

*Be not ashamed of thy  
virtue, for honor is a good  
cloak to wear in a man's  
hat at all times*  
Ben Jonson

## Tunnel to divert Brahmaputra water

China is reportedly contemplating to dig a thousand kilometre long tunnel to divert the waters of Brahmaputra in Tibet (where the river is called Yarlung Tsangpo) to irrigate and turn a green the Taklamakan desert in its Xinjiang province. The Brahmaputra is an international river. It originates in Tibet, flows down through India into Bangladesh. In India it covers two States - Arunachal Pradesh and Assam, the larger part of the river lying in Assam where it serves a hinterland of 56,000 sq. kms. The river has sustained and nurtured the Brahmaputra Valley civilization throughout history. Any diversion of water from the upper catchment area of the river cannot but cause grave anxiety in India, especially when it is not known how much water China intends to divert from the river to Xinjiang.

New Delhi should take up the matter with the Beijing authorities and try to enlist the support of Bangladesh in this regard. Statistics regarding the annual flow of water into the Brahmaputra from Tibet and related data are regarded as classified information. A unilateral decision taken by an upstream country where the river originates cannot be accepted. Ever since the devastating earthquake of 1950, the current velocity in the Brahmaputra has considerably gone down with consequent heavy siltation. The result is that widespread floods, damaging crops and property, have become an annual phenomenon in Assam during monsoon. If more water is diverted from the river at source, its consequences would pose an existential threat to the people of Assam. Unfortunately there is no international law on sharing of waters of rivers that flow through more than one country. In 1966 the International Law Association drew up a guideline known as the "Helsinki Rules on the Uses of the Waters of International Rivers" but there is no mechanism to enforce the rules. Even if there were, it is doubtful if China would abide by such rules. Its contemptuous rejection of the decision of the International Tribunal at the Hague that China's unilateral claim of sovereignty over South China Sea is not tenable betrays its attitude to decisions of international fora.

India has to build world opinion to put pressure on China from taking such unilateral steps that affect its neighbouring countries. It earlier acted unilaterally in diverting waters of the Mekong river that originates in China but flows through five downstream countries - Myanmar, Thailand, Laos, Cambodia and Vietnam ignoring their protests. According to reports, the plan for the tunnel is expected to be approved by March, 2018. New Delhi should take advantage of the time to prevent China's unilateral move.

## Events Today

- AUCTION:** Public auction for disposal of various case properties seized under Section 25 Police Act by Police Station Diglipur at 10 am.
- DRIVE:** Special drive by Municipal Council to impose fine on people found littering at public places.
- OBSERVANCE:** Andaman Lakshadweep Harbour Works (ALHW), Port observing Vigilance Awareness Week - 2017 on the theme My Vision - Corruption-Free India, Till Nov 4.
- PROCESSION:** Candlelight procession to mark the feast of St. Gregorius from Wimbergyanj Junction at 5.30 pm.

# Legal tangle over mandatory linking of Aadhaar

## REFLEX ACTION

Amritananda Chakravorty  
Mihir Samson

The National Anthem is not just a constitutional duty but also fosters the spread of the spirit of democracy, secularism and integrity of the nation. [Alau Mustafa v State of Uttar Pradesh, Public Interest Litigation No. 4435 of 2017, dated 21.09.2017]  
iv. Life ban on Sreesanth restored - The Kerala High Court has allowed BCCI's appeal and reinstated the life ban on S. Sreesanth for indulging in spot fixing during IPL matches. Earlier the court had quashed the ban, against which BCCI filed an appeal. The point of contention was that in exercise of its writ jurisdiction, the Court acted as if it was a court hearing an appeal and substituted its own decision with that of the disciplinary committee's by undertaking a re-assessment of the evidence. The Court noted that its role was limited to checking whether the principles of natural justice had been followed in the disciplinary proceedings against him, which according to the court had been followed. [Board of Cricket Control v S. Sreesanth, Writ Appeal 1909 OF 2017 dated 17.10.2017]  
v. Order Of Maintenance Awarded Under Domestic Violence Act Cannot Be Substituted By Maintenance

