

Saffron error**The BJP seems to have fielded Pragma Singh Thakur for all the wrong reasons**

Pragma Singh Thakur may not be the first person to contest in an election despite facing serious charges, but her candidacy on behalf of the BJP in the Bhopal Lok Sabha constituency stands out as exceptionally controversial. She is arraigned as the prime accused and principal conspirator behind the September 2008 blast at Malegaon, in which six persons were killed. In other words, a person accused of a ‘terrorist act’ and against whom charges have been framed under the Unlawful Activities (Prevention) Act is being fielded as a candidate, by a party that wants to underscore its anti-terrorism credentials. While many candidates may have criminal cases pending against them, it is highly unusual to find among mainstream party contestants one who has been accused of planting a bomb targeting a community. An obvious problem with Pragma Singh’s candidacy is that she appears to have been chosen solely as a totemic representative of aggressive Hindutva nationalism. She was not prominent as a BJP member until she was named the candidate for Bhopal, where she will take on senior Congress leader Digvijaya Singh. It is one thing to field a political leader who faces criminal charges, but quite another to create an electoral candidate out of a key terror suspect. It would appear that the sole purpose of fielding her is to bolster the BJP’s narrative that there never has been any ‘Hindu’ or ‘saffron’ terror group. Two blasts at Malegaon (2006 and 2008), the Samjhauta Express bombing near Panipat (February 2007), the explosions at Mecca Masjid in Hyderabad (May 2007) and the Ajmer Dargah (October 2007) were linked to a fringe Hindu group called ‘Abhinav Bharat’, but the NIA had neither the political backing nor the ability to obtain convictions. To no one’s surprise, Ms. Singh lost little time in embarrassing the BJP by making serious allegations against the chief of the Mumbai Police Anti-Terrorist Squad, Hemant Karkare, who was martyred in the 26/11 terror attack.

Election law as it stands today does not bar one facing criminal charges from contesting, except those convicted of specified classes of offences, or those that entail a sentence of at least two years. If the mere pendency of a case was made a ground for disqualification, a vindictive regime could get any political opponent disqualified by merely slapping a criminal charge. However, given the tortuous process of taking a criminal prosecution to its conclusion, some have made a case for advancing the stage at which disqualification kicks in — by making a legislative change to rule out of the contest any person against whom charges have been framed by a competent court. It may be difficult to get enough lawmakers to agree to this significant change, but it can be a principle political parties adopt on their own. There have been instances of Union Ministers resigning from office as

soon as charges were framed against them. There is no harm in extending this norm to the selection of candidates.

<u>Words</u>	<u>Kind</u>	<u>Meaning</u>
Arraign	Verb	Prosecute, put on trial, file charges against, Criticize, censure, lambaste, chastise, reproach
Serious	Adjective	Severe, critical, perilous, parlous,
Kill	Verb	(Make away with, mow down, execute, lynch kill illegally)
Credentials	Noun	Make away with, mow down, execute, lynch (kill illegally)
Mainstream	Antonym	Normal, Conventional, orthodox
Totemic	Adjective	Spiritual (Animal)
Bolster	Verb	Strengthen, boost, fortify, buoy up
Fringe	Adjective	Unconventional, innovative, avant-garde,
Fringe benefit		Extra benefit
Convictions	Noun	Declaration of guilt, judgement/belief, opinion.
Back	Verb	Support, buttress, advocate
Embarrass	Verb	Humiliate , abash, shame
Entail	Verb	Involve, imply, necessitate, demand, call for
Pendency	Noun	Suspension, Adjournment, interruption, deferral, deferment
Vindictive	Adjective	revengeful, resentful, acrimonious, vengeful
Tortuous	Adjective	Twisting, winding, complicated, entwined
Kick in/off		Start, begin.

In his own cause:

The Chief Justice of India shows how not to deal with a sexual harassment complaint

The manner in which the Supreme Court responded on the judicial side to allegations of sexual harassment made by a former employee against the Chief Justice of India is a textbook example of how not to deal with such a complaint. An issue that squarely fell within the domain of an internal process was taken up by a special Bench constituted by CJI Ranjan Gogoi, comprising himself, Justice Arun Mishra and Justice Sanjiv Khanna. On a 'mention' by the Solicitor-General, it was listed as 'Re: Matter of Great Public Importance Touching upon the Independence of the Judiciary'. The decision to hold an open court hearing is questionable. A complaint of this nature requires an institutional response on the administrative side. There is an internal process to initiate an inquiry mandated by the law regarding sexual harassment at the workplace. The Supreme Court itself has an internal sub-committee under its Gender Sensitization and Sexual Harassment of Women at Supreme Court (Prevention, Prohibition and Redressal) Guidelines, 2015. There is a separate 'in-house procedure' to deal with complaints against judges, under which their judicial peers, and not outsiders, will examine them. It is not known if the complaint will be probed under an internal process, but it is clear that the CJI ought not to have presided over the special Bench that took up the matter that concerned himself. The onslaught on the complainant's credibility and the references made to her alleged criminal record when she was not a party to the proceedings are deplorable.

Justice Gogoi was one of the four judges who spoke out against the manner in which his predecessor as CJI, Dipak Misra, managed the roster. It is ironical that as one who was aggrieved that senior-most judges were kept out of Benches handling major cases, he went on to form a Bench that included himself but not the two senior-most judges after him. Nor was there a woman judge on the Bench. CJI Gogoi's anguish is understandable, if indeed the complaint is baseless and false, as he contended from the Bench. But then, the court's Secretary General has sent a denial to the online news organisations that carried details of the complaint. The complainant, a former junior court assistant, had made her charge in the form of an affidavit, supported by purported evidence, and sent it to 22 judges of the court. It referred to likely witnesses to the alleged sexual harassment and victimisation. This is a serious matter that requires careful processing. It is possible even now to send the complaint to an independent committee. That is the only reasonable and fair means of establishing the innocence the CJI has asserted. Pronouncements and protestations from the Bench to a captive audience of acquiescent law officers and lawyers are not the way.

<u>Words</u>	<u>Kind</u>	<u>Meaning</u>
Squarely	Adjective	equally
Touch upon		refer, allude
Peers	Noun	Equal, contemporary
Probe	Noun	Investigation, enquiry, examination
Onslaught	Noun	Assault, attack, onrush, incursion, invasion.
Credibility		Trustworthiness, reliability, plausibility
Proceedings	Noun	events / reports/ law suit, legal action.
Deplorable	Adjective	disgraceful, shameful, lamentable, regrettable
Roster	Noun	schedule, agenda
Ironical	Adjective	Paradoxical, incongruous, odd, strange
Aggrieved	Adjective	irritated, resentful, riled, nettled, disgruntled
Anguish	Noun	Agony, pain, torment, torture
Contend	Verb	Complete, tussle, strive, struggle
Purported	Adjective	Claimed, pretended, masqueraded
Assert	Verb	Declare, aver, proclaim, avow, pronounce, profess.
Assertive	Adjective	Declarative, self confident
Assert oneself		Speak or write confidently.