

ECHO WORLD

THE ECHO OF INDIA

PORT BLAIR • SATURDAY • AUGUST 25, 2018 • PAGE-7

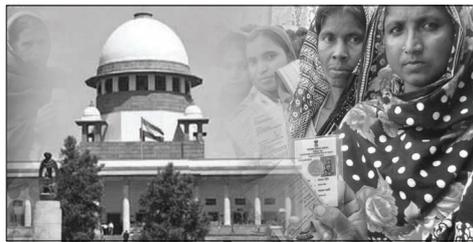
Fresh plea in SC challenging Constitutional validity of Article 35-A

NEW DELHI, AUG 24 /- A fresh plea has been moved in the Supreme Court today challenging the constitutional validity of Article 35-A that empowers the Jammu and Kashmir Assembly to define "permanent residents" for bestowing special rights and privileges to them. The petitioner, a non-governmental organisation (NGO) 'Ikkjut Jammu', sought quashing of the provision which has been challenged by several others including civil society groups, individuals. There have also been petitions supporting the retention of Article 35-A of the Constitution. The fresh petition, filed through advocate Sumit R Sharma, says that Article 35-A furthers "two nation theory which is against the theory of secularism". "It is an enabling provision for the creation of a theological state within secular territory of India. It ensures that the character of J&K's Legislative Assembly shall remain Islamic," it stated. It added that Article 35-A provides absolute powers to the Jammu and Kashmir's legislative assembly to infringe the fundamental rights of Indian citizens. Earlier this month, the Jammu and Kashmir National Conference (NC) had moved the apex court in support of Article 35-A. The NC had said that the Article serves as an important link between the state and the Union and its people and serves to maintain a fine balance of constitutional federalism. The apex court is already seized of a batch of petitions in the matter, including the one filed by NGO 'We the Citizens' seeking quashing of the article, which confers special status to permanent residents of Jammu and Kashmir. The NC's intervening application, filed through advocate Adeeba Mujahid, had sought intervention in the 'We the Citizens' petition, saying that the challenge raised in the pending writ petition suffers from gross delays and latches and being raised after more than 60 years and cannot be maintainable. "Any attempt to tinker with the said balance would ruin the fabric of the federal structure envisaged under the Constitution and jeopardise the avowed special status guaranteed to the state of Jammu and Kashmir, thereby landing a devastating fatal blow to the state and its probe," the petition filed by NC through its pleaders president Nasir Aslam Wani had said.

SC refuses to cancel Bengal Panchayat polls, allows candidates to file election petitions

NEW DELHI, AUG 24 /- In a relief for Mamata Banerjee, the Supreme Court today turned down the pleas of CPM and BJP seeking cancellation of elections on over 20,000 uncontested local body seats in West Bengal.

All these uncontested seats were won unopposed by candidates of the ruling Trinamool Congress (TMC) and Opposition parties had alleged that their candidates were obstructed from filing nomination papers. The apex court, however, took note of the allegations and said the aggrieved candidate may file election petitions to challenge panchayat polls in courts concerned. A bench comprising Chief Justice Dipak Misra and Justices A M Khanwilkar and D Y Chandrachud exercised its extraordinary power under Article 142 of the Constitution and held that the limitation period of 30 days for filing the election petitions, which has expired, would now commence from the date of notification of panchayat poll results. Earlier, the apex court had termed the situation as "grim and grave" and had directed the West Bengal State Election Commission not to declare and notify the results of panchayat body elections in the wake of allegations of large scale violence and alleged obstruction of filing nomination papers. The court, meanwhile, set aside the Calcutta High Court decision directing the state poll panel to allow filing of nomination papers in panchayat elections through electronic forms such as e-mails and WhatsApp. "The High Court was in error while allowing the filing of nomination papers through electronic forms," it said, adding "No such process is either mentioned nor allowed under



the provisions of the Representation of Peoples Act". Out of a total 58,892 posts for gram panchayat village, zilla parishad and panchayat samiti, 20,156 had remained uncontested in the violence-marred local polls in the state held in May this year. The court was hearing the pleas by parties like the BJP and CPM alleging that candidates from ruling All India Trinamool Congress in West Bengal were only allowed to file nomination papers and as a result, they won without any contest. Earlier, the West Bengal government had told court that the row over the recently concluded panchayat polls in the state has led to a "constitutional crisis" since the tenure of several Panchayats were over and new bodies had not been made functional. The apex court had earlier stayed the High Court order

asking the state election body to accept the nomination papers filed through e-mail for panchayat elections and directed the poll panel not to declare in the gazette the names of those candidates who had won unopposed. The top court had on August 13 asked the state election panel as to whether it conducted any probe into the fact that a large number of seats in the local body elections in the state went uncontested. The apex court had said that the issue of huge number of uncontested seats has been bothering it. The poll panel, however, argued that 33 per cent of nearly 50,000 panchayat seats going uncontested in the state was not "an alarming situation". Elections were held in phases for 46,650 posts in Gram Panchayats, 825 posts in Zilla Parishads and 9,217 posts in Panchayat Samitis and it has been alleged that around

