

IN BRIEF

Bribe cuffs on railway officers

NEW DELHI: The CBI has arrested two senior railway officials for allegedly demanding a bribe of Rs 10 lakh from a contractor for clearing his bills, officials said on Monday. Neeraj Puri Goswami, senior divisional signal and telecom engineer, and P.K. Singh, divisional signal and telecom engineer, are accused of demanding Rs 5 lakh each from the contractor whose firm had been allotted a tender in March 2017. The work is still under way. The railway officials allegedly threatened to terminate the tender for slow progress of work, the officials said. **PTI**

IIT-B students ill

MUMBAI: Twenty-five girl students had taken ill after eating sweets on the IIT-Bombay campus in Powai here, officials said on Monday. They were promptly provided treatment at the hospital on the institute's campus and discharged, an IIT-B public relations officer said, adding that the cause of the poisoning was yet to be ascertained. **PTI**

IN ACTION



Sikh Regiment jawns perform Gatka at AMC Centre in Lucknow on Monday. (PTI)

Husband shot at

RAIPUR: A woman RPF inspector has been arrested for allegedly shooting at her husband following a dispute in Chhattisgarh's Balodabazar-Bhatapara district. Sunita Minj, 39, was on duty on Sunday when her husband Dipak Shrivastava confronted her on the suspicion of an extramarital affair. As the quarrel escalated, Minj fired a warning shot in the air and discharged the next two bullets at Shrivastava, injuring him. He has been hospitalised. **PTI**

Leopard hurts 6

NASHIK: Six people were injured after a leopard attacked them while trying to escape from a village in Nashik, police said on Monday. Residents of Asha-kirawadi village spotted the leopard on Sunday and alerted the forest department. The leopard panicked and retaliated by attacking the crowd before escaping. **PTI**

UP FOR SALE



Customers look at earthenware at a roadside stall in Bangalore. (AFP)

Toll plaza

JAIPUR: Armed men vandalised a toll plaza in Rajasthan's Bhilwara district and looted Rs 9 lakh from the employees there, police said on Monday. A case was registered against two accused. **PTI**

Bodies found

JAIPUR: The bodies of a teenaged boy and a girl were found hanging from the ceiling of a hut in Jaipur on Monday, days after they had gone missing. Police suspect it to be a case of a love affair. **PTI**

Ordinance binding on all central institutions but B-schools unlikely to follow it

Faculty quota law swivels scanner on IIMs

BASANT KUMAR MOHANTY

New Delhi: The Indian Institutes of Management are likely to go on denying reservation in faculty recruitment despite the Centre promulgating an ordinance on Thursday paving the way for the unambiguous implementation of teacher quotas.

Although the ordinance is binding on all central educational institutions, including the Indian Institutes of Technology and the IIMs, the B-schools are unlikely to follow the norms, the director of an IIM and a senior teacher at another told this newspaper.

According to the ordinance, each central educational institution must reserve 15 per cent of its teaching posts for the Scheduled Castes, 7.5

per cent for the Scheduled Tribes, and 27 per cent for the OBCs, with the quotas being implemented institution-wise rather than department-wise.

The IIMs have been denying reservation in teacher recruitment since their inception. Since 1975, they have been citing a letter issued that year by the Union government's department of personnel and training that said scientific and technical posts would be exempt from reservation.

Candidates from the disadvantaged sections, therefore, have to secure faculty positions at the IIMs competing under the general category.

According to data compiled by the human resource development ministry, 344 of the 429 sanctioned faculty posts at four of the older IIMs are occupied by teachers from

the general category. There are 10 OBCs, three Dalits and none from the tribal communities (72 posts are vacant).

The other two among the six older IIMs did not supply data about teachers from the

disadvantaged sections, saying they do not maintain such records. (See chart)

"Management is technical education. The IIMs enjoy exemption from reservation because the faculty posts are technical posts," said the IIM director, who did not want to be quoted.

"Unless the government withdraws its earlier order, the IIMs should not be expected to follow the norms laid down in the ordinance."

IIM Ahmedabad had officially adopted the 1975 order while the other IIMs have taken advantage of it without adopting it.

