. Bobde on Monday orally said courts were not "equipped" to handle palpable "pressure" being created to somehow step in and prevent violence in Delhi.

"We are not saying people should die. But this kind of pressure we are not equipped to handle. We cannot stop things from happening. We cannot prevent anything... We feel a kind of pressure on us... We cannot handle that. It is as if the court is responsible," he remarked. Courts came into the picture only after an incident happened, he explained.

The observations came when senior advocate Colin Gonsalves made a mentioning before him to urgently intervene and pass directions to arrest those delivering hate speeches and to prevent the spread of violence.

Mr. Gonsalves was appearing for Maharashtra resident Shaikh Mujtaba Farooq and nine others from Delhi. The petitioners said they were attacked by mobs while peacefully protesting against the Citizenship (Amendment) Act.

Chief Justice Bobde agreed to hear their case on



Hushed up: Trinamool Congress MPs staging a demonstration outside Parliament on Monday against the recent violence in north-east Delhi. •R.V. MOORTHY

Wednesday (March 4).

Mr. Gonsalves alleged that five or six prominent people were going about instigating violence. "At least 10 to 11 people are dying everyday. Last night, five or seven people died," he submitted. The court should either take up the case in the afternoon or latest by Tuesday, he said.

### 'Long adjournments'

He said despite the deaths of people, a Delhi High Court Bench, led by Chief Justice D.N. Patel, had "very disappointingly" adjourned the next hearing in the case by six weeks. Earlier, the same

High Court had adjourned a case for fair inquiry into the Jamia violence by several weeks, he submitted.

Such long adjournments allowed these human rights cases to stagnate and gave the government elbow room, he stated.

But Chief Justice Bobde said the courts could not handle such pressure.

"There are many things Your Lordships cannot handle, but we are here to help you... People are dying every day," Mr. Gonsalves responded.

CONTINUED ON PAGE 12

## Delhi court defers hanging of 4 Nirbhaya case convicts

One of them has moved a mercy plea before the President

LEGAL CORRESPONDENT  
NEW DELHI

A Delhi court on Monday deferred the execution of the death sentence of the four Nirbhaya gang-rape case convicts indefinitely.

The four condemned men were supposed to be hanged to death on March 3 at 6 a.m.

Hours before what was to be their execution, additional sessions judge Dharmender Rana put on hold their execution when informed that one of the four, Pawan Gupta, had moved a clemency petition before the President on Monday.

The mercy plea was filed shortly after a five-judge Supreme Court Bench, led by Justice N.V. Ramana, dismissed Pawan's curative petition for lack of merits.

The decision was taken by circulation by the judges in their chambers at 10.25 a.m. on Monday.

"We have gone through the curative petition and the relevant documents. In our opinion, no case is made out... The application for oral hearing is rejected. The application for stay of execution of death sentence is also rejected," the short order on the curative petition said.

Even if the President rejects the mercy plea of Pawan before 6 a.m. on March 3, the law laid down by the



Waiting for justice: Parents of Nirbhaya outside the Patiala House Courts in New Delhi on Monday. •SUSHIL KUMAR VERMA

Supreme Court in its *Shatrughan Chauhan* judgment of 2014 requires the convict to be given 14 days to set his affairs straight and "prepare" for the execution.

Recently, the Centre had blamed the Chauhan case judgment for being "convict-centric". It urged the Supreme Court to revisit the 2014 verdict and make it victim and society-centric.

Again, Pawan can legally challenge the rejection of the mercy plea in the Supreme Court. The fate of the other three convicts would also depend on how long his challenges continue to hold up.

The government has appealed to the Supreme Court for permission to separately execute convicts who have exhausted their legal and administrative remedies with-

out waiting for their co-convicts in the same case to finish theirs in due time. This appeal is pending in the court.

### Organ donation

Separately, a Bench of Justices R. Banumathi and A.S. Bopanna dismissed a PIL petition filed by former High Court judge Michael Saldanha for directions to the government and the jail authorities to give the Nirbhaya convicts' organs for medical research.

"To execute a person is the saddest part for the family. You (petitioner) want their body to cut into pieces... Have a humane approach to these things... Organ donation has to be voluntary," Justice Banumathi addressed the petitioner.

## Grim reminder



When learning stopped: A worker trying to salvage what remains of charred desks and benches at a school in Shiv Vihar that was set on fire by a mob during the recent violence in north-east Delhi. •SANDEEP SAXENA (REPORTS ON PAGES 2, 3, 4 & 13)

## Day 5 at govt. relief camps: no one in sight

Officials suspect fear, distance and lack of information keeping riot victims away

HEMANI BHANDARI  
NEW DELHI

At a relief camp set up by the AAP government in Shahdara's Panchsheel Garden, caretaker Amrit Gulati (65) has two other officials and two homeless persons for company. Not a single riot victim has come to take refuge here in the last five days.

The off-white tiles are clean, the mattresses piled up neatly in one corner and the water container untouched at the night shelter which can accommodate up to 40 people. An NGO representative who is supposed to take care of the food for riot victims also waits in anticipation.

