

CONFLICT OF INTEREST ESTABLISHED; CM TOLD TO RETURN TANSI LAND

SC rap, let-off for Jaya

Our Legal Correspondent

NEW DELHI, Nov. 24. — The Supreme Court (coram, Babu, Reddi, JJ) today acquitted the Tamil Nadu Chief Minister, Miss Jayalalitha, of charges of corruption in the Tansi land deal case but asked her to "atone" by "unconditionally" returning the government property involved in the deal.

"We think that none of the offences charged against the accused are established. There is no ground to interfere with the order under appeal," the court said upholding the Madras High Court order acquitting Miss Jayalalitha after she had been convicted and sentenced to three years rigorous imprisonment by the trial court for criminal conspiracy, criminal breach of trust and corruption.

The court made it clear that though it had come to the conclusion that Jayalalitha was not guilty, "it is clear that property belonging to public sector undertakings was sold to firms in which she was a partner at a time she held the office of the CM."

"In view of the fact that the government headed (by her) has to give permission in respect of sale of property... there is a conflict of interest. Whatever our findings... we are clear that if officers become aware that the CM is interested in purchasing some property, bureaucracy will be over-enthusiastic to see that the sale goes through smoothly and at a price desired by such CM," it observed.

"Though we can visualise such a situation, such facts have to be established by concrete evidence to be convicted in a criminal case and (these) are difficult to get.. At any rate, it is plain that such conduct is opposed to the spirit of the Code of Conduct if not its letter," it said,



IN INNOCENT PRAYER: Chief minister Miss J Jayalalitha and Mrs Sasikala at a Chennai temple on Monday after the acquittal. — PTI

referring to the Code of Conduct for Ministers issued on July 26, 1968, by the Tamil Nadu government. Para 2(b) of the Code states that after taking office and so long as he remains in office, a minister shall refrain from buying from or selling to the government any immovable property, except where such property is compulsorily acquired by the government in usual course.

In its stinging rebuke, the court observed that many things that are not punishable are morally worse than those which are. "Criminal law merely prescribes the minimum standards of behaviour, whi-

ch in public life, those who hold high offices should not take shelter under," it said, referring to Miss Jayalalitha's "anxiety to save her skin" that went to the extent of denying her signature on documents which her own officials identified.

"Persons in public life are expected to maintain very high standards of probity... particularly where there is likely to be even a least bit of conflict of interest between the office one holds and the acts to be done by such person," the court held. It asked her to "ponder over whether she had done the right thing in breaching the spirit of the

Code and giving rise to suspicion that rules were bent to acquire public property for personal benefit — though trite to say that suspicion however strong cannot take place of legal proof — and take steps to expiate herself".

The High Court had overturned the trial court order convicting Miss Jayalalitha and her close confidante, Mrs Sasikala, in connection with sale of land belonging to the Tamil Nadu Small Industries Corporation Ltd to two firms, Jaya Publications and Sasi Enterprises, in which the duo were partners, allegedly causing a loss of Rs 2.76 crore.

Jaya gets another notice on Vaiko

in the review proceedings, it remains to be seen whether the Jayalithaa Government will respond to the notices and also furnish all the necessary documents.

If the state fails to comply with the notices, Saharya told reporters this evening that "the committee will be constrained to proceed on

96. 2/ 11/11
the basis of documents already available with us."

These are documents the panel received from the arrested persons. Despite repeated letters from the committee in the two cases, the Tamil Nadu Government did not give any of the information sought by it.

The issuance of notices in

the Vaiko and Gopal cases came after a two-day meeting of the committee, which includes two Mumbai-based members, retired bureaucrat M U Rehman and retired police officer Arvind Inamdar. Asked why notices were issued in only two cases, Saharya said: "The other cases are not ripe enough."

Vaiko has been in jail since July 2002 after he was booked under Section 21 of POTA allegedly for expressing support in a meeting for the banned LTTE. Nakkeeran editor Gopal was put in prison in April this year allegedly for his links with Tamil secessionist groups.

2nd rocket for Jaya, this time on Vaiko

■ Argue your case: POTA review panel

EXPRESS NEWS SERVICE
NEW DELHI, NOVEMBER 10

TESTING the powers it acquired last month from an ordinance, the POTA review committee today issued notices to the Tamil Nadu Government to show cause whether the incarceration of MDMK leader Vaiko and journalist R R Gopal under the anti-terrorist law was "fit and proper."

The three-member committee, headed by retired High Court Chief Justice Arun Saharya, asked the state to respond to the notices by December 2 along with the relevant documents including police case diaries.



This is the first time the committee appointed seven months ago to check the abuse of POTA has ever issued a notice to anybody.

The decision to issue notices simultaneously in the two high-profile cases from Tamil Nadu follows the ordinance promulgated on October 27 empowering the review committee to issue directions that will be "binding" on the government concerned.

Since the ordinance did not however make it binding on the states to participate

CONTINUED ON PAGE 2

'NO THREAT TO THE HINDU'

9-
T.N. in
110 1

We are fully complying with Supreme Court's stay orders, says Jayalalithaa

12/11
By Our Special Correspondent

CHENNAI, NOV. 11. The Tamil Nadu Chief Minister, Jayalalithaa, today gave an assurance to the Deputy Prime Minister, L.K. Advani, that the orders of the Supreme Court staying the arrest of the representatives of *The Hindu* were being fully complied with and implemented by the State police.

In a demi official letter addressed to Mr. Advani, she said her Government was known for its record of ensuring that Tamil Nadu was one of the most peaceful States "upholding the rule of law, and maintaining perfect law and order."

Ms. Jayalalithaa's letter was in response to the Union Home Ministry's decision to deploy the Central Industrial Security Force (CISF) at *The Hindu* office. The deployment was totally unwarranted and against the spirit of federalism, she said.

"There is absolutely no threat to Mr. N. Ram (Editor-in-Chief of *The Hindu*) or to *The Hindu* office as is being made out by the media. This decision of the Home Ministry would imply that the State Government cannot be trusted on a

subject which is exclusively a State subject," she added. Opposing the move on the ground that it was "sub judice at the level of the Supreme Court," she said: "This direction of yours is absolutely unwarranted and an extremely unfortunate one. I presume you have not been posted with the correct information leading to this move."

"The very fact that this has been brought up to you only after two days by Mr. N. Ram clearly shows that it is his intention to blow up the whole situation and twist it in his favour to misguide the public and try to aggravate the situation which is totally normal," Ms. Jayalalithaa said.

Mr. Ram, she said, was already accorded security on the 'X' scale by the State Government. "Despite this, any despatch of Central Security Force would cast a malicious slur on the State and cause irreparable damage to Centre-State relations. I trust you will see the merit in these irrefutable facts and refrain from any hasty action," she said and asked Mr. Advani to rescind the decision to deploy Central security force at *The Hindu*.

Text of statement: Page 12

THE HINDU

12 NOV 2003

HINDUSTAN TIMES

9.11.02 H-6 19/11

Chennai's tinpot dictator

THE JAIL terms ordered by the Tamil Nadu assembly against the editor and several other senior journalists of *The Hindu* and against the editor of a DMK newspaper, evidently at the behest of Chief Minister J. Jayalalitha, are the acts of a petty tyrant. Living in the sepulchral seclusion of her Poes Garden fortress, the AIADMK leader seems to be suffering from the delusion that she presides over a banana republic. Driven by a vindictive attitude, she seems to have lost sight of the customary freedoms which the press enjoys in a free society. It is possible that the ease with which she has managed to survive in politics despite the corruption cases pending against her has given her a sense of invulnerability. This feeling may have been strengthened by the excessive adulation she's accustomed to receiving from her sycophants, including the obnoxious practice of her admirers prostrating themselves before her, an act of debasement she seems to enjoy.

The disgraceful decision to punish journalists of a highly respected newspaper is not the first of Ms Jayalalitha's intemperate acts. As the misuse of POTA against MDMK leader Vaiko showed, she has little respect for norms and proprieties. This unfortunate propensity to ride roughshod over pre-

vailing standards of behaviour was also evident in the shocking manner in which the police acted against her political opponents, M. Karunanidhi and others, no doubt on instructions from above. The same disdain for norms could also be seen from the midnight raids against the striking state government employees, which attracted the Supreme Court's ire.

As her latest decision aimed at intimidating the press so that it refrains from criticising her shows, she has the mindset of a tinpot dictator which militates against the functioning of a democratic system. It is a matter, therefore, which goes beyond the present targets of her wrath, but affects society as a whole. *The Hindu's* decision to seek legal redress for the outrage to which it's being subjected raises questions that are vital not only to it, but to Tamil Nadu and, indeed, the country as a whole. If arbitrary acts of this nature by a vengeful politician are allowed without any hindrance, it will be a bleak future for all citizens. The reason is that the freedom which the press exercises in the matter of drawing attention to the foibles of politicians and others is palpably in the interest of the common man. The danger of curbing this privilege, guaranteed by the Constitution, through mean-minded actions is too obvious to be stated.

Jayalithaa had no part in decision: Speaker

9/11/03
1-Nadu
HD-12

The following is the text of the statement by the Tamil Nadu Legislative Assembly Speaker, K. Kalimuthu:

In all the din created by the media in the wake of the resolutions passed by the Tamil Nadu Legislative Assembly on the Breach of Privilege committed by the Editor, Executive Editor, Publisher, Chief of Bureau and Article Writer, and Special Correspondent of *The Hindu* and the Editor-Publisher of *Murasoli*, a deliberate attempt is being made by those sentenced to mobilise support through political parties and other sections of the media to portray the Breach of Privilege and the consequent action of the Tamil Nadu Legislative Assembly as being scripted by the Hon'ble Chief Minister Selvi J. Jayalithaa. This itself reflects a desperate attempt by those sentenced to extricate themselves by totally distorting the facts in a crude attempt to mobilise media support and support of some political parties who would like to fish in troubled waters for their gain.

Since this is a matter of great public importance touching the rights of a hallowed institution like the Legislative Assembly, it is extremely essential that the right facts connected with this issue are set out clearly so that the public, who through the electoral process have reposed faith in the Legislative Assembly, are not misled.

In the first place, it is the intention of the framers of the Constitution to ensure that the Legislative Assembly is able to function in an independent and free manner. Article 194 of the Constitution clearly sets out the powers, privileges and immunities of a House of the Legislature of a State, and of the Members and Committees of a House of such Legislature. This is to ensure that members of the House can voice their opinion on issues with absolute freedom. This cannot be obstructed by distorted reporting by the media. When the functioning of the House of the Legislature is thus obstructed, the privileges of the House as a whole are affected and its very functioning jeopardised. It is the normal procedure for the House of the Legislature to refer such infractions to the Committee of Privileges of the House to go into all the facts in detail and make its recommendations to the House.

The Committee of Privileges of the Tamil Nadu Legislature Assembly is an elected Committee including representatives of the Opposition. In this case, the Committee has met on several occasions, namely 5-5-2003, 12-5-2003, 1-10-2003, 14-10-2003, 27-10-2003 and 6-11-2003, before making its final recommendations. It can thus be seen that detailed deliberations have been held on these dates and detailed proceedings have been drawn up. These recommendations of the Committee of Privileges have thus been reached after careful consideration. Both *The Hindu* and *Murasoli* have been given adequate opportunity. They have filed written submissions. *The Hindu* has given a 16-page written submission going into all aspects of their defence. The Committee of Privileges has gone into these written submissions point by point in great detail and only thereafter reached its conclusions and recommendations.

In a desperate attempt to mislead the public, the media reports have completely mixed up the three separate issues of Breach of Privilege relating to the Media

considered by the Committee of Privileges of the Tamil Nadu Legislative Assembly. The first issue of Breach of Privilege relates to the blatant attempt to influence the conduct of an important member of the House, namely, the Honourable Chief Minister, within the Assembly by the use of all kinds of abusive and intemperate language while the Honourable Chief Minister was discharging her duties in the House. This constituted undoubtedly a gross Breach of Privilege and Contempt of the House as a whole. It should be noted that such an attack on an important member of the House while discharging duties in the House, constitutes an attack on the whole House, amounts to obstructing its proceedings and without doubt affects the independent functioning of the House. The Committee of Privileges after going into all aspects of the issue came to the conclusion that the reporting in a distorted manner by *The Hindu* in its issues dated 12-4-2003, 13-4-2003 and 23-4-2003, on the interventions made by the Honourable Chief Minister while replying to the debate in the House clearly constituted a gross Breach of Privilege and Contempt of the House. Therefore, the Committee recommended 7 days simple imprisonment for the Editor, Executive Editor, Publisher, Chief of Bureau and Article Writer and Special Correspondent of *The Hindu* only.

The Legislative Assembly was considering this recommendation in this report on 7-11-2003. At this juncture, when the Resolution came up for a decision before the House, the Honourable Chief Minister magnanimously suggested that the House pardon them as these offences related to her functioning in the Assembly. The House considered the request of the Honourable Chief Minister and dropped the punishment. The media reports are now attempting to distort the whole issue by indicating that these offences were the ones for which the punishment was imposed. This is totally incorrect. In fact, it needs to be clarified that even in the first instance, when the issue came up in the Assembly in April 2003, it was I, who as the Speaker of the House, *suo motu* referred the matter to the Committee of Privileges under Rule 226 of the Tamil Nadu Legislative Assembly Rules. The Honourable Chief Minister did not make any request to me as the Speaker of the House or to the House to refer these matters to the Committee of Privileges.

The next issue relates to the Editorial in *The Hindu* dated 25-4-2003. In this case, I, as the Speaker of the Tamil Nadu Legislative Assembly, *suo motu* referred the matter to the Committee of Privileges. Here again, the Hon'ble Chief Minister did not make any request to me, as the Speaker of the House, or to the House suggesting reference of this matter to the Committee of Privileges.

After detailed consideration and after taking note of the written representation of *The Hindu* and *Murasoli*, the Committee of Privileges made its final recommendations on 6-11-2003. This was considered by the Tamil Nadu Legislative Assembly on 7-11-2003. The contents of the Editorial published by *The Hindu* on 25-4-2003 shake the very foundation of the Legislature which is the cornerstone of a democracy. It has prejudged the proceedings of the Committee

of Privileges even when the issue was pending before the Committee of Privileges. This is undoubtedly casting aspersions on the integrity of the Committee and the House. The editorial has also gone into detail at length indicating how the Committee of Privileges should deal with this particular matter and virtually indicated the conclusions, when the matter itself was under the consideration of the Committee. The editorial has also cast a slur on my action as the Speaker of the House in referring the matter to the Committee of Privileges. It also amounted to a threat to the Committee and the House to force it to decide in favour of the newspaper.

After careful consideration, the Committee of Privileges has concluded that this editorial published on 25-4-2003 affects the entire functioning of the House. This constitutes gross Breach of Privilege and Contempt of the House. For this offence, the Committee of Privileges has recommended 15 days simple imprisonment. The Legislative Assembly after due consideration accepted the report and awarded the punishment of 15 days simple imprisonment. The Hon'ble Chief Minister had absolutely no part individually in this decision. Likewise, the same offence was repeated by *Murasoli* on 26-4-2003 by publishing the translation of the editorial in *The Hindu*. Based on the report of the Committee of Privileges, a similar punishment was imposed by the Tamil Nadu Legislative Assembly.

When these are the real facts, namely, that the punishment imposed by the Tamil Nadu Legislative Assembly is solely on account of the Breach of Privilege and gross Contempt of the House, committed by *The Hindu* through its editorial dated 25-4-2003 and also the *Murasoli* by publishing the same on 26-4-2003, the media is whipping up totally unwarranted personal campaign against the Hon'ble Chief Minister Selvi J. Jayalithaa. It should be noted once again that in the attack by *The Hindu* on her functioning in the House, for which the Committee of Privileges recommended 7 days simple imprisonment, she had graciously suggested that no punishment be imposed and the House accepted the same.

Article 194 of the Constitution is very clear. A House of the Legislature has to be enabled to function in a free and independent manner. Its privileges, powers and immunities have to be protected to secure this. This resolution of the Tamil Nadu Legislative Assembly is only to protect its independent functioning and there cannot be any obstruction to its functioning. The powers, privileges and immunities under Art. 194 of the Constitution are to secure this independent functioning and cannot in any way be abrogated by the Press in an attempt to obtain to itself the role of ultimate arbiter. The ultimate test is public welfare and common good. In a democracy, people vote for a Legislature to secure them these guarantees. Article 194 of the Constitution is specifically enshrined to ensure that a Legislature can function in a free and independent manner to secure for the people these guarantees. The functioning of the Legislature cannot be obstructed by the Press which has no such separate rights in the Constitution such as those enumerated in Article 194 of the Constitutions.

Action not scripted by CM: Speaker

By Our Special Correspondent
CHENNAI, NOV. 9. The Tamil Nadu Assembly Speaker, K. Kalimuthu, today said the Chief Minister, Jayalithaa, had nothing to do with the Assembly's decision to send to jail five members of *The Hindu* and a *Murasoli* journalist for breach of privilege.

It was he who suo motu referred the publications for consideration of the Privileges Committee. The punishment imposed by the Assembly was solely on account of the breach of privilege and gross contempt of the House, committed by *The Hindu* through its editorial dated 25-4-2003 and by *Murasoli* for publishing the same on April 26, 2003.

The media's campaign against the Chief Minister was totally unwarranted. Mr. Kalimuthu said that in the "attack" by *The Hindu* on her functioning in the House, for which the Committee of Privileges recommended seven days simple im-

prisonment, Ms. Jayalithaa graciously suggested that no punishment be imposed, which the House accepted.

In a four-page statement, the Speaker said amid all the media din in the wake of resolutions passed by the Assembly on the breach of privilege, a deliberate attempt was being made, by those who were sentenced to imprisonment, to mobilise support through political parties and other media sections to portray the breach of privilege and the Assembly's consequent action, as having been scripted by the Chief Minister.

The Privileges Committee, which included Opposition members, met on six occasions between May 5 and November 6. Both *The Hindu* and *Murasoli* were given adequate opportunity to file written submissions. Only then did the Committee give its recommendations. The Assembly considered the recommendations on November 7. On the Chief Minister's suggestion, the House dropped the

punishment. Media reports indicating that these offences were the ones for which the punishment was imposed was totally incorrect, Mr. Kalimuthu said. On the issue relating to *The Hindu's* editorial dated 25-4-2003, he again suo motu re-

ferred the matter to the Privileges Committee, which concluded that the editorial affected the functioning of the House, constituted a breach of privilege and contempt of the House.

Full text on Page 12

'Deafening silence in Speaker's statement'

By Our Special Correspondent

CHENNAI, NOV. 9. There is a "deafening silence" in the Speaker, K. Kalimuthu's statement on the submission of *The Hindu's* Editor, N. Ravi, seeking to be "heard in person" by the Privileges Committee, the Editor-in-Chief of *The Hindu*, N. Ram, said here today.

Reacting to the statement, Mr. Ram told mediapersons that the last sentence of Mr. Ravi's 14-page response to a notice issued by the Assembly on the privilege issue stated that if the Committee was not satisfied with his explanation, he was ready to appear before the panel. "Natural justice, among others, required that he should have been given the opportunity. But the Speaker's statement is deafeningly silent on this vital point," he pointed out, responding to a query on Mr. Kalimuthu's reference to the reply of *The Hindu*. Mr. Ram added that it was not the business of the Speaker to take a dig at the media. "He has made defamatory statements (against the media)".

Hearing on Monday; Editor-in-Chief rules out seeking Central help

9/11 SF 10

Sentenced Hindu scribes move SC

TATESMAN NEWS SERVICE

ENNAI/NEW DELHI/NGALORE, Nov. 8. — Supreme Court will hear Monday a petition filed by Hindu today seeking a writ on the execution of warrants issued by the Tamil Nadu Assembly against the publisher, editor, and two journalists in a case of privilege. Editor-in-Chief of *The Hindu*, Mr N Ram today said by moving Supreme Court, the newspaper hoped to get "immediate correction, relief and" on the sentencing of journalists by the Assem-

bled how soon he expected hear" from the Supreme Court, Mr Ram said: "I don't it to reveal prematurely of our response to this challenge. Expressing confidence that the (legal) system will arrive at "a correction



The Hindu Editor-in-Chief Mr N Ram in Madras on Saturday. (Top) On the same day, mediapersons demonstrate against the Tamil Nadu Assembly order in New Delhi. — AFP

appreciate the concern of the journalists and politicians."

On the manner in which the police had reportedly intimidated the wife of the Chief of Bureau and entered the residences of the Editor and Executive Editor of *The Hindu*, yesterday, Mr. Ram said: "We are considering moving the courts on this as well."

Mr Atal Behari Vajpayee, today expressed concern over the Tamil Nadu Assembly's action against senior journalists of *The Hindu*. The BJP, Congress and Left parties today condemned the Tamil Nadu Assembly sentencing the editors and senior journalists of *The Hindu* in a case of breach of privilege.

The BJP president, Mr M Venkaiah Naidu, described the action as an assault on the freedom of press and demanded withdrawal of the Tamil Nadu legislature's order as "such actions can weaken democracy."

In a statement, the AICC

spokesman, Mr Jaipal Reddy, said the incident "is not only a frontal assault on the freedom of the press but democracy itself in India". Youth Congress activists demonstrated before the Tamil Nadu House here and courted arrest.

The CPI-M politburo and the CPI central secretariat have also condemned the incident and described the attack on the freedom of press and a "gross misuse of legislative privilege" which should be revoked.

Taking "serious notice" of the Tamil Nadu Assembly sentencing journalists of *The Hindu* and *Murasoli*, the Press Council of India appealed to the House and the Speaker to revoke its verdict saying the issue has to be debated at the national level, adds PTI. The Trinamul Congress and the SUCI in separate statements today condemned the order.

T.N. Assembly action criticised

By Our Staff Reporter

BANGALORE, NOV. 8. The Minister for Urban Development, D.K. Shivakumar, said today that it was time the judiciary, the legislature, and the media came out with a formula on what constituted breach of privilege to protect the freedom of the press from people's representatives.

Speaking at a press conference here, he said the arrest orders passed by the Tamil Nadu Assembly against the Editor of *The Hindu*, its Executive Editor, and other top executives and editorial staff on the charge of breach of privilege "would only hurt the interest of that State Government."

He said democracy should strengthen the media and it was the duty of the people's representatives to protect it.

Our Bijapur Staff Correspondent reports:

Non-governmental organisations, leaders from different walks of life, and people have expressed concern over what they termed attempts by the Tamil Nadu Government to curtail the freedom of the press.

The Union Minister of State for Railways, Basanagouda Patil R. Yatnal, condemned the happenings at the headquarters of the newspaper in Chennai. Terming the developments an assault on the freedom of expression, he said *The Hindu* was known for its unbiased and impartial reporting.

"Those in power should learn to accept healthy criticism and encourage public evaluation of their governance. The leaders must welcome debates on issues related to governance. If democracy is to be strengthened in the country, freedom of the press should be protected," he said.

Our Chitradurga Staff Correspondent reports:

The Kannada Sahitya Parishat today condemned the action of the Tamil Nadu Assembly against *The Hindu*.

The president of the Parishat, Harikrishna Punaroor, told presspersons that the move was an assault on democratic principles. "It should be condemned by one and all."

Earlier in the day, presspersons in Chitradurga staged a protest against what they defined as an attack on the press by the Tamil Nadu Assembly. They shouted slogans against the "high handedness" of the Government.

Our Bellary Special Correspondent reports:

The State unit of the Communist Party of India (Marxist) has condemned the move. S. Prasanna Kumar, general secretary of the State unit of the party, said the action only showed that the Tamil Nadu Assembly wanted to bring everyone, including the press, under its control. Suppressing the right of freedom and expression guaranteed in the Indian Constitution was condemnable. Mr. Prasanna Kumar urged the Speaker to withdraw the orders immediately.

Our Tumkur Staff Correspondent reports:

The former Deputy Speaker of the Lok Sabha and BJP leader, S. Mallikarjunaiah, said today that the legislature had the responsibility of upholding justice in public life. It should avoid confrontation with the press.

Mr. Mallikarjunaiah said: "So far as my experience with *The Hindu* goes, it has always been in the forefront in respecting public dignity, privilege, and functioning of democratic institutions at all levels."

Our Bangalore Special Correspondent reports:

Distraught readers of *The Hindu* kept calling the newspa-

per's office here since early Saturday morning. There were anxious queries about whether any journalist had been arrested and on the situation at the Chennai office. One elderly reader was overcome with emotion and said: "I have been a reader of *The Hindu* for more than 50 years now. I feel what happened in Chennai is an attack on my own home and family."

Other readers made remarks comparing the action of the Tamil Nadu Assembly to those by authoritarian regimes.

Most touching was the solidarity expressed by journalists of other publications who called up their colleagues in *The Hindu*, Bangalore: "We are one with you in this... what affects the freedom of one newspaper concerns all of us." Many others associated with the editorial team of this newspaper called the office to offer their congratulations on the 125th anniversary celebrations and added: "God bless *The Hindu* family."

The journalists of the Kannada evening here, *Sanje Vani*, sported black badges and protested against the "undemocratic action" of the Tamil Nadu Assembly and police who raided *The Hindu* office and residences of its editors and journalists in Chennai.

Guild condemns attack

The Bangalore Reporters' Guild has also condemned the action of the Tamil Nadu Assembly and termed it as a direct attack on democratic norms. The president of the Guild, K.R. Prahallada, said the Speaker's move was all the more repugnant as the target of attack was a respected newspaper. The Tamil Nadu Chief Minister, Jayalalithaa, could have approached the courts if she felt she had been dragged into un-

necessary controversies by the media. Instead she had chosen to take the law into her own hands. "The Guild would support the newspaper and its journalists who were under attack," Mr. Prahallada said.

Mahendra S. Kanthi, Professor of International Economics in the Saginaw Valley State University, Michigan, has said that the action was a blemish on Indian democracy. Dr. Kanthi, son of the former Chief Minister and Speaker of the State Assembly, S.R. Kanthi, said *The Hindu* had a rich tradition of serving the nation and its Editor-in-Chief, N. Ram, was an internationally known journalist.

A blatant attack on press freedom, says PUCL

By Our Staff Reporter

JAMMU, NOV. 8. Joining the chorus of protests from across the country against the Tamil Nadu Assembly's "action" against *The Hindu*, the Jammu and Kashmir chapter of the People's Union for Civil Liberties today termed it a blatant attack on the freedom of press and the misuse of the ruling party's brute majority in the Assembly.

It said: "This declaration of war against the media is unprecedented in the history of democratic India and all who believe in democracy should raise their voice against it." The CPI (M)'s State secretary and MLA, M.Y. Tarigami said, "while we jealously guard the autonomy of the legislature we should equally respect the autonomy and freedom of the other pillars of Indian democracy, including the press. Democracy can only survive if all the institutions know their limitations and respect the authority of others."