Under S.125 of CrPC - The Bombay High Court has held that the maintenance granted under Section 125 of the CrPC and maintenance granted under the Domestic Violence Act stand on two different footing and cannot be substituted for each other. The provisions of the Domestic Violence Act are to be applied, in addition to the CrPC and not in derogation of them and the amount granted under the DV Act cannot be substituted for the amount to be granted under the CrPC. [Prakash Babul Dangi v State of Maharashtra, Criminal Writ Petition No. 3791 of 2017 dated 10.10.2017]

### Other Legal Developments -

i. Government sanction made mandatory to probe judges and public servants in Rajasthan - The State of Rajasthan has passed an ordinance which makes it mandatory to obtain a Government sanction before investigating both serving and former Judges, Magistrates, and public servants for on-duty actions. As per the law, a magistrate cannot direct an investigation against a Judge, Magistrate and a public servant except with the previous sanction under S.197 Cr.P.C. It also provides a time limit of 180 days for the authorities to consider a sanction request. If no decision is taken within the time limit, the sanction would be deemed to have been provided. Disclosure of the name of the servant until sanction is given is also prohibited under the ordinance. [Criminal Laws (Rajasthan Amendment) Ordinance, 2017, Notification No. F4(1)/Vidhi/2/2017 dated 7.08.2017]

Solicitor General Ranjit Kumar resigns - Solicitor General of India Mr. Ranjit Kumar resigned from the post of the Solicitor General of India citing personal reasons. He was appointed in 2014 by the NDA government and his term was also extended in 2017. (IPA/Concluded)

## Rashtriya Ekta Divas at PBMC



PORT BLAIR, OCT 31/-/ "Rashtriya Ekta Divas" was observed in the Port Blair Municipal Council premises, with administration of pledge to all the staff members by Ms. Vinita Malhotra, Sr. Vice Chairperson of the Council and offering of floral tributes to the portrait of Sardar Vallabhai Patel to commemorate his 142nd birth anniversary. Floral tributes were offered to the statue of former Prime Minister Indira Gandhi by Ms. Malhotra, Councilors and senior officials of the Council with two minutes silence being observed to pay homage. On October 30 as a part of 'Vigilance Awareness Week', Ms. Malhotra administered pledge to the staff of the Council in the premises of PBMC in the presence of Ms. S. Selvi, Jr. V C and Councilors.

## Blood donation on Rashtriya Ekta Diwas



PORT BLAIR, OCT 31/-/ Rashtriya Ekta Divas was observed by the G B Pant Hospital with the Andaman and Nicobar AIDS Control Society (ANACS) on the birth anniversary of Sardar Vallabhai Patel on Tuesday with a voluntary blood donation camp at the auditorium, G B Pant Hospital. A total of 54 volunteers from ANCOL, Vishwa Hindu Parishad, Fish Market Association and general public donated blood. In her address, Dr. Shipra Paul, Director, Directorate of Health Service remembering the country's First Home Minister said that we must preserve the history of the country's culture and tradition inspired by his contribution to our nation, emphasising on the importance of blood donation which saves three precious lives. Dr. S. P. Burma, Medical Superintendent, G B Pant Hospital exhorted the audience to keep the spirit of donation alive. Dr. M Joy, Project Director, A & N AIDS Control Society supervised the camp. In his address he spoke on the importance of voluntarily donation of blood encouraging youth to become new donors and to ensure non-remunerated donation with an aim to establish 100% voluntary blood donation by 2020. Increasing blood safety is a must due to the emergence of HIV and other blood transmissible diseases. The nurses and laboratory technicians of the ANACS and Blood Bank, GB Pant Hospital conducted the camp successfully.

### Conventional Crossword

1	2	3	4	5	6	7	8
9	10	11					
12						13	
14	15						
16	17						
18							
19							
20							
21	22						
23							
24	25						
26							
27							
28							
29							

- ACROSS**
- Shield support
  - Playing
  - Flower
  - Insect
  - Sacrificial table
  - Unlucky
  - Useful thing
  - Country
  - Hidden
  - Containers
  - Fauna
  - Evergreen tree
  - Consumed
  - Single thing
  - Tear
  - Face
- DOWN**
- Tenth
  - Period of time
  - Supernatural event
  - Musical instrument
  - Of Lent
  - Shellfish side
  - Explosion
  - Times of the year
  - Discount
  - Select group
  - Swamp
  - Frank
  - Sailor
  - Ignited

