

## NEWS CLIPS

### Rao may select Karnataka C.M.

BANGALORE, Nov. 16. — The Congress(I) Legislature Party in Karnataka is likely to leave the choice of the new leader to Mr P. V. Narasimha Rao. A one-line resolution authorizing the party High Command to choose a successor to Mr S. Bangarappa is expected to be unanimously adopted at the CLP meeting tomorrow.

An indication to this effect was given by the AICC (I) general secretary in charge of Karnataka, one of the four central observers, Mr Naval Kishore Sharma, here today. "Some legislators have given their choice and some have suggested four or five names. Ultimately all of them say that the choice was left to the High Command", Mr Sharma told reporters after the observers had met more than 60 legislators.

— Staff Correspondent

### Chavan's statement

NANDED, Nov. 16. — The Union Home Minister, Mr S. B. Chavan, today ruled out the possibility of holding mid-term elections saying that the Congress(I) Government at the Centre was "quite strong".

### Violence in S.A.

JOHANNESBURG, Nov. 16. — Political violence in South Africa showed no sign of abating as another 20 people, including two small children, were killed today in Natal province, reports PTI.

### Cricket telecast

NEW DELHI, Nov. 16. — Doordarshan will telecast live all seven one-day cricket matches between India and South Africa, reports PTI.

A 40-minute package of the highlights will be shown the next morning. The Test matches however, will not be telecast live.

## The Statesman In School

"The Statesman In School" features St Paul's School tomorrow.

### Depression formed

A depression has formed over the sea near the Andaman islands which lay centred at about 300 km south-east of Port Blair on Monday evening. It is likely to intensify further and move in a westerly direction. — Staff Reporter.

### THE WEATHER

Generally cloudy sky. Not much change in night temperature.

Yesterday's readings:  
Maximum temperature up to 5.30 p.m. was 30.4°C (normal).  
Minimum temperature up to 8.30 a.m. was 19.3°C (normal).  
Relative humidity: Maximum 87%, Minimum 46%.

Relative humidity at 8.30 a.m. 70% (4% below normal) and at 5.30 p.m. 56% (11% below normal).  
Rainfall: Nil.

Sun sets at 4.52 p.m., rises tomorrow at 5.54 a.m.  
Moon rises today at 11.35 p.m., sets tomorrow at 12.19 p.m.

Last quarter of the Moon today.  
Highly River tides at Garden Reach:  
Nov. 17 High water: 5.41 a.m. 4.82 m.  
Nov. 17 Low water: 2.15 p.m. 2.02 m.  
Nov. 17 High water: 6.33 p.m. 4.36 m.  
Nov. 18 Low water: 2.35 a.m. 2.20 m.

● 50% LIMIT FIXED ● NO PROMOTION GUARANTEE

## Supreme Court says job quotas valid

From a Legal Correspondent

NEW DELHI, Nov. 16. — The Supreme Court today upheld the validity of reservations for backward classes in Government jobs but ruled that the "cream layer" among the backward classes could be and must be excluded from reservations. The majority judgment was delivered by Mr Justice B. P. Jeevan Reddy on behalf of himself, the Chief Justice, Mr M. H. Kania, Mr Justice M. N. Venkatachallaiah and Mr Justice A. M. Ahmadi.

The ruling said, "In view of the answers given by us it is not necessary to express any opinion on the correctness and adequacy of the observations made by the Mandal Commission".

Mr Justice P. B. Sawant, in a separate judgment, agreed with the majority view.

The court, by a majority of 8:1, held that reservations in posts would be confined to initial appointment only and could not extend to providing reservation in the matter of promotion.

The court, while giving this ruling, directed that it shall operate only prospectively and shall not affect promotions already made, whether on a temporary, officiating or permanent basis.

The court further directed that "whether reservations are already provided in the matter of promotion — be it in Central services or State services, or for that matter services under any corporation, authority or body falling under the definition of 'State' in Article 12, such reservations may continue in operation from this day".

Within this period it would have to be ensured that the objective of Article 16(4) was achieved.

The majority judgment also ruled: "The reservations contemplated ... should not exceed 50 per cent. While 50 per cent shall be the rule, it is necessary not to put out of consideration certain extraordinary situations inherent in the great diversity of this country and the people".