TN Assembly orders arrest of *Hindu* editors

Statesman News Service

CHENNAI, Nov. 7. — Tamil Nadu Assembly today sentenced editor Mr N Ravi, executive editor Ms Malini Parthasarathy, publisher Mr S Rangarajan, and two senior journalists of *The Hindu* to undergo simple imprisonment (SI) for 15 days in a breach of privilege case in regard to an editorial.

A similar sentence was awarded to Mr P Selvam, editor of the DMK organ, *Murasoli*. In another breach of privilege case, former deputy Speaker and DMK legislator Mr Parithi Ilamvazhuthi was sentenced to 30 days' SI.

Speaker Mr K Kalimuthu announced the verdict of the privileges committee after the leader of the House and finance minister Mr C Ponnaiyan moved separate resolutions in this regard. Mr Ilamvazhuthi, who was present at the House, was arrested immediately after the announcement. The Speaker said arrest warrants and warrants of commitment for the others had been issued.

Following the announcement, police searched *The Hindu* office for the employees against whom the warrants had been issued.

The editor-in-chief of *The Hindu*, Mr N Ram, said he had reported the matter to the Centre. He described the arrest warrants as an assault on democ-

811
racy and freedom of press in Tamil Nadu, and vowed to move court over the matter. "We expect the Prime Minister, the Deputy Prime Minister, the ruling parties in all other states and Opposition parties here to speak for us. I would be surprised if any party, other than the AIADMK — within which some could be left out — would say this is right," Mr Ram said. He also alleged that police had visited his uncle Mr Rangarajan's residence and intimidated his family. He said he would file a criminal case against police.

Earlier, in the Assembly, Mr Kalimuthu said the sentenced employees of *The Hindu* had "committed a gross act of contempt and breach of privilege of the House and the Speaker by publishing an editorial on 25 April 2003 titled 'Rising Intolerance' on the style of functioning of the Speaker, based on reports by Mr Jayanth and Ms Radha Venkatesan".

While the committee awarded seven days SI to Mr Ravi and others as they were found guilty in another breach of privilege case, chief minister Miss Jayalalitha said the relevant reports were concerning her and that she was not pressing for action. Mr Ponnaiyan moved a resolution and action was dropped in the case.

The Editors Guild of India termed the action against *The Hindu* employees as "undemocratic", reports PTI.

Opposition protests Assembly action

9.57
11.00
11

✓
87"

By Our Special Correspondent

CHENNAI, NOV. 7. The decision of the Tamil Nadu Assembly to jail the Editors and journalists of *The Hindu* and *Murasoli* followed an order to arrest the DMK member, Parithi Ilangvazhuthi, also on a charge of breach of privilege and for intimidating the AIADMK member, G. Kumaradoss, leading to protests from the Opposition.

Amid the continuing protests, the Speaker, K. Kalimuthu, announced the verdict of the Privileges Committee after the Leader of the House, C. Ponnaiyan, said the Committee had concluded that the Publisher, Editor, Executive Editor, Chief of Bureau and Special Correspondent of *The Hindu* had committed breach of privilege. He then moved a resolution, stating that the House sentenced them to 15 days' simple imprisonment for gross contempt and gross breach of privilege of the House as a whole.

The decision of the House pertained to an editorial published by the newspaper on April 25, 2003, which was based on an article and a news report. The editorial had attributed motives to the decision of the Speaker, the privileges committee and therefore, lowered the dignity of the entire House, the resolution said.

The Assembly had considered two resolutions against *The Hindu*, during its sitting on Friday evening, one on breach of privilege relating to the Chief Minister, Jayalithaa, and another of the House as a whole. Mr. Ponnaiyan moved a resolution, recommending seven days' simple imprisonment on the breach of privilege relating to the Chief Minister. Ms. Jayalithaa rose to say that she did not want to pursue the matter relating to her and that it could be dropped.

The Leader of the House took up the second resolution, which stated that the editorial sought to justify the contents of the article and the news report. This constituted a "gross act of contempt of the House as a whole" and a "gross act of breach of privilege of the House as a whole". Therefore, the Editor, Executive Editor, Publisher, the article writer, V. Jayanth, and the Special Correspondent, Radha Venkatesan, were liable to be punished.

The resolution recommended that they be sentenced to 15 days' simple imprisonment for breach of privilege. The Assembly passes issued to the newspaper were also being suspended for 15 working days. The House met at 4.30 p.m. on the last day of its current session and took up the Bill, amending the Tamil Nadu Essential Services Maintenance Act.

At about 5.20 p.m., the Speaker announced that a matter of grave importance was to be taken up and no one should leave or enter the House. He called the Leader of the House to present the findings of the committee on a breach of privilege issue concerning Mr. Ilangvazhuthi, and the resolutions followed.

MLAs held

Police arrested 31 MLAs, including 24 legislators belonging to the DMK for resorting to a road blockade opposite the Assembly.

Cases were registered against the MLAs, including M.K. Stalin, under Section 151 IPC (causing disruption to traffic) at the Fort (B3) police station. They were released on bail at 7.30 p.m., police said. The arrested MLAs included those belonging to the PMK, DPI and Congress Jananayaga Peravai.

Speaker 'biased', parties stay away

By Our Special Correspondent

CHENNAI, NOV. 6. Major Opposition parties boycotted most of the Assembly session today, alleging that the Speaker, K. Kalimuthu, was not letting them discharge their democratic duties effectively. The leaders of the DMK, the PMK and the Congress said the Speaker repeatedly prevented them from raising burning issues which affected the people. The Dalit Panthers of India and the Congress Jananayaga Peravai also joined the walkout.

Towards the fag end of the proceedings, the CPI and the CPI (M) members staged a walkout, protesting against the remarks made by the Finance Minister, C. Ponnaiyan.

Mr. Ponnaiyan, in his reply to a discussion on the first supplementary demand for grants, said the CPI and the CPI (M) had, along with the DMK, instigated the govern-

ment employees' strike (in July). The CPI (M) blindly followed the DMK on this issue. The sole intention was to inconvenience the Government, he said. The members of the Left parties took exception to his words.

K. Ponnudi (DMK), who was not allowed to reply to the observations made by the Chief Minister, Jayalalithaa, on the functioning of the Villupuram municipality, told reporters outside the Assembly House, with a biased Speaker in the chair. "Ms. Jayalalithaa made so many remarks on the functioning of the municipality. But people in the area know that the AIADMK Government is not letting the civic body function solely because the chairman was an important AIADMK district functionary earlier. Now he is with the DMK. There is no other reason."

But it is the Congress, which first decid-

ed to boycott the proceedings for the entire day. Its leader, S.R. Balasubramaniam, told the press that his party had given notice of a motion on the attack on its MP, Mani Shankar Aiyar, on "misuse" of the Prevention of Terrorism Act and on the dismissal/suspension of government employees/teachers. But none of these issues was taken up. The party had tried to reason with the Speaker, in vain.

Soon after, the DMK too announced to the press its intention to stay away from the day's proceedings.

The PMK leader, G.K. Mani, said his party wanted to take up as many as 30 issues including the recent ban on animal sacrifice on temple premises. But none of it was taken up. "What is the point remaining inside the House when a political party could not raise any of these issues?"

After a short while, the PMK decided to boycott the remaining part of the session.

9-11-03
T. N. Madh

Cong, Mulayam head for split

Cl. Manoj in New Delhi

Nov. 17. — The strained relations between the Congress and Mr Mulayam Singh Yadav in Uttar Pradesh are heading for a formal split, AICC sources said, amidst indications that the Congress is looking at the BSP as its new suitor in the state.

The Uttar Pradesh government taking a political U-turn and filing an affidavit before the Supreme Court sparing top BJP leaders including Mr LK Advani of the conspiracy charge in the Babari Masjid case and backing a similar CBI affidavit, proved to be the last straw for the Congress, so far unenthusiastic in extending support to Mr Yadav.

Though "sudden action" by the Congress was averted today after the Yadav government, following criticism from its "secular allies",

removed the government's standing counsel in the apex court and disowned the controversial affidavit saying it was not in tune with the "draft", the AICC is clearly preparing the ground for a "well-timed" pull out.

Party sources said the Uttar Pradesh Congress leaders' frontal attack on the state government and questioning its secular credentials (which was followed by the state government's clarification) had been on the instructions of the high command. Mr Jaipal Reddy said that the party, in view of the state government's clarifications, will now wait and watch but added that the Congress will not dilute its demand that the accused in the Babari masjid demolition case should be tried for conspiracy. "If our demand is not met, we will consider all steps, including severing our ties with the SP," Mr Reddy

said.

A senior Congress leader said the party leadership "is now convinced of Mr Mulayam Singh Yadav playing a double game along with the BJP" and added: "what we had suspected when the NDA government reportedly lent a helping hand in allowing Mr Yadav to form his government and when the NDA convener, Mr George Fernandes, attended his swearing-in ceremony is proving to be true".

The AICC "is politically upbeat" over Mr Yadav's alleged links with the BJP leadership "coming into the open". A leader said: "once Mr Yadav's nexus with the BJP becomes totally evident, his Muslim base he captured from the Congress through his extreme secular rhetoric will desert him, thereby giving the Congress an opening to regain its base".

Madhumita killer held in Lucknow

HT Correspondent
New Delhi, November 10

THE CBI achieved a major breakthrough in the Madhumita Shukla murder case after its sleuths arrested the alleged killer of the poet from Lucknow on Monday morning. The assailant, Prakash Chander Pandey, has been remanded in judicial custody for 14 days by a CBI court.

CBI sources said Pandey, who had shot the poet at her residence in Lucknow six months ago, was arrested following sustained interrogation of Rohit Chaturvedi and Santosh Kumar Rai, alias Satya Prakash.

The CBI had arrested the two on November 6. Following the arrests, Madhumita's servant Deshraj, the lone eyewitness in the case, identified Rai as Satya Prakash, the man who had accompanied the killer to Madhumita's house on May 9.

Former UP minister Amarmani Tripathi, an accused in the case, has already been arrested by the CBI.

Sources said Pandey, a resident of Gorakhpur, is a criminal and was on the run after the CBI began the probe. Rai had been contacted by Chaturvedi after Tripathi's wife, Madhumani, decided to "get rid of" the poet as she was bearing her husband's child. Sources said that after custodial interrogation of Chaturvedi, the noose tightened around Madhumani.

According to CBI sources, cellphone details of Chaturvedi and Madhumani were indicative of circumstantial evidence in the murder. A Lucknow court had directed the CBI to arrest Madhumani only after the agency had concrete proof of her involvement in the murder.

Jumbo ministry

578
1810
Mulayam Singh almost scores a century

Mulayam Singh Yadav has broken all records by swearing-in a council of 97 ministers. Counting himself, the UP chief minister fell just short of a century, which he would have definitely scored if two potential candidates — Amarmani Tripathi and Raja Bhaiya — had not been in jail. The size of the ministry is a disgrace. According to some estimates, the additional burden on the exchequer may be Rs 98 crore annually. And then there will be fights for portfolios. Even in the past many departments have been split to create more portfolios, now some will be split further. One complaint that will not be heard is that the new ministers do not have enough work to do, as long their perks are not tampered with.

Mulayam Singh is not the first chief minister to have a jumbo-sized ministry. In fact all ministries in UP since 1997 — from Kalyan Singh, Ram Prakash Gupta, Rajnath Singh to Mayawati — have been huge. The runner up to Mulayam's 97 was Kalyan Singh with 93, and the cause for inducing so many has been defections. Each of these governments has been formed by either splitting existing parties, forming coalitions or both. In such situations every small party demands berths for extending support, as do independents and defectors. They are aware that the larger party will have no option but to give in, particularly as their majority is so thin. Out of the 40 MLAs who defected from the BSP to the Samajwadi Party, 30 have been made ministers. In a combined house strength of 511, the UP ministry should ideally not be of more than 51 ministers. The states too urgently need to have limits imposed on them like the Centre whereby the council of ministers cannot be more than 10 per cent of the strength of the House.

VHP, RSS ACCUSE UP GOVT OF SPOILING SANKALP SABHA

Ram bhakts lathicharged, Ashoke Singhal arrested

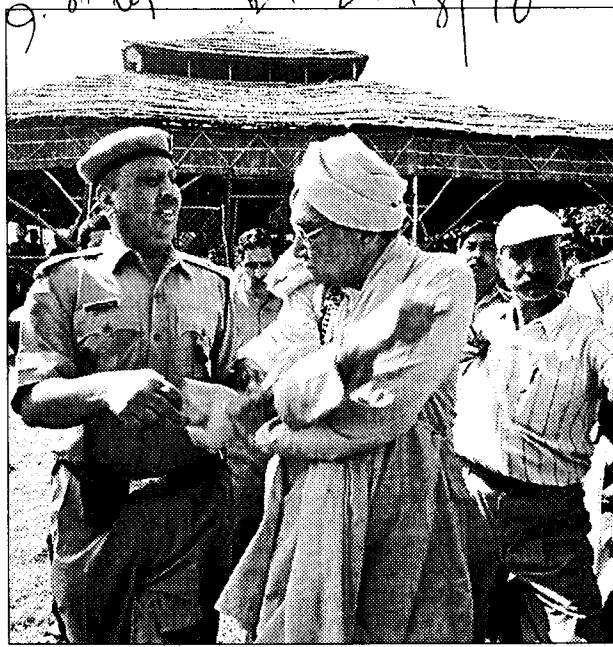
Our Political Bureau
NEW DELHI 17 OCTOBER

THE Mulayam Singh Yadav's government in Uttar Pradesh on Friday foiled the much-hyped VHP's Sankalp Sabha at Ayodhya by arresting the outfit's top leader Ashok Singhal at Ramsevakpuram and by sealing the temple premises.

Ramsevakpuram is VHP's central office and was the venue for the meeting.

Following a script drafted by the Centre, Mr Singh allowed a few Ram bhakts to have darshan in small groups, barring Mr Singhal and other leaders. The state police resorted to lathicharge, burst teargas shells and used rubber bullets to disperse the mob assembled at Ramsevakpuram. The venue of the meeting wore a deserted look with the police preventing the VHP activists from entering the ground.

However, the RSS, which played the peacemaker's role, was miffed with the government for not allowing the Ram bhakts to hold the meeting. It conveyed its unhappiness to deputy prime minister L.K. Advani. Sangh leaders said the organisation's joint general secretary, Madandas Devi, told Mr Advani that the massive security arrangements in the temple town was unwarranted. The development was a setback of sorts for the VHP as it once again demonstrated that the organisation does not have the necessary wherewithal to mobilise people for the campaign. The



Lock Kya Hai? Policemen arrest Ashok Singhal during a demonstration in Ayodhya on Friday. — AP

VHP, which is eager to erase the BJP's contribution to the temple movement, has been charting an independent course. This confrontation is certain to accentuate in the days to come.

The VHP leaders, on the other hand, accused the Vajpayee government of conniving with the Mulayam government to repress the VHP activists. They demanded imposition of President's Rule in UP.

"Just as the NDA allies had demanded dismissal of the Tamil Nadu government after DMK

leader Karunanidhi's arrest, they should now press for the use of Article 356 in Uttar Pradesh," VHP secretary Surendra Jain said.

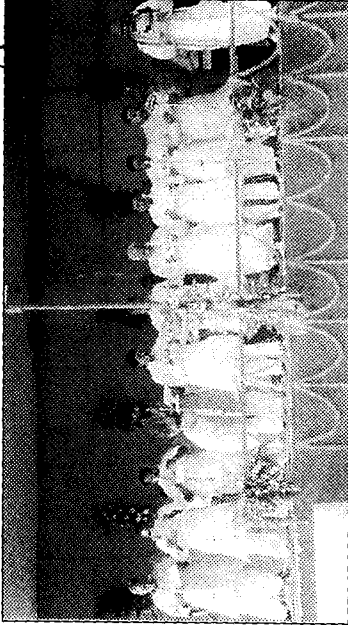
The VHP leaders alleged that over 55,000 Ram bhakts were arrested at various places in the state and nearly 2.5 lakh others were prevented from entering Ayodhya. As many as 147 companies of central armed forces and a major strength of the Uttar Pradesh police were deployed to prevent the kar sevaks from entering Ayodhya.

Mulayam inducts 91 more in his ministry

Our Political Bureau
NEW DELHI 5 OCTOBER

In a Godzila-sized expansion, Uttar Pradesh chief minister Mulayam Singh Yadav on Friday inducted 91 ministers, taking the total strength of his council of ministers to a record-shattering 98. When you take into reckoning the four MLAs who have been made chairmen of various corporations, with cabinet rank, the figure assumes a truly gigantic proportion.

The giant ministry reflected the vulnerability of the SP chief to coalition compulsions and constraints, belying the estimate of his admirers that Mr Yadav in his third stint as the state chief minister would be able to fend off



YES MINISTER: Ministers in Mulayam Singh's Cabinet taking oath in Lucknow on Friday. — PTI

pressures from allies.

With more BSP MLAs set to join the Samajwadi Party, the last hasn't been heard on the size of

Mr Yadav's ministry. State chief secretary Akhilesh Prasad Singh had earlier this week claimed that the ministry would be

capped at a modest level. The final figure, it now turns out, has broken all records, indicating that the Samajwadi Party chief had to succumb to pressures, and even threats, from the neo-converts to his party and his numerous allies.

Among the ministers sworn in this afternoon in Lucknow 24 are of cabinet rank, while the remaining 67 had to be content with the minister of state tag. There are now 30 ministers with the cabinet rank.

Being the largest party in the coalition, the Samajwadi Party walked away with the maximum number of berths at the cabinet level (22 in all, including the two who were inducted on September 2), followed by former union minister Ajit Singh's Rashtriya

Lok Dal (3 in all). The Rashtriya Kiranti Party (2), Loktantrik Congress (Mr Naresh Aggarwal staged a comeback after three years in wilderness), the Samajwadi Janata Party and the Samajwadi Party go on to complete the list.

Of the 67 members with the minister of state nameplate, a sizeable chunk (26) has been garnered from MLAs who had broken away from the BSP and joined the Samajwadi Party after the collapse of the Mayawati regime. The size of the ministry was out of sync with the shrill campaign Mr Mulayam Singh Yadav led against the size of the previous BJP and BSP governments, criticising them for, as he put it, "aggravating" the financial woes of Uttar Pradesh.

Amarmani held in Madhumita murder case

TIMES NEWS NETWORK

Lucknow: The Madhumita murder case moved considerably forward on Sunday with the arrest of former Uttar Pradesh minister Amarmani Tripathi by the Central Bureau of Investigation. Madhumita was shot dead by two assailants in her home here on May 9. The arrest followed confirmation by the Hyderabad-based Central Forensic Laboratory that his DNA matched that of the foetus carried by the dead poetess.

Tripathi is being charged with murder, conspiracy, tampering with evidence and fabricating false evidence to mislead investigators.

The final breakthrough came after the CBI tracked down one of the assailants in Pilibhit jail and extracted strong evidence against Tripathi.

On Sunday evening, the CBI team questioned Tripathi at his Hazratganj residence for nearly an hour before serving the arrest warrant. He was quizzed about his associates allegedly involved in the murder and asked why he had been evading the CBI's calls last week. The former minister, it is understood, had installed a caller ID system to avoid taking calls from the investigators.

At around 6 p.m. on Sunday, Tripathi convened a press conference at his home and told journalists that he was being dragged into the Madhumita murder case as part of a deep-rooted conspiracy. "I cannot face my children and relatives because of the baseless reports being published in the media about my involvement in the murder case," he said.

Just as the press conference concluded, a CBI team walked into the house and began the formalities of his arrest.

Sources said that besides being indicted for murder, he would be booked for fabricating false evidence—he had allegedly floated the theo-

Poetic justice?



Madhumita Amarmani

ry of Madhumita's November 2002 marriage with IIT Kanpur student Anuj Misra.

Sources said that the priest who had gone on record to claim that he had solemnised the marriage would also be booked for fraud and creating false evidence.

The investigation would also cover the role of the two police officers who had picked up Anuj and forced him to admit his marriage with the poetess. A CBI spokesperson in Delhi said Tripathi's wife Madhumani could also be arrested if the need arose.

TAJ HERITAGE CASE

Maya knew it all: CBI

HT Correspondent
New Delhi, September 11

THE SUPREME Court on Thursday directed the CBI to verify within a week and submit a report on the assets of the four people suspected to be involved in the Rs 175-crore Taj heritage scandal.

Sources said the CBI has named Mayawati in its report submitted to the SC on Thursday. "The former chief minister, who also held the environment portfolio, had knowledge of everything about the project," said a senior official.

The court directed the CBI to find out how the initial amount of Rs 17 crore released for the project had been spent and who its beneficiaries were.

The court expressed its displeasure with the CBI, which deviated from the SC's August 21 order asking it to find out the "known and unknown assets" of the persons named in the agency's interim report.

"What have you (the CBI) done to find out the assets of the persons?" asked the court. Additional Solicitor

General Altaf Ahmed, representing the CBI, told the court that the agency would take time to gather credible information which could lead to identification of assets. Such a probe was a wide and painstaking exercise, he argued.

When the court said the pace of investigation was very slow, Ahmed said the CBI would complete the task with a week. The court said at the CBI's present pace, the case would drag on for months. "By delaying, everything will be lost and nothing will be recovered. Collection of evidence regarding assets is much more important," the court said.

Representing the UP government, senior counsel Rakesh Dwivedi insisted the CBI should first probe into the assets of the officials to ascertain how the Rs 17 crore was spent.

Taking note of the CBI report submitted to it on Thursday, the court said there was a prima facie case for launching departmental proceedings against the officials involved in the scam.

THE HINDUSTAN TIMES

12 SEP 2003

Mulayam snatches four more MLAs

Statesman News Service

LUCKNOW, Sept. 9. — Defections in Uttar Pradesh are still continuing. Four MLAs, three from the Bahujan Samaj Party and one from the Janata Party, have joined the Samajwadi Party increasing the party's strength in the Assembly to 185.

Three of the BSP MLAs were in the list of six, which was presented to the Speaker Mr Kesari Nath Tripathi on Saturday by the leader of the breakaway group of BSP Mr Rajendra Singh Rana. He had told the Speaker that they could not be physically present but would be joining the party soon.

The three BSP MLAs Mr Ramji Shukla, Mr Dharampal Singh and Mr Surendra Singh Patel approached Mr Tripathi to recognise them along with the other 37 BSP MLAs who had joined the SP on Saturday. Mr Sanjay Garg of the Janata Party has also joined Samajwadi Party.

Meanwhile, chief minister Mr Mulayam Singh Yadav said he would hold discussions with Congress chief Ms Sonia Gandhi to invite the party to join the government. The Congress MLAs who supported the confidence motion yesterday seem keen to join the government.

Assuring that the new council of

ministers would not be jumbo sized, Mr Yadav said the Cabinet would be expanded very soon. He said consultations with the allies are on and the ministry would have representations from all sections and regions.

BJP to offer new course in UP political menu

CHENNAI, Sept. 9. — The BJP president, Mr M Venkatesh Naidu, today said the BJP wished to start a new chapter in Uttar Pradesh. People there were "tired" of caste-based politics and the BJP would provide them an alternative when required, Mr Naidu said, adding "we want to start a new chapter in Uttar Pradesh." Reacting to criticisms on the re-induction of Trinamul Congress leader, Ms Mamata Banerjee, and MDMK MP, Mr Gingee N Ramachandran, into the Union Cabinet, Mr Naidu said Ms Banerjee had resigned from the Cabinet earlier and as she expressed her desire to return to the Cabinet, the Prime Minister invited her back. As for Mr Ramachandran, he was re-inducted as his name was cleared by the CBI in the cash-for-transfer scam. Mr Naidu said. He was talking to reporters outside the Apollo Hospitals here where he had visited the ailing Union minister, Mr Murasoli Maran. — SNS

SC to hear Raja Bhaiyya plea

NEW DELHI, Sept. 9. — The Supreme Court (coram, Khare, CJ, Sinha, B Kumar, JJ) today listed a petition challenging the Mulayam Singh Yadav government's decision to withdraw Pota charges against Independent MLA from Kunda, Raghuraj Pratap Singh alias Raja Bhaiyya.

The court gave the decision when a petition, filed under Article 32 of the Constitution, challenging the recent UP move came up for mentioning. "The Governor of the state of UP has not sought any advice from the council of ministers, therefore, the action is unconstitutional and the prosecution under Section 3 and 4 against the respondents cannot be withdrawn," the petition, filed by Mr SK Shukla, Mr Kunwar Akhileendra Singh and Mr Pitamber Saroj, all from Kunda, states. Also, the state has "illegally without the mandate of any statute and law interfered in the proceedings pending before the designated court and publicly a direction has been issued to withdraw the case No 10/03 and No 11/03 pending against the respondents under Section 3 & 4 of the Pota".

— Our Legal Correspondent

Thakurs, Muslims desert party ■ Six ministers sworn in

501
279

BSP breaks for a Mulayam ride to power

287 47

STATESMAN NEWS SERVICE

LUCKNOW, Sept. 6. — The BSP in Uttar Pradesh formally split today with 37 Thakur and Muslim MLAs forming a new party, Loktantrik Bahujan Dal (LBD), and later merging it with Mr Mulayam Singh Yadav's Samajwadi Party. Speaker Mr Kesri Nath Tripathi tonight recognised the merger.

Mr Rajendra Singh Rana, elected leader of the breakaway group, handed over to the Speaker a letter signed by the 37 MLAs. The letter claimed that the LBD was formed on 26 August, a day after Miss Mayawati had recommended dissolution of the Assembly.

Mr Rana also presented a second letter claiming the support of another six MLAs who could not be present today. If the figure of 43 is taken into account, the Samajwadi Party's strength goes up to 184

in the House of 402.

The SP national general secretary, Mr Amar Singh, and state general secretary, Mr Shivpal Singh Yadav, accompanied the breakaway MLAs to the Speaker. Among them was Mr Amarmani Tripathi, involved in the controversy over the murder of poetess Madhumita Shukla. Mr Amar Singh said the SP would like all supporting parties, including the Congress, to join the new ministry.

With the split in the BSP, second since 1997, the BJP becomes the main Opposition party in the Assembly.

As many as 13 of the 16 Thakur MLAs have switched side and so have nine of the 15 Muslim MLAs.

Mr Yadav tonight constituted his council of ministers by inducting six Cabinet ministers — two each from the SP (Mr Azam Khan and Mr Shivpal Yadav), RLD (Ms Anuradha

DNA report denial

HYDERABAD, Sept. 6. — The Centre for DNA Fingerprinting and Diagnostics denied informing the CBI that the foetal samples of Madhumita Shukla matched with the blood samples of Mr Amarmani Tripathi. The samples are still being tested and it would take at least two more weeks to come to a conclusion, said the Centre's director, Dr Syed Hasnain. — SNS

Choudhry and Mr Kokab Hamid) and Rashtriya Kranti Party (Mr Rajbir Singh and Mrs Kusum Rai). **Raja Bhaiyya's plea rejected:** A special court today rejected the plea of jailed Independent MLA Mr Raghuraj Pratap Singh, alias Raja Bhaiyya, seeking permission to attend the ongoing Assembly session, PTI adds.