## SUDOKU : 2011

1	3	9		2	7		
7							
5	8	4	1				
			1				7
9	1	7	3			4	2
2			9				
			1	7		6	4
							1
6	4			1	9		3

### Yesterday's Solution 2010

6	2	4	7	3	5	8	1	9
9	3	7	6	1	8	4	2	5
8	5	1	2	4	9	7	6	3
4	7	8	5	6	3	2	9	1
3	1	6	9	2	4	5	8	7
2	9	5	8	7	1	6	3	4
5	4	9	1	8	6	3	7	2
7	8	3	4	9	2	1	5	6
1	6	2	3	5	7	9	4	8

### Yesterday's Cross Word Solution 019

S	T	R	E	A	M	F	I	B
U	E	C	I	D	E	R		
D	E	P	A	R	T	N	E	B
S	E	P	E	E				I
P	A	S	S	L	E	A	D	
P	A	L	E	W	A	N		
O	P	C	O	M	A	F		
P	U	N	C	O	R	A	C	L
S	A	G	A	S	T	R		
K	E	G	L	E	S	S	O	N

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# Dehumanising response to starvation death

## FOCUS

Arun Srivastava

Jharkhand's PDS Minister Saryu Roy, though acted late, however in one stroke demolished the myth of the government diktat of Aadhaar card being indispensable. On September 28 Santoshi, the girl belonging to an extremely poor family from Simdega, died of starvation after chief secretary Rajbala Verma's directive to render the ration card of the family ineligible as they were not linked to Aadhaar. The family had not received any ration since February but subsisted on doles from villagers and the mid-day meal Santoshi got at school. Roy was shocked at the death of the poor girl and sought a clarification as to how such order could be issued when the state government had not given any directive to this effect. In fact, he sought to know whether his own government had directed that ration cards not linked to Aadhaar be cancelled. The action of the some officials of the state administration has been most dehumanizing. They are hell bent to prove that Santoshi died of starvation and not due to non-availability of ration. It is bizarre that these officials have been creating confusion. Does blaming malaria as the reason for deaths absolve the government of its welfare obligation and

responsibility? It is an undeniable fact that a significant proportion of Indian kids go hungry on many days of the year. These officials in their quest to shield Verma conveniently forgot the fact that they were admitting in public the failure of the health department to check the spread of malaria, which has been claiming the lives of children belonging to poor families. Nonetheless, activists in Simdega alleged that Santoshi Kumari died after her family was denied ration because their card was not linked to Aadhaar. The Modi government made Aadhaar a mandatory requirement, a rat race has ensued amongst the bureaucrats and ministers to push it. Incidentally it has turned out to be an instrument to pledge their loyalty to the ruling elite and political bosses. A couple of days ago the minister claimed that as soon as the directive from the administration came to light, he had issued an official order to ensure that no ration card got deleted due to non-linking with Aadhaar. It is possible that some names got deleted due to the confusion. However, later developments make it explicit that the officials of the Jharkhand government willfully ignored the instructions of the minister. Trying to put the record straight, the government claimed that the

starvation death theory. The family hid in another village till they were herded back by the administration. Late on Santoshi's sister Gudia lodged an FIR against Ranjan Singh said a probe had started he did not say why no arrests were made. However, Santoshi's mother continued to assert that her daughter did not die of malaria, and she was crying for rice while breathing her last. She said she has not given her thumb impression on any such report saying the girl died of malaria. The most deplorable action of the government officials was their allegation that the family had kept a sack of food grain in the house. They tried their best to send the message that Santoshi's death was part of a plot to malign the BJP government. A five-member team of Right to Food activists that visited the family in Simdega said the family lived in poverty and slept on empty stomach most days. Koili Devi, Santoshi's mother, was quoted by the team as saying that

the family at times survived on packaged food from the Anganwadi centre. It is an open secret that death due to hunger has become a major issue in India. Over 25 lakh people die of hunger every year. Out of these nearly 65 per cent are the kids. Even while people are shocked by the death of Santoshi, yet another hunger death has surfaced in Jharkhand.