A nine-judge Bench presided over by the Chief Justice had Bench presided over by the then Chief Justice R. N. Mishra. When the reservation was raised to over 50 per cent, it was referred to a nine-judge Bench in view of an earlier ruling of a seven-judge Bench that the total reservation could not exceed 50 per cent.

The court, with these rulings, held that the office memorandum of August 13, 1990, was valid and enforceable, subject to the exclusion of the specially advanced members/sections from the notified "other backward classes".

The court directed that the Narasimha Rao Government adopts measures to exclude the socially advanced sections from among other backward classes by setting up a commission to "siphon off the creamy layer", adds PTI.

The Bench struck down the Government's notification to the extent that the 10 per cent reservation, based on economic criteria for the weaker sections, not covered by any reservation, was unconstitutional and not valid.

The dissenting judgment was delivered by Mr Justice T. K. Thommen on behalf of Mr Justice Kuldeep Singh and Mr Justice R. M. Sahai, while Mr Justice S. R. Pandian delivered a separate order concurring with the dissenting judges.

This is the largest Bench since 1972 constituted to decide on a constitutional issue.

The court held that the Government was empowered under the Constitution to make reservations for the backward classes.

See COURT, page 9

● N.F. stand vindicated, says V. P. Singh: page 9

### Delhi Police on alert

NEW DELHI, Nov. 16. — The Delhi Police was put on a state of alert today hours after the Supreme Court upheld reservations in Government jobs, says UNI.

"The Police Commissioner, Mr M. B. Kaushal, told reporters that the alert was "a precautionary measure" to tackle any eventuality arising out of the apex court's verdict.

heard a group of petitions challenging the validity of the August 13, 1990 notification reserving 27 per cent jobs for backward classes in Central services and the notification of September 25, 1991 modifying the earlier notification. The modified notification retained 27 per cent reservations but on the basis of economic criteria, preference was given to more backward classes. It had also raised the total reservation to over 50 per cent.

The earlier notification was challenged before a five-judge

### HARIHARPARA FIRING

## Government to hold judicial inquiry

By a Staff Reporter

THE West Bengal Government on Monday finally decided to hold a judicial inquiry into the incidents at Hariharpara in Murshidabad district where seven people were killed in police firing on November 2. The terms of reference of the inquiry and the name of the judge are to be decided within two days.

Announcing this at Writers' Buildings, the State's Chief Secretary, Mr N. Krishnamurthy, said that the decision was taken at a high-level meeting in the morning presided over by Mr Jyoti Basu.