The IITs too exempted themselves from teacher quotas till 2008. Then the human resource development ministry directed them to implement reservation for assistant professors in science and technology subjects and for all teachers — including associate professors and professors — in streams such as the humanities and management.

But the ministry has not issued any binding orders — only advisories — to the IIMs to adopt teacher quotas. Nor does the recently passed IIM Act force the B-schools to do so.

A senior teacher from IIM Calcutta said the premier B-schools had started implementing student quotas in their PhD programmes, which they never did before. This, he argued, would create a "talent pool" of PhD degree holders from the disadvantaged sections who would be well suited to secure IIM teaching posts — under the general category — if they wanted.

P.S. Krishnan, a former secretary to the Union government and a votary of social justice, said there's no reason for the exemption given to the IIMs to continue. "The government has to withdraw the order of 1975," he said.

N. Sukumar, an Ambedkarite scholar and member of the Joint Action Committee that spearheaded the movement for institution-wise implementation of teacher quotas, said the movement would now battle the exemption enjoyed by the IIMs.

"The IIMs do not implement teacher reservation at all. The IITs do so only for the posts of assistant professor in technology subjects. Some institutions issue 'rolling' (informal) advertisements that do not specify the number of total posts available or the reserved posts. The next level of fight will be against these anomalies," Sukumar said.

A HRD ministry official said the government had not yet examined the matter of the IIMs' disregard of teacher quotas. "It has to be examined," he said.

MIND THE GAP

Sanctioned posts and caste-wise break-up of teachers at the oldest IIMs

IIM	Posts	General	OBC	SC	ST
Ahmedabad	120	97	NA	NA	NA
Bangalore	120	106	2	1	0
Calcutta	126	91	2	0	0
Lucknow	103	80	2	1	0
Indore	150	104	NA	NA	NA
Kozhikode	80	67	4	1	0
Total	699	545	10	3	0

Economic quota bench hint

OUR LEGAL CORRESPONDENT

New Delhi: The Supreme Court on Monday hinted it might refer to a constitution bench the 10 per cent quota for the economically weak among the upper castes but refused to stay the government's decision and the amendment that followed in January this year.

A bench of Chief Justice Ranjan Gogoi and Justices Deepak Gupta and Sanjiv Khanna told senior advocate Rajeev Dhavan the matter would be heard again on March 28 to consider whether the batch of petitions that have challenged the move should be referred to a constitution bench.

That was after Dhavan, who was appearing for some petitioners, said the amendment had violated several earlier court rulings, including the M. Nagraj judgment. The 2006 judgment had set a 50 per cent ceiling on reservations.

The Constitution (103rd Amendment) Act, 2019 — pi-

loted swiftly through both Houses of Parliament and passed with little debate — essentially inserted Articles 15(6) and 16(6) to provide for 10 per cent reservation to the economically weak among the general category.

While many had interpreted the NDA government's move as an election-year sop, the quota is still to be implemented.

On Monday, at least one petitioner made an oral request to the court to stay the amendment. But the court refused.

It means the economic quota is still in operation but the government might run into legal hurdles if it tries to enforce it, now that the model code of conduct for the April-May elections has already kicked in.

Earlier, on January 25, the court had issued notice to the Centre on the batch of petitions that the NGO Youth for Equality, Congress activist Tehseen Poonawalla and others had filed.

When the matter came up

on Monday, the Centre, through advocate Col K. Balasubramanyam, sought time to file its counter-affidavit. The court allowed the Centre's request and adjourned the matter to March 28.

The petitioners have contended that the amendment, which also mandates reservations for the economically weak even in private, unaided institutions, amounts to a "manifest and obvious violation of the Constitution (and) ought to be prevented".

In the Indira Sawhney versus Union of India case of 1992, the nine-judge constitution bench, they said, had specifically stated that economic criterion could not be the sole basis for reservations.

A "backward class cannot be determined only and exclusively with reference to economic criterion", the court had said then.

"It may be a consideration or basis along with and in addition to social backwardness, but it can never be the sole criterion."

