

# SC to hear next week plea challenging appointment of Nageswara Rao as interim CBI chief

Agency  
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The Supreme Court Wednesday agreed to hear next week a plea by an NGO challenging the January 10 order of the government appointing IPS officer M Nageswara Rao as interim director of the CBI. The matter was mentioned for urgent listing before a bench headed by Chief Justice Ranjan Gogoi. Advocate Prashant Bhushan, appearing for petitioner NGO Common Cause and RTI activist Anjali Bhardwaj, appealed to the bench, also comprising Justices L N Rao and S K Kaul, to hear the plea this Friday. The CJI told Bhushan that it was "definitely not possible" to hear the matter on Friday and the plea would be heard next week. CBI's Additional Director Rao was given the charge of interim chief on January 10 till the appointment of a new director after a high-powered committee headed by Prime Minister Narendra Modi removed Alok Kumar Verma as the chief of the probe agency on charges of corruption and dereliction of duty. The petition has sought laying down of specific

mechanisms to ensure transparency in the process of appointment of CBI director. It has alleged that Rao's appointment was not made on the basis of recommendations of the high-powered selection committee, comprising prime minister, leader of the single largest opposition party and chief justice of India or a judge of the apex court nominated by him. The plea stated that the order of October 23 last year appointing Rao as the interim CBI director was quashed by the top court on January 8 but the government has "acted in a completely mala fide, arbitrary and illegal manner" to appoint him again in "complete contravention" of the DSPE Act. The plea has also sought a direction to the Centre to appoint a regular CBI director forthwith by following the procedure laid down in accordance with the provisions of the DSPE Act, as amended by the Lokpal and Lokayuktas Act, 2013. Besides this, the petition has sought a direction to the government to ensure that "all records of deliberations and rational criteria related to short-listing and selection of the director,

CBI, be properly recorded and made available to citizens in consonance with the provisions of the RTI Act". The plea said that the government should ensure transparency in short-listing, election and appointment process of CBI director by publicly disclosing, including through the website, the procedure and rational criteria for short-listing candidates, if it is done. The plea has sought a direction to the Centre that the process of selecting CBI director, including composition, mandate and minutes of the meetings of the search committee, should be disclosed publicly along with names of short-listed candidates so that people can inform the panel of any significant adverse information they may have about any such candidate. The plea has claimed that lack of transparency in appointment of CBI director prevents any public scrutiny of the process and allows the "government to exercise undue influence" in the appointment process especially at the stage of short-listing of candidates. Detailing the sequence of events relating to the

appointment of Rao as the interim CBI director, the plea alleged that the entire process was "mala fide" as the government wanted to "appoint its own choice as CBI Director in the interim". The apex court had on January 8 allowed Alok Kumar Verma to return as the CBI director, albeit with his wings clipped, by setting aside the Centre and the CVC's orders divesting him of his powers and sending him on leave. However, the top court had said it was "still open" for the high-powered committee, which selects the CBI chief, to consider the matter within a week since the Central Vigilance Commission (CVC) was probing the charges of corruption against Verma. It had set aside the October 23, 2018, orders of the CVC and the Department of Personnel and Training divesting Verma of his powers and asking Rao to look after the duties and functions of the agency's director. On January 10, the high-powered committee removed Verma as the CBI Director. The same day, an order was issued by the government giving Rao the charge of interim CBI director.

# Retrospective View On Driver's Day of 14<sup>th</sup> January

By: Sanjenbam Jugeshwor Singh.

*When we talk about Driver's Day we should not see only the drivers. Our economy is made alive by the trucks and buses plying on the roads, they are the backbone of our development progress. Transporting essential goods from one place to another within the state as well as from outside the state are being carried out by them. At the same time limited product of our state also being reached to markets by them thus connecting the farmers and people through markets. Our main means of transport is only surface transport, that too only buses and trucks as we don't have railway line as of now. Thus drivers have a major role in this aspect. It will be impossible to have a healthy economy without healthy transport system so as drivers. Our living economy is due to transporters by the drivers. Drivers are the key factors for our transport.*