THE STATESMAN

7 SEP 2003

BSP split lifts Mulayam

HT Correspondent
Lucknow, September 5

MULAYAM SINGH Yadav got a major shot in the arm on Friday as nearly 40 dissident BSP MLAs declared that they would form a new party to formalise the split.

Realising that this means a sure victory for Mulayam in Monday's trial of strength with or without its assistance, the BJP issued a whip on its MLAs to vote against his new government in a bid to keep the channel of negotiation with the BSP open.

The BSP dissidents decided to meet Speaker Kesari Nath Tripathi on or before Monday and formalise the split, said their leader Virendra Singh. The new party would be christened Loktantrik Bahujan Party, he added.

The dissident MLAs later met state Samajwadi Party president Ram Saran Das and pledged support to Mulayam. Das said he was confident that more than 40 MLAs of the 110-member BSP legislature group would be part of the new outfit.

In a desperate bid to prevent the breakaway group from being recognised, the BSP filed a caveat before the Speaker, urging him not to recognise the new outfit till it is ascertained that

BJP balancing act

DON'T PUSH MAYA

- By backing Mulayam overtly, BJP doesn't want to push Mayawati into Cong's arms. It hopes for a deal with Maya before LS polls

SPLIT THEORY

- BSP can hurt Cong by splitting Dalit vote in MP, Chhattisgarh, Rajasthan in Assembly polls

APPEAR TOUGH

- Party wants to correct impression that it is behind Mulayam's ascendancy, which could play havoc with its Hindutva plans

its formation was the result of a split in the party. BSP Legislature Party leader Swami Prasad Maurya, who filed the caveat, said: "There has been no split in either the state or the national unit of the BSP and hence the move of some of MLAs to form a separate outfit is against the law."

BSP state chief Barkhu Ram Verma alleged his legislators were being "co-

erced" to extend support to Mulayam in the trust vote. "Three of our MLAs complained that local SP leaders, helped by the police, were threatening them to vote for Mulayam."

Sources said the BJP's decision to issue the whip was primarily driven by two considerations — Mulayam's apparent success in splitting the BSP to rustle up the necessary numbers for a majority, and Mayawati's latest remarks against any possible alliance with the Congress.

The BJP top brass took "specific note" of the BSP leader's remarks at a press conference in the capital where she gave enough indication that she was warming up to the BJP again. BJP insiders said the party should not push Mayawati to the Congress's arms when she is still undecided on future allies.

Mayawati could cut into the Congress's Dalit votes in Madhya Pradesh, Rajasthan or Chhattisgarh by putting up BSP candidates — and it suits the BJP not to antagonise her by appearing to help Mulayam. Venkaiah Naidu told party leaders that UP leaders should treat the BJP's experiences with the BSP as "sweet and sour, but overall positive", indicating that the last may not have been heard of BJP-BSP ties.

Related report on Page 5

CBI grills Maya in Taj case

Chief secy, bureaucrats may turn approver

Umesh Raghuvanshi
Lucknow, September 1

FINALLY, THE CBI quizzed the Mayawati for over three hours on Monday in connection with the Rs 175-crore Taj Heritage Corridor project. A CBI team led by DIG P Neeraj Nayan reached the former chief minister's 13, Mall Avenue residence at about 1 pm and grilled Mayawati till about 4.15 pm. A woman CBI officer was present all through the process of interrogation.

Reports said the CBI team went to her house well prepared. Besides a long list of questions, the CBI sleuths carried some important files which had signatures of her principal secretary P.L. Punia. The CBI team had prepared about two dozen questions on the basis of their scrutiny of documents and investigations done so far.

Sources said as and when Mayawati feigned ignorance about certain points, the CBI sleuths confronted her with the files and documents to establish that she had knowledge of the issues in question. The CBI sleuths also reportedly asked Mayawati who had authorised former transport and excise minister Naseemuddin Siddiqui to deal with

the files of the environment department.

Siddiqui had signed several files and documents in connection with the project though Mayawati, herself, held the environment portfolio. Siddiqui is also being blamed for tampering of files and documents. The role of Union Secretary for Environment K.C. Mishra is already under the CBI's scanner for alleged tampering of documents.

When the CBI sleuths asked supplementary questions and sought clarifications on issues concerning the financial sanction and so on, Mayawati replied to only some of them and refused to answer others. Though Mayawati remained cool, she did not clarify certain points that indicated her involvement in granting clearance to the project. Mayawati said she would not like to speak more than what she had already said. The CBI sleuths immediately recorded her point indicating that she was not willing to answer the question any more.

Sources in New Delhi said there was a strong possibility that two senior UP bureaucrats — Chief Secretary D.S. Bagga and P.L. Punia, former Principal Secretary to Mayawati — might turn approvers.



CORNERED: The former UP chief minister has spilled the beans, says CBI.

BJP to wait till Sept 8

HT Correspondent
New Delhi, September 1

THE BJP will finalise its strategy to adopt in UP at a meeting of its leaders on September 8. The party is bracing to play the role of the main Opposition, and hype the Ram temple issue.

It is awaiting the decision of the special CBI court at Rae Bareilly on framing of charges against L.K. Advani, M.M. Joshi and others. The party expects the new Yadav government in UP to sound tough against the BJP ministers named in the case.

Advani and other leaders were given a notice by

the Supreme Court on Monday on a petition challenging the UP government's move to file two cases in connection with the Babri Masjid's demolition. BJP spokesperson Prakash Javadekar refused to say what the ministers would do if charges were framed against them.

He said the proposed move by the All-India Muslim Personal Law Board to challenge the ASI report was "deplorable and unfortunate." It should accept the historical truth, he added.

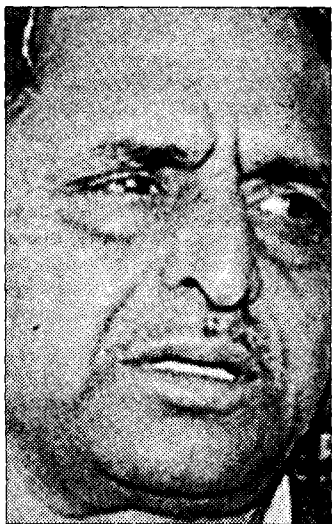
He said the AIMPLB, instead of challenging the report, should accept the historical truth that there

was a temple before the Mughal aggression.

Javadekar said the disapproval of a "scientific" report shows the AIMPLB's lack of confidence in the judicial process. "It is a clear indication that it is ready to accept court verdict only if it favours them, he said, adding, "This was their attitude in the Shah Banu case, too."

He also criticised Maharashtra CM Sushil Kumar Shinde for accusing the Centre of not providing intelligence inputs on the recent twin blasts in Mumbai, saying he wanted to hide his failure by putting the blame on the Centre.

Mulayam to head one-man govt till trust vote



Mulayam Singh Yadav
Tough times ahead

Indo-Asian News Service
Lucknow, September 1

NEWLY-APPOINTED Uttar Pradesh Chief Minister Mulayam Singh Yadav is suffering the pangs of power even before settling down in office.

After cobbling together many parties and individuals to cross the magic figure of 202 needed for a majority in the 403-member Assembly, Yadav is learning that his third stint as chief minister is no bed of roses.

Since taking his oath on Friday as the only member of his Cabinet so far, Yadav has been devoting all his time and energy to preparing for a test of majority on the floor of the House by September 11.

Until then, the composition of the rest of the Cabinet is open to negotiations based on whoever

supports Yadav on the House floor.

"The expansion of the Cabinet will take place only after we prove our majority in the House," he told reporters on Monday, his first full working day in office after assuming charge as chief minister.

Many observe that this is an unprecedented situation. "It has never happened before that there is no cabinet even three days after the chief minister took oath," remarked a senior leader of the Congress, which is yet to decide whether it should participate in the new government.

"As far as our legislators are concerned, they are keen to be in the government," he added. He may be confident but his party leadership in New Delhi is still in two minds, demonstrating just how difficult a job Yadav is in for.

Yadav had made no bones of his

obvious constraints when he chose to take the oath of office and secrecy alone Friday.

His well-known political skills are being tested to the hilt with multiple pressures from key allies — Kalyan Singh's Rashtriya Kranti Party (RKP), Ajit Singh's RLD and the Congress apart from smaller political groups and independents. Samajwadi Party is the single largest group with 142 members. The RLD with 14 members has backed him and the Congress with 16, apart from the 13 rebel members from the BSP of former chief minister Mayawati that lost power last week.

Though the RKP has just four members, its chief Kalyan Singh's role in pushing Yadav's case with Governor Vishnu Kant Shastri has gained him a role of some significance in the new dispensation.

Central secy tampered with Taj files, says CBI

New Delhi
31 AUGUST

K.C. Mishra, secretary, Union environment and forest ministry, has been accused by the CBI of tampering with files pertaining to start of work at the controversial Taj Heritage Corridor project at Agra. According to CBI, which is carrying out a thorough investigation on the direction of the Supreme Court into the alleged irregularities and malpractices in the construction of the Rs 175 crore project, Mr Mishra made "interpolations and tampered with the file in order to cover up his omissions." The investigating agency has accused the senior official of tampering with the files to cover up his lapses in failing to approve the "proposal of the joint secretary and special secretary" to ask Uttar Pradesh government to proceed with the work of the project only after getting statutory clearances and approvals.

Efforts to get Mr Mishra's comment on the CBI allegation did not succeed as he refused to take calls. Though during questioning by CBI, he is reported to have denied having tampered with files but the agency has still stated in its report that he did "interpolations" of files. On the directive of the Supreme Court, the "interpolated and tampered" files were being sent to the Central Forensic Science Laboratory (CFSL) for verification by a handwriting expert of the notes made on the files. Meanwhile, CBI is now planning to question former chief minister Ms Mayawati, as it found that the work was started at the site only after her office gave the go ahead for the project. According to CBI, the project was started with undue haste by the Mayawati government and the work at the site



MONUMENTAL BLUNDERS

began on the basis of "oral orders" issued by the then state environment secretary R.K. Sharma.

The CBI has so far not found any basis for assessing the cost of the project at Rs 175 crore and alleged that work on the banks of river Yamuna was started without "preparation and approval of techno-feasibility report, detailed project report, detailed drawings and cost estimates." Accusing the Mayawati government of not sending the techno-feasibility report and other related documents to the central government for clearance before commencing work, CBI said that the work at the site was started without signing of any agreement between the state government and National Project Construction Corporation (NPCC).

Questioning several persons who dealt with the project papers including then environment minister Naseemuddin Siddiqui, the agency claimed to have found papers which were interpolated and tampered with by him to cover up his sanction order for release of Rs 20 crore for the project in May, 2003. — PTI

UP 10-10 ✓

MULAYAM'S TASK AHEAD

27/6 ✓

BY STATING THAT cases against political leaders under the Prevention of Terrorism Act (POTA) will be withdrawn immediately, the new Uttar Pradesh Chief Minister, Mulayam Singh Yadav, has conveyed his determination to undo one of several instances of abuse of power by the Mayawati dispensation to settle scores with its political rivals. Among others, Raghuraj Pratap Singh, independent MLA, will be set free. His arrest and detention under POTA by Ms. Mayawati was a glaring case of abuse of a draconian law to settle partisan scores. Mr. Singh was arrested soon after he began gathering MLAs to pull down the Mayawati regime. But then his track record cannot be glossed over. *Raja bhैया*, as he is known, has come to represent a tendency in the politics of the region that considers it legitimate to put down all forms of assertion by the socially oppressed classes. Mr. Singh has been accused of murder and other criminal acts. Hence it is imperative for Mr. Yadav scrupulously to ensure that the law takes its course.

This imperative assumes a lot more importance in the larger context of the regime change in Uttar Pradesh. The Bahujan Samaj Party as a political platform and Ms. Mayawati in particular exemplify a socio-political process that is rooted in a Dalit exclusivist agenda fashioned by Dr. B.R. Ambedkar in the midst of the freedom struggle. The inability of the major parties in Uttar Pradesh to internalise the concerns of the Dalit masses during the decades after Independence helped this agenda gain credibility and strike roots across the State. This facilitated the emergence of the BSP as a force on the Uttar Pradesh political scene. A sense of enduring bitterness against other social groups, cultivated among Dalits by Mr. Kanshi Ram and Ms. Mayawati after they founded the BSP in 1987,

helped the party develop into a powerful electoral force. Starting with 10 per cent of the vote in the 1989 Assembly election, the BSP moved into the 20 per cent band within a decade. While this undoubtedly represents political success, the bitterness that marks the socio-political scene in the State and the resultant cleavages and tensions place Dalits in a vulnerable position, especially when the BSP is out of power. This at least is the widespread perception. Much of Ms. Mayawati's politics revolves round this theme. It explains the nature of the campaign she has already launched: instead of finding the reasons for her downfall in her own imperiousness, misgovernance and abuse of power, she attributes it to a diabolical 'conspiracy' against Dalits by 'manuvadi' parties. However, Ms. Mayawati's self-serving agenda must not be allowed to obscure basic social realities. The spectre of attacks on, and intimidation of, Dalits is not something conjured up, especially in a State where caste cleavages and tensions are directly expressed in politics.

Mr. Yadav, who has become Chief Minister for a third time, must show the way to his party and its allies in handling a potentially volatile situation. He must not allow the BSP supremo's provocative and, at times, paranoid style to set the terms for his governance. He must apply a calming hand to the politics of India's most populous State. He must not allow his party, which has suffered many wrongs at the hands of Ms. Mayawati, to resort to tit for tat. He must ensure that the ideal of social justice, a tradition inherited by the Samajwadi Party, is not reduced to an empty slogan. He must instruct his administration to do everything in its power to ensure that the Dalit masses, especially in rural U.P., feel secure and at ease, notwithstanding Ms. Mayawati's high-decibel campaign.

THE HINDU

8 AUG 2003

Mulayam in Pota bailout

New CM avoids annoying BJP on Ayodhya trials

HT Correspondent
Lucknow, August 29

MOMENTS AFTER being sworn in as Uttar Pradesh Chief Minister on Friday, Mulayam Singh Yadav revoked the Pota cases against Independent MLA from Kunda, Raghuraj Pratap Singh alias Raja Bhaiyya, his father Uday Pratap Singh, Independent MLA Dhananjay Singh and MLC A.P. Singh.

Later, at a news conference, Mulayam announced a review of all criminal cases filed by the police under Pota, the Gangster Act, Goonda Act and other laws.

But he ducked a question whether he would reverse the Mayawati government's decision on the Ayodhya demolition case and issue a fresh notification for resumption of trial of all the accused by the

special CBI court in Lucknow instead of Rae Bareilly.

"This question would be collectively decided when we have a full Cabinet," the new chief minister said. He, however, vaguely indicated that his views on the Ayodhya issue remain unchanged, saying everyone should abide by the court verdict.

The BJP cautioned Mulayam against shifting the trials from the Rae Bareilly court, saying if this was done, Yadav would face "political exile". The Supreme Court is to begin hearing on September 1 a petition challenging the Mayawati government's decision. BJP spokesman Mukhtar Abbas Naqvi said, "It is a political case and he would go into exile again as had happened earlier in 1995 after his second term as chief minister if he repeats what he had done earlier."

FRIDAY, AUGUST 29, 2003

10-10
29/8

A NEW REGIME IN UTTAR PRADESH

BY INVITING THE Samajwadi Party leader, Mulayam Singh Yadav, to form a Government, the Uttar Pradesh Governor, Vishnu Kant Shastri, has played it by the book. After the fall of the Mayawati Government, democratic convention required the Governor to explore the prospects of an alternative Government before contemplating any drastic steps. In deep trouble over the scandalous Rs. 175 crore 'Taj Heritage Corridor' project being probed by the Central Bureau of Investigation under orders from the Supreme Court, the Bahujan Samaj Party supremo decided to vent her fury by recommending dissolution of the State Assembly. The Samajwadi Party, the single largest party in the State Assembly, alone had the potential to form an alternative Ministry. The potential was actualised through the smaller parties in the Assembly conveying their willingness to support Mr. Yadav's Government. The fact that Mr. Shastri did not waste any time after this has helped avert uncertainty. Fortunately, the sequence of events following Ms. Mayawati's desperately adventurist play saw all the major political players in the State respond with a sense of sobriety. For one thing, it was the BJP Legislature Party leader, Lalji Tandon's pre-emption of Ms. Mayawati's move for dissolution by informing the Governor of the party's decision to withdraw support that paved the way for Mr. Yadav's Chief Ministership.

Such constructive spirit was all the more necessary given the fragmentation of the polity in Uttar Pradesh during the past decade. The political arithmetic in the Legislative Assembly reflected caste cleavages in society. The Bahujan Samaj Party-Bharatiya Janata Party coalition, put in place after the fractured verdict of February 2002, was an unstable arrangement by any yardstick. Ms. Mayawati's Chief Ministership was an essay in imperiousness, repression, con-

tempt for the norms of coalition ethics, and unashamed abuse of power. She made a costly miscalculation by serving an ultimatum on the Prime Minister to throw the Union Tourism Minister, Jagmohan, out of the Union Cabinet. It quickly became clear that her hostility to Mr. Jagmohan had everything to do with his proper and timely opposition to the Taj Heritage Corridor project. With the Prime Minister, Atal Bihari Vajpayee, and his senior colleagues in the BJP deciding to reject the ultimatum, Ms. Mayawati found herself a sitting duck — with the CBI on her trail and the Central Government studiously refusing to save her. With the CBI enquiry reportedly finding evidence of her approving the Taj Heritage Corridor project, which gives the lie to her earlier protestations, the filing of a criminal case against Ms. Mayawati could be imminent.

On the other side, Mr. Yadav's task now may not be as difficult as it appears on paper. The Samajwadi Party, with 142 members in the Assembly, is a strong force with well-organised support and major resources. The smaller supporting groups, including the Congress and Ajit Singh's Rashtriya Lok Dal, will find it difficult to pull the rug from under his feet. To make up a majority and run a stable government, Mr. Yadav will need to muster support from other quarters. The track record suggests that power in the hands of a strong man like Mr. Yadav could be an irresistible magnet. The BSP seems to be cracking up, but the number of MLAs willing to cross over from its ranks will need to be at least 37 for the defectors to avoid disqualification under the anti-defection law. The imponderables notwithstanding, the fact that Uttar Pradesh has been liberated from Ms. Mayawati's awful ways of governance and will not be obliged to go to the polls a year and a half after the last Assembly election will come as a major political relief.

THE HINDU

29 AUG 2003

Mulayam claims support of 212 MLAs

By J.P. Shukla

LUCKNOW, AUG. 27. The Uttar Pradesh Governor, Vishnukant Shastri, continued to weigh his options even while the Samajwadi Party leader, Mulayam Singh Yadav, tonight rallied the support of 212 MLAs, including 14 from the Bahujan Samaj Party, to substantiate his claim to form an alternative Government in Uttar Pradesh.

The State Assembly has an effective strength of 402 members.

Leaders of all major political parties, excepting the Bharatiya Janata Party and the BSP, accompanied Mr. Yadav to the Raj Bhavan to urge Mr. Shastri to invite Mr. Yadav to form the Government. They said more than 50 per cent MLAs had already met the Governor to extend their support to Mr. Yadav and there was no doubt that he would prove his majority on the floor of the Assembly.

Mr. Yadav told newsmen after coming out of the Governor's chamber that he was quite hopeful that he would be invited to form the Government. The Governor had told him that he would take a decision keeping in view the facts before him, he said.

The SP leader evaded a direct reply to the question if he had submitted a list of his supporters to Mr. Shastri as he had asked him to do in his letter written yesterday. The Governor had the list of all MLAs who had called on him during the day with their letters to support his claim, Mr. Yadav added.

Those who accompanied Mr. Yadav to the Raj Bhavan tonight to support his claim included,



Leaders of the Opposition in Uttar Pradesh, (from left) Kokabab Hameed of the RLD, Kalyan Singh of the RKP, Mulayam Singh Yadav and Amar Singh of the Samajwadi Party and Jagdambika Pal of the Congress at a joint press conference at the Raj Bhavan in Lucknow on Wednesday after they met the Governor to apprise him of the support of 212 MLAs. — Photo: Subir Roy

Pramod Tiwari (Cong.), Kokab Hamid (RLD) and Kalyan Singh (RKP) besides the Samajwadi Party leader, Amar Singh.

Earlier during the day the leaders called on the Governor one by one and handed over to him letters extending their support to Mr. Yadav. Their main logic was that MLAs irrespective of their party affiliations were against fresh elections and that Mr. Yadav would be able to prove his majority on the floor of the Assembly. They urged the Governor to invite him to form a Government without any more delay as that was necessary to

uphold democratic traditions.

The last to call on the Governor to extend their support to the SP leader were some MLAs belonging to the Bahujan Samaj Party. They came to meet Mr. Shastri along with the SP general secretary, Shiv Pal Yadav, and said the Governor should invite Mr. Yadav to avoid elections. According to them, Mr. Yadav alone was capable of having a majority support in the House.

To the dismay of the outgoing Chief Minister, Mayawati, the rebel BSP members said the number of their party MLAs coming to support Mr. Yadav

could ultimately go up to 40. Ms Mayawati had only yesterday claimed that her party was united like a rock and any efforts to split her party would not succeed.

While the number of MLAs presented before the Governor had already exceeded the 50 per cent mark, if the MLAs belonging to the BSP are excluded from the list, the support to Mr. Yadav would be found marginally deficient. There is speculation that the number of BSP rebels could soon go up to a level where a formal split could be formalised in the party.

U.P. Governor asks Mulayam for list

By J.P. Shukla

LUCKNOW, AUG. 26. The Uttar Pradesh Governor, Vishnu Kant Shastri, today asked the Samajwadi Party leader, Mulayam Singh Yadav, to submit a list of his supporters in the Assembly to substantiate his claim to form a government in the State. Mr. Yadav has been asked to submit the list by tomorrow.

The SP leader had earlier called on the Governor to stake his claim to form a government as his party was the single largest group in the Assembly. He had cited various examples in the past when the single largest party alone had been invited to form the government. He told the Governor that he would prove his majority on the floor of the Assembly when needed.

The Chief Minister, Mayawati, who had yesterday recommended the dissolution of the Assembly today tendered her resignation, simultaneously expressing her unwillingness to continue as the caretaker Chief Minister anymore.

Ms. Mayawati seemed to have taken the move to resign to pre-empt the imposition of President's rule in the State. She said she had deliberately taken 24 hours to resign after she recommended the dissolution of the Assembly. Had she resigned yesterday, her action would have led to constitutional problems, making it difficult for the Governor to impose President's rule.

Talking to newsmen after handing over her resignation letter to the Governor, Ms. Mayawati said the leaders of the BJP and other parties had been "propagating" that she was power-hungry and wanted to cling to the post. But this was contrary to her nature or principles. For, her political power was only to fulfil her social objectives.

'Support to NDA withdrawn'

Replying to question, Ms. Mayawati said the BSP's support to the National Democratic Alliance Government in Delhi had automatically been withdrawn with her severing ties with the BJP in Uttar Pradesh.

Ms. Mayawati alleged that horse-trading had already started to allure MLAs from other parties. As many as 40 BJP MLAs were on the verge of leaving the party. They were ready to form a party of their own and would bargain with any one who

was invited to form the next government. She had urged the Governor to see that no one was allowed to play with democratic values.

Asked what would happen if the Governor did not accept her recommendation to dissolve the Assembly she said this would only affect the political health of the BJP. Some dissident BJP MLAs had established contacts with her own party legislators to allure them to support an alternative government. The BSP MLAs had, however, refused to fall into the trap, she added.

She ridiculed the BJP leaders for their claim that they had withdrawn their support to her Government before her recommendations to dissolve the Assembly. If their contention was correct, how was it that BJP Ministers were present at the Cabinet meeting where she had taken the decision to dissolve the Assembly.

Also, no BJP Minister had resigned from her government till today. "How can they continue as Ministers in my government, if the BJP had withdrawn its support to me?," she asked. The letter on behalf of the BJP to withdraw the party support to her was only for political manipulations, Ms. Mayawati said. She ridiculed the Union Minister for Agriculture, Rajnath Singh, for his remarks that the BJP had lost its political base following its understanding with the BSP.

In the elections of 2002 there was no alliance between the BJP and the BSP. "How was it that the BJP supported me in these elections?," she asked.

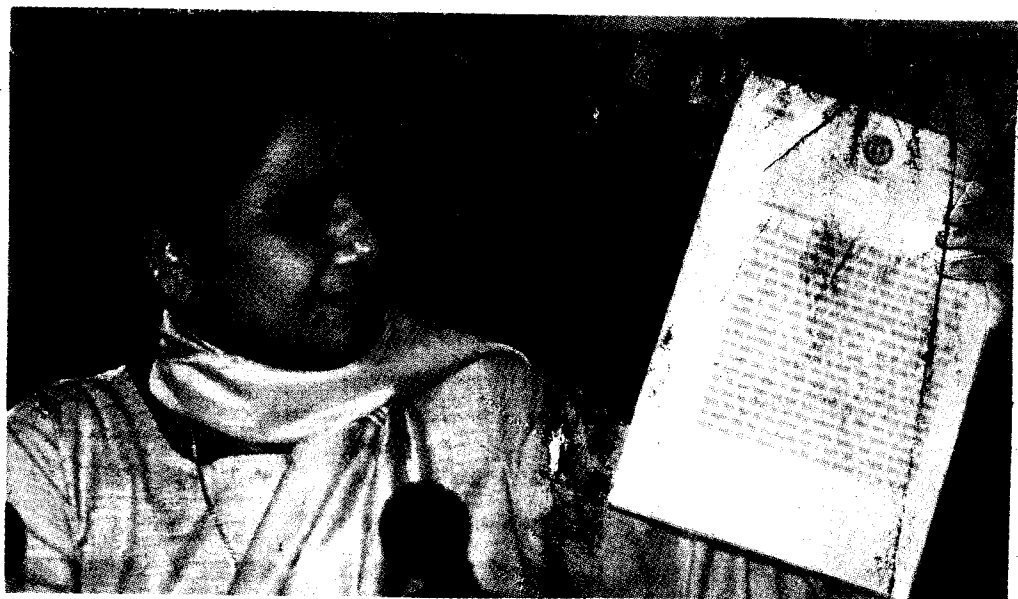
Replying to a question she said it would be doubly beneficial for her if the BJP helped the Samajwadi Party to form the next government. The BJP would be "ruined" as a result of such an exercise and there would be a direct fight between the SP and the BSP to grab power in the State.

Kalyan, Cong. support

The Rashtriya Kranti Party leader, Kalyan Singh, has meanwhile extended his party's support to a Samajwadi Party government saying that Mr. Yadav would be able to prove his majority on the floor of the Assembly.

PTI reports:

The Uttar Pradesh PCC president, Jagadambica Pal, and the CLP leader, Pramod Tewari, would call on the Governor tomorrow to convey to him Congress support to the Samajwadi Party to form an alternative Government.