34 per cent seats were uncontested. The apex court had earlier refused to stay the poll process observing that there were a plethora of judgments which have held that once the poll process has begun, it cannot be interfered into by any court. The CPM had claimed that many of its candidates were prevented from filing nominations by the state's ruling Trinamool Congress. The ruling Trinamool Congress today welcomed the Supreme Court verdict on panchayat polls in West Bengal as a "victory of democracy" and asked Opposition parties to apologise to the people of the state. The Supreme Court has turned down the pleas of CPM and BJP seeking cancellation of elections on over 20,000 uncontested local body seats in West Bengal. "We are very happy. We welcome the verdict of the court. It is a victory of democracy. We have been saying this for a long time," TMC Lok Sabha MP Kalyan Banerjee said. "This is a historic verdict. Subrata Mukherjee said. The state BJP said it has accepted the verdict and would fight the TMC democratically. "We accept the verdict of the Supreme Court. We'll fight against TMC democratically in the next Lok Sabha elections. The people of the state will have the last word," state BJP president Dilip Ghosh said. "The ruling Trinamool Congress had contended that not a single candidate approached any court with the grievance that he or she had been stopped from filing nomination papers.

AT A GLANCE

Ed questions Chidambaram

NEW DELHI: The ED today again questioned former Finance Minister P Chidambaram in the Aircel-Maxis money laundering case, officials said. Official sources said Chidambaram's statement will be recorded under the Prevention of Money Laundering Act (PMLA). It is understood that the agency wants to put across a fresh set of questions to him regarding the deal. The agency had earlier recorded statements of FIPB officials when this deal took place and it is expected that Chidambaram may be confronted with these.

Bopanna-Sharan pair lands men's doubles gold

PALEMBANG: Top seeds Rohan Bopanna and Divij Sharan notched up their maiden men's doubles gold medal at the Asian Games, dominating the final clash with a thoroughly clinical performance here today. Bopanna and Sharan defeated Aleksander Bukhik and Denis Yevseyev of Kazakhstan 6-3 6-4 in 52 minutes. (Details on page 12)

Modi doesn't have 'deeply thought-out strategy' on Pak, Rahul says in London

Likens RSS to Islamist group Muslim Brotherhood

LONDON, AUG 24 /- Congress president Rahul Gandhi today said Prime Minister Narendra Modi does not have a "deeply thought-out strategy" on Pakistan, but acknowledged that it was "very difficult" to converse with Islamabad as there is no single institution there that holds supremacy. Addressing the International Institute of Strategic Studies here, Rahul, who is on a two-day visit, talked about India-Pak relations which nosedived following a spate of terror attacks on Indian military bases by Pakistan-based terror groups since January 2016. India has made it clear that it will not hold dialogue with Pakistan unless terrorism and talks cannot go hand-in-hand. Gandhi said that "there is no deeply thought-out strategy by Prime Minister Modi when it comes to Pakistan". He also said that it was very difficult to deal with Pakistan. Pakistan's power-to military has ruled the country for nearly half of its history since independence in 1947. The Congress president said: "It's very difficult to converse with Pakistan because there is no one institution that holds supremacy." "So we wait until they come to form a cohesive structure," he said at the London-based think tank, apparently referring to the new government in Pakistan led by Prime Minister Imran Khan.



group in the Arab world. It is not allowed to operate as an official political party in some Arab countries. Addressing the International Institute of Strategic Studies here, Gandhi accused the Rashtriya Swayamsevak Sangh (RSS) of trying to change the nature of India and capture India's institutions. "The RSS is trying to change the nature of India. Other parties haven't tried to capture India's institutions. The RSS' idea is similar to the idea of Muslim Brotherhood in the Arab world," he told the audience. Rahul also criticised the demonetisation of the Modi government, saying the move cost Rs 1,000 bank notes. The demonetisation was announced on November 8, 2016. "The idea of demonetisation came directly from the Rashtriya Swayamsevak Sangh (RSS), bypassed the finance minister and the Reserve Bank of India (RBI), and was planted in Prime Minister's head," the Congress president said.