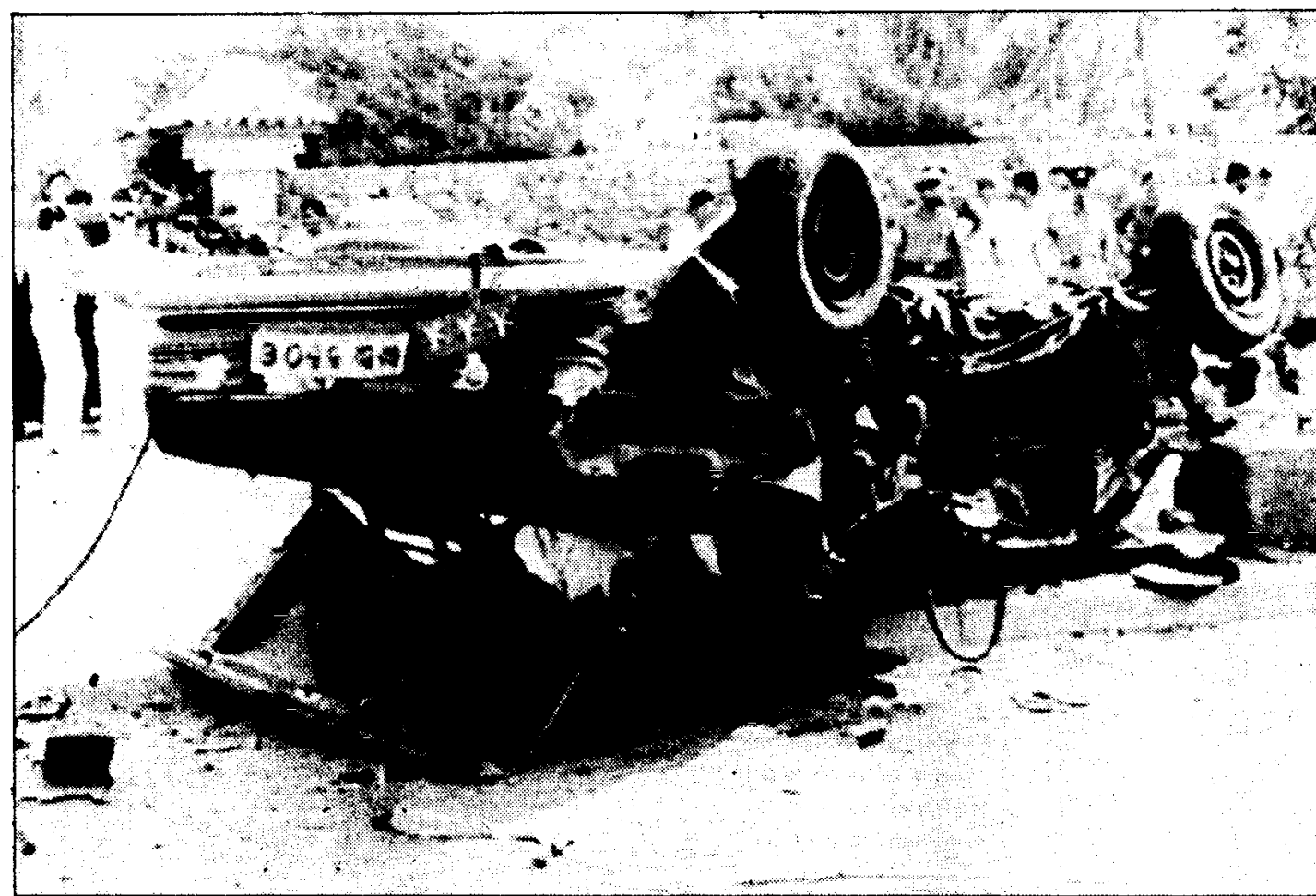
Different political parties, including the Congress(I), the SUCI and a few constituent parties of the Left Front, had consistently been insisting on a judicial inquiry into the incident. These parties were not satisfied with the State Government's earlier decision to hold an administrative inquiry by the Commissioner

of the Presidency Division, Mr Mainak Bose. Welcoming the decision, the RSP leader, Mr Debabrata Bandopadhyay, West Bengal's Irrigation and Waterways Minister, said that he was happy, "because we were the first party to demand it".

The Chief Secretary said that Mr Buddhadeb Bhattacharya, West Bengal's Information and Cultural Affairs Minister, on his return from a tour of Hariharpara informed the Chief Minister about the situation there. The high-level meeting which decided in favour of holding a judicial inquiry was attended by the Chief Minister, the Information and Cultural Affairs Minister, the Home Secretary and the Chief Secretary.

Later in the day Mr Bhattacharya informed the State Director-General of Police, Mr Archisman Ghatak.

(See also page 9)



The car of the Sri Lankan Navy chief, Vice-Admiral Fernando, which was blasted by a suicide-bomber, killing the Vice-Admiral and three others in Colombo on Monday. — AP/PTI.

### I.A. talks fail, disruption in flights feared

From Our Delhi Office

NOV. 16. — The talks between the Indian Commercial Pilots' Association and the management of Indian Airlines, held in the capital this evening before the Chief Labour Commissioner, failed as both parties refused to concede any ground.

Mr L. Vasudeva, chairman-managing director of Indian Airlines, however, sought to impress the fact that the management did not back-track, as the ICPA alleged, and announced that he was willing to meet its members anytime.

Meanwhile, the ICPA issued a fresh directive, which comes into effect from midnight on Monday, asking its members not to proceed for endorsement or command training on any aircraft. All members undergoing such training have been asked to return to base and not to fly with any cockpit crew who is flying in violation of his respective flying duty time limit with regard to minimum rest periods and maximum flight and duty periods in 24 consecutive hours. Also, they have been asked not to operate any flight to Jammu and Srinagar unless the aircraft is fitted with flare dispersal equipment. According to airline sources, this would lead to disruption in the flight schedule.

Reacting to the ICPA directive, Mr Vasudev announced that the management would be forced to take disciplinary action against the line pilots, which, he said, may cause more disruptions. When asked what action he proposed, he said some of them could be suspended.