The Uttar Pradesh Chief Minister, Mayawati, showing a copy of her resignation letter handed over to the Uttar Pradesh Governor, Vishnu Kant Shastri, at a press conference in Lucknow on Tuesday. — Photp: Subir Roy

Temple-like structure existed, says ASI report

By Srawan Shukla
TIMES NEWS NETWORK

Lucknow: Giving the saffron brigade a shot in the arm, the Archaeological Survey of India (ASI) has concluded the existence of a temple-like "massive structure", belonging to 10 AD onwards, beneath the disputed site in Ayodhya in its 574-page report.

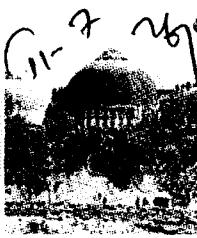
The ASI report, submitted on August 22, was opened by the three-member full bench, comprising Justice S.R. Alam, Justice Khem Karan and Justice Bhanwar Singh on Monday. The bench has given the contesting parties six-weeks' time to file their objections on the sensational revelations made by the ASI in its two-volume report.

"Viewing in totality and taking into account the archaeological evidence of a massive structure just below the disputed structure and evidence of continuity in structural phases from the tenth century onwards up to the construction of the disputed structure alongwith the yield of stone and decorated bricks as well as the mutilated sculpture of the Divine Couple, 50-pillar bases in association with the huge structure, are indicative of remains which are distinctive features found associated with the temples of north India," concluded the ASI in its report.

The ASI team, led by Hari Manjhi and B.R. Mani, had excavated the disputed site for nearly five months between March 12 and August 7 on the March 5 order of the high court. In its report on the excavations, the ASI has dwelt at length on the period from circa 1000 BC to 300 BC and from Sunga (first century BC) to Kushan, Gupta, Post-Gupta up to the Medieval Sultanate level (12-16 century AD).

The ASI report makes mention of a huge structure (11-12th century) on which a massive structure, having a huge pillard hall (or two

Excavation findings



- Structure dating from 10th century onwards existed

- Sculpture and pillars found have features of N Indian temples

- Suggests existence of sanctum sanctorum

halls), with at least three structural phases and three successive floors attached with it was constructed later on. "There is sufficient proof of existence of a massive and monumental structure having a minimum of 50 x 30 metre in north-south and east-west directions, respectively, just below the disputed structure," claims the report.

To prove its point, the report says that during the course of digging, nearly 50 pillar bases with brickbat foundation below calcrete blocks topped by sandstones, were found. Significantly, it also suggests the existence of an original sanctum sanctorum or a place of importance. But it could not excavate the spotted area because of the presence of the Ram Lala makeshift temple.

Ironically, the ASI report did not give any weightage to the glazed wares, graves and skeletons of animals and human beings found during the excavations. Similarly, the celadon and porcelain sherds and animal bones, skeletons recovered from trenches in northern and southern areas belong to the late and post-Mughal period, it adds.

In drafting its report, the ASI has also given importance to carbon dating to ascertain the period of soil and artefacts found during digging.

26 AUG 2003

HD-1
26/8

Mayawati recommends dissolution of U.P. House

By J.P. Shukla

LUCKNOW, AUG. 25. The 15-month-old Bharatiya Kisan Party-Bahujan Samaj Party coalition in Uttar Pradesh came to an end with the BJP withdrawing its support to the Government headed by the Chief Minister, Mayawati, and the latter recommending to the Governor, Vishnu Kant Shastri, the dissolution of the Assembly to seek a fresh mandate from the people.

The Governor later told newsmen that he was examining the two letters — one from the leader of the BJP legislature group, Lalji Tandon, informing that his party had withdrawn support to Ms. Mayawati and the other from the Chief Minister recommending the dissolution of the Assembly. Mr. Shastri, however, stressed that he had received the letter from Mr. Tandon much ahead of that of the Chief Minister giving a

hint that there was little chance of his accepting the recommendation of Ms. Mayawati to dissolve the House.

Meticulous plan

In what looked like the execution of a meticulously prepared plan, Ms. Mayawati had called a meeting of the Cabinet at 10 a.m., an hour before an All-India Convention of BSP workers was to begin at the Ambedkar Maidan here. After some routine matters were dispensed with at the Cabinet meeting the Chief Minister announced that she had decided to resign and recommend the dissolution of the Assembly, throwing the BJP Ministers into a state of shock.

The issue was hurriedly discussed with the national BJP leaders in New Delhi when a decision was taken to write to the Governor to withdraw the party support to Ms. Mayawati. Accordingly, Mr. Tandon drove to the Raj Bhavan to hand over the

letter. Ms. Mayawati reached half an hour later with her letter.

'Political instability'

In her letter, Ms. Mayawati claimed that she had a clear majority in the Assembly but the Opposition was trying to create an atmosphere of political uncertainty in the State making financial allurements to the MLAs.

She said nearly three dozen MLAs of the Samajwadi Party were ready to quit for the sake of ministerial posts and monetary considerations. Nearly three dozen MLAs of the BJP had established contact with the Opposition and were ready to cross to its side. Added to these were 14 MLAs of the Rashtriya Lok Dal who were bargaining with both the sides.

She pleaded that it was necessary to dissolve the Assembly to end this state of political instability in the State.

Opposition plea: Page 12

THE HINDU

26 AUG 2003

EXPLORE AN ALTERNATIVE

THE PROBLEMATIC BAHUJAN Samaj Party-Bharatiya Janata Party alliance in Uttar Pradesh has collapsed. Such a collapse was built into this unprincipled alliance. A durable coalition has to be an alliance of compatible social forces. Ms. Mayawati's social base, consisting overwhelmingly of Dalits, has little in common with the BJP's constituency, mostly the forward castes. It was a convergence of political compulsions that brought the BSP and the BJP together after the Assembly poll in February 2002; both were determined to keep the Samajwadi Party, the largest party in the new Assembly, out. National and regional calculations prompted this Faustian bargain. Although the BJP's central leadership prevailed, a section of the U.P. BJP, especially those close to the former Chief Minister, Rajnath Singh, remained unreconciled to the alliance and continued to wage a cold war against the Mayawati regime. Ms. Mayawati did little to endear herself to her detractors within the BJP; on the contrary, her style of functioning alienated even her supporters. For instance, the Prime Minister had to publicly chide, during the no-confidence motion debate in the Lok Sabha, the U.P. Government for carrying out "excise raids" against the supporters of the Samajwadi Party. On its part, the BJP was becoming less and less dependent on Ms. Mayawati's goodwill, especially after the Ayodhya "conspiracy case" got going at the Rae Bareilly court. Then, the Taj Heritage Corridor controversy squared off the BSP with the Central Government; here, again, Ms. Mayawati would not accept the reality that the Centre's capacity to influence the CBI's enquiry, ordered by the Supreme Court, was limited. The coalition dharma was just not working as the two partners had run out of political reasons to stay together. From these circumstances flowed Ms. Mayawati's decision to seek an early dissolution of the State

Assembly.

In the normal course, the Governor would have been obliged to accept the Chief Minister's recommendation on the dissolution of the Assembly. However, the BJP leaders were smart enough to beat Ms. Mayawati to the Raj Bhavan in Lucknow by a few hours, submitting a letter to the Governor pre-emptively withdrawing the party's support to the Chief Minister. Under the circumstances, the Governor is entitled to invoke his discretion in the matter of accepting — or not accepting — the advice of a Chief Minister who has lost majority support. The Chief Minister has argued that only a dissolution and another Assembly poll will deliver Uttar Pradesh out of its current deadlock. There is no guarantee that another election, within the next few months, will be able to sort out debilitating caste animosities to enable the electorate to give a clear-cut majority to one or another party. The U.P. Governor cannot take at face value Ms. Mayawati's advice on dissolution. The Constitution imposes on a Governor the obligation to guard the State and the electorate against a reckless invocation of Article 174(2)(b). The Governor is enjoined, constitutionally and morally, to explore the possibility of putting in place an alternative government. And given the fact that the Samajwadi Party has the largest number of MLAs (142) the Governor has no option but to ask its leader, Mulayam Singh Yadav, to try to cobble together a Ministry. This may not necessarily suit the BJP's political interests and, in the recent past, the Governor has given the unfortunate impression of being very mindful of the BJP's preferences. This is no time for partisanship; rather, it is time for Governor Vishnukant Shastri to summon the requisite constitutional statesmanship and to explore sincerely the alternative government option. Bringing the State under the Governor's Rule should be a last resort.

THE HINDU

20 AUG 2003

The Taj factor...

9.8x UP Sr 3 26/8
Shahid Pervez in New Delhi

Aug. 25. — The raging controversy over the UP government's Rs 175-crore Taj Heritage Corridor project seems to have played a role, among other factors, in sparking off the current political turmoil in the state.

The already strained relationship between the BSP and the BJP reached a critical point on 28 July when Ms Mayawati demanded Mr Jagmohan's dismissal accusing him of colluding with her detractors to dislodge her government over the Taj project scandal. Less than 24 hours later, she backtracked from her demand in the wake of some tough talking by Mr Atal Behari Vajpayee. The stormy episode, however, introduced a major element of distrust in the relations between the two coalition partners.

The media, along with Mr Jagmohan had raised a stink over the Taj project in June, which ultimately forced Ms Mayawati to stall it. Not surprisingly, on 30 July, Ms Mayawati convened an emergency meeting of the BSP legislature party where she bluntly asked her MLAs to get ready for fresh elections. She also vented her spleen against the BJP for not backing her government in Parliament when the Opposition slammed it over the Taj issue. She also gave a shade of suspense to the already volatile state political scenario by seeking a postponement of the Assembly Budget session from 7 August to 28 August. Meanwhile, Mr LK Advani made it clear that Mr Vajpayee had not given any "assurance"

to Ms Mayawati on her complaint in the Taj matter.

Ms Mayawati's discomfiture over the Taj project grew after the Supreme Court ordered the CBI to inquire into alleged "irregularities and illegalities" in the scandal. On 21 August, the apex court directed the CBI to interrogate four to five "high and mighty" persons named in the CBI's interim report for their alleged complicity in the construction of the project without any clearance from the Centre. The court asked the CBI to probe even their assets as the UP government had released Rs 17 crore to launch the project.

The allegations involving payment of kickbacks have already been doing the rounds. The court told the agency to complete the inquiry "expeditiously" and submit its final report by 11 September.

Taking note of allegedly interpolated documents relating to the case as indicated by the interim CBI report, the apex court also ordered the director of the Central Forensic Science Laboratory to conduct a handwriting analysis of the material.

Yesterday, the CBI questioned the UP environment minister, Mr Naseemuddin Siddiqui, known as Mayawati's "favourite minister", in connection with the scam. It has already examined Mr RK Sharma, suspended environment secretary, Mr DS Bagga, chief secretary, and other senior officials. Mr Sharma has accused Mr Bagga of clearing the Taj project and releasing Rs 17 crore.

THE STATESMAN

26 AUG 2003

Give us a chance: U.P. Opposition

By Our Special Correspondent

NEW DELHI, AUG. 25. The Opposition parties in Uttar Pradesh have demanded that they be given a chance to form an alternative Government and cautioned the Governor, Vishnu Kant Shastri, against accepting the Chief Minister's recommendation to dissolve the Assembly. "We have the numbers and should be given a chance to prove our majority on the floor of the House," said Amar Singh, Samajwadi Party general secretary.

For once, the entire Opposition is speaking in one voice on the issue. The Congress, and the Rashtriya Lok Dal president, Ajit Singh, voiced the same demand. In a letter to Mr. Shastri, the Congress urged him to

hear out the Opposition's case before taking any decision. Ajit Singh said that the "Governor was bound by the Constitution to give us a chance to form an alternative Government."

Aware of the fast-paced developments in Lucknow, the Opposition parties were quick to get into the act, once it became clear that the Chief Minister had recommended the dissolution of the State Assembly.

Amar Singh, who was in Jaipur, air-dashed to the capital, while Ajit Singh was on the phone with senior Congress leaders and former U.P. Chief Minister, Kalyan Singh. Amar Singh conferred with Congress president, Sonia Gandhi, Ajit Singh and Kalyan Singh. The Opposition made it clear

that it was against the dissolution of the House and elections in the State. "There is no reason to dissolve the House, we are capable of providing an alternative Government, nobody wants elections, the State cannot afford frequent elections," Ajit Singh said.

The Congress requested Mr. Shastri to explore the possibility of formation of an alternative government instead of going in for fresh elections.

We had elections in February last year, there is no need to go in for yet another election now," said the UPCC chief, Jagdambika Pal, emerging from a meeting of party leaders at Ms. Gandhi's residence. Meanwhile, the Congress claimed that what transpired today was on expected lines.

President's rule, best option: BJP

By Neena Vyas

NEW DELHI, AUG. 25. With the third political divorce between the Bharatiya Janata Party and the Bahujan Samaj Party complete today, the BJP leadership here is veering around to the view that the best option before it is to impose President's rule in Uttar Pradesh.

Tomorrow (Tuesday) morning the party's parliamentary board will meet here to review the entire political situation in the State as the Government at the Centre awaits a report from the U.P. Governor, Vishnu Kant Shastri.

The dilemma faced by the party is that while it would like to avoid U.P. going to the polls along with the five Assembly elections due later this year, it would also like to prevent a situation in which a credible claim to form an alternative government is made by the Samajwadi Party chief, Mulayam Singh Yadav.

Now that the U.P. Chief Minister, Mayawati, has openly stated that she has recommended the dissolution of the Assembly to the Governor, there will be many MLAs in several parties who will be willing to change their political loyalties to avoid an early election. The BJP leadership here is acutely aware that even last year there was a group of nearly 20 disgruntled party MLAs in the State and very recently it had to take strong disciplinary action against Ramash-

ish Rai who had become the focal point of dissent. Party leaders here are of the view that at the moment there seems to be no option for the BJP except to try and impose President's rule for a cooling off period of a few months. But for this Ms. Mayawati's resignation must be secured. So far, the indications from Lucknow are that she is adamant and will not resign. She has recommended dissolution of the Assembly to the Governor and early elections. In such a situation she would remain the caretaker Chief Minister till elections are held unless she is forced to quit after losing a confidence vote in the Assembly.

At a meeting at the Prime Minister's residence this evening several senior leaders discussed the legal issues involved. Besides the Prime Minister, Atal Bihari Vajpayee, the Deputy Prime Minister, L.K. Advani, the Finance Minister, Jaswant Singh, and the Law Minister, Arun Jaitely, were present. The party president, Venkaiah Naidu, was in Chennai, but was in touch with the top party leaders. He will chair tomorrow's Parliamentary Board meeting. Besides the nine parliamentary board members, some senior BJP leaders from Lucknow are also expected to attend.

Party leaders admit there were two factors that had prompted the BJP to enter into an alliance with the BSP after

U.P. Assembly elections last year. One, it wanted to prevent Mr. Yadav from forming a government, and two, looking ahead to the next Lok Sabha elections it saw the relationship with the BSP as a way to secure about 45 to 50 of the 81 seats in U.P. Now all those calculations have gone awry.

The Prime Minister's Office here confirmed that Mr. Vajpayee had received a long letter from Ms. Mayawati listing her complaints against the BJP. But clearly, the first serious rift took place when the BJP forced her to withdraw her demand for the resignation or dismissal of the Union Minister, Jagmohan, who, she alleged, had tried to blame her for the Taj Heritage project controversy. BJP leaders here believe that today's crisis was born out of Ms. Mayawati's difficulties as the CBI's investigation into the controversy progresses under the keen eye of the Supreme Court.

'Mayawati's action unilateral'

By Our special Correspondent

CHENNAI, AUG. 25. The BJP Parliamentary Board will meet in New Delhi on Tuesday to decide the future course of action in the light of the political developments in Uttar Pradesh, the party president, M. Venkaiah Naidu, said today.

The State leaders — Rajnath

Singh, Lalji Tandon, Vinay Katiyar, Kalraj Mishra and Om Prakash Singh — had also been asked to attend the meeting, he added.

Describing the Chief Minister, Mayawati's action to seek the dissolution of the Assembly "unacceptable and unusual" Mr. Naidu told *The Hindu* that his party had decided to withdraw support to the BSP-led Government because Ms. Mayawati took the decision "unilaterally". "The advice of Ms. Mayawati to dissolve the House is not binding on the Governor, Vishnu Kant Shastri, as the State leaders of the BJP had earlier met him and urged him not to accept such an advice". Asked what prompted the BJP to withdraw support, he said there was a coalition Government in Uttar Pradesh, but "she took a unilateral decision".

Mr. Naidu is here to address a public meeting marking the culmination of a 'yatra' being taken out by the president of the State unit, C.P. Radhakrishnan.

Asked whether there was a mismatch between his party and the Bahujan Samaj Party of Ms. Mayawati, he said "it is all a political experiment."

In the Assembly elections (that took place in February 2002), no single party or a combination of parties secured a mandate to form the Government." As there could not be another election (to the Assembly) immediately."

26 AUG 2003

THE HINDU

Mulayam's call to oust Mayawati Govt.

By Our Special Correspondent

LUCKNOW, AUG. 17. The Samajwadi Party leader, Mulayam Singh Yadav, today called upon his party cadre to prepare for what he called the "final battle" against the coalition Government in Uttar Pradesh headed by Mayawati which had crossed "all limits of oppression and injustice". The party agitation being launched from August 25 was a "people's agitation" and they would not rest till the regime was ousted.

At a meeting of the Samajwadi Party MPs, MLAs, State office-bearers and heads of different district and city units, party leaders including Janeshwar Mishra and Beni Prasad Verma chided the cadre for not doing enough to show their "disgust" against the Bahujan Samaj Party-Bharatiya Janata Party Government. They referred to police lathicharge on schoolchildren in Lucknow and similar police action against innocent citizens elsewhere in the State. The incidents should have been converted into big public issues.

Mr. Yadav alleged that he had definite information that Opposition leaders might be implicated in false cases, including



The Samajwadi Party chief, Mulayam Singh Yadav, helping Janeshwar Mishra to wear a cap during a meet of MPs and MLAs of the party in Lucknow on Sunday.

— Photo: Subir Roy

under the provisions of the PO-TA, for "possessing illegal arms".

Unemployment was increasing in the State day by day, the cost of education had gone beyond the reach of the common people and 40 per cent of students had been deprived of higher education this year. The party workers should highlight these "failures".

Incidentally, the Bahujan Samaj Party too has called for an

all-India convention of its workers in Lucknow on August 25.

In an apparent reference to the recent diatribes against his party by the Congress leader, Salman Khursheed, Mr. Yadav said efforts were being made in certain quarters to describe his party as a regional force.

"But no one should discount the potential of the Samajwadi Party. No one can ignore the role of his party in national politics."

THE HINDU

18 AUG 2003

Taj corridor row gets murkier

By Atul Chandra
TIMES NEWS NETWORK

Lucknow: If the complaint filed by Ajay Agarwal, a lawyer, before the Supreme Court is to be believed, then the former principal secretary, environment, R.K. Sharma, has been telling "some of his relatives" that the Taj Heritage Corridor project involved Uttar Pradesh chief minister Mayawati, principal secretary to the chief minister P.L. Punia and chief secretary D.S. Bagga.

Mr Agarwal's complaint, which is now a court document, also accuses Mr Sharma of telling some people that he had given 12 diamond bangles worth Rs 2.5 lakh each to the chief minister. What is more important than the diamond bangles is the connection which the complaint seeks to establish between the Taj Heritage Corridor and the bigwigs of the central and UP governments.

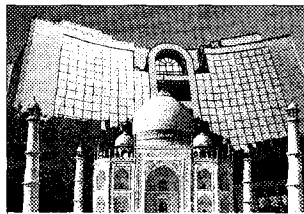
It says, "You have said in your circle that you are helping in the construction of the house of K.C. Mishra, secretary, ministry of environment and forests,

government of India, and so will face no hurdle in the sanctioning of the projects by the government of India."

If there is any truth in the complaint, the UP government had awarded the contract to Ishwaku Constructions which engaged sub-contractors. "It is Ishwaku Constructions, whose owners are your friends, who are actually getting this project implemented by sub-contractors and you have used the NPCC for getting the contract without a tender," Mr Agarwal claimed Mr Sharma had told some people. Mr Agarwal was the advocate on record for the UP government in the Taj Heritage Corridor case but was removed "within four days of communicating the complaint to the chief secretary" against R.K. Sharma.

According to Mr Agarwal's complaint, Mr Sharma had threatened Mr Agarwal with dire consequences after the two fell out allegedly over the issue of payment to Agarwal.

On the basis of his complaint, the Supreme Court has ordered the police to provide Mr Agarwal with protection.



Maya jaal

The prime minister did well to resist her blatant blackmail

IT was a tawdry sight as Mayawati's flock forces successive adjournments in the Lok Sabha, baying for Union minister Jagmohan's scalp. The climax of a sorry drama starring a misconceived project and a government on the run. Ever since the Taj Heritage Corridor project was bared by an alert media, everyone has wondered how the monumental folly reached the stage it did. Just who sanctioned those criminally tasteless plans to construct a shopping complex in the vicinity of one of the world's most beautiful monuments in the first place? Just what was the Uttar Pradesh government doing anyway? On her part, Chief Minister Mayawati has been furiously trying out scapegoats. It was one unfortunate bureaucrat, her former secretary of environment, who was wholly responsible and must be suspended forthwith, earlier this month. It was Union Minister for Tourism and Culture Jagmohan now. He was guilty, presumably, for not having held the state government's hand before it could sanction the crime. He was also guilty, Mayawati screamed, of a grand design to destabilise her government, and BJP-BSP relations, too.

Sorry, Behenji, the glove did not fit, again. It stretches the credulity to believe that the chief minister of the state was the last to know of construction activities so impossible to keep under wraps. It carries even less

weight that the Union minister and the Archaeological Survey of India should be the one to take the rap for something that happened under the UP government's nose. And then there's the in-your-face normlessness of Mayawati's tirade. The press conference in Lucknow, to read out for all to hear the contents of a letter she has written to the prime minister, before he has a chance to respond. The attempt to bully and blackmail in Parliament even while a CBI inquiry into the case is in progress, ordered by the Supreme Court.

There is obviously more to this mess than meets the eye. The unfolding drama has much to do with the turbulent state of always-rocky BJP-BSP relations in the coalition government they run in UP. As if on cue, a group of BJP MLAs from UP have reiterated their demand for the BJP leadership to snap its ties with the BSP. It is also not incidental that all of this is playing out in an election year. With four crucial assembly elections later this year, and the general elections coming up next year, Mayawati is checking out her room for manoeuvre in the alliance with the BJP. Atal Bihari Vajpayee did well to immediately rule out all possibility of Jagmohan's resignation. It was his firmness that probably forced her to back down for now. Even in coalition politics, especially in coalition politics, it pays to draw the line.

BJP THREAT WORKS, MAYAWATI RETRACTS DEMAND

U.P. crisis peaks, blows over

By Neena Vyas

NEW DELHI, JULY 29. The fragile alliance between the Bharatiya Janata Party and the Bahujan Samaj Party which is keeping the Mayawati Government going in Uttar Pradesh reached the breaking point today but the crisis blew over quickly after Ms. Mayawati retracted her earlier demand for the dismissal of the Union Tourism and Culture Minister, Jagmohan, on the issue of the Taj Heritage Corridor project.

In fact, after retracting her demand for the dismissal of Mr. Jagmohan at a press conference in Lucknow, Ms. Mayawati rushed to Delhi and met the Prime Minister, Atal Behari Vajpayee, to personally assure him that she wanted the alliance to survive and that she continued to support the National Democratic Alliance Government led by him at the Centre.

This meeting was preceded by a BJP "high command" meeting where the Prime Minister, the Deputy Prime Minister, L.K. Advani, the party president, Venkaiah Naidu, the Human Resource Development Minister, Murli Manohar Joshi, and the Finance Minister, Jaswant Singh, were present. Reports suggest that the top BJP leadership has decided to take a "tough stand" and warn Ms. Mayawati that they will not tolerate this kind of behaviour in the future. In fact, when Ms. Mayawati arrived at the Prime Minister's residence shortly after 8.30 p.m. — and the meeting continued till about 10 p.m. — the "big five" of the BJP stayed on to do some frank talking.

Ms. Mayawati's "surrender" was seen to be the direct result of considerable muscle-flexing by the BJP during the day. The BJP MPs from Uttar Pradesh met Mr. Vajpayee to demand that the party withdraw its support to the Bahujan Samaj Party-led coalition. Mr. Naidu set tomorrow as the "tentative" date for the BJP Parliamentary Board meeting to consider review of support to the BSP and summoned its U.P. leaders for consultations.

Late in the evening, the party leadership met at the Prime Minister's residence to discuss the issue in its entirety for, it is no secret that well before the Taj corridor controversy the relationship between the BJP and the BSP at best had been uneasy. In fact, by afternoon, the BJP legislative party leader, Lalji Tandon, had a meeting with Mr. Advani.

The problem surfaced in the morning — Ms. Mayawati spoke to the Prime Minister and reiterated her demand for Mr. Jagmohan's dismissal, but the Prime Minister is believed to have politely but firmly told her that he would stay as long as he enjoyed his trust and also added that it was not right for her to demand a Union Minister's resignation. The issue was raised at the BJP parliamentary party meeting and Mr. Vajpayee disclosed that he had also received a letter from Ms. Mayawati and a telephone call had followed.

What made the situation worse was that Bahujan Samaj Party MPs vociferously raised the demand for Mr. Jagmohan's resignation in the Lok Sabha and stalled the proceedings. Following this, a delegation of

BJP MPs from Uttar Pradesh met Mr. Vajpayee and demanded that the party withdraw its support. Enough was enough, they said. The BJP's Delhi MPs, some of whom have had their own battles with Mr. Jagmohan, also came to his defence.

The majority view in the party was that the coalition arrangement was not going well for the BJP and that the Taj corridor controversy should be used to withdraw support. By evening, just before reports came that Ms. Mayawati had back-tracked, the senior party vice-president, Pyarelal Khandelwal, said that it should be "Ms. Mayawati who should resign" over the "illegal clearance" for the project given in "clear violation" of rules.

"We were not happy with the behaviour of the BSP MPs in the Lok Sabha today... I am calling a meeting of the Parliamentary Board tomorrow and I have asked the party's U.P. State leaders to come to Delhi urgently," Mr. Naidu told reporters. "We want to discuss the entire situation," he added in response to questions whether the BJP would consider withdrawal of the support to the Mayawati Government.

But by that time information had come in from Lucknow that at a press conference there Ms. Mayawati had withdrawn her demand for Mr. Jagmohan's dismissal. The crisis was over.

Mr. Naidu said: "now there is information that the BSP has withdrawn its demand. I do not want to debate an issue or comment on it when it is subject of an inquiry ordered by the Supreme Court."

Mayawati drops demand: Page 11

THE HINDU

30 JUL 2003

UP CM Withdraws Jagmohan Resignation Threat, Saves Own Govt

Mayawati beats a hasty retreat

Our Political Bureau
NEW DELHI 29 JULY

THE BJP on Tuesday got the better of the BSP in the UP poker game when it forced the Uttar Pradesh chief minister Ms Mayawati to back out from her demand for the dismissal of Union culture minister Jagmohan by threatening to pull down her government.