BJP hits back, says stop acting as 'contract killer of idea called India'

NEW DELHI, AUG 24 /- The BJP today launched a furious attack on Rahul Gandhi after the Congress president compared it and its ideological nemesis RSS with the radical Islamist outfit Muslim Brotherhood, accusing him of acting as a "contract killer of the idea called India" for his attempt to present them as a terror organisation. BJP spokesperson Sambit Patra said likes of President Ram Nath Kovind, Prime Minister Narendra Modi and former prime minister Atal Bihari Vajpayee, who died last week, have a Rashtriya Swayamsevak Sangh (RSS) background and Gandhi's comparison with an Islamist outfit at an event in London is "unforgivable". Addressing the media, Patra demanded immediate apology from the Congress president for likening the choice of Indians in an election with an organisation which, the BJP leader added, is declared a terror outfit in many countries. He asked Gandhi to stop acting as a "supari" (contract for killing) for India. "Stop this job of acting as a contract killer of the idea called India," Patra said. Instead of being a proud Indian leader on foreign countries, the Congress president has been attempting to insult and belittle India abroad, he alleged. Patra said Rahul has no maturity and understanding whatsoever of India and has no leadership quality. The only quality he has, the BJP leader said, is hatred towards Modi, the Bharatiya Janata Party (BJP) and the RSS and his irresponsible and immature remarks were an outcome of this. The "frustration" shown in the Congress leader ahead of next year's Lok Sabha polls is similar to his party's desperation in 2013 ahead of the general elections in 2014 when it had allegedly accused the RSS of running terror camps and coined the term "Hindu terrorism", Patra said.



Congress President Rahul Gandhi at International Institute for Strategic Studies, in London on Friday

Pak wants to resolve all pending issues including Kashmir through talks, says foreign minister

ISLAMABAD, AUG 24 /- Pakistan wants to improve ties with India and resolve all outstanding issues including Kashmir through talks, and is not shy of engaging with New Delhi despite the current impasse in relations, Pakistan foreign minister Shah Mehmood Qureshi said here today. "But it takes two to tango. You cannot clap with just one hand. We have a positive stance and will remain hopeful," said Qureshi, who was sworn-in as Pakistan's foreign minister on Monday. He also said the "current position of the ties between Pakistan and India

was not a secret as peace talks are suspended, but we have to see how we can move forward". Ties between India and Pakistan nosedived in recent years with no bilateral talks taking place, following a spate of terror attacks on Indian military bases by Pakistan-based terror groups since January 2016. India has made it clear that it will not hold dialogue with Islamabad as terrorism and talks cannot go hand-in-hand. "Pakistan wants to improve ties with India and resolve all outstanding issues, including Kashmir through talks. The government is

not shy of engaging with India despite the current impasse in the talks," Qureshi told reporters after Pakistan's new Prime Minister Imran Khan visited the Foreign Ministry and was briefed on the country's foreign policy. He also mentioned Khan's July 26 victory speech, in which the former cricketer-turned-politician had said that his government would like leaders of the India and Pakistan to resolve all disputes, including the "core issue" of Kashmir, through talks. Khan had said that if they (India) takes one step towards us, Pakistan will take two steps.

Disease outbreaks curtailed among Rohingyas; lives saved due to efforts of B'desh gov't: WHO

NEW DELHI, AUG 24 /- Outbreaks of deadly diseases were "prevented and rapidly curtailed" among nearly 10 lakh Rohingya refugees and thousands of lives were saved due to the efforts of the Bangladesh government, World Health Organisation and other health partners in the last one year, the global health body said today. The regional office of the World Health Organisation's (WHO) South-East Asian Region said despite this, the Rohingyas remained vulnerable even today with their evolving health

needs and a severe fund crunch, threatening the continuity of life-saving health services in their camps. "Unprecedented efforts have been made in the last year and had the most challenging conditions. Deadly diseases such as cholera have been prevented and measles and diphtheria curtailed rapidly with quick roll-out and scale-up of health services and mass vaccination campaigns. "It is remarkable that not only has the mortality rate among the Rohingyas remained lower than expected in an emergency of such a scale, it has also reduced significantly in the last six

months," Poonam Khetrpal Singh, regional director, WHO South-East Asia, said. She lauded the Bangladesh government's work in this regard. The arrival of nearly seven lakh Rohingyas in Cox's Bazar, beginning August 25 last year, was one of the largest ever population influxes over such a short span of time, the global health body said. In addition, 60 primary healthcare facilities, covering 20,000 people each and 11 secondary care facilities being accessed by nearly 1,15,000 people each have also been established, WHO said. (PTT)