PTI adds: The Civil Aviation Ministry has convened a high-level emergency meeting tomorrow to take stock of the situation arising out of the failure of talks between the agitating I.A. pilots and the airlines management.

### Tripura police end stir after arrest

AGARTALA, Nov. 16. — The month-long agitation by the non-gazetted Tripura police personnel was withdrawn tonight, reports PTI.

The withdrawal followed the arrest of Mr Prabir Das Chaudhuri, convener of the Joint Action Committee of the policemen spearheading the movement. Mr Gopal De, a front-ranking leader and member of the committee, said in a press statement.

Mr De said the detention of Mr Das Chaudhuri had prevented the policemen from continuing the agitation. He requested the 13,000 policemen and the Home Guards to resume duty immediately.

"The brutal attack on the policemen and their families by the paramilitary forces for the past few days and the arrest of Mr Das Chaudhuri during his March to Raj Bhavan today has forced us to withdraw the agitation", he said.

Mr De called upon his colleagues to rejoin in their duties forthwith and hoped that the "democratic masses" would stand for the just causes of the policemen in future.

Our Staff Correspondent

adds: Mr Das Chaudhuri was today arrested under the National Security Act. A contingent of CRPF personnel led by Mr S. Madanmohan and Mr Prafulla Devnath, whisked Mr Das Chaudhuri away shortly after 11.40 a.m. while he along with other agitation leaders was addressing a press conference at Arundhatinagar.

After their sudden arrival the CRPF men chased away the reporters attending the conference before Mr Das Chaudhuri was dragged into the waiting police vehicle. Security men smashed several scooters and bicycles belonging to the reporters.

The Prime Minister is learnt to have taken stock of Tripura's present situation and made enquiries.

UNI adds: The State Chief Secretary, Mr M. Damodaran, said earlier today that while 2,537 policemen have so far resumed duties in different parts of the State in response to a Government directive and the disbanding of two of its armed force battalions 193 people have been dismissed so far for their direct involvement in the stir.

### KIWI TOUR OFF Lanka Navy chief assassinated

COLOMBO, Nov. 16. — The Sri Lankan Navy chief, Vice-Admiral Clancy Fernando (52), and three others were killed when a suspected LTTE militant riding a motorcycle carrying a bomb rammed into his car this morning, reports PTI.

The motorcyclist was blown to pieces and his motorcycle reduced to a mangled mass in the blast. The others killed were an ADC, the driver, and a naval security officer.

This is the second major blow to the Lankan Defence services this year. Nine senior military officials including the Army's Northern Commander, Lt.-Gen. Denzil Kobbekaduwa, were killed when the jeep was caught in a landmine blast on August 8.

The New Zealand cricket team today decided to abandon their five-week tour of Sri Lanka following the attack, which took place outside their hotel here.

A spokesman for the cricket board here said the New Zealand team had expressed their wish to return home and that the cricket boards of the two countries were finalizing travel plans for their departure.

(See also page 14)

## Murshidabad district a veritable powder keg

From MARCUS DAM

BERHAMPUR, Nov. 16. — Murshidabad district is a veritable powder keg, ready to explode. Against the backdrop of an economy battered by diminishing agricultural returns and a widespread criminalization of local politics, the trigger-happy calls the shots.

Worst affected is the eastern block of the district, known popularly as the "bagri" region, where crime took root and spread to other areas of the trouble-torn map of the State at an alarming rate.

Hariharpara is one such place. It may have remained an obscure village where lawlessness is the creed had it not been for that fateful Monday afternoon a fortnight ago. In moments, the village became the focus of public attention. Politicians squabbled over the justification of the firing. The local authorities were galvanized into action. The media scooped the event on the front page. And the local people seethed in anger.

Certain questions may remain unanswered as the dust settles. But the alarm bells will have

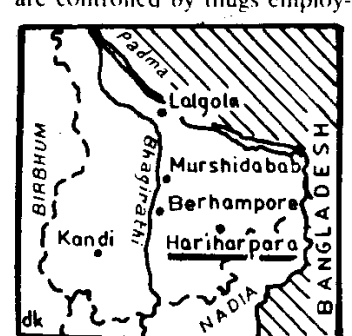
been sounded as Hariharpara flashes warning signals to the rest of the district.