The party which has for long been at the receiving end of Ms Mayawati's muscle-flexing today succeeded in calling the Uttar Pradesh chief minister's bluff by putting up a calibrated show of aggression and indicating that the party would prefer to pull out of the Uttar Pradesh coalition rather than appease her with the scalp of Mr Jagmohan. While Mr A B Vajpayee told the chief minister over phone that he would not like any intrusion into a turf that belongs exclusively to the prime minister, deputy prime minister L K Advani said that his party's members are unhappy over the relentless attack on their leaders.

The prime minister also chose to make public his annoyance with the UP chief minister at the meeting of the BJP's parliamentary group. The meeting saw the leadership allowing as many as 21 MPs to vent their anger against the UP chief minister and their demand for the withdrawal of support to the Mayawati government. This was promptly shared with the media at the routine briefing by spokesman Mr V K Malhotra. "The prime minister told the meeting that there was no question of asking Mr Jagmohan to resign from the government. He enjoys the complete confidence of the prime minister," Mr Malhotra said. At another briefing, party president Venkaiah Naidu said Mr Jagmohan is an honest and efficient minister. "He will con-



LETTER OF DISCONTENT

tinue in the government," Mr Naidu said.

The plain talk by the big two of the government as well as tough mood in the BJP, Ms Mayawati called a press conference to make the conciliatory noises. Announcing the climbdown at Lucknow, the chief minister was a picture of accommodation and reasonableness as she asserted her desire not just to continue the association with the BJP and NDA but even to upgrade it by a partnership for the Lok Sabha polls. The press conference, which was preceded by heavy drama in Lok Sabha where her colleagues grounded proceedings to a halt demanding the resignation of Mr Jagmohan, also saw Ms Mayawati washing her hands off the agitation in Lok Sabha. "I never asked them to stall Parliament. It was not the right way to express their feelings. I have asked them to ensure smooth conduct of Parliament," the chief minister said. She also used the press conference to claim that she shared a cordial relationship with the BJP.

Climbdown irks Congress

Our Political Bureau
NEW DELHI 29 JULY

MAYAWATI'S climbdown in the confrontation with BJP over her demand for the scalp of Union culture minister Jagmohan has disappointed Congress which was expecting the spat to snowball into a crisis for the NDA. Congress was clearly expecting an escalation of tension and its anticipation was betrayed fully by its members who cheered on the agitating BSP contingent when it forced its way into the Well of the Lok Sabha to demand the ouster of Mr Jagmohan.

The visible glee came from the expectation that the latest of a series of BSP-BJP spats would strain the credibility of NDA as a stable arrangement, besides creating complications for BJP's gameplan to reap a good tally of seats from Uttar Pradesh by partnering Ms Mayawati.

The party had felt similarly elated when National Conference pulled out of NDA but was constrained not to give vent to its feelings for the fear of annoying its J&K ally Mufti Mohammad Sayeed. No inhibiting factor was in play this time and the party, as if to avenge for the embarrassment of losing a government in Arunachal despite a steamroller majority, wore its joy on its sleeves in both Houses. The let-down is compounded by the recognition that with the BSP-BJP coalition staying intact, the party will be without a formidable ally in UP.

Sack Jagmohan, foil oppn plot, Mayawati tells PM

Union minister colluding with opposition to upset BSP appecart, claims UP chief minister

g.s.n. **TIMES NEWS NETWORK** **(17/7)**
Lucknow: The controversial Rs 175 crore Taj Heritage Corridor (THC) project, currently under CBI investigation at the behest of the supreme court, is set to become a major bone of contention between the BJP and the BSP with Uttar Pradesh chief minister Mayawati insisting that Prime Minister Atal Bihari Vajpayee sack Union environment minister Jagmohan.

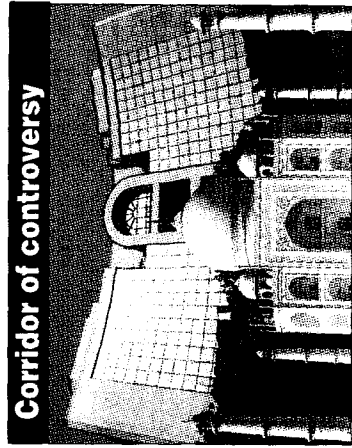
"In case there is no action against Jagmohan, the BSP will raise the issue in the Lok Sabha on Tuesday and expose him," Mayawati warned the Centre at a hurriedly convened press conference here on Monday. "I am at a loss to understand how Jagmohan could remain unaware of the construction activity when it had

been going on at a stone's throw from the ASI office located within the vicinity of the Taj Mahal since December 3, 2002," she said.

"Let me make it clear to you all that Jagmohan is hand-in-glove with the opposition and his virulent campaign against my government is a part of a strategy to destabilise my government by creating a rift between the BSP and the BJP. But we will not take it lying down... we will expose him," she said.

Although quickly discounting the threat to her government in the wake of the controversy, Mayawati said, "I have sent a letter to the PM stating all the facts and also expressing my objection to Jagmohan's latest statement trying to pass the buck to my government."

Regarding the project, she said it was



Corridor of controversy

well within the knowledge of the Centre, as the meetings held in connection with the THC by the mission management board on August 4 and October 12 last year were also attended by various officials of

Jagmohan's ministries, including the environment ministry and the Archaeological Survey of India.

She then sought to know why Jagmohan had shied away from taking action against the officials of his ministry who had failed to inform him about the project after they learnt about it. "Was he in a deep slumber, like the mythical Ramayan character Kumbhakaran?" she asked.

In New Delhi, Jagmohan brushed aside Mayawati's shrill demand for his dismissal, saying the supreme court would decide on the THC project.

"The matter is already before the SC, which has ordered a CBI inquiry. The inquiry report will be submitted to the supreme court which will then decide," he said, adding, "Therefore, I have nothing to say on this subject."

Maya admits clearing Rs 175-cr Taj project

98 cr up. 29/7

HT Correspondent
Lucknow, July 23

IN A sudden volte-face, Chief Minister Mayawati on Tuesday said she had given the order for the construction work of the Rs 175-crore Taj Heritage Corridor project after due sanction from the Union Government. However, the Union Environment and Forests Ministry has already made it clear that the proposal was not cleared.

On July 2, Mayawati had in a statement said that she, the chief secretary, the finance department and the environment minister knew nothing about the project. The chief minister, however, for the first time,

admitted that she knew about it and had written a letter to Union Environment Minister T.R. Baalu about its clearance along with other projects under the Taj Trapezium Zone. Mayawati, in a knee-jerk reaction, had suspended then secretary, environment, R.K. Sharma for releasing Rs 17 crore without proper sanction.

Reacting to former Chief Minister Kalyan Singh's statement that Mayawati knew about the project, she said Baalu's letter released by Kalyan Singh on July 21, was, in fact, acknowledgment of her letter dated October 3, 2002. Singh, while releasing the letter, said the

principle to various schemes on Taj, which included the THC project also. She said Kalyan Singh had quoted Baalu's letter out of context.

Mayawati said she had decided to implement the project after approval by the Union Government's Cabinet Committee on Economic Affairs and it was for this that she had written a letter to Baalu. She said this letter was about all the projects, which also indicated that the state government wanted the Union Cabinet's consent in all Taj-related projects.

Releasing a letter of Baalu, Kalyan Singh had said Mayawati could no longer feign ignorance about the project. While acknowledg-



Mayawati
U-Turn

chief minister knew about the project.

The chief minister also accepted that the mission management board (MMB), at its meeting on August 4, 2002, had given approval in

ing Mayawati's letter of October 3, 2002, Baalu, in his reply on October 9, 2002, had said the ministry was examining the project connected with Taj Trapezium. Mayawati had written to the minister about approval of the project by the Central Pollution Control Board and the release of funds. The letter was received at the CM's office on October 30, 2002.

The CBI, which has taken possession of all documents on the project, is to fix the responsibility about the implementation of the project without Centre's clearance. Without Mayawati now acknowledging her involvement, she is responsible for the implementation of the project.

Not involved, says Centre

IN A significant development, the Centre on Wednesday dissociated itself from the Taj heritage corridor project and categorically stated that none of its agencies had given the clearance for the project taken up by the UP government.

Tourism and Culture Minister Jagmohan assured the Lok Sabha that the Centre would fully cooperate with the CBI probing the matter on Supreme

Court directions. To queries from various speakers, he said the question of the Vajpayee government having approved the project did not arise. On the state government having already released Rs 17 crore for the work, he said it was done without the sanction of the Union environment ministry. "The CBI probe will unravel the mystery of who granted the sanction," he said.

HTC, New Delhi

THE HINDUSTAN TIMES

29 JUL 2003

NO PROOF OF LACK OF MAJORITY: GOVERNOR

Demand for U.P. Govt.'s dismissal rejected

By J.P. Shukla

LUCKNOW, JUNE 11. The Opposition parties in Uttar Pradesh have been forced to wait till at least September to fight it out with the Government on the floor of the Assembly, with the Governor, Vishnu Kant Shastri, rejecting their demand to either dismiss the Chief Minister, Mayawati, or direct her to seek a fresh vote of confidence. The last session of the Assembly ended in March.

Breaking his silence over the Opposition claim that with the Rashtriya Lok Dal's withdrawal of support the Mayawati Government had been reduced to a minority, the Governor said that no details had been placed before him which could prove *prima facie* that the present Government was not in a majority. A press statement issued selectively last night from the Raj Bhavan said that the Governor was not satisfied with the Opposition claim.

Giving details of the sequence of events during the past fortnight, the statement said that on May 30 a delegation led by the RLD chief, Ajit Singh, and the leader of the party in the Assembly, Kokab Hamid, called

on the Governor and submitted a letter stating that the RLD was withdrawing support to the Government. On May 31, the Congress Legislature Party leader, Pramod Tiwari, demanded a fresh vote of confidence by Ms. Mayawati in the House in another letter to the Governor.

The State BJP chief, Vinay Katiyar, later called on Mr. Shastri and stated that the Government enjoyed a clear majority in the Assembly.

The leader of the BJP legislature group and Minister for Urban Development, Lalji Tandon, told the Governor that in the past too the Opposition had claimed to have the support of some BJP MLAs. If a list of such MLAs was submitted, the Governor should call them to verify the claim, he said.

Newspaper reports on the Opposition's claim had been appearing all through but no details had been submitted to the Governor which could prove that the Government had lost its majority, the statement added.

The Governor's stand has created problems for the RLD which had shifted its group of MLAs to Srinagar to prevent "poaching". Presently, the RLD

legislators are camping in Shimla. How long the party will be able to protect them is anyone's guess.

Decision influenced by Govt., says Mulayam

PTI reports:

Meanwhile, the Samajwadi Party president, Mulayam Singh Yadav, has accused the Governor of not conforming to established democratic traditions while rejecting the Opposition demand for dismissing the Mayawati Government.

The Raj Bhavan statement that the Opposition had so far not submitted any proof to enable the Governor to conclude that the Government had been reduced to a minority, appeared to be influenced by the Government, Mr. Yadav told presspersons in Etawah. After the Supreme Court verdict that a government's majority should be proved on the floor of the Assembly, there was no room for confusion on this count, he said.

The SP chief said he would be returning to New Delhi today where he would hold consultations with the Congress president, Sonia Gandhi, to chalk out the future strategy.

98
MP

10-12/6

12 JUN 2003

R.D. T. 100

Maya away, Mulayam blames Vajpayee for UP mess

AGENCIES
LUCKNOW, JUNE 10

CALLING Prime Minister A.B. Vajpayee the *mukhta* (mask) of the RSS, Samajwadi Party chief Mulayam Singh Yadav today said Vajpayee and his deputy L.K. Advani are out to destroy democratic norms by allowing a minority government to continue in Uttar Pradesh.

He also alleged that the coalition government in the state is hatching a conspiracy to implicate Rashtriya Lok Dal (RLD) MLAs, if they refuse to extend their support to the Mayawati government.

"In fear of such conspiracy, the RLD MLAs are staying



outside the state," he said. Addressing a joint meeting of the MPS, MLAs, district presidents and frontals, Mulayam called upon the party workers and common people to launch

a 'mass agitation' to protest against the misrule of the Central and state governments. "We have no option but to launch such agitation against the undeclared emergency in

the state," he said. Reiterating that his recent political efforts should not be seen as a move to gain power in the state, Mulayam said his priority would be to save the state and country from the "corrupt government" rather than coming to power.

Saying that the NDA Government at the Centre is responsible for the corrupt practices of the Mayawati government, he said the coalition government in the state is "dancing to the tunes of the Centre" and "Prime Minister A.B. Vajpayee is a key player in hampering the democracy in the country."

He also alleged that the BJP is trying to rake up the Ayodhya issue now only to divert

the people's attention from their misrule and the problems being faced by the people.

The former UP chief minister alleged that when people in the state are frustrated with poverty and unemployment, some leaders are "depositing huge amount of money in foreign banks." Without taking any names, Mulayam said: "In the name of carrying out foreign tours for various official reasons, some politicians are depositing the money they have earned through corrupt practises in off-shore banks."

He said the SP's priority is to rid the state of the current "corrupt and inefficient government."

"The downfall of the

Mayawati government is imminent following which, the Opposition would smoothly bring an alternative government in the state," he claimed.

Mulayam further said the Chiragaon bypolls were postponed last month as the ruling coalition wants to ensure a victory through muscle and money power. He appreciated the EC's decision to postpone the bypolls. He said that the EC had emerged as the "protector of democratic principles."

On the much publicised Madhumita Shukla murder case, he said the government was trying all out to save two BSP leaders, including one Cabinet ranked minister involved in the murder.

11 JUN 2003

U.P. Opposition urges Governor to dismiss Mayawati Govt.

By J.P. Shukla

LUCKNOW, MAY 30. The Opposition parties in Uttar Pradesh today demanded the dismissal of the Mayawati Government saying that it had been reduced to a minority after the Rashtriya Lok Dal, a constituent of the BJP-led front in the State, had withdrawn support to the ruling coalition. They also expressed their resolve to form an alternative government and claimed that they had an adequate support of MLAs.

The RLD leader, Ajit Singh, accompanied by the Congress general secretary, Nawal Kishore Sharma, and the Samajwadi Party leader, Amar Singh, called on the Governor, Vishnu Kant Shastri, to inform him of his party's decision to withdraw support to the Government. They urged the Governor to dismiss Ms. Mayawati and invite the Opposition to form an alternative government.

Talking to presspersons later, Mr. Ajit Singh said the coalition Government had been formed only after his party had pledged support to Ms. Mayawati.

"There were two pillars — the BJP and the RLD — supporting the Government till now. With the withdrawal of the RLD support today one of the pillars had collapsed and the coalition government no longer has a majority. The Government should be dismissed and the Opposition allowed to form an alternative Government."

Mr. Sharma and Mr. Amar Singh supported the RLD chief's contention claiming that technically the Governor had no option but to dismiss the

Mayawati Government. Asked about the number of Opposition MLAs, they said they had enough to form a Government and prove its majority on the floor of the Assembly.

Asked who would lead the new government, they said the issue would be decided soon after the Government was removed.

The Governor's stand was not immediately known.

Earlier in the day, Mr. Sharma, Mr. Amar Singh, Mulayam Singh Yadav, Kalyan Singh and Mr. Ajit Singh had detailed discussions among themselves. Mr. Mulayam Singh and Mr. Kalyan Singh later left authorising Mr. Amar Singh to represent them before the Governor.

While the technical options before the Governor could be debated, the arithmetic in the Assembly has totally changed since the Mayawati Government was installed last year. The main reason being the split in the Congress, eight of whose MLAs quit the party earlier this year. Seven of them later joined the Government and were given ministerial posts. MLAs from smaller parties and a group of nine MLAs had also supported the Government on the floor of the Assembly during the last session.

Reports meanwhile suggested that the RLD was in danger of suffering a split in its legislature group, with the Minister for Urban Development, Lalji Tandon, claiming that at least five MLAs of the party were in contact with him.

Ms. Mayawati is presently on a foreign tour.

3 1 MAY 2003

THE HINDU

At sea, Ajit looks for Sonia lifeline

OUR SPECIAL
CORRESPONDENT

New Delhi, May 28: Rashtriya Lok Dal leader Ajit Singh today met Sonia Gandhi for half-an-hour, setting off speculation on the emergence of a "broader" Opposition unity in Uttar Pradesh that could impact the BSP-BJP government in the state.

If the 14-member RLD pulls out, the Mayavati-led coalition will have a majority of just nine in the 403-member Assembly. As if to prepare the road, five RLD ministers have resigned from the Mayavati Cabinet. (See Page 5)

Sources close to Ajit Singh, who recently resigned as Union agriculture minister, said he spoke about regrouping of forces that would include Mulayam Singh Yadav's Samajwadi Party, the Congress, Kalyan Singh's Rashtriya Kranti Party and his RLD. Samajwadi general secretary Amar Singh also met Sonia today.

Congress sources said Sonia was "non-committal" and met Ajit Singh only because he sought an appointment after resigning from the NDA government. The Congress' plan, they added, was to "wait and watch". According to the sources, Ajit Singh's overture was a "survival tactic" to keep his flock together by propping up the illusion of an alternative government in which the RLD would call the shots.

But given the Congress' experience with toppling a government, party sources said the central leaders are cautious this time. The party had helped dislodge the Kalyan-led BJP government on the eve of the 1998 elections, but failed to sustain an alternative regime.

The Opposition in Uttar Pradesh, the sources said, is wary of Ajit Singh's propensity to switch sides. But RLD sources claimed that Ajit Singh was in touch with the Samajwadi and Kalyan.

Rather than toppling the government immediately, the Opposition is looking at a new equation for the Lok Sabha polls involving the Congress, the Samajwadi, the RLD and the RKP. The number of MLAs in the four parties totals 176, 26 short of a majority in the Assembly.

THE TELEGRAPH

BJP-BSP coalition to continue in UP


Sunita Aron
Lucknow, May 23

DESPITE THE controversies plaguing the Mayawati dispensation in UP, the BJP-BSP coalition would continue till the Lok Sabha elections due next year.

The state BJP leaders thought that Prime Minister Atal Bihari Vajpayee would take serious note of the controversies plaguing the Mayawati government. But Vajpayee's visit to the state has proved the perception wrong.

The message is now clear: the alliance will continue. The BJP central leadership does not want to displease the BSP MPs from the state keeping in view of the next year's Lok Sabha elections.

Otherwise the party leaders insist that the prime minister couldn't have ignored the way in which the Mayawati government was sabotaging the inquiry into the Madhumita murder case to protect the tainted minister Amarmani Tripathi or the recent strictures passed by the high court while staying cases

PLAYING SECOND-FIDDLE	
<ul style="list-style-type: none">● The BJP rank and file has finally reconciled to the fact that they have no option but to play second fiddle to Mayawati.● Vajpayee not only put the blame for rift in the BJP-BSP coalition on the media but gave enough indication that he himself was satisfied with the functioning of the government in the state.● However, Vajpayee's indication that he wasn't quitting from active politics and would contest from Lucknow once again has revitalised the BJP.	

against Mulayam Singh Yadav in the CM discretionary fund case.

The Prime Minister not only put the blame for rift in the BJP-BSP coalition on the media when he said "aap sab ki kripa chahiye" but had gave enough indication that he himself was satisfied with the functioning of the government in the state.

Moreover, the manner in which Vajpayee parried the questions on Kalyan Singh also indicated that he preferred status quo.

Said a senior BJP leader, 'The party high command has created a vacuum of leadership in the state for Mayawati to fill.

The manner in which Kalyan Singh was thrown out of the party followed by sidelining of senior party leaders like Rajnath Singh and Kalraj Misra is a clear indication of their decision to piggy ride the BSP in the Lok Sabha elections.'

In fact many in the BJP feel that the day is not far when they would be asked to accept her leadership.

24 MAY 2003

THE HINDUSTAN TIMES

Mayawati sacks minister

q s A Tripathi figures in Madhumita murder

Chief Minister Mayawati has been forced to drop a minister as he figures in the sensational murder of young Hindi poet Madhumita Shukla, shot dead at point blank range last week. Amarmani Tripathi is a great favourite of the chief minister and is said to be her Man Friday, but Mayawati had no option but to let him go in the face of mounting pressure from the Opposition as well as her ally the BJP, objecting to the negative image the controversy was giving to the government. But not to be outdone, Mayawati has shifted the case to the Crime Branch of the CID and asked them to complete investigations within a month. The department is known to be Mayawati's pocket borough and is often used as cold storage for high-profile cases. Tripathi's confidence that he will get a clean chit and Mayawati's promise that the moment his name is cleared he would be re-inducted into the Cabinet are tell-tale signs of a case in which politicians routinely get away with murder.

Tripathi is an old offender with 54 criminal cases pending against him. This is also not the first time he has been dropped from a ministry. In December 2001 he was dropped from the Rajnath Singh ministry after his name figured in the kidnapping of a Gorakhpur businessman. He is a brazen example of the criminalisation of politics in India. Politicians who live life on the edge do as they please and are not in the least bothered about controversies; they always get away with crimes. In the early 90s the tandoor murder case in which a Youth Congress leader had murdered his wife, cut up her body and stuffed it into the tandoor at Hotel Kanishka in New Delhi created a sensation. Since then many such cases have come to light. The murder of journalist Shivani a couple of years ago bears great resemblance to the Madhumita case in which the girls paid the price of illicit affairs with people in power. Criminalisation of power and politics has become a part of the system. The perpetrators have enormous clout and are able to get things hushed up. The crime is talked about for a few months and forgotten. Criminals get away, and it is the bereaved family which it left to deal with their loss without any justice.

2 1 MAY 2003

THE STATESMAN

Mayawati sacks Minister

By J.P. Shukla

18/5
98 MP

LUCKNOW, MAY 17. The Uttar Pradesh Chief Minister, Mayawati, today decided to drop the controversial Minister of State, Amarmani Tripathi, from her Cabinet pending an inquiry by the crime branch of the State CID into allegations that he was involved in the murder of a young poetess, Madhumita Shukla, in Lucknow recently.

She ordered the CID to complete its investigations within a month. If Mr. Tripathi was found innocent during the investigations, he would be reinstated. Otherwise he would be proceeded against under the law.

At a press conference at her residence here, Ms. Mayawati said her decision was to silence the Opposition which had been making false claims that her Government was trying to protect the culprits in the Madhumita murder.

The Chief Minister also announced the trans-

fer of the Senior Superintendent of Police, Lucknow, against whom allegations had been made that he was trying to hush up the case.

Pointing out that she was quite clear about the attitude of her Government towards criminals, she said she had already announced that the place of criminals would be in jail and that they would not be allowed to roam freely. If Mr. Tripathi was found guilty, he would not be only kept out of the Ministry but would be expelled from the BSP as well, the Chief Minister said. The law would be equally applicable to all no matter whether he was "a mantri or santri" (a Minister or a sentry).

This is the second time that Mr. Tripathi has been forced to lose his ministerial post following allegations of his involvement in crime. While a Minister in the Rajnath Singh Government he had been sacked after revelations that he had been involved in a kidnapping case.

18 MAY 2003

THE HINDU

Mayawati moots reservation in Cabinet

By Our Special Correspondent

NEW DELHI, MAY 3. The Bahujan Samaj Party today advocated reservation in the Council of Ministers in order to ensure adequate representation for the Scheduled Castes and the Scheduled Tribes.

While supporting the move to limit the size of Ministries both at the Centre and the States, the Uttar Pradesh Chief Minister and BSP vice-president, Mayawati, said that she had instructed her party leader in the Lok Sabha to seek a clause providing reservation for the SCs and the STs, "keeping in mind their population".

Addressing the media here on completion of one-year of her coalition Government, Ms. Mayawati said the BSP would also support the Centre's move to introduce legislation to tackle

Ms. Mayawati said there was no objection to the move to check forcible conversions. Otherwise, the Constitution permitted the freedom to practise any religion. Incidentally, Ms. Mayawati, had warned at the Lucknow rally on April 14, that unless Hindu religious leaders eliminated discriminatory practices, the 'Bahujan' samaj led by her would embrace Buddhism.

The BSP would also support Central legislation to ban cow-slaughter and such a law was already in place in Uttar Pradesh. Asked about her Government's stand on the VHP's 'trishul' (trident) distribution programme, Ms. Mayawati said she agreed with the Deputy Prime Minister, L.K. Advani's remarks that it marred the organisation's image. However, she said the VHP had already carried on some

'minor' programme in the State. "I would not commit the mistake of carrying out (their) arrest like Rajasthan did and make him (VHP leader Praveen Togadia) a hero," she said.

In the same breath, she warned that if the Samajwadi Party attempted to distribute swords, as the party leaders did at a rally in Delhi, they would be proceeded against under the Arms Act.

The BSP would go it alone in the Assembly elections in Madhya Pradesh, Chhattisgarh, Delhi and Rajasthan later this year. Talks on seat-sharing arrangement with the BJP for U.P. ahead of the next general elections would take place only after the Assembly polls.

The BSP would field a candidate against the Maharashtra Chief Minister, Sushil Kumar Shinde.



Mayawati at the press conference in New Delhi on Saturday. — Photo: V.V. Krishnan

the problem of defection. "We will vote in favour of both the Bills and help in their passage."

To a question on the BSP's viewpoint with regard to the move to ban religious conver-

Allahabad HC stays Mulayam's arrest

9-81 up
22/4
HC-5

MPs deplore 'political vendetta' in UP

HT Correspondent & PTI
New Delhi, April 21

THE ALLAHABAD High Court on Monday stayed the arrest of Samajwadi Party president Mulayam Singh Yadav and six others till May 16 in connection with the FIR filed against him in the videocassette case.

A Lucknow Bench of the court, comprising Justice Vishnu Sahay and Justice R.C. Pandey, while hearing the petition of the SP chief, stayed the arrests, adding that in the meantime, the opposite party may file its counter-affidavit, it observed. The petitioners, including senior leaders Azam Khan, Shivpal Singh Yadav, Balram Yadav, Ambika Chaudhary, O.P. Singh and C.B. Singh, had petitioned for

quashing the criminal case filed by the BSP state president K.K. Sachan on April 14. It was alleged that SP got a BSP in-house meeting shot on video and subsequently released "doctored" CDs of it.

Mulayam's counsel argued that as the FIR was concocted and malafide, hence no case could be made out of it. He said on the ground of parity with the observations of the court on a similar petition filed by SP general secretary Amar Singh, whose arrest had also been stayed, the court should stay the arrest of these leaders.

Meanwhile, cutting across party lines, members of all political parties castigated the Mayawati government in Parliament and asked the Centre to convene an all-par-

ty meet to thrash out a code of conduct for all state governments so that the "principles of parliamentary democracy" are adhered to.

Raising the issue in the Lok Sabha, Mulayam Singh urged the Speaker to bring to the notice of the House the "politics of revenge" that Mayawati had unleashed on SP leaders in UP.

