



TRUMP RAGES  
OVER ARTICLE

P10



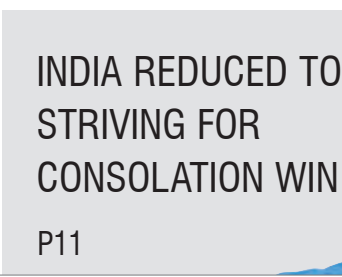
TWO KOREAS TO  
HOLD SUMMIT

P9



INDIA MUST PRESS  
FOR NAIK'S  
RETURN

P7



INDIA REDUCED TO  
STRIVING FOR  
CONSOLATION WIN

P11

WEATHER

Generally cloudy sky with 1/or 2 spells of rain/thundershowers. Max-min temp will be 32-26 degree celsius, respectively.

RAINFALL: 4.9 mm

RELATIVE HUMIDITY

Max. 92% Min. 79%

TEMPERATURE

Max: 29.1°C (-3) Min: 26.5°C (0)

SUN RISES

05:22 hrs 17:49 hrs

MOON RISES

02:27 hrs 16:02 hrs

New moon on 9 September

THUMBNAILS



Saurabh Chaudhary (in pic) won a gold in the junior 10-m air pistol event in the senior competition of the ISSF World Championship. P12

**Boat capsizes in Murshidabad, 7 missing:** Seven persons went missing after a boat capsized in the Bhairav river in West Bengal's Murshidabad district on Thursday evening, a senior official said. According to District Magistrate P Ulaganathan, two boats started off from Hari-harpa to Vrindabanpur around 6.30 pm carrying 40 people. One of the boats capsized in the river at Garibpur.

**US bank shooting:** A gunman opened fire at a bank building in the US city of Cincinnati on Thursday, fatally wounding three people before police shot and killed him, authorities said. The incident occurred after 9:00 am local time at the lobby and loading dock of the 30-story Fifth Third Bank building in the city's downtown business district. Cops engaged the gunman in a shootout and killed him.

Activists to remain under house arrest

SNS & PTI  
NEW DELHI, 6 SEPTEMBER

The Supreme Court on Thursday extended till September 12, the house arrest of five rights activists in connection with the violence in Koregaon-Bhima in Maharashtra.

A bench headed by Chief Justice Dipak Misra took umbrage over the statements given by the Assistant Commissioner of Police of Pune on the matter, saying he was casting aspersions on the court.

The bench, which also comprised Justices A M Khanwilkar and D Y Chandrachud, told the Maharashtra government to make its police officers "more responsible" on matters pending before the court.

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"You must ask your police officials to be more responsible. The matter is before us and we don't want to hear from police officials that the Supreme Court is wrong," the bench told ASG Tushar Mehta, who was appearing for Maharashtra government.

The bench also asked petitioner Romila Thapar and others to satisfy it on whether a third party could intervene in a criminal case.

Meanwhile, Mehta told the bench that keeping the activists under house arrest would hamper the ongoing investigation.

The bench posted the matter for further hearing on September 12.

SC decriminalises gay sex

Nullifies law as it violates fundamental rights ■ Aspects of Sec 377 dealing with unnatural sex with animals & children remain in force

STATESMAN NEWS SERVICE  
NEW DELHI, 6 SEPTEMBER

In a far-reaching, landmark judgment, the Supreme Court today ruled that gay sex among consenting adults is not a criminal offence, striking down as "unconstitutional" a part of Section 377 of the 158-year-old Indian Penal Code (IPC) that criminalises homosexuality. In a unanimous verdict, the five-judge Constitution Bench decriminalised Section 377 IPC with regard to consensual gay sex, asserting that it was "irrational, indefensible and manifestly arbitrary" and that it violated fundamental rights to equality, life with dignity, personal liberty, non-discrimination, privacy and expression under Articles 14, 15, 19, and 21 of the Constitution. Delivering four separate but concurring judgements running into altogether 495 pages, the Constitution Bench - headed by Chief Justice Dipak Misra and also comprising of Justices A M Khanwilkar, R F Nariman, D Y Chandrachud and Indu Malhotra - overturned the apex court's 2013 verdict which had re-criminalised consensual gay sex.

The Bench maintained that the Lesbian, Gay, Bisexual and Transgender (LGBT) people are entitled to the entire range of same legal and constitutional rights as other citizens of the country. The top court's historic judgment triggered widespread celebrations among sections of civil society, human rights and the LGBT community. Some of them welcomed it after



(Above) People hail the Supreme Court verdict which decriminalises consensual gay sex, outside the Supreme Court. (Right) Supreme Court lawyer Anand Grover addresses the media at the apex court premises in the Capital on Thursday. RITIK JAIN

nearly two decades of legal battle as a victory of marginalised and vulnerable people and sexual minority while maintaining that a long battle for real equality and non-discrimination awaits them at societal, governmental and legal levels in coming days.

The Bench described sexual orientation as a matter of an individual's personal life and dignity, liberty, and expression, stating that it was "biological" or "natural" and that any discrimination on this ground will be violative of that person's fundamental rights.