### 'Arrangements in place'

"It has been four days since we started preparations to house riot victims, but no one has come. We will take care of their food, water and medication. All the neces-



A relief camp at Shahdara's Panchsheel Garden. •SANDEEP SAXENA

sary arrangements are in place," said Mr. Gulati.

An official who did not wish to be identified said the reason, he suspects, people are not coming is because of lack of knowledge and distance. "Few people are aware of the locations of the relief camps. This shelter is also over 2 km away from the affected areas."

Mr. Gulati said because of the riots, the number of

homeless persons coming in at night has also reduced to about 10 because many of them are migrant labourers and have left for their villages. Even if the numbers increase, Mr. Gulati said they won't refuse anyone. "We will make sure they are all accommodated. Perhaps, ask two homeless persons to share a bed," he said.

Appealing to people to take refuge in the shelters,

Mr. Gulati said, "No matter what religion they belong to, we will take care of them. Our other caretaker is Mohammed Zaheer and we live here as a family. For us, everyone is equal."

A few kilometres away in Kabool Nagar, another government relief camp is empty. An official suspected the riot victims are not coming to the camp "because the area is dominated by Hindus". The official felt victims are scared and prefer the company "of their own".

In fact, the relief camp right outside Guru Teg Bahadur Hospital, where hundreds of victims are undergoing treatment, has only been visited by three persons. The caretaker of the camp, Rajesh Kumar, said, "I go inside the hospital where the families of the injured sit and ask them to come, but they refuse. They prefer going to their relatives' houses."

## Delhi, Telangana report a case each of COVID-19

Kin, acquaintances to be screened

SPECIAL CORRESPONDENT  
NEW DELHI

Two more cases of COVID-19 — one in Delhi and another in Telangana — have been reported in the country, taking the total number of positive cases to five, the Health Ministry said on Monday.

According to Union Health Minister Harsh Vardhan, the person from Delhi had travelled to Italy, while the other one has a recent travel history to Dubai.

"Both the patients had self-reported after they developed symptoms. They tested positive. They are stable and being closely monitored. We are now contacting their family and others who have come in contact with them to ensure that the virus is contained and any

case is picked up at the earliest," he said.

The infected person in Delhi had self-reported at the RML Hospital here after returning to India, while the one in Telangana had initially gone to a private hospital and then was referred to a government hospital. There are now reports of an Italian tourist in India showing symptoms of the infection. The Health Ministry has maintained that he has not been confirmed for the virus and that a sample has been sent to NIV, Pune.

Minister of Health (State) Ashwini Choubey said 15 laboratories were working and 19 more would be set up.

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## Baghel protests against use of CRPF in Chhattisgarh I-T raids

Action an affront to cooperative federalism, CM tells Modi

SPECIAL CORRESPONDENT  
NEW DELHI

The ongoing tax raids using Central forces in Chhattisgarh and the actions of the Union Finance and Home Ministries are an affront to cooperative federalism, Chief Minister Bhupesh Baghel said in a letter to Prime Minister Narendra Modi on Monday.

Mr. Baghel said it is an "intriguing coincidence" that the raids coincided with the decision of the State government to initiate criminal investigations into corruption under the previous BJP government, led by Dr. Raman Singh.

He pointed out that as per reports, the Income Tax (I-T)



Bhupesh Baghel

the idea of cooperative federalism that you have often spoken about," the Chief Minister's letter said.

Mr. Baghel said the action not only reflects "coercive and insecure centrism but also the actions of the Central agencies border on political vendetta on one hand and threaten the very core of our democracy on the other."

"... As a former Chief Minister, you would agree that Law and Order is a State subject and Central forces cannot be deployed in a State without consent and prior intimation to the State government," he wrote.

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## Nod for Wi-Fi on planes with pilot's permission

On board devices can access Internet

SPECIAL CORRESPONDENT  
NEW DELHI

Passengers travelling in domestic flights will now be able to use Wi-Fi following permission from the pilot-in-command, according to a government notification.

"The pilot-in-command may permit the access of Internet services by passengers on board an aircraft in flight, through Wi-Fi on board, when laptop, smartphone, tablet, smartwatch, e-reader or a point of sale device is used in flight mode or airplane mode, provided that the Director-General shall certify the aircraft for usage of Internet service in flight through Wi-Fi on board, subject to the procedures as specified in this behalf," the notification stated.



GETTY IMAGES

It added that for the purposes of this rule, an aircraft will be deemed to be in flight when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation.

Vistara was one of the first players to secure the necessary approvals from the Department of Telecom near the end of last year.

## SC to take up plea for Omar's release 'quickly'

LEGAL CORRESPONDENT  
NEW DELHI

The Supreme Court on Monday agreed that a plea filed by Sara Abdullah Pilot against the continued detention of former J&K Chief Minister Omar Abdullah under the Public Safety Act (PSA) needs to be heard quickly as it concerns his personal liberty.

But the authorities told the court that Mr. Abdullah had been a "very vocal critic" of the abrogation of the special status of J&K under Article 370 even before it was actually withdrawn on August 5, 2019. They said his release may prove prejudicial to the maintenance of public order in the new Union Territory geographically proximate to Pakistan.

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