Congress chief whip P.R. Das Munshi said there is a "reign of terror" in UP and the developments in the past few weeks have been a shocking revelation. Endorsing his views, Somnath Chatterjee (CPM) and Ram Vilas Paswan (LJP) said the Mayawati government had taken recourse to the politics of revenge which should be put an end to immediately.

In Rajya Sabha, the MPs demanded the dismissal of the Mayawati government, saying she was indulging in political vendetta by targeting SP leaders. Opposition leaders said the Centre should intervene immediately.

Describing the situation in UP as alarming, Opposition leader Manmohan Singh said the Centre must intervene to stop victimisation of political opponents. SP leader Amar Singh sought protection saying there was threat to his life. Parliamentary Affairs minister Sushma Swaraj said she will convey the issue to the Home Minister and inform the House after ascertaining facts.



Maya expands Cabinet

MAYAWATI ON Monday inducted two new ministers — Surrender Singh Patel and Ansar Ahmed — both from BSP, into her ministry. With this, the strength of the 11-month-old Mayawati Cabinet went up to 79. Both ministers sworn in had recently been expelled from Apna Dal. They had later formed a separate outfit, which subsequently merged with the BSP. This is the fifth expansion of the coalition ministry that came into existence in May last year.

PTI, Lucknow

Not a vindictive act,

says Mayawati 18/1

By Our Special Correspondent

NEW DELHI, APRIL 17. Responding to the sharp criticism over the slew of cases filed by her Government against the Samajwadi Party chief, Mulayam Singh Yadav, and his colleagues, the Uttar Pradesh Chief Minister, Mayawati, today justified the move and denied that it was "political vendetta".

Countering the "malicious campaign" attributing political motives to her move, she also emphasised that she was against the anti-conversion law, a subject dear to the Bharatiya Janata Party. She alleged that Mr. Yadav had "flouted" rules while sanctioning money from the Chief Minister's discretionary fund. The then Governor, Motilal Vora, too had granted Rs.18 crores out of the fund he was not entitled to dip into. Her Government had instituted an inquiry into such cases.

"If I was of a vindictive nature, I should have put Mu-

layam Singh Yadav behind bars for the brutal attack against me on June 2, 1995, since I became the Chief Minister a day later," she told a press conference here.

During his tenure, Mr. Yadav had violated the rules for the grants from discretionary funds by giving money over and above the limit of Rs. 35,000. The ceiling was raised after the rules were amended later. "Whether it is Mr. Yadav or Mr. Vora, we will act in accordance with the law and Constitution."

Ms. Mayawati was clearly irked by the BJP general secretary, Rajnath Singh's comments that the cases against a former Chief Minister (Mr. Yadav) were unfortunate.

"Where were Rajnath Singh and all those who criticise me now when the Kalyan Singh Government slapped a case against me for buying float pumps? Is it because I am the daughter of a Dalit that he chose not to react? Does it not

show up Manuvad? she wondered and said Mr. Singh's remarks were his personal views.

While singling out Mr. Singh, Ms. Mayawati parried questions when asked to comment on the comments of another BJP general secretary, Pramod Mahajan. She had not seen or read what Mr. Mahajan had said.

Rejecting the SP's demand for a CBI inquiry into the release of the CD issue, which she claimed were "fake and doctored", the Chief Minister said her Government was competent to probe its veracity. She also dismissed Mr. Yadav's apprehension that he would be booked under POTA.

Ms. Mayawati — who had said at a recent rally that she and her followers would convert to Buddhism — maintained today that in her opinion there was no need to politicise the issue since the Constitution permitted Indian citizens to practise any religion of their choice.

Mayawati moots reservation in Cabinet

By Our Special Correspondent

NEW DELHI, MAY 3. The Bahujan Samaj Party today advocated reservation in the Council of Ministers in order to ensure adequate representation for the Scheduled Castes and the Scheduled Tribes.

While supporting the move to limit the size of Ministries both at the Centre and the States, the Uttar Pradesh Chief Minister and BSP vice-president, Mayawati, said that she had instructed her party leader in the Lok Sabha to seek a clause providing reservation for the SCs and the STs, "keeping in mind their population".

Addressing the media here on completion of one-year of her coalition Government, Ms. Mayawati said the BSP would also support the Centre's move to introduce legislation to tackle



Mayawati at the press conference in New Delhi on Saturday. — Photo: V.V. Krishnan

sions, Ms. Mayawati said there was no objection to the move to check forcible conversions. Otherwise, the Constitution permitted the freedom to practise any religion. Incidentally, Ms. Mayawati, had warned at the Lucknow rally on April 14, that unless Hindu religious leaders eliminated discriminatory practices, the 'Bahujan' samaj led by her would embrace Buddhism.

The BSP would also support Central legislation to ban cow-slaughter and such a law was already in place in Uttar Pradesh. Asked about her Government's stand on the VHP's 'trishul' (trident) distribution programme, Ms. Mayawati said she agreed with the Deputy Prime Minister, L.K. Advani's remarks that it marred the organisation's image. However, she said the VHP had already carried on some

'minor' programme in the State. "I would not commit the mistake of carrying out (their) arrest like Rajasthan did and make him (VHP leader Praveen Togadia) a hero," she said.

In the same breath, she warned that if the Samajwadi Party attempted to distribute swords, as the party leaders did at a rally in Delhi, they would be proceeded against under the Arms Act.

The BSP would go it alone in the Assembly elections in Madhya Pradesh, Chhattisgarh, Delhi and Rajasthan later this year. Talks on seat-sharing arrangement with the BJP for U.P. ahead of the next general elections would take place only after the Assembly polls.

The BSP would field a candidate against the Maharashtra Chief Minister, Sushil Kumar Shinde.

UP

state UP

HR 6 Mayawati's dictatorship M.A.P. D.S.P.

THREE MONTHS ago, UP Chief Minister Mayawati gave herself an enormous birthday party at government expense that even awed Lucknow, the city of *nawabs*. A few days ago, she exhorted the faithful not to bother with idol worship, but said her followers may erect her statues and that of BSP founder Kanshi Ram! Not stopping at these signs of self-glorification, the chief minister has now instituted over 140 criminal cases against principal political rival Mulayam Singh Yadav. In utter disdain of constitutional provisions, she has also ordered a probe into the conduct of senior Congress leader Motilal Vora relating to the time that he was UP governor.

Rarely, if ever, has such full-blown megalomania been seen in any Indian politician. Even Ms Jayalalitha, the vainglorious Tamil Nadu leader, does not come close, remarkable though her excesses have been. In sheer crassness and single-minded abuse of power, Ms Mayawati's conduct demonstrates that

she is without an equal. Since she has no achievements as chief minister to speak of, she seems to have decided that terrorising the opposition and destroying their political organisations through official persecution may be her best bet as far as retaining control of the state is concerned.

It is obvious that the self-appointed messiah of the downtrodden is immune to the lessons of history. Politically, she is bad news already. Of a decidedly criminal bent though he may be, the arrest of 'Raja Bhaiyya' bypassing the normal framework of law has shattered Ms Mayawati's equation with alliance partner BJP's social base. She is in serious trouble on the issue of asking party legislators to make over to her a share of their constituency development funds. Her move against Mr Yadav is so clearly a case of vendetta that even BJP leaders have had to protest. Indeed, the BSP dictator is emerging as a pathetic figure, trying to call up the vilest of means in self-defence.

135 cases slapped on Mulayam

Mayavati builds mud mountain

YOGESH VAJPEYI

Lucknow, April 14: For every annoying CD, there are nearly 70 counter-assaults.

Uttar Pradesh chief minister Mayavati today hit back with vengeance against Mulayam Singh Yadav, saying that till date 135 criminal cases have been registered against the Samajwadi Party chief.

Another 44 have been filed against his supporters, taking the total number against the party to 179 in 40 districts.

"There are nearly 35,000 such cases and all will be probed," she told a huge gathering of Bahujan Samaj Party supporters at the *pardafash* (exposure) rally as the war over the two videotapes climaxed under a scorching sun.

The latest case against Mulayam, his general secretary Amar Singh and leader of Opposition Mohammed Azam Khan was registered in Lucknow's Hazratganj police station on a BSP complaint hours before the rally.

It accused them of concocting and distributing tampered CDs of Mayavati's address to party workers to "tarnish the image of BSP leaders". "*Yeh pehla pardafash hain.* (This is the first revelation.) You will continue to get more such news," Mayavati said to cheers from the crowd at the sprawling Ambedkar Maidan.

Mulayam, apparently un-

THE HIT LIST

1574 9-1 9.81-4p

- 179 cases filed against Mulayam Singh and supporters; 135 against Mulayam Singh alone



- FIRs filed in 40 districts
- Cases include distribution of concocted CDs, misuse of funds and abusing political opponents
- Inquiry against Congress leader and former Governor Motilal Vora on charges of funds misuse

fazed, dared the administration to arrest him. He dismissed as baseless the 29 cases of alleged misuse of the chief minister's discretionary fund while he was in power.

"It is political vendetta. The cases registered against me are baseless. The comptroller and auditor general, the high court and the Assembly have already given a clean chit to my decisions," he told reporters in Goraya, 50 km from Jalandhar.

Mulayam said Mayavati was present when the allegations on misuse of funds were cleared in the Assembly and added that the cases against him were just to take revenge for the CDs.

Mayavati had called the rally following the release of the CDs by the Samajwadi. The first, in which she allegedly exhorts her MPs and MLAs to divert a portion of their constituency devel-

opment fund for party work, was released in March. The second, which shows her allegedly asking BSP workers not to squander money on idol worship, was handed over to Governor Vishnu Kant Shastri last week.

"*Yeh Dalit ki beti chhote mote tape se darne wali nahin.* (This daughter of a Dalit cannot be scared by a couple of tapes.) They will vanish into thin air," she thundered to applause.

"I had challenged Mulayam Singh to prove the charges he had levelled against me through the CDs, but he has failed. He should tender an apology to the BSP supporters for trying to tarnish my image through the CDs," she added.

In Goraya, Mulayam challenged Mayavati to get the tapes probed by the Central Bureau of Investigation and said he would quit politics if they were found to have been doctored.

While Mulayam was her main target, Mayavati did not spare the Congress. "Congress leader Motilal Vora had distributed Rs 18 crore in the same manner during his eight-month tenure as the Governor. My government is probing those cases and he will not be spared."

If her fiery tirade kept pace with the mercury, which touched 43 degrees Celsius, the evening ended in tragedy. Two persons died when the podium collapsed as a thunderstorm broke.

■ See Page 8

Not a vindictive act, says Mayawati

9/8 UP HD 187/1
By Our Special Correspondent

NEW DELHI, APRIL 17. Responding to the sharp criticism over the slew of cases filed by her Government against the Samajwadi Party chief, Mulayam Singh Yadav, and his colleagues, the Uttar Pradesh Chief Minister, Mayawati, today justified the move and denied that it was "political vendetta".

Countering the "malicious campaign" attributing political motives to her move, she also emphasised that she was against the anti-conversion law, a subject dear to the Bharatiya Janata Party. She alleged that Mr. Yadav had "flouted" rules while sanctioning money from the Chief Minister's discretionary fund. The then Governor, Motilal Vora, too had granted Rs.18 crores out of the fund he was not entitled to dip into. Her Government had instituted an inquiry into such cases.

"If I was of a vindictive nature, I should have put Mu-

layam Singh Yadav behind bars for the brutal attack against me on June 2, 1995, since I became the Chief Minister a day later," she told a press conference here.

During his tenure, Mr. Yadav had violated the rules for the grants from discretionary funds by giving money over and above the limit of Rs. 35,000. The ceiling was raised after the rules were amended later. "Whether it is Mr. Yadav or Mr. Vora, we will act in accordance with the law and Constitution."

Ms. Mayawati was clearly irked by the BJP general secretary, Rajnath Singh's comments that the cases against a former Chief Minister (Mr. Yadav) were unfortunate.

"Where were Rajnath Singh and all those who criticise me now when the Kalyan Singh Government slapped a case against me for buying float pumps? Is it because I am the daughter of a Dalit that he chose not to react? Does it not

show up Manuvad? she wondered and said Mr. Singh's remarks were his personal views.

While singling out Mr. Singh, Ms. Mayawati parried question when asked to comment on the comments of another BJP general secretary, Pramod Mahajan. She had not seen or read what Mr. Mahajan had said.

Rejecting the SP's demand for a CBI inquiry into the release of the CD issue, which she claimed were "fake and doctored", the Chief Minister said her Government was competent to probe its veracity. She also dismissed Mr. Yadav's apprehension that he would be booked under POTA.

Ms. Mayawati — who had said at a recent rally that she and her followers would convert to Buddhism — maintained today that in her opinion there was no need to politicise the issue since the Constitution permitted Indian citizens to practise any religion of their choice.

18 APR 2003

THE HINDU

135 cases slapped on Mulayam

Mayavati builds mud mountain

YOGESH VAJPEYI

Lucknow, April 14: For every annoying CD, there are nearly 70 counter-assaults.

Uttar Pradesh chief minister Mayavati today hit back with vengeance against Mulayam Singh Yadav, saying that till date 135 criminal cases have been registered against the Samajwadi Party chief.

Another 44 have been filed against his supporters, taking the total number against the party to 179 in 40 districts.

"There are nearly 35,000 such cases and all will be probed," she told a huge gathering of Bahujan Samaj Party supporters at the *pardafash* (exposure) rally as the war over the two videotapes climaxed under a scorching sun.

The latest case against Mulayam, his general secretary Amar Singh and leader of Opposition Mohammed Azam Khan was registered in Lucknow's Hazratganj police station on a BSP complaint hours before the rally.

It accused them of concocting and distributing tampered CDs of Mayavati's address to party workers to "tarnish the image of BSP leaders". "*Yeh pehla pardafash hain.* (This is the first revelation.) You will continue to get more such news," Mayavati said to cheers from the crowd at the sprawling Ambedkar Maidan.

Mulayam, apparently un-

THE HIT LIST

- 179 cases filed against Mulayam Singh and supporters: 135 against Mulayam Singh alone
- FIRs filed in 40 districts
- Cases include distribution of concocted CDs, misuse of funds and abusing political opponents
- Inquiry against Congress leader and former Governor Motilal Vora on charges of funds misuse



fazed, dared the administration to arrest him. He dismissed as baseless the 29 cases of alleged misuse of the chief minister's discretionary fund while he was in power.

"It is political vendetta. The cases registered against me are baseless. The comptroller and auditor general, the high court and the Assembly have already given a clean chit to my decisions," he told reporters in Goraya, 50 km from Jalandhar.

Mulayam said Mayavati was present when the allegations on misuse of funds were cleared in the Assembly and added that the cases against him were just to take revenge for the CDs.

Mayavati had called the rally following the release of the CDs by the Samajwadi. The first, in which she allegedly exhorts her MPs and MLAs to divert a portion of their constituency devel-

opment fund for party work, was released in March. The second, which shows her allegedly asking BSP workers not to squander money on idol worship, was handed over to Governor Vishnu Kant Shastri last week.

"*Yeh Dalit ki beti chhote mote tape se darne wali nahin.* (This daughter of a Dalit cannot be scared by a couple of tapes.) They will vanish into thin air," she thundered to applause.

"I had challenged Mulayam Singh to prove the charges he had levelled against me through the CDs, but he has failed. He should tender an apology to the BSP supporters for trying to tarnish my image through the CDs," she added.

In Goraya, Mulayam challenged Mayavati to get the tapes probed by the Central Bureau of Investigation and said he would quit politics if they were found to have been doctored.

While Mulayam was her main target, Mayavati did not spare the Congress. "Congress leader Motilal Vora had distributed Rs 18 crore in the same manner during his eight-month tenure as the Governor. My government is probing those cases and he will not be spared."

If her fiery tirade kept pace with the mercury, which touched 43 degrees Celsius, the evening ended in tragedy. Two persons died when the podium collapsed as a thunderstorm broke.

■ See Page 8

136 cases against Mulayam

By I.P. Shukla

LUCKNOW, APRIL 14. The Uttar Pradesh Chief Minister, Mayawati, said here today that criminal cases have been registered against the Samajwadi Party leader, Mulayam Singh Yadav, and other leaders of his party for "fraudulently" recording the proceedings of one of her party meetings held in February 2001 and "tampering" with tapes with criminal intent. Addressing party workers at the much-touted "Mahapardaphash rally" at the Ambedkar Maidan here, she announced that 136 cases relating to "misuse" of the Chief Minister's discretionary fund during Mr. Yadav's tenure had been registered in 40 districts across the State. "The State Government has collected enough evidence of the bungle committed by the Samajwadi Party leader during his Chief Ministership in utilisation of the discretionary funds," she said. "This was deliberate defalcation of public money and criminal breach of trust".

She said investigations would be held into misuse of discretionary funds by the Congress leader, Motilal Vora, when he was Uttar Pradesh Governor. "Preliminary enquiries have yielded enough evidence to prove the case."

The Chief Minister said that "Mulayam Singh Yadav and his

associates will not be spared and they will have to cool their heels in jail." Mayawati would be to Mulayam Singh what Ram was for Ravana or Krishna for Kamsa, she warned.

She had announced plans to hold today's rally to "expose the political conspiracy hatched by the Samajwadi Party and the Congress" in releasing two videotapes — one during the last session of the U.P. Assembly and the other a week ago — that showed her in a poor light. The recordings were done illegally and the tapes were selectively edited to distort the references to defame her, she alleged.

The Chief Minister spoke for about 100 minutes amid intermittent slogans such as "*Behanji se jo takrayega, choor choor ho jayega*" (whoever dares to come in the way of Bahenji (Mayawati) will be crushed) and devoted most of her speech to attacking the Samajwadi Party leader.

Her "clarification" about the contents of the two tapes was what she had said in the past. Referring to the second tape, she said she had not spoken anything against Hindu gods as alleged. It was only her advice to Dalits not to waste money by making offerings to gods in temples built in their own colonies and instead put it to more practical use.

Ms. Mayawati appealed to the Hindu religious leaders to

"reform" the religion and warned if they failed to do justice to Dalits, she might also be forced to emulate Dr. Ambedkar and become a Buddhist.

Giving her reasons on why the SP had released "doctored tapes", she said that Mr. Yadav wanted to topple her Government by all means.

She said that Mr. Yadav had been especially agitated by the understanding between the BJP and BSP to contest the coming Lok Sabha elections in U.P. jointly. Castigating the Congress, she said the party was making attempts to weaken her support base by encouraging the Lok Janshakti Party leader, Ram Vilas Paswan, and Udit Raj of the Justice Party. "These people have no support worth the name and belong to castes having little representation in U.P."

Ms. Mayawati announced plans to put up a statue in honour of her party supremo, Kanshi Ram, at the party's cost. "Manuwadis might oppose the idea on the ground that the statue of only a dead person should be put up, but Kanshi Ram had said he himself was in its favour," the Chief Minister said.

'Personal vendetta': Page 11

THE HINDU
wishes its readers
A HAPPY VISHU

15 APR 2003

THE HINDU

SP to release another 'video on Mayawati'

By J.P. Shukla

LUCKNOW, APRIL 5. The Samajwadi Party has been preparing to release yet another video CD to "expose the real face" of the Uttar Pradesh Chief Minister, Mayawati. And this time, the Bharatiya Janata Party is likely to be placed in a more embarrassing situation with Ms. Mayawati having been shown making uncharitable remarks against the religious practices of the Hindus. The BJP may find it difficult to explain how a party wedded to the ideals of Hindutva could decide to go along with someone so aggressively opposed to its thinking.

The CD, according to Samajwadi Party leaders here, might be exhibited publicly a little ahead of the April 14 "Mahapardaphash rally" of the Bahujan Samaj Party planned to expose "the SP conspiracy against the U.P. Government".

Last month, the Samajwadi Party had released a video tape recording of a BSP meeting at which Ms. Mayawati was shown asking her party MLAs and MPs to pay to the party funds from commissions they received from utilisation of their Constituency Fund.

The Samajwadi Party now plans to release the second tape some time next week

and this time it will be shown to people across the State through mobile vans. The contents of the tape form part of a speech delivered by Ms. Mayawati at Ambedkar Nagar in February 2001. The 40-minute tape starts with the Chief Minister telling her party workers how important money is for the functioning of the BSP and "to enable it to face the Manuwadi parties".

She says that her party needs Rs. 3.5 crores every year to run the organisation and this is to be arranged by no one else but the party workers. There are two ways to collect funds: through annual membership fees and through the bags which the cadres present to the BSP leaders. She is also shown discouraging Dalits from making offerings before Hindu deities. Instead, they should be motivated to donate to party funds. Her argument, which the BJP could hardly relish, is that "the offerings made to stone idols are devoured by street dogs — and a god who is unable to protect his own offerings could never provide protection to people making offerings to him".

The tape shows the Chief Minister giving details of how political outfits like the Republican Party could not survive and why the BSP had been successful in playing its role in the country's politics.

6 APR 2003

THE HINDU

Maya's myths

Whatever would Babasaheb have made of all this fuss?

5/4
9/2/03

THERE are few who can beat Mayawati in the business of myth-making. The nation is unlikely to forget in a hurry that diamond-spangled cake cutting ceremony conducted in a Lucknow marriage pandal not so long ago to celebrate the UP chief minister's birthday. But the spin-offs from self-promotion are necessarily limited. There is only that much one can gain by beating one's own drum. More effective, surely, would be to latch on to a greater personality in order to buttress one's own. That is why Mayawati decided a long time ago to harness the power and mystique of B.R. Ambedkar, the legendary Dalit champion and a founding father of the Indian republic, to her greater glory.

If behenji's birthday was big, Babasaheb's will now be bigger, much bigger. Five additional trains will be requisitioned to carry rallyists for the Mahapardafash rally to mark B.R. Ambedkar's birthday later this month during which behenji will provide the main soundbites. If behenji gets an impressive security cover as the chief minister of the state, Babasaheb's statues in the state capital will now be entitled to

their very own platoon of bristling bodyguards who will, presumably, keep a keen, round-the-clock eye out on potential vandals and pesky pigeons. Some 220 policemen and a tidy sum have been especially requisitioned for this crucial operation of guarding these inanimate representations. As Mayawati no doubt impressed upon her police force, for her voters Ambedkar's monuments are as important as the shrines at Kashi and Ayodhya.

What Ambedkar would have thought of all this fuss will, of course, never be fathomed. But it is quite likely that a man so renowned for his rational outlook and commitment to democratic values would have winced at the prospect of having his image in stone, and would certainly have frowned at the thought of having these very statues guarded. Wasn't it he who so memorably commented that "we must realise that our people have yet to learn it (constitutional morality). Democracy in India is only a top-dressing on an Indian soil, which is essentially undemocratic." His efforts were to deepen democracy at every level of Indian society. But ask Mayawati if she cares.

5 APR 2003

Ayodhya excavation begins today

By V.N. Arora
TIMES NEWS NETWORK

9.87 25
11-1 917

Ayodhya: A high-level Archaeological Survey of India team arrived here late on Sunday to carry out fresh excavations at the disputed site in the Ram Janmabhoomi complex in compliance with a high court directive. The team will start work from Monday.

A special full bench of the Allahabad high court at Lucknow had directed the ASI on March 5 to begin the excavation within a week to ascertain if a temple existed at the site on which the Babri mosque stood.

The advance team comprising more than half-a-dozen senior archaeologists is led by superintending archaeologist B.R. Mani. The team is likely to be joined by two world-class experts from a Canadian company, Tojo Vikas International Pvt Ltd, in a day or two. Tojo Vikas had recently conducted a ground penetrating radar survey of the disputed site on the directives of the court.

The district administration intends to screen the excavation from the peering eyes of the media.

Sources said the experts would start their work with a geographical survey of the area to determine the exact site on which to carry out excavations.

They said that once the desired area was identified, work on mapping the site would start, followed by identification of spots for laying the "trenches". The initial survey and mapping work prior to the digging of the trenches was likely to take a fortnight, the sources said.

Meanwhile, the district administration is reported to have completed all the necessary arrangements required to support the work of the ASI team.

Security in and around the complex has been tightened with the deployment of central forces at important temples of the pilgrim city.

The members of the team and others authorised to visit the site will be issued photo-identity cards. Antiquities and other material, if recovered during the excavation, will be well-guarded, Faizabad SSP Prashant Kumar said.

Meanwhile, a Jain body has staked claim to the disputed site saying the demolished structure was built on the remnants of an ancient Jain temple. The Jain Samata Vahini, a social organisation, said in Jodhpur on Sunday that the excavation would prove that a Jain temple existed at the site. General secretary of the organisation Sohan Mehta said, "We want the site to be handed over to us in case a Jain temple is found."



1 11-1 2013

THE TIMES OF INDIA

SP-BSP battle out on streets

Sunita Aron
Lucknow, March 7

MAYAWATI AND Mulayam's nerve-racking row is now spilling over onto the streets from the Assembly.

Even as the Uttar Pradesh Chief Minister is in a hurry to book Samajwadi Party workers in cases for non-utilisation or misutilisation of CM's discretionary fund distributed by Mulayam Singh Yadav, the SP has started distribution of the controversial video-tape showing Mayawati asking for money from the MLA's development fund.

Nonetheless, both are highlighting misuse of government funds by people in power. SP workers are organising public show of the video tape in different parts of the state. The first one was held on Friday in the SP office in Rampur — the home district of the leader of Opposition, Mohd Azam Khan. As more skeletons are likely to tumble out of the politicians' cupboards, SP leaders are claiming to have yet another video-tape showing "Mayawati's corrupt deeds".

Azam Khan said the party would release the tape at a politically appropriate time. "This was just a cracker. The next one is going to be a bomb," he said, claiming that thousands of CDs showing Mayawati's direction to party MLAs to share their "booty" from development fund had

Mulayam fears arrest under Pota

MULAYAM SINGH Yadav sparked off a storm in the Lok Sabha on Friday by alleging that Mayawati was planning to get him arrested under Pota. He claimed that the UP Police have raided his brother's house.

When BSP members protested, Margaret Alva of Congress complained that the Lok Sabha was becoming hostage of the political troubles in UP.

Earlier, SP's Akhilesh Singh had sought adjournment of Question Hour to raise the UP problems in the House, which was refused by the Speaker. He, however, permitted the matter to be discussed during Zero Hour. Unhappy with the decision, several SP members went to the well of the House and squatted there.

RJD leader in the House, Raghuvansh Prasad, protested against Samajwadi MP Prabhunath Singh's raising of



"state issues" in the House. Singh had got the Speaker's permission to discuss the "collapse of law and order" in Bihar where a party leader had been murdered on Thursday.

HTC, New Delhi

already been distributed. "Every MLA, MP and office bearer of the Samajwadi Party has the CD," he said. Some CDs had even been given to friends in the ruling coalition, he added.

Khan said the party will sell

the CD for a nominal price from various stalls. "And for the public shows, we will hire vehicles and projectors," after the party's national executive meeting in Agra later this month. He alleged that the government had raided some

shops in the city where the CDs were copied. Asked who provided the SP with the original CD, he said: "Some officer in the CM's huge secretariat."