*As drivers are so important for our development process so everybody is posing a serious voice, not to harass the drivers. But is it really doing so? I don't think so. People with cars or two wheelers on the roads has nothing to do with our economy and development except posing traffic problem & pollution. Even police or VDF never pay attention to them (except to those delinquent youths), of course these group of people are living in a different level of livelihood. The most important people are the truck & bus drivers who reach us from one place to other and who reach all the essential commodities for our livelihood. But it's very unfortunate that when trucks of any kind are seen, police or VDF will come out from nowhere and stop them. I think this is not to check the documents of the vehicle or license of the driver. This is observed by us every day. Isn't it? If that's the case of having no proper vehicle's documents or driver's license, the law will take its own course. But it's not. The driver simply lend out the hand to sack with police's hand through certain exchange that everybody knows. At this point of time we must note that drivers are more important than those police who stop them, in the growth of our economic activities. But nobody knows it and never try to know also. However something or other are shouting on Driver's Day. Without the role taken by our drivers, how can the economy of Manipur*

*grow? Can it be imagined? Who are responsible for our economic growth? Are they not taking a major role in this sector? But, instead of protecting them to serve us freely without any fear, whenever police saw them, police will immediately rush to them to stop the trucks with fearful weapons in hand as if drivers are culprit to sack the hands for something. This is not what our public expect from police. In addition to this kind of harassment, our drivers are also facing untold miseries from other non-state actors while plying on two national highways. Many were kidnapped, beaten even killed and looted. Problems faced by them during rainy seasons due to landslide etc. is known to everyone. Not only on driver's day, 24x7 or throughout the year, it's necessary to take up proper measures to protect our drivers from any kind of disturbance to deliver their services at their best.*

*Our honorable MLAs & Ministers, on driver's day said, the services of drivers are very important and they should deliver their duties diligently, sincerely and cautiously as lives of many are in their hand. Yes, it's true but our drivers both in valley, hills, & in the National highways have been facing untold misery for years. At the same time the untold story of mental harassment by police during handshakes causes our drivers mentally disturbed, angry, sometimes murmur vulgar language. How can it be stopped by our Ministers and MLAs? Until such unwanted activities by our state actor or non-state actor stops, untold grievances of our drivers will never die. Announcement by our government during this year's driver's day about the medical assistant to the drivers and their families is encouraging but what about the accidental death, injuries, and damages for the drivers and handy man? It will be a good step forward if govt. take up suitable policies and programs for the sake deliverance of their service and their welfare as they are more important than Police & VDF in the economic growth of our state. Simply celebrating driver's day every year on 14<sup>th</sup> January by presenting some gifts to drivers and their families without true spirit of the importance of drivers in our society will have no meaning.*

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# Sabarimala Tense as Kerala Police Force Two Women to Abandon Trek After Protesters Block Path

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Two young women en route to Lord Ayyappa temple in Sabarimala were forced to turn back by protesters near Neelimala on Wednesday morning. The women - Reshma Nishanth and Shanila Rajesh from Kunoore - were surrounded by a large number of protesters around 1 km after they crossed the base camp. Police arrested five persons who had blocked the women on the trekking path but forced them to return as the protests mounted even though the

women said they will not back off from their plan to offer prayers at the temple. They were taken to safety at the base camp in Pambay by the police in a vehicle. The two women are part of a nine-member group who were on their way to the temple. They said they had already completed their 41-day penance before embarking on the trek. "There is Ayyappan there. Ayyappan has no objection to women entering the temple. Why are these people protesting then?" they asked reporters.

Activist Rahul Easwaran backed the protesters who stopped the women who tried to "intrude into #Sabarimala". On January 2, Kanakadurga, 44, and Bindhu, 42, had made history by becoming the first women of menstrual age to enter the hill shrine and offer prayers, three months after the Supreme Court allowed women of all age groups to enter the temple. Following their entry, the head priest had decided to close the sanctum sanctorum of the temple in order to perform the "purification" ceremony.

Violence involving BJP-RSS and the ruling CPI(M) rocked parts of Kerala during the January 3 hartal with several houses and shops of rival leaders and workers being attacked over the women's entry into the temple. On Monday, Kanakadurga was attacked at home allegedly by her mother-in-law. She had entered her home after over two weeks in hiding because of threats by right-wing protesters. She alleged that her mother-in-law beat her with a wooden stick and she had to be hospitalised.