The fierce battle for hegemony between political parties, governed by electoral compulsions, overshadows the important socio-economic factors contributing to the growing lawlessness in this part of the district.

A sudden plunge in returns has forced the jute cultivator into distress sales and penury. A high fertility rate can only be linked to the increasing poverty. The fall in the value of the Indian rupee in relation to the Bangladeshi currency has compelled scores of smugglers' gangs to search for new options in the underworld. And the panchayati rule has spawned a crop of power brokers in the villages. These factors combine to ensure that peace in the region is, at best, transient.

Jute has been the main cash-crop of the district. But with prices in the open market no longer competitive in recent years and input costs spiralling, more and more small farmers resort to distress sales at abysmal prices. They do so primarily to

pay off loans to the mahajans who hires musclemen to preclude the poor cultivator from selling his produce to the Jute Corporation of India centres. A large number of such purchasing centres dotting areas like Domkol, Beldanga, Hariharpara and Islampur are controlled by thugs employ-



ed by mahajans. Moreover, fluctuations in rainfall has affected production, a crop failure in the past season having dealt a firm blow to the agricultural economy, its ripples being felt also in the tertiary sectors. There is an influx to the towns; the odd rickshaw-puller here belongs to Hariharpara and its

surrounding villages.

Over the years there has been a steady fragmentation of land, concurrent to which is an increase in fertility rates. Even today the villagers in the countryside, dictated by a patriarchal ethos, cling to the belief that the more children in the family the less the uncertainty in the future. Limited economic options endorse this conviction. The results? A redundant agricultural workforce and snowballing unemployment.


The lure of easy lucre has drawn many of these hapless ones into smuggling. The region's open border with Bangladesh has come as a blessing, turning it into a smugglers' paradise. The river-belt comprising Lalgola, Bhagwanga and Jalangi is the epicentre.

A large quantity of arms had been smuggled in after the Bangladesh war, along with the usual range of items — betel leaves, electronic goods and drugs. An extensive underworld network began taking shape. Even towns like Berhampore were to be soon sucked into its vortex.

The crime graph altered rapidly as the Bangladesh taka closed in on the value of the Indian rupee at the start of this decade. Though far from being wound up, smuggling activity registered a decline. But all these years when smuggling was pandemic, a new strata of the affluent villager had crystallized, used to a lavish life-style, and having established clandestine links with the local police. They were not to be deterred by the growing odds smugglers were having to face. New ways had to be explored to perpetuate their social supremacy earned through money-power. The syndicate splintered into disparate gangs, triggering off new social tensions. Gang-rivalry was rife, murders were on the increase, as an inert police administration, hamstrung by an inept intelligence network, looked on mutely, sometimes even indulgently.

(To be concluded)

● Many feel it had to happen some day: page 16



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### HIGHLIGHTS

- Existing profit-making dividend-paying pharmaceutical company.
- Exports of Rs. 15.6 crores constituted 19% of turnover in 1991-92. In the first 5 months of the current year exports increased by 45% over the corresponding period in the previous year.
- Capital investment comprises of three modules namely:
  - (i) expansion of existing product lines (ii) backward integration to reduce dependence on imported raw materials and (iii) product diversification.
- The expansion module was completed in August, 1992, one month ahead of schedule. The other two modules are due for commissioning by May, 1993.
- Easy liquidity through listing on Stock Exchanges at Bombay, Delhi, Calcutta, Madras and Ahmedabad.


### RISK FACTORS AS PERCEIVED BY THE MANAGEMENT

- Bulk drugs, produced by the Company are under Schedule II of the Drug Price Control Order (DPCO). The sale prices of these products are fixed by the Government of India under the DPCO. Exports are not subject to pricing under the DPCO.
- Import content is approximately 65% by value of raw materials. The landed cost of these imports is subject to exchange rate fluctuations. However, these fluctuations will be partly offset by the Company's exports.
- There are several companies in India manufacturing semi-synthetic penicillins and hence the company operates in a competitive environment.
- The cost of the project is subject to fluctuations on account of duty rate structures and implementation delays due to unforeseen contingencies.

### LEAD MANAGERS TO THE ISSUE



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**Concept**

**(To be concluded)**

● Many feel it had to happen some day: page 16