About Mayawati's allegation of misutilisation of funds distributed by Mulayam from the discretionary fund, he said: "We believe the beneficiaries had used the funds, not misused them." The BSP workers too are unlikely to lie low. "Tension is palpable with the tempers running high on both sides. We do apprehend violent clashes between SP-BSP workers in the coming days," said a senior police officer.

The developments in UP had rocked Parliament on Thursday, with the Opposition in the Lok Sabha demanding the dismissal of the Mayawati government and their counterparts in the Rajya Sabha blocking listed business in order to force a discussion on the issue. This resulted in adjournments in both Houses.

The Samajwadi Party and the Congress were at the forefront of the Opposition charge, riding the contention that the constitutional machinery had broken down in UP. While the Rajya Sabha was adjourned twice, the Lok Sabha was adjourned for 15 minutes after lunch break, when Akhilesh Singh of the SP threatened to resign in protest against the inaction of Parliament and threw his coat on the official reporters' table.

8 MAR 2003

THE HINDUSTAN TIMES

No-trust motion against Mayawati Govt. defeated

By J. P. Shukla

LUCKNOW, MARCH 5. The Opposition-sponsored no-confidence motion in the Uttar Pradesh Assembly was rejected today by voice vote amid chaos and scuffles between the security staff and members of the Samajwadi Party who were protesting the manner in which S. C. Srivastava, who was in the Chair, rushed through the day's agenda.

The motion was moved following allegations that the Chief Minister, Mayawati, had appealed to the MPs and the MLAs of the Bahujan Samaj Party to contribute handsomely to party funds.

The Opposition had claimed that it had videotapes to prove the charge.

There was no debate on the motion as also on the motion of thanks to the Governor's address, the supplementary budget for the current year, and the vote on account and appropriation bill relating to six months

of next year's budget. While the Opposition wanted the debate on the no-confidence motion to be put off, the Government was determined to finish the business of the Assembly today itself.

The House was adjourned sine die after Mr. Srivastava announced that the no-confidence motion had been defeated.

The eight-hour proceedings were plunged into chaos, forcing adjournments at frequent intervals.

During the earlier part of the day, the interruptions were caused by the BSP members protesting certain remarks made by the Leader of the Opposition, Azam Khan, against a party member, Haji Yaqoob. Each time Mr. Khan stood up to speak, the members forced adjournments.

The Speaker, Kesri Nath Tripathi, who was in the Chair for a brief time after question hour, allowed Mr. Khan to table the

motion.

The BSP members, however, did not allow him to speak which necessitated more adjournments.

Mr. Srivastava then proceeded with the business of the House even while protests from the BSP benches continued.

A fresh meeting of the Business Advisory Committee was called and a proposal moved to finish the entire business of the current session, including the debate and voting on the no-confidence motion, today itself.

The Opposition members of the committee resigned in protest.

Atug of war ensued when the House reassembled, with Mr. Srivastava rushing through the business and the SP members trying to stop him by raising slogans, throwing paper missiles and making efforts to reach his podium.

And every time the SP members got close to his Chair, Mr. Srivastava adjourned the House for a few minutes.

When the House reassembled, he again rushed the agenda. When he called out the names of the Opposition members at the fag-end of the day to speak on the motion, the SP members were still fighting the security personnel.

The motion was then put to vote and defeated.

Even after the House was adjourned sine die, the SP members were sitting in the well to protest Mr. Srivastava's action.

U.P. imbroglia finds echo in LS

By Javed M. Ansari

NEW DELHI, MARCH 5. The Uttar Pradesh imbroglia continued to cast its shadow on the proceedings in Parliament. The Prime Minister, Atal Behari Vajpayee, and the Home Minister, L.K. Advani, had a tough time persuading Oppositions MPs not to insist on the tabling of the letter sent by the U.P. Chief Minister, Mayawati, in the Lok Sabha.

The Government had been directed by the Lok Sabha Speaker, M.M. Joshi to get a report from Ms. Mayawati on the incident regarding the video expose relating to the misuse of the MP Local Area Development Scheme (MPLADS) funds. Mr. Advani told the House that he was in receipt of a letter from Ms. Mayawati but pleaded with members not to insist on the letter being tabled.

He said the letter contained several allegations against the Samajwadi Party leaders and it would

not add to the prestige of Parliament to have it become a part of parliamentary record. His plea was initially resisted by Priyaranjan Dasmunshi (Cong.) and Akhilesh Singh (SP).

Later, Mr. Vajpayee intervened to urge the members not to insist on it. He said his Government was prepared to hand over the letter to the Speaker and would be guided by whatever he decided in the matter. Mr. Advani also pointed out that the U.P. Assembly was seized of the matter and it should be left to deal with the issue.

The former Prime Minister, Chandra Shekhar, agreed with the Government that the letter should not be allowed to become a part of the official records.

However, he referred to the "grave situation" in U.P. and said most people feared a "civil war" in the State. He urged the Government to look into the situation.

HC orders excavation of Ayodhya complex

HT Correspondents
Lucknow/New Delhi, March 5

A SPECIAL bench of the Allahabad High Court on Wednesday directed the Archaeological Survey of India (ASI) to excavate the disputed Ram-Janmabhoomi-Babri Masjid site in Ayodhya. The ASI has been given one month to complete the task.

The excavation is aimed at discovering whether there was a Ram temple at the site and the mosque was constructed after its demolition. The court while asking the ASI to undertake the excavation also directed it to provide technical help to Tojo-Vikas International (Pvt) Ltd, which has already done a ground penetrating radar survey of the disputed site.

The survey has apparently shown "anomalies" that suggested there were layers of buried structures at the disputed site.

The three-member Bench of Justice Sudhir Narain, Justice Rafat Alam and Justice Bhanwar Singh issued the order after the company suggested archaeological excavations at the site.

The court said the excavation had to be carried out without disturbing the makeshift temple where the idol of Ram Lalla was installed. The excavation should spare the area of the Ram *chabutara*, the order said.

Some of the parties involved in the litigation raised doubts about the ground penetrating radar survey report. They said the report could not be taken to be acceptable evidence, since the Supreme Court had already passed orders saying the status quo had to be maintained. They also said any interference at the site should not be allowed. The argument went that the custodian of the disputed site, the divisional commissioner of Faizabad, had been directed to maintain the status quo.

The Supreme Court will on Thurs-

OVER TO THE ARCHAEOLOGISTS

LAND TANGLE

Why was the order issued?

A Canadian company that had earlier conducted a radar survey had suggested an excavation

How will the order affect the case?

The archaeological evidence will not necessarily be clinching

How will the evidence be treated?

It will have to be read alongside other evidence

What are the political implications?

Coming just ahead of the SC hearing of the Centre's plea, it will bring the issue starkly into the public eye

THEIR VIEWS



Zafaryab Gilani (Muslim Personal Law Board)
Has said the evidence will not have much value, but Muslim Personal Law Board said it could appeal in the Supreme Court



Ram Chandra Paramhans (Ram Janmabhoomi Nyas)
Is against excavation as the radar survey conducted recently "threw up evidence of Ram temple"



Acharya Giriraj Kishore (VHP)
Has welcomed the order and said similar directions should be passed in respect of "other shrines destroyed by invaders"



Kapil Sibal (Congress)
Says order is part of judicial process for the final adjudication of the dispute

day hear the Centre's plea for the reconsideration of the apex court's order that no religious activity could be carried out on the land acquired by the government in Ayodhya.

The Congress government at the Centre had acquired 67 acres of land in Ayodhya in 1993 after the demolition of the Babri Masjid.

The present government is likely to argue before the Supreme Court on Thursday that the undisputed portion of the acquired land should be handed back to its "rightful owners". The fate of the disputed land could be decided later by the Allahabad High Court.

"The Union government is likely to refer to earlier judgements of the apex court which had directed the maintenance of status quo in the disputed area of five acres," a source in the law ministry said.

In a cautious response to the high court order, the Opposition parties and secular allies of BJP said it should be accepted by all; the Sangh Parivar outfits welcomed it.

"It is a court order. The matter is under adjudication. It has been the stand of the Congress that the judicial verdict should be accepted and respected by all concerned," party spokesman Anand Sharma said.

9.87
100-1
UP

Mayawati briefs PM on U.P. developments

By Our Special Correspondent

NEW DELHI, MARCH 8. With the controversy over the tape episode and developments in the Uttar Pradesh Assembly refusing to die down, the Chief Minister and Bahujan Samaj Party chief, Mayawati, continued to counter the campaign against her Government.

Ms. Mayawati called on the Prime Minister, Atal Behari Vajpayee, here today to present her views on the episode, which has exercised not just her political rival, Mulayam Singh Yadav, and his Samajwadi Party, but also the Opposition MPs.

She later told correspondents that she had communicated her position in a letter to Mr. Vajpayee and the Deputy Prime Minister, L.K. Advani.

She also indicated that at an "appropriate time," the contents of the letter would be made public.

Responding to the Opposition demand that it make a statement on the developments in the Uttar Pradesh Assembly, the Centre, however, reiterated that it would prefer not to table Ms. Mayawati's letter.

Ms. Mayawati said she had briefed Mr. Vajpayee on the developments in the State over the last few days.

The Prime Minister had told her that the BJP-BSP coalition was working smoothly in Uttar Pradesh and that she should continue to maintain the arrangement. However, Mr. Vajpayee's aides just said he gave Ms. Mayawati a "sympathetic hearing."

The Lok Janshakti Party chief, Ram Vilas Paswan, meanwhile, criticised Mr. Vajpayee and Mr. Advani for extending support to a "corrupt Government" in Uttar Pradesh.

Instead of allowing a debate on an issue that concerned MPs and allegations of misuse of their funds, both the leaders had "diverted" the issue on a "technical point."

Addressing a press conference, he said the issue was not one that concerned just Ms. Mayawati and Mr. Yadav, but all the MPs and the MLAs.

He took offence to the reported statement of Ms. Mayawati describing the MPs and the MLAs as "*bikau maal*" (saleable commodity) and demanded the dismissal of her Government.

Tapes edited to misrepresent my statement: Mayawati

By J. P. Shukla

9.87
2-10
11-11

LUCKNOW, MARCH 4. The Uttar Pradesh Chief Minister, Mayawati, said here today that the video tapes, suggesting that she had asked the MPs and the MLAs of her Bahujan Samaj Party to contribute "handsomely" to the party funds, had been thoroughly edited to present her statement out of context.

The Opposition Samajwadi Party alleged on Monday that Ms. Mayawati had, at a BSP meeting in 2001, charged her MPs and MLAs with receiving hefty commissions for releasing money from their constituency funds for the implementation of welfare schemes and appealed to them to contribute to the party funds. And, to support its allegation, the SP handed over a tape allegedly containing the recording of the meeting to the Governor, Vishnu Kant Shastri, along with a memorandum urging him to dismiss Ms. Mayawati and order her prosecution. Though the members of the SP delegation, led by their general secretary, Shivpal Singh Yadav, evaded reporters on coming out of the Raj Bhavan, the tapes were supplied to some news channels and telecast later in the night.

Ms. Mayawati said in a hurriedly-convened press meet this morning that the latest attempt to malign her was the result of the SP's "frustration" over its failure to press the motion of no-confidence against the Uttar Pradesh Assembly Speaker, Kesri Nath Tripathi. "They (SP members) have hatched this conspiracy only to hide their shame."

Probe against Mulayam

She also levelled counter-charges of corruption against the SP leader, Mulayam Singh Yadav, when he was the Chief Minister and hinted at a probe into the "misuse" of the State Government contingency funds during Mr. Yadav's rule. The

MPs and MLAs of the SP had handsomely contributed "ill-gotten" money towards the construction of a school in Etawah in the name of the former Chief Minister's father, she alleged.

In the Assembly, the Opposition members tried for most part of the day to have a discussion on the issue. Equally determined BSP members resisted their attempts.

The clashes resulted in frequent adjournment of the House, leaving little time for any substantive discussion.

The Leader of the Opposition in the Assembly, Azam Khan, and other leaders of the SP and the Congress were on their feet as soon the House assembled in the morning. They demanded that question hour be dispensed with and the issue be taken up for discussion.

The Presiding Officer, Harish Chandra Srivastava, said the matter could be taken up as an adjournment motion after question hour. The Opposition, however, insisted on an immediate discussion. At this, the House was adjourned till the end of question hour.

As the proceedings resumed, Mr. Khan was allowed to speak on the admissibility of the motion. It was now the BSP's turn to interrupt the proceedings. It led to further adjournment of the House.

Mr. Srivastava finally rejected the motion on the ground that the issue referred to a meeting held in 2001 and did not require urgent attention. But the Opposition did not allow him to proceed further. Shouting from both sides resulted in further adjournments.

At the fag end of the day, official business was transacted amid the uproar and the House was adjourned for the day.

The SP leader, Amar Singh, at a press conference, demanded a CBI enquiry into the allegations against Ms. Mayawati.

FURORE IN DELHI, NO-TRUST IN LUCKNOW

Cassette jolt to Mayawati govt

Statesman News Service

NEW DELHI/LUCKNOW, March 4. — Mr Mulayam Singh Yadav's exposé on Miss Mayawati rocked both the Lok Sabha and the Uttar Pradesh Assembly today. While Opposition MPs demanded that the chief minister resigns for allegedly asking her party MPs and MLAs to hand over part of their constituency funds to the BSP account, the Samajwadi Party in the UP Assembly served a no-confidence notice against the government.

In Lucknow, Miss Mayawati decided to skip the Assembly and instead attacked the Opposition at a press conference at her Kalidas Marg residence. She claimed that both the video cassette and CD given to the Governor by the SP were "distorted" and she had been "quoted out of context". Promising to "take action against those who made this accusation", she ordered an inquiry into alleged "large-scale bungling" in distribution of money from the Chief Minister's Discretionary Fund by Mr Mulayam Singh Yadav in 1995.

In the Lok Sabha, the Opposition led by the Congress demanded a CBI probe. The Congress also said it would support the SP to try and prop up a secular alternative in UP in the event of the fall of the BSP-BJP government. Mr LK Advani is due to make a statement in the House tomorrow.

The BJP demanded that the Prime

Minister or Lok Sabha Speaker should convene a meeting of leaders to discuss the issue. However, party spokesman Mr Vijay K Malhotra refused to take a stand on the allegation, only saying that it was highly objectionable. Also linked to the issue was the funding of political parties: he demanded that all donations to political parties should be made by cheque.

Opposition MPs took exception to Miss Mayawati's reported remarks about collecting money for party coffers. SP members trooped into the Well of the House and demanded the cancellation of Question Hour to discuss an adjournment motion on the matter and alleged that the chief minister was "encouraging corruption".

The Samajwadi members, supported by RJD leader Dr Raghuvansh Prasad Singh and Congress chief whip Mr PR Das Munshi

and others, said the chief minister's reported statements "lowered the dignity of Parliament", and demanded a privilege notice against her. But the Speaker rejected the motions, moved by Mr Akhilesh Singh and Mr Ramjilal Suman, and asked the government to make a statement. Then Mrs Sushma Swaraj informed the House that since Mr Advani needed a day's time to collect the facts, he would make a statement tomorrow.

Later Congress spokesman Mr Jaipal Reddy said the Mayawati cassette and CD

'I had never given any instructions to party MLAs and MPs to deposit government funds in the party coffers. I have always told them to see that such funds were spent on projects for the benefit of the people'

Turn to page 2

5 MAR 2003

THE STATESMAN

Thakurs united against Pota 'misuse'

Hemendra Narayan
in Lucknow

Feb. 20. — The slogan appears to be "Kshatriyas of India, unite". The All India Kshatriya Ekta Parishad is doing exactly that in protest against the Mayawati government for slapping Pota on Mr Raghuraj Pratap Singh aka Raja Bhaiyya and his father, Mr Udai Pratap Singh.

The Parishad is planning to hold a conference here on 8 March to motivate kshatriyas in the country to launch an offensive for withdrawal of Pota against them. The Parishad president, Mr Pratap Singh, claimed that those scheduled to attend the meet included Samajwadi Party general secretary Mr Amar Singh, Maharani Gayatri Devi and former test cricketer Hanuman Singh of Banswara.

The former Parishad convenor, Mr CN Singh, is a Samajwadi MP. The Samajwadi was very active when the Independents, led by Raja Bhaiyaa, rebelled against the coalition government. Mr Singh said, the kshatriyas were feeling "insulted" and the struggle was to restore their pride. A recording of Miss Mayawati abusing the Thakurs will be played at the conference.

Mr Amar Singh will be the chief guest and will be honoured at the conference. The Parishad leaders were keen to point out, the meet was not to project the Samajwadi leader as a Thakur leader. But it was in recognition of his taking up the cudgels on behalf of Raja Bhaiyya, they said.

The Parishad leaders said, their's was an apolitical organisation, and so would be

the gathering at the Laxman Mela grounds here. The president, however, made some very political statements while announcing the programme. The BJP was hand-in-glove with the BSP to harass Raja Bhaiyya. The BJP had used Raja Bhaiyya to prop their government but they had dumped him after the Assembly polls. In the two bye-elections slated later this month, Thakurs were not going to vote for BJP, he said.

He said, the misuse of Pota had led to protests in different parts of the country. As mark of disapproval, the Parishad would blacken the effigies of those leaders who were supporting Pota.

The Parishad, apart from the high-profile former Rajas, also expect senior bureaucrats and legal luminaries to attend the convention.

21 FEB 2003

THE STATESMAN

THREE-MEMBER GROUP TO LIAISE WITH CM

Uneasy truce between BJP and BSP in U.P.

By Neena Vyas

NEW DELHI, FEB. 15. Days and hours of discussions and meetings today led to an uneasy truce between the two ruling coalition partners in Uttar Pradesh, Bahujan Samaj Party and Bharatiya Janata Party, but not before the Prime Minister, Atal Behari Vajpayee, stepped in to say that both the parties must learn to trust each other.

The BJP apparently conceded the BSP complaint that the State BJP leaders were behaving as if they were in the Opposition and making all sorts of charges against the BSP Government headed by Mayawati. This must stop, Ms. Mayawati is believed to have said, and this the BJP promised.

The Chief Minister was at the residence of the Deputy Prime Minister, L.K. Advani, for two hours this morning and was closeted with other BJP leaders, including the party president, Venkaiah Naidu, and the Human Resource Development Minister, Murli Manohar Joshi, and party leaders from Uttar Pradesh. The venue then shifted to Mr. Vajpayee's residence where all the leaders and Ms. Mayawati discussed over lunch the issues that have become irritants in the smooth running of the State Government.



The Uttar Pradesh Chief Minister, Mayawati, with the Prime Minister, Atal Behari Vajpayee, in New Delhi on Saturday. — Photo: Rajeev Bhatt

The only tangible decision taken at the meeting was that a group of three State leaders — the BJP State president, Vinay Katiyar, the 'prabhari', Kalraj Mishra, and the BJP legislature party leader, Lalji Tandon — would meet Ms. Mayawati at least once a fortnight to discuss the State Government's policy issues, people's problems and the political situation.

However, Ms. Mayawati made it quite clear that she

would not backtrack on the use of the Prevention of Terrorism Act against the independent legislator, Raja Bhaiya, and his father — an issue that has been exercising the BJP leaders considerably as they feel it has affected their 'Thakur' base. While they reportedly told her that POTA was meant to be used against terrorists alone, Ms. Mayawati had come prepared with a file on all the charges against Raja Bhaiya.

The day began with confabulations at Mr. Naidu's residence where Dr. Joshi as well as the three State-level leaders, Mr. Katiyar, Mr. Mishra and Mr. Tandon, were present. They then moved to Mr. Advani's residence where Ms. Mayawati joined them.

"We conveyed the feedback we had received from our State leaders to Ms. Mayawati," Mr. Naidu told reporters later describing the discussions as "very frank."

At the end of the discussions, "we agreed that three of our State leaders will regularly interact with the Chief Minister, at least once a fortnight." He was confident that the new "informal arrangement (not a formal coordination committee) would help strengthen the Government and help in running it smoothly."

The meeting also reviewed the numerical strength of the coalition and concluded that there was no danger to the Mayawati Government in the face of the no-confidence motion the Opposition is expected to move.

The truce was expected — Ms. Mayawati needs the BJP support to remain in office and the BJP wants a tie-up with the BSP for the Lok Sabha elections next year to boost its falling graph in Uttar Pradesh.

4 breakaway Cong. MLAs in U.P. Cabinet

By J.P. Shukla

LUCKNOW, FEB. 4. The Uttar Pradesh Chief Minister, Mayawati, on Tuesday inducted into her Cabinet four breakaway Congress MLAs who had joined her party on Monday.

Earlier during the day, she had dropped 13 Ministers belonging to her Bahujan Samaj Party to make room for the new entrants, but reinducted four of them after downgrading their status. So far, these four were Ministers of State with independent charge but now they would be subordinate to Cabinet Ministers.

The four former Congress MLAs — Shyam Narain Tiwari, Kameshwar Upadhaya, Kazim Ali and Virendra Singh Bundela

— who were inducted today, were sworn in as Ministers of State with independent charge.

Later, talking to newsmen, Ms. Mayawati said that the doors were open for Opposition legislators to join her Government. And that she meant what she said was evident from the fact that at least five vacancies in the Council of Ministers have not been filled.

(The Congress boycotted the swearing-in ceremony in protest against Ms. Mayawati's "undemocratic and uncalled for actions," a PTI report said quoting the party spokesman, Akhilesh Pratap Singh.)

Eight Congress MLAs had left the party last week to form a new outfit called Akhil Bharatiya Congress Dal. Four of them

joined the BSP on Monday evening and were quickly offered ministerial berths.

The remaining four legislators continue to remain as ABCD members, but have professed their support to the Mayawati Government.

The Cabinet reshuffle does not affect the other coalition partners and that was given as the reason why these parties were not consulted before the decision to induct the new Ministers was taken by the Chief Minister.

Ms. Mayawati had, during the day, secured the resignation of 13 BSP Ministers — one Cabinet Minister, eight Ministers of State having independent charge and four Ministers of State. The resignations were im-

mediately forwarded to the Governor who promptly accepted them.

The BSP Ministers who have been dropped are — Gaya Charan Dinkar (Cabinet Minister), Om Prakash, Abdul Mannan, Sharda Prasad and Anees Ahmed Khan (all Ministers of State with independent charge), Ilam Singh, Ayodhya Prasad Pal, Ram Het and Vinay Shakya (all Ministers of State).

Ram Achal Rajbhar, Ram Bhajal, Mahendra Singh and Haji Yaqoob were also among those dropped but were inducted later.

Ms. Mayawati insisted that all her Ministers had given resignation letters to her even before they had joined her Government and not today.

'MULAYAM TALKS OF ISSUE-BASED SUPPORT'

Cong. to move no-trust motion against U.P. Speaker

By Javed M. Ansari

NEW DELHI, FEB. 3. After strained relations in the last couple of years, the Congress and the Samajwadi Party have begun to smoke the peace pipe, thanks ironically to the Uttar Pradesh Chief Minister, Mayawati. The breakthrough came at the 90-minute meeting late on Sunday between the Congress president, Sonia Gandhi, and the SP chief, Mulayam Singh Yadav.

Though both sides refused to divulge what transpired at the meeting, they have moved closer. As a beginning, they will pool their efforts in unseating the Mayawati-led Government.

The Congress has decided to move a no-confidence motion against the Assembly Speaker, Kesrinath Tripathi, with the "active cooperation" of the SP and other secular parties. "We will seek the support of all the secular parties," said Pramod Tewari, Leader of the Congress Legislature Party leader.

Unlike as in the past, the leadership of both the parties

have established a line of communication and have reportedly been in touch for some time. Sunday's meeting, though held at the initiative of Mr. Yadav, was necessitated by the events in Lucknow, especially Ms. Mayawati's decision to split the Congress.

Keen on building on the breakthrough, Ms. Gandhi is also likely to host a dinner for Opposition leaders, probably later this week.

As far as Sunday's meeting is concerned, according to sources, both sides appear to realise the need to put the past behind them and work together. The idea of an electoral understanding between also reportedly came up. "Various possibilities were discussed," said a senior leader of the party.

Ms. Gandhi today consulted senior party leaders. They were briefed about her meeting with Mr. Yadav. Those present were Manmohan Singh, R.K. Dhanwan, Motilal Vora, Arjun Singh, Ambika Soni and Ahmad Patel.

Earlier in the day, Ms. Gandhi

held a long meeting with her party MLAs from U.P., the CLP leader, and the PCC chief. She also held a separate meeting with the former PCC chief, Salman Khurshid, known for his strong views against Mr. Yadav.

The Congress is, meanwhile, drawing up plans to actively involve the MLAs in party work and most of them are being sent as election observers to Himachal Pradesh.

The party is also planning to hold several district and block level conventions throughout the State.

A national-level convention of booth presidents will be held in the capital in March. Plans are under way to stage a public rally here to "protest against the NDA Government's policies".

Mr. Yadav too appeared cagey and clarified that his relationship with the Congress was limited to issue-based support. He sought to rule out the idea of forging a front with the Congress.

Samajwadi upbeat on unseating Mayawati: Page 11

Key witness in Raja Bhaiya case shot dead

LUCKNOW, FEB. 3. A key witness in the controversial POTA case against the jailed independent legislator, Raja Bhaiya, and his father was shot dead by unidentified persons at Kunda in Pratapgarh district of Uttar Pradesh today.

Rajendra Yadav, on whose complaint a POTA case was built against the MLA and his father, Uday Pratap Singh, was shot at by two motorcycle-borne assailants around 10.15 a.m. when he reached Kunda from Baand Mau village, the Additional Director-General of Police, Vikram Singh, said. Kunda is the constituency of Raja Bhaiya. Mr. Yadav, who had also witnessed the searches conducted at the Bethi Palace of Raja Bhaiya last month, died before he could be taken to hospital, Mr. Singh said.

Police said the killing would not affect the case

as Mr. Yadav's statement had already been recorded.

'No review of POTA case'

Sticking to her earlier stand, the Uttar Pradesh Chief Minister, Mayawati, turned down a request of the senior BJP leader, Kalraj Mishra, to review her decision of invoking the provisions of POTA against Uday Pratap Singh. Ms. Mayawati reportedly told Mr. Mishra that she was convinced that the action taken against Uday Pratap Singh was correct as she had documentary proof of his antecedents.

Mr. Mishra told PTI that he had requested the Chief Minister to review her decision as Uday Pratap Singh was a public personality with political stature.

SPEAKER'S DECISION CASTIGATED

Cong. rebel MLAs recognised as separate group in U.P.

