

JUSTICE FOR THE MOB**Acquittal in the emblematic case of Pehlu Khan's murder imperils the country's image**

It is a sign of the times that vigilante mobs can get away with daylight murder. Even after visual evidence becomes available; and even when the victim names his assailants in a dying declaration. The acquittal of all those charged by the Rajasthan police with beating dairy farmer Pehlu Khan to death in April 2017 is a stark reminder that there is a humongous gap between capturing video footage of a man being beaten up and bringing the culprits to book. The Additional District Judge of Alwar has given the benefit of doubt to the six men charged with Khan's murder. A principal reason given is that the six persons named by Khan were not charge-sheeted by the police. It seems that the derailment of the prosecution case began early. Based on mobile phone call records and the statement of staff at a cow shelter, the police gave a clean sheet to the named suspects and booked a different set of people, including three minors. The police failed to conduct an identification parade, while there was an apparent contradiction between government doctors declaring that the victim died of injuries, and a private hospital's claim that the cause was cardiac arrest. It is not difficult to surmise that infirmities were built into the case in advance. The court also need not have held inadmissible the footage of the incident, as the Supreme Court had ruled last year that authentic and relevant electronic evidence can be accepted even in the absence of the required certification under the Evidence Act.

Last year, Jharkhand managed to obtain convictions in two cases of lynching, but the Pehlu Khan lynching case had emblematic significance. It was vital that it was properly investigated and the culprits convicted. Unfortunately, the wholesale acquittal is a setback to combating the rampant vigilantism of our times. Each such incident imperils India's image as a modern democracy. There is ample evidence to suggest that the institutional bias in favour of cow vigilantes is working against the interest of justice. The CID-Crime Branch took over the case two months after the incident, and filed a charge sheet. Those charge-sheeted were granted bail not long after. Even after the change of regime late last year, the police obtained permission to prosecute two sons of Pehlu Khan for transporting bovines in violation of a State law. This indicates the assiduity with which cattle protection laws are implemented, while lynch mobs in the garb of cow protectors are treated with kid gloves. The Rajasthan Chief Minister, who recently got a new expansive law enacted to punish lynching, has promised to take the matter on appeal. A mere appeal may not suffice; orders for a fresh investigation and

trial — one that would lead to the formal indictment of all those responsible for the murderous attack — may be needed to restore a sense of justice.

<u>Words</u>	<u>Kind</u>	<u>Meaning</u>
Acquittal		Absolution, clearing, exoneration, exculpation
Emblematic		Symbolic, representative, demonstrative
Imperil		Endanger, jeopardize, risk, expose
Vigilance		Surveillance, alertness, circumspection, prudence
Mob		Crowded, horde, multitude, rabble, mass, throng
Assailant		Attacker, mugger, assaulter
Stark		Sharp, defined, well focused, crisp, distinct / complete
Humongous		Huge, enormous, mammoth, gargantuan
Culprit		Guilty, party, offender, wrongdoer
Derailment		Obstruction, hindrance, constrain, restrain
Apparent		Evident], plain, obvious, clear, manifest
Contradiction		Denial, refutation, rebuttal, countering
Surmise		Guess, conjecture, suspect, deduce, infer
Infirmities		Frailty, weakness, feebleness, delicacy
Conviction		Declaration, belief, opinion, persuasion, tenet
Lynch		Hang, kill, illegally, make away with, mow down
Set back		Problem, draw back, down side, travail
Combat		Oppose, counter, cross
Rampant		Uncontrolled, unrestrained, unchecked
Ample		Enough, sufficient, abundant, plethora
Bias		Prejudice, blind belief, unfairness
Prosecute		Conduct legal proceedings against a person
Bovine		Cowlike, tourine, cattle like
Protection		Defence, shielding, shelter, preservation, safeguarding
Assiduity		Attention, awareness, notice, observation, head
Grab		Clothes, garments, attire, costume, array, turnout
Kid gloves		Deal with someone very carefully / tactfully
Indictment		charge, accusation, arraignment, summons
Onus		Burden, responsibility, liability, obligation, duty

MAKING CSR WORK**Non-compliance by corporates should be decriminalised and made a civil offence**

It was first encouraged as a voluntary contribution by business; six years ago it evolved into a co-option of the corporate sector to promote inclusiveness in society and now, corporate social responsibility or CSR has become an imposition on India Inc. Key amendments to the relevant sections of the Companies Act in the last session of Parliament have now made non-compliance with CSR norms a jailable offence for key officers of the company, apart from hefty fines up to ₹25 lakh on the company and ₹ 5 lakh on the officer in default. Finance Minister Nirmala Sitharaman is said to have assured representatives of India Inc. when they met her last week that this amendment will be reviewed. Yet, it is curious that the government rushed through with amendments on the CSR law even as a committee constituted by it was finalising its report on the same subject. As it happened, the committee, headed by the Corporate Affairs Secretary submitted its report on August 13, well after Parliament had passed the amendments. On the specific issue of penalties, the committee has proposed that non-compliance be de-criminalised and made a civil offence. “CSR is a means to partner corporates for social development and such penal provisions are not in harmony with the spirit of CSR,” the committee’s report says and rightly so. CSR should not be treated as another tax on businesses.

Every company with a net worth of ₹500 crore or turnover of ₹ 1,000 crore or net profit of ₹ 5 crore should spend 2% of the average profits it made over the previous three years on social development. The experience since this provision was operationalised in 2013 has been mixed. Filings with the Ministry of Corporate Affairs show that in 2017-18, only a little over half of those liable to spend on CSR have filed reports on their activity to the government. The other half either did not comply or simply failed to file. The average CSR spend by private companies was just ₹95 lakh compared to Rs. 9.40 crore for public sector units. These are early days yet, and compliance will improve as corporates imbibe CSR culture fully. The committee’s suggestion to offer a tax break for expenses on CSR makes sense as it may incentivise companies to spend. It has also recommended that unspent CSR funds be transferred to an escrow account within 30 days of the end of the financial year. It should be recognised that CSR is not the main business of a company and in these challenging times they would rightly be focusing their energies on the business rather than on social spending. The government should be careful to not micromanage and tie down businesses with rules and regulations that

impose a heavy compliance burden. Else it might end up with the opposite of what it intends – to rope in corporates as citizens to promote social inclusion.

<u>Words</u>	<u>Kind</u>	<u>Meaning</u>
Compliance		Agreement, consensus, accord
Evolve		Develop, progress, advance, mature, grow
Imposition		Imposing, forcing, inflicting, obtruding
Amendment		Revision, alteration, modification, change
Relevant		Pertinent, applicable, apposite, apropose, germane
Hefty		Burly, heavy, bulky, sturdy, strapping, brawny
Liable		Responsible, accountable, answerable, blame worthy
Imbibe		Drink, consume, quaff, swallow, down
Suggestion		Proposal, insinuation, implication, submission
Recommend		Advocate, endorse, commend, approve
Tie down		Restrict, shackle, fetter, circumscribe, condition
Out lay		Expenditure, expenses
Rope in		Persuade, tempt, prod, encourage