The petitioners said Parlia-

ment chose to pass the amendment despite the 1992 judgment. "Such an amendment is, hence, vulnerable and ought to be struck down as it merely negates a binding judgment."

The petitioners recalled that in 2006, in the M. Nagraj versus Union of India case, a constitution bench had reiterated the "ceiling-limit of 50 per cent" reservation.

The Scheduled Castes, Scheduled Tribes and the Other Backward Classes now together account for 49.5 per cent reservation.

The petitioners have also cited the example of another constitution bench judgment — in the T.M.A. Pai Foundation case of 2002.

That bench, the petitioners said, had made it clear the state's reservation policy could not be imposed on unaided educational institutions, as they did not receive any help from the government, and such institutions could follow their own admission policies provided they were fair, transparent and non-exploitative.

Enemy assets for public use

New Delhi: The Centre has allowed state governments to put to "public use" some of the enemy properties left behind by people who migrated to Pakistan after the Partition and to China after the 1962 war, officials said on Monday.

The move comes amid the government's efforts to sell the more than 9,400 enemy properties, worth over Rs 1 lakh crore, and Rs 3,000 crore worth of enemy shares.

The Guidelines for the Disposal of the Enemy Property Order, 2018, have been amended to allow the use of "enemy property by the state government exclusively for public use", a home ministry notification says.

India is home to 9,280 enemy properties that belonged to people who later accepted Pakistani citizen-

ship, and to 126 properties left behind by Chinese nationals, a ministry official said.

Of the properties left behind by Pakistanis, 4,991 are in Uttar Pradesh and 2,735 in Bengal.

Meghalaya is home to 57 properties abandoned by Chinese nationals, Bengal to 29 and Assam to 7.

The government formed a high-level committee last month to recommend the quantum and price or price band for the sale of enemy shares, worth Rs 3,000 crore.

Some 6.5 crore shares of 20,323 shareholders in 996 companies are under the custody of the Custodian of Enemy Property for India, another official said.

Of these companies, 588 are functional, of which 139 are listed. **PTI**

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West Bengal State Lottery DEAR BANGALAKSHMI TEESTA

Result of Dear Bangalakshmi Teesta 44th Draw held on 11.03.2019 at India House, 1st Floor, 69, Ganesh Chandra Avenue, Kolkata-700013
Present: Sri Avijit Roy, Jolly Banerjee

1st Prize : ₹30 Lakhs 35J 80047

Cons. Prize : ₹1000/- 80047 (REMAINING ALL SERIALS)

2nd Prize : ₹9000/- (each) (Sold tickets ending with)

60700	65459	55197	81523	54838
17231	92600	17568	30052	19286

3rd Prize : ₹500/- (each) (Sold tickets ending with)

4328	3599	6180	1192	8232	8982	7835	8352	8526	6978
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4th Prize : ₹250/- (each) (Sold tickets ending with)

3313	3727	8988	7314	7581	4443	4947	1623	3816	0370
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5th Prize : ₹120/- (each) (Sold tickets ending with)

1896	8301	9043	0155	6396	9396	7425	7307	3829	9280
2438	2883	1460	2017	1298	0137	6485	7717	2866	9779
1543	9082	4590	4685	5510	7078	7216	4800	9806	8989
8915	2603	4902	3060	9237	7071	9870	4838	7295	8317
3301	1588	5234	8862	9987	6362	6371	0806	8201	5513
1615	9789	5133	6851	4318	0703	0133	6479	7718	2783
8445	7118	5678	6063	7435	7510	6826	9905	5987	9713
0064	4433	1549	8177	2942	6065	1714	2420	6813	9185
1782	0917	2414	8663	5637	3772	1942	0933	7340	0852
2178	3951	2294	0110	1884	4001	0171	6101	2342	2099

Claim by 09.04.2019. Claim for prizes above ₹10,000/- shall be received and paid by the Director, State Lotteries, Government of West Bengal, 23A, N.S. Road, B.B.D. Bag, Fortuna Tower, 9th Floor, Kolkata-700 001. Rest by the Distributors. Official Result Sheet FINAL. Terms & Conditions apply. ICA-638(3)/2019