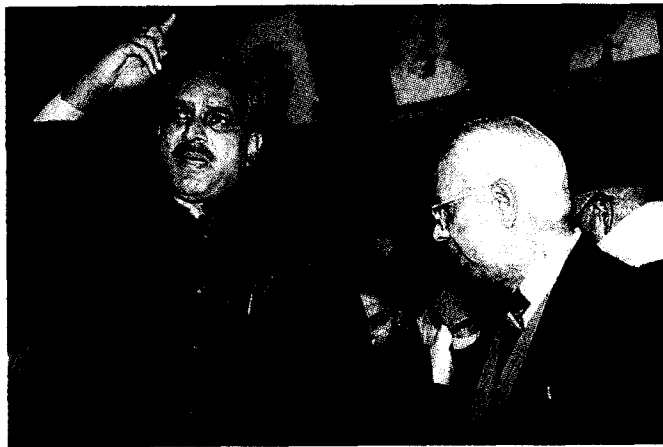
By J.P. Shukla

LUCKNOW, JAN. 28. In a new twist to the power equations in Uttar Pradesh, eight Congress legislators today announced their decision to sever their links with the parent body and form a separate group in the State Assembly.

The Speaker, Kesrinath Tripathi, formally recognised the group as a separate entity saying that under the provisions of the Anti-Defection Act, they had fulfilled all the conditions for a split. Eight out of the 24 Congress MLAs had written to him that, displeased with the policies of the party on whose ticket they had won the last elections, they had decided now to form a separate group, Mr Tripathi told newsmen. After considering in detail the facts and circumstances of the case, he had recognised the new group to be known as the Akhil Bharatiya Congress Dal.

A shocked Congress leadership, reacting sharply to the Speaker's decision, said his action was against all norms of honesty and law and amounted to murder of democracy.

In fact, the Speaker's chamber itself witnessed some unsavoury moments with the Congress Legislature Party leader, Pramod Tiwari, making serious remarks against Mr.



The U.P. Congress Legislative Party leader, Pramod Tiwari, arguing with the Assembly Speaker, Kesrinath Tripathi (right), at his chamber in Lucknow on Tuesday. — Photo: Subir Roy

Tripathi. He threatened to bring a motion of no confidence against the Speaker and challenge his decision in court.

"This Government could not be saved in any case and would fall the very day the Assembly is called to session," Mr. Tiwari said in the presence of the Speaker.

The Speaker's decision was announced after several hours of suspense when the Congress MLAs remained closeted with him in his inner chamber. First, the eight MLAs came out to announce their decision to form a group in the interest of political

stability and development in the State. Then Mr. Tiwari emerged from the inner room of the Speaker's office and angrily accused Mr. Tripathi of acting in a dishonest manner.

Mr. Tiwari said Akhilesh Singh had been expelled from the party long ago. The fact had been duly conveyed to the Speaker who later gave his ruling to declare Mr. Singh as an unattached member. But today, Mr. Singh's name had been included in the list of eight defecting members only to increase their strength to one third of the total number of Congress MLAs

in the Assembly, he charged.

According to Mr. Tiwari, his party had 23 members excluding Mr. Singh and a strength of eight among them was necessary to formalise a split.

While Mr. Tiwari was still addressing mediapersons in his outer chamber, the Speaker came out for his formal briefing. He condemned the "intemperate manner" in which the Congress leader had reacted against him. While it was any member's right to move a motion of no-confidence against the Speaker, Mr. Tiwari had no right to use uncivilised language, Mr. Tripathi said.

Justifying his decision to recognise the Congress "split", the Speaker said according to the Supreme Court judgment in the G. Vaidyanathan case, the Anti-Defection Act did not recognise any member as "unattached". The description of "unattached" was only for the functioning of the legislature and as far as the Tenth Schedule of the Constitution was concerned, such a member would continue to be considered as a member of the party on whose symbol he had won the elections. Thus, while Akhilesh Singh was an unattached member for the convenience of the functioning of the Assembly, he continued to be a Congress member in terms of the Anti-Defection Act.

10-1
29/1/83

INDU

2003

Kannappan's arrest

Ganma Jaya's poser to Vajpayee *S.P. 2/29*

No law prevents a Union minister from being arrested by a state government. M Kannappan, Union minister of state for non-conventional energy and a member of the Marumalarchi Dravida Munnetra Kazhagam, has committed an offence by publicly speaking in support of the LTTE, a terrorist organisation under Section 18 of the Prevention of Terrorism Act. Tamil Nadu chief minister Jayalalitha has served notice on Atal Behari Vajpayee to drop Kannappan from his Council of Ministers pending action against him under POTA. After Jayalalitha made her intention known, the minister has been reiterating his support to the banned LTTE, responsible for the assassination of Rajiv Gandhi. Vaiko, leader of the MDMK, along with eight party colleagues, had been jailed for more than a year now by the Jayalalitha government for committing the same offence.

The open stand taken by Kannappan regarding the LTTE is clearly violative of Section 3(1)(b) and 21(1)(a),(2) and (3) of the POTA and is liable to be punished with imprisonment for a term which shall not be less than five years but may extend to life term and shall also be liable to fine. The LTTE has also been declared an unlawful association under the Unlawful Activities (Prevention) Act, 1967, and banned under the Criminal Law Amendment Act, 1908, by the Tamil Nadu government. Kannappan and Vaiko had voted for POTA in Parliament and cannot be unaware of its harsh provisions. Although banning of the LTTE dates back to the NDA coming to power, it has extended the ban at least twice in the last four years. Since Kannappan is not in sync with the NDA government's policy towards the LTTE, the honourable course for him would be to resign and face the consequences of supporting the banned organisation thus avoiding the odium of having another of Vajpayee's ministers being arrested by the Tamil Nadu police.

THE STATESMAN

27 SEP 2003

Jaya aims Pota at Union minister

HT Correspondent
Chennai, September 22

TAMIL NADU Chief Minister Jayalalithaa on Monday requested Prime Minister Atal Bihari Vajpayee to drop MDMK leader and Union Minister of State M. Kannappan from his ministry. Jayalalithaa wrote to Vajpayee that her government had decided to take action against Kannappan under Pota for speaking in support of the LTTE.

In her four-page letter, Jayalithaa also made it clear that she would use Pota against the MDMK leader even if the Prime Minister chose not to drop him for political reasons.

"No law prevents even a central minister from being arrested by the state government in

the public interest if he indulges in activities against the law of the land," Jayalalithaa reminded Vajpayee.

The Tamil Nadu Chief Minister revealed that Kannappan, who is also the MDMK treasurer, had declared his party's allegiance to the banned LTTE at a book release in Chennai on September 16.

Kannappan had allegedly declared he didn't fear arrest under Pota, and was ready to give up his ministership any time for the Eelam cause.

Jayalalithaa said that Kannappan, by supporting a banned organisation, had violated his oath as an MP and a minister, and being part of the Union government, he was a threat to national security.



Jayalalithaa

Talks tough with Atal

She recalled that even in August 2002, she had urged the Prime Minister to drop Kannappan from his ministry after he

had made public speeches in support of the LTTE just after his party leader Vaiko's arrest for the same reason.

Jayalalithaa's letter comes just a day after her arch-rival, DMK leader M. Karunanidhi, reiterated his party's opposition to Pota. Karunanidhi had on Sunday urged the Centre to repeal the law, alleging it was being misused to settle political scores. However, BJP President M. Venkaiah Naidu rejected the demand on Monday morning.

Karunanidhi had also opposed the plan to build a Ram temple at the disputed site in Ayodhya, a line that will further strain his already worsening ties with the BJP, giving Jayalalithaa more leverage with the nation's ruling party.

Supreme Court persuades Tamil Nadu Govt. to take back employees

By J. Venkatesan

*9.88
T. Nadu
Confidential*

NEW DELHI, JULY 24. The Supreme Court today persuaded the Tamil Nadu Government to reinstate from tomorrow all the dismissed employees, except the 2,200 employees who were arrested and those against whom FIRs had been lodged.

A Bench, comprising Justice M.B. Shah and Justice A.R. Lakshmanan, virtually extracted an undertaking from the senior counsel for Tamil Nadu, K.K. Venugopal, that the 1.76 lakh dismissed employees would be reinstated on certain conditions.

They are: The reinstatement in service from July 25 would be subject to the employees expressing an unconditional apology as well as giving an undertaking that they would abide by Rule 22 of the Tamil Nadu Government Servants Conduct Rules, 1973, which says that "similar activities" shall be deemed to include the absence from work or neglect of duties without permission.

The Government would proceed under the Disciplinary Rules only against those employees who have indulged in violence and who have incited other employees to go on strike.

Mr. Venugopal said that for the employees who would be reinstated in service with regard to the period for which they remained absent, an appropriate order would be passed by the Government for the regularisation of their absence. However, this would not be treated as a "break in service."

The Bench recorded this undertaking and ordered accordingly. The Bench made it clear that employees would get their salary from tomorrow.

The Bench said that further

orders and directions would be passed on the batch of five petitions challenging the dismissal and the ordinance amending the Tamil Nadu Essential Services Maintenance Act, 2002, would be passed on July 31.

When arguments began this morning, Mr. Venugopal submitted that the State Government spent Rs. 13,160 crores on salaries and pensionary benefits of the employees with paid holidays for about 169 days a year. The employees thought they were a "class apart" and due to their agitation on five occasions about 312 mandays had been lost in the last two years. "At some stage, the State Government had to make up its mind and say that this far and no more," he said.

He said the court could not pass an interim order directing the reinstatement of all the dismissed employees as that would be contrary to the earlier orders passed by the apex court. The Government would consider the representations of the employees individually and pass appro-

priate orders and till such time they could be given subsistence allowance.

However, the Bench did not accept this and said that since the employees had realised their "mistake," it was now the Government's turn to show "some grace." In the end, counsel gave alternative suggestions and these were recorded.

Earlier, P.P. Rao, another Senior Counsel for Tamil Nadu, argued that since none of the dismissed employees was before the court, trade unions representing them had no locus standi to file the petitions. He said the DMK and other political parties had rushed to the apex court against the High Court judgment to gain political advantage when the employees federation had passed a resolution not to do so, but to approach only the Chief Minister.

The Senior Counsel for the employees' unions, T.R. Andhyarujina and P. Chidambaram pointed out that the employees struck work only when they were "pushed to a corner." Mr.

*HD-1
25*

Chidambaram submitted that on July 26, 1991, the State Government had itself asked its employees to be absent from duty for a day in the Cauvery issue.

The arrests took place on June 30 last prior to the commencement of the strike, culminating in the promulgation of an ordinance and dismissal of employees. When he said the provisions of the ordinance were harsh, the Bench told Mr. Venugopal that "before drafting a legislation you must consult proper counsel." It also said that "in a democracy you cannot say that we leave the decision to one person."

When Mr. Venugopal insisted that the Government should have the liberty to take action against those who indulged in violence and deal with misconduct, Mr. Chidambaram said "this would result in victimisation." The judges said that "if you misuse in that manner the results would be different."

The Bench observed that the High Court ought to have exercised its extraordinary power (Article 226) in an extraordinary situation like this and should not have asked the dismissed employees to go to the tribunal as it would be an impossible task for the tribunal — which had only one member — to decide all these cases. The Bench while indicating its mind said this aspect would be dealt with in the final order to be passed on July 31.

Editorial on Page 10

All but 2,200 to be reinstated

By Our Special Correspondent

CHENNAI, JULY 24. Hours after the Supreme Court order, the Tamil Nadu Government today directed the department heads and District Collectors to reinstate all the dismissed employees, barring the 2,200 who face criminal proceedings.

The Chief Secretary, Lakshmi Pranesh, who returned from Delhi after the court proceedings, held a meeting of all department Secretaries late in the evening and instructed them to issue reinstatement orders to the sacked employees, after getting an apology from them for having participated in the strike and an undertaking that they would not resort to any strike in future.

A model format of the apology letter and undertaking has been sent to the "appointing officers." The officials have been told that those who were jailed and against whom first information reports had been lodged should not be reinstated.

SATURDAY, JULY 12, 2003

JUSTICE DENIED

THE MADRAS HIGH Court, by rejecting the petition filed by dismissed Tamil Nadu Government employees, has caused deep disappointment not only among the large workforce but also in a much wider community concerned about fairness and basic rights. Although the Court's order to release arrested employees on bail will be greeted with relief, the substance of the ruling in this landmark case amounts to denial of justice. This is particularly so in the light of observations made by the Judges in the course of the hearing, emphasising the core issue as one of justice and not merely of law and expressing doubts as to whether there had been application of mind in the summary dismissal of about 200,000 employees. The ruling does not seem to reflect the perception that the questions involved in the petitions were of too fundamental a nature to fall in the realm of administrative tribunals.

For the State Government's actions in the past week, by any yardstick, were an extraordinary case of deployment of State power against its own employees. The Tamil Nadu Essential Services Maintenance Act (TESMA) 2002, itself a draconian law, was first invoked in response to an indefinite strike by employees in pursuance of demands relating to pension benefits that had been curtailed on grounds of a resource crunch. The Government then came up with an ordinance giving itself the summary power of dismissal *en masse*, without any application of mind and without giving the employees an opportunity to be heard. The ordinance, which amended TESMA (Section 7), provides for treatment as "deemed participation" in the banned strike any absence of employees irrespective of the actual reason for their abstention from duty after the promulgation of the ordinance. Midnight arrests of employees and their leaders, ret-

rospective effect sought to be given to the ordinance and dismissals without giving individual notices all show that the Government was intent upon crushing the strike by any means.

The Tamil Nadu Chief Minister, Ms Jayalalithaa, acted within her rights in declaring in the course of negotiations that her Government would concede the demands only to a specified extent. But nothing, including a fiscal crisis (which, by its nature, involves many factors such as taxation, devolution of Central funds, and effective management of public finances), can justify resort to an ESMA-plus ordinance of the kind introduced in the State. It is relevant in this context to note that the Second National Commission on Labour, which submitted its report to the Centre last year, recommended the withdrawal of the Centre's own ESMA, enacted in 1981. It suggested an alternative scheme whereby, in the case of an unresolved dispute in "essential services," a strike was to be "deemed to have taken place" once a strike ballot received the support of 51 per cent of employees, and the dispute would be referred to compulsory arbitration. The clear opinion against ESMA thus pronounced by the Commission and its emphasis that India had an obligation to fulfil the International Labour Organisation's four-point Declaration on Fundamental Principles of Rights at Work 1998, show how ESMA is by universal standards a lawless law. In this day and age, when in the manufacturing and service industries human resource development and employee empowerment are cited as the most effective ways of improving efficiency, summary dismissal and the overnight arrest of hundreds of thousands of employees have no place. Such powers and actions are in profound conflict with fundamental rights, the basic norms of democracy, and enlightened self-interest.

Karunanidhi demands probe into medical treatment for Maran

9-87
C. M. S.
40-11

By Our Special Correspondent

CHENNAI, JUNE 15. The DMK president, M. Karunanidhi, today demanded an enquiry by the Union Health Ministry into the medical treatment given to the ailing Union Minister, Murasoli Maran, at the All-India Institute of Medical Sciences, New Delhi, and the Apollo Hospitals, Chennai.

Mr. Maran had been in a serious condition in a U.S. hospital since last November. He had undergone a valve replacement surgery in the AIIMS in July last. A fungal growth in the replaced valve — which manifested in the form of high fever and chest pain while he was in the AIIMS — led to his being hospitalised again, this time at the Apollo, on September 23. The hospital carried out an emergency high-risk replacement of the mitral valve on September 25.

Mr. Karunanidhi told the media here that the operation, which lasted eight-nine hours, affected the functioning of his kidneys.

Ever since, Mr. Maran's condition did not improve much. Hence, his family shifted him to the Methodist Hospital, Houston, U.S., on November 15 last year.

The Apollo treated Mr. Maran's heart ailment earlier in November 2000, following complaints of chest pain. Then, specialists had used the 'alcohol ablation' technique to bring him back from the brink.

Mr. Karunanidhi said it was

found at the Houston Hospital that excess dosage of medication was given to "paralyse" Mr. Maran at the Apollo (so that he did not remove the tubes that were attached to his body). He could not be revived from this. "After all the medicines, the treatment and the exercises

there (the U.S. hospital), Mr. Maran could not overcome the paralysis."

The charge against the AIIMS related to sanitation and the conditions prevailing there. "How did he contract the fungal infection? Did the infection set in because maintenance was

16/6

bad?" Mr. Karunanidhi had asked the Health department and the Union Minister of State for Health, A. Raja, to take up the issue.

He would write to the Prime Minister, Atal Behari Vajpayee, on the need for an early enquiry.

'Every possible step taken'

By Our Special Correspondent

CHENNAI, JUNE 15. The chairman of Apollo Hospitals, Prathap C. Reddy, in a statement said his organisation had taken "every possible step" in the management and care of Mr. Maran's condition in consultation with Indian as well as international specialists. "Apollo has done what any of the best institutions in the world would have done in such difficult clinical conditions.

This was also testified by the Methodist Hospital doctors in Texas", he said.

Tracing the sequence of the Union Minister's hospitalisation, Dr. Reddy said Mr. Maran was admitted to the hospital with high temperature in September last after undergoing the mitral valve replacement surgery at another hospital.

An echocardiography done on the day of his admission revealed vegetation in his heart and the blood cultures were positive for fungus, indicating fungal septicaemia.

"After consultation with the surgeons at the primary hospital, the team at Apollo Hospitals, Chennai, performed an emergency high-risk operation to replace the infected valve with a new prosthesis and clear the surrounded infected tissues". Because of multi-organ failure, he was moved to the ICU for continuous support including ventilator and

renal dialysis. His liver was supported using MARS dialysis "for the first time in the country".

"He was supported continuously with life-saving measures with the guidance of our consultants and international specialists on fungal septicaemia".

In November, when Mr. Maran was shifted to the U.S., he was accompanied by a team of specialists from the Apollo Hospitals.

Dr. Reddy also recalled that Mr. Karunanidhi, who visited the hospital during Mr. Maran's acute phase, had thanked the hospital's team of doctors and paramedical staff, and said that the care provided by them was comparable with the best medical centres across the world.

As regards the treatment given to Mr. Maran in late 2000, the hospital chief said the Union Minister was admitted to the hospital in October that year due to hypertrophic obstructive cardio-myopathy (enlargement of the heart).

In the critical situation, Apollo cardiologists "for the first time in the country" performed a ventricular septal ablation. Mr. Maran made a "miraculous recovery" and resumed normal duties. He subsequently led the Indian delegation to the WTO meeting at Doha, Dr. Reddy added.

Lawless in Tamil Nadu

578 Time ripe for regime change 14/4

The arrest of MK Stalin, a DMK member of the Tamil Nadu Assembly and twice Mayor of Chennai, on trumped up charges in a midnight operation, has again demonstrated the AIADMK government's utter disregard for norms laid down by the Supreme Court in 1994 and 1997 in the Joginder Kumar and the DK Basu cases on pre-trial detention. When his father, M Karunanidhi, was similarly arrested in a midnight swoop on flimsy charges two years ago, the Union home ministry warned the state government to refrain from "deliberately creating a situation of conflict, leading thereby to a constitutional crisis at a future date". The Centre had also detailed steps which the state government must take to ensure there was no recurrence of the unfortunate events under any circumstances. The Centre had described the arrests of a large number of the DMK activists as an attempt to suppress political dissent and curtail the right of political adversaries of the ruling party.

Politics of vengeance has been characteristic of the AIADMK government of Jayalalitha ever since it was returned to power in 2001. Vaiko, general secretary of the MDMK and an ally of the DMK, continues to be held in custody under POTA for a speech he made on 29 June in support of the LT TE even after the Attorney-General, Soli Sorabjee, filed an affidavit in the Supreme Court that the impugned speech would not attract Section 21 of POTA. Stalin invited the lady's wrath by entering Queen Mary's College compound and extending support to students agitating against the decision to demolish its buildings to make room for a new secretariat. Although the DMK and MDMK continue to be constituents of the BJP-led National Democratic Alliance, the Tamil Nadu unit of the BJP is functioning as a close ally of the AIADMK. But that is no reason why the state government should be allowed to flout the rule of law as established by the Constitution.

14 APR 2003

THE STATESMAN

FRIDAY, APRIL 25, 2003

40-10
29/1

RISING INTOLERANCE

WITH EACH PASSING day, the Jayalalithaa administration in Tamil Nadu seems to be scaling new heights of intolerance. The crude use of state power against various sections including political opponents and the independent media shows a contempt for the democratic spirit that is deeply disturbing. Perhaps because she was at the receiving end of a series of criminal cases filed by the previous DMK administration, she sees her return to power as an opportunity to wield the sanctioning and prosecuting power of the state blatantly to her political advantage. In the process, the law and order machinery is working overtime and the administration seems to be trampling on the basic rights of the people. The Government should feel secure with its huge mandate and use the opportunity to concentrate on the tasks of governance without even the distractions of a political challenge. Ironically, it is instead behaving like an administration which is unsure of itself and is living from day to day. Its inordinate appetite for political confrontation is bound to take a heavy toll in terms of diminution of democratic rights and the welfare of the State as a whole. The courts can no doubt be counted upon to protect the rights, but the disturbing frequency with which people have had to resort to courts for relief and the fact that respect for democratic norms has to be brought home through court rulings reflect poorly on the style of governance.

At one time, along with the Chief Ministers of neighbouring States, not even the Prime Minister was spared from Ms. Jayalalithaa's vehement attack — a development that the Supreme Court took serious note of and made her withdraw. A far more serious attack was launched against her political opponents within the State in the form of prosecutions, arrests and detentions. The media too have come under pressure with a slew of defamation cases that are quite unparalleled. The latest in this pattern of functioning is the privilege issue taken up by the Tamil Nadu Assembly over three reports of its proceedings published in *The Hindu*. A series of descriptive phrases, mostly about the Chief Minister's speeches, strung together from separate reports have been collectively referred to the Assembly's Privileges Committee, and given its composition, the outcome hinges critically on the attitude of the AIADMK members. The phrases objected to in a statement made by the Speaker include "stinging abuse", "unrestrained attacks on the opposition", "fumed", "incensed", "chas-

tisement" and "diatribe", all used in different contexts in describing Ms. Jayalalithaa's speeches on different occasions. These phrases are described as indecent and their use is said to be motivated by a desire to diminish the goodwill and fame that the Government enjoys. The phrases are said to constitute baseless accusations and their publication is said to be derogatory to the dignity of the House and a breach of its privilege.

It is useful to note in this context that the device of privilege of the legislature exists to protect its free and independent functioning, and not to protect the reputation of the Government or of individual members. This was made clear by the Speaker of the Lok Sabha with reference to the remarks of Rajaji that the Congress had declined and its legislators "were such people whom any first class magistrate would round up." He was following a ruling in the House of Commons that "hard words used against persons and parties are dealt with, if necessary, by the law of defamation and it is only where the House as a whole is affected... a question of privilege arises." The House of Commons on whose practice the privileges of legislatures are still based does not allow privilege issues to be raised over reports of proceedings unless they relate to proceedings behind closed doors or expunged portions of any speech. Because of its extraordinary nature and because the legislature sits in judgement on its own cause or in the matter of an important member, it ought to be used only rarely when there is real obstruction to its functioning, and not in a way that sets legislators above ordinary comment and criticism. To invoke it lightly or to ward off innocuous, even if unflattering, comments on individual legislators would be grossly offensive to the democratic spirit and would inhibit independent reporting and assessment of the performance of legislators. The tone of the speeches, the quality of debates, the behaviour of the legislators, the nature and importance of the business transacted, violence, walk outs and the space allowed for the opposition are all matters that are legitimately commented upon in all democracies. The Supreme Court while upholding the constitutional validity of parliamentary privilege, observed that "we are well persuaded that our Houses, like the House of Commons will appreciate the benefit of publicity and will not exercise the powers, privileges and immunities except in gross cases" and it is incumbent on legislatures not to act in a way that betrays that trust.

25 APR 2003

THE HINDU

China tacitly recognises Sikkim

Vir Sanghvi
Beijing, June 23

9-8 Sikkim 24/6

"WE HAVE accomplished a major feat," Chinese Prime Minister Wen Jiabao declared on Monday night at a banquet held in honour of Prime Minister Atal Bihari Vajpayee. Just before the banquet, India and China had signed two major documents — the first a joint declaration by the two Prime Ministers, and the second, even more significantly, an agreement on cross-border trade.

Vajpayee is due to meet Chinese President Hu Jintao on Tuesday afternoon, so neither the Indian side nor the Chinese authorities are willing to release the draft of either document till that meeting has been concluded. Nor are diplomats permitted to talk about them.

But the mood of relaxed confidence and the bonhomie at the banquet told their own story. The

cross-border trade agreement is considered an important movement forward because it is believed to include a tacit admission by the Chinese of Sikkim as a part of India.

At present, China is the only country in the world that still refuses to recognise Sikkim's accession to India.

Indian diplomats had believed that China would link the Sikkim accession to the border dispute, asking for concessions on Tawang in Arunachal Pradesh. In fact, the Chinese made no attempt to link Sikkim to the complex border issue.

A story by the official Chinese news agency had suggested that India had made concessions on Tibet but that now seems to have been misleading. The document signed today is believed to only recognise the People's Republic of China's claim to the 'autonomous

Tibet region'. The phraseology makes it clear that all of Tibet is excluded from the scope of the agreement and the reference to the People's Republic clarifies that no historical claim has been recognised.

Monday's developments suggest that the Vajpayee government's China policy is working. The regime had concentrated on sidelining the contentious border and Pakistan issues till a framework of constructive trust was established. The Chinese willingness to make concessions on the Sikkim issue suggests that Beijing is responding positively to this approach.

Even the joint declaration is believed to be a small victory for the Indian side, with the Chinese finally agreeing to a nuanced document of the sort that Delhi had always wanted.

Another report on Page 5

24 JUN 2003

Chamling's windfall

SFD But emotional integration still way off

Fortune seems to be smiling on Sikkim chief minister Pawan Chamling. Atal Behari Vajpayee's announcement of a Rs 500-crore special package after a four-day visit may not have measured up to the expectations raised, but it comes as a windfall and recognition of the 10-year-old ruling Sikkim Democratic Party as a progressive force. The largesse comes after years of waiting and is essentially the peace bonus Chamling was demanding for maintaining communal harmony and keeping the state insurgent-free. It is to be hoped that the BJP's seeming magnanimity is no favour for a toehold the national party has been seeking since 1994. The SDF is not an ally of the NDA but supports it.

Despite financial problems, the Chamling government has been able to move fast enough on industrialisation, education (free up to the college level) and fighting poverty. The emphasis is on building and strengthening economic infrastructure. Although there has been objection to construction of Pakyong airport, for which Rs 110 crore was allotted, Chamling is keen to see Gangtok included in the air map. Tourism, the biggest growing industry, will get the required boost with two big hotel chains setting up shop. The government may allow them to run casinos. The annual earning from the state-run lottery, which was Rs 15 crore, has increased substantially with the entire system going on line last year.

Speedier attention to the people's grievances notwithstanding, the SDF has still not been able to convince the Centre to abide by the letter and spirit of Article 371F which confers a special status on Sikkim. Restoration of reserved seats for Sikkimese Nepalese in the Assembly is one of them. Chamling has rightly pointed out during the Prime Minister's visit that Sikkim is part of the Indian Union but a huge gap exists between Delhi and Gangtok with little prospect of emotional integration. It may serve the Centre well to take a momentous decision.

16 APR 2003

THE STATESMAN