# Collegium changing picks for SC: Former judges speak out, one writes to President

Agency  
New Delhi, Jan. 16

At a time when there is disquiet among a section of judges of the Supreme Court over its Collegium's January 10 resolution that dropped names of two High Court Chief Justices picked for elevation to the apex court a month ago and recommended instead two new names, at least four retired senior judges have reacted sharply to the changes. One of the four, Justice Kailash Gambhir, a former judge of Delhi High Court, has written to President Ram Nath Kovind, saying the Collegium resolution, especially on elevating Justice Sanjeev Khanna, is "appalling and outrageous" that such an "earth-shattering decision has been taken to supersede as many as 32 judges, which include many Chief Justices, casting aspersions on their intellect, merit and integrity". He has asked the President to ensure that the "credibility and independence of the judiciary" is "preserved and another historical blunder... not committed". The change in resolution stopped the elevation of Justice Pradeep Nandrajog, Chief Justice of Rajasthan High Court, and Justice Rajendra Menon, Chief Justice of Delhi High Court, who had been

recommended for the Supreme Court by the Collegium on December 12. On January 10, the new Collegium — after Justice Madan Lokur retired — held its first meeting and decided instead to elevate Justice Dinesh Maheshwari, Chief Justice of Karnataka High Court, and Justice Sanjeev Khanna of Delhi High Court. On Tuesday, Justice J Chelameswar, at whose official residence four Collegium judges, including current Chief Justice of India Ranjan Gogoi, addressed the press a year ago on the administration of the Supreme Court under the then CJI Justice Dipak Misra, indicated that nothing had changed. Justice Chelameswar told The Indian Express; "This is exactly why I refused to attend the Collegium meetings in 2016. I was told by legal luminaries then that I should resign and then speak. Now, I have retired, so should I speak?" Former Chief Justice of India R M Lodha expressed surprise over the manner in which the Collegium, as an institution, was being impaired. "The Collegium is an institution, it must work as one. Decisions taken by a Collegium must be taken to their logical conclusion. Only one judge had retired,

if the process of consultation was not completed, it should have been. Why reverse the decision fully and not tell anyone? The Collegium must work transparently, as it is now put on the website. The reasons must be complete." "It is strange that Justice Maheshwari is recommended six weeks after being superseded. Justice Nandrajog, then picked, is now dropped. If consultations were the problem, it should have been done fully," Justice Lodha said. Justice A P Shah, a former Chief Justice of Delhi High Court, said he was "disappointed at the way" in which the Collegium is being administered. "What has happened in this instance shows that the Collegium system

continues to be opaque, secretive and unaccountable. The judges deciding the NJAC case spoke of reforms, what happened to that? There are no reforms, and no move to change anything," he said. "What happened between December and January? Only one Judge in the Collegium changed. Now this is routine in Collegium, such changes will take place. Decisions taken by one Collegium cannot arbitrarily be overturned like this, with no explanation. I have worked with Justice Nandrajog and he is a very fine judge, as are others superseded. Why has the decision on Justice Menon been reversed is also a mystery. This will have a very demoralising effect on the system," he said.

# Kidnapped labourer rescued in Maha, contractor arrested

Agency  
Jalna, Jan 16

A labourer allegedly held captive by a contractor for more than a fortnight over a monetary dispute was rescued by the police here in Maharashtra, an official said. The accused contractor, Kundlik Chavan, was arrested, he said. Namev Jadhav (aged around 45), a resident of

the neighbouring Buldhana district, was intercepted by some people on December 28 while he was going to his relative's place in Jalna and forcefully taken away in a vehicle, Chhandazira police station's inspector Balasahay Pawar said on Tuesday. Later, Chavan called up Jadhav's son over phone, saying that the labourer was held captive as he had taken Rs 5 lakh from

the contractor to work at a sugarcane field in Kolhapur district, but did not do his job, he said. The accused then asked the victim's son to repay Rs 5 lakh if he wanted his father released, he said. Jadhav's son then lodged a complaint at the Chhandazira police station. The police traced the phone call, but the accused kept on changing his locations,

the official said. Two days back, the police received a tip-off, based on which they traced the victim to a room at Kotta village in Parbhani district, located around 40 km from here, and rescued him from there on Tuesday, Pawar said. The contractor was subsequently arrested and booked under relevant sections, Pawar added.

Required airport ground staff, airhostage, airticiting, fly radio officer, mechanical ITI diploma, Ex-man, driver salary 29000 to 76000+ other facility.  
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