Referring to the apex court's 2013 verdict - which

had set aside the Delhi High Court's historic 2009 judgment decriminalising gay sex between consenting adults - the Bench said it had upheld the constitutionality of Section 377 IPC on a ground that "the LGBT community comprised only a minuscule fraction of the total population and that the mere fact that the said Section was being misused is not a reflection of the vices of the Section". "Such a view is constitutionally impermissible," stated CJI Misra, who wrote the judgment for himself and Justice Khanwilkar. "Constitutional morality cannot be martyred at the altar of



social morality and it is only constitutional morality that can be allowed to permeate into the Rule of Law. The veil of social morality cannot be used to violate fundamental rights of even a single individual, for the foundation of constitutional morality rests upon the recognition of diversity that pervades the society," CJI Misra ruled. The CJI also said: "Section 377 IPC subjects the

LGBT community to societal pariah and dereliction and is, therefore, manifestly arbitrary, for it has become an odious weapon for the harassment of the LGBT community by subjecting them to discrimination and unequal treatment." In her judgment, Justice Malhotra said, "It is declared that insofar as Section 377 criminalises consensual sexual acts of adults (i.e. persons above

*'Parts of Section 377 of the Indian Penal Code, which criminalised consensual unnatural sex, are irrational, indefensible and manifestly arbitrary. History owes an apology to members of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community for the delay in ensuring their rights, for denying them their rights and compelling them to live a life of fear.'*

~ Justice Indu Malhotra (who was on the Constitution Bench, headed by the Chief Justice of India, which delivered the judgment)

The Supreme Court's historic and landmark judgment legalising gay sex is a harbinger of a more inclusive India.

ACTIVISTS  
LGBTQ COMMUNITY

Homosexuality is not a crime, but the RSS does not support same-sex marriage as it is "not natural".

ARUN KUMAR  
RSS SPOKESMAN

the age of 18 years who are competent to consent) in private, is violative of Articles 14, 15, 19, and 21 of the Constitution." Justice Malhotra reportedly said that history owed an apology to the members of the LGBT community and their families for the delay in providing redressal for the ignominy and ostracism that they have suffered through the centuries.

In his separate judgment, Justice Chandrachud also said that due to Section 377 IPC, the LGBT people were forced to live in hiding and as second-class citizens even as others enjoyed the right of sexual orientation.

The Bench said the courts must protect the dignity of an individual as right to live with dignity is

recognised as a fundamental right. It said the State cannot persecute people and decide the boundaries between what is permissible or not, holding that Section 377 IPC was based on "deep-rooted stereotypes of the society" that was violative of fundamental rights to equality and life with dignity.

Justice Chandrachud ruled that "Members of the LGBT community are entitled, as all other citizens, to the full range of constitutional rights including the liberties protected by the Constitution" and that the LGBT people are "entitled to the benefit of an equal citizenship, without discrimination, and to the equal protection of law".

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Bridge collapse: Mamata contradicts Metro

STATESMAN NEWS SERVICE  
KOLKATA, 6 SEPTEMBER

Chief Minister Mamata Banerjee today pointed the accusing finger for the collapse of the arterial Majerhat bridge at the Metro railway making a stinging observation on the latter's claim yesterday that the collapse had nothing to do with its construction near the bridge.

The game of passing the buck was played out on a day when one more body was extricated from the debris taking the toll to three. The hapless victim was identified as Gautam Mondal (45), a resident of Murshidabad.

Miss Banerjee, who held a meeting with senior state officials and other agencies during the day, suspended the metro work till the high-



power committee set up to probe the collapse, submitted its report.

The CM asserted the preliminary report submitted by the PWD had identified metro work near the bridge as the major cause for the collapse.

She sarcastically said: "How intelligent of them (Metro officials) to understand that it was not their problem even before 12 hours of the incident!" In the same breath she said

she was not outright blaming the Metro railway for the collapse, but the committee would inquire into the matter.

She also pointed out had the metro authorities alerted the government about the vibrations, precautions would have been taken.

"The metro work is going on for nine years. The piling work could have been damaged due to the metro work.

The high-power committee has been asked to submit its report within a week," she said. A senior Metro official said: "The CM is a public representative. We are people's servants. We can say this much that there was no link between the metro construction and the bridge collapse. She can suspend the metro construction work considering the people's interest."

The Rail Vikas Nigam Limited (RVNL), executing the Joka-BBD Bag metro corridor, had issued a statement after the collapse that there was no connection between the collapse of the bridge and their work. Yesterday RVNL chief project manager A K Roy said: "The collapse of the bridge is the failure of the very old RCC girdle."

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KCR dissolves T'gana Assembly

STATESMAN NEWS SERVICE  
HYDERABAD, 6 SEPTEMBER

Telangana chief minister Mr K Chandrababhan Naidu today dissolved the state Assembly with about six months of the present term remaining. His Cabinet passed a one-line unanimous resolution recommending dissolution of the House. He drove down to Raj Bhavan and gave the resolution to Governor Mr E S L Narasimhan, who immediately requested him to continue as the head of the caretaker government.

Mr Rao said he expects the elections to be held along with the four state Assembly elections in December. "I figure the elections would be held in the last week of November and the results would be declared in the first week of December," he said.

**The Telangana CM expects Assembly polls to be held along with four other state Assembly polls in Dec**

Significantly, he released the list of 105 candidates for the 19-member Assembly. Only two MLAs were replaced. Candidates for five more constituencies were kept pending, he said. The first election meeting would be held tomorrow at Husnabad in Karimnagar district after which Mr Rao would address meetings in 100 constituencies in the next 50 days. At a Press conference at the TRS head office, Telangana Bhavan, he disclosed that he discussed the issue with the Chief Election Commissioner and the two Election Commissioners.

India, US sign defence pact; ask Pak to stop exporting terror

ASHOK TUTEJA  
NEW DELHI, 6 SEPTEMBER

India and the United States on Thursday signed the landmark Communications Compatibility and Security Agreement (COMCASA) that will allow New Delhi to buy sensitive American military equipment, and asked Pakistan to ensure that the territory under its control was not used to launch terror attacks on other countries.

The two nations also decided to set up hotlines between their foreign ministers and defence ministers to enable them to remain in touch regularly. The two countries will for the first time hold a tri-services joint exercise in the eastern coast of India in 2019 to

further increase personal exchanges between their militaries and defence organisations. These far-reaching announcements were made by the two countries in a joint statement issued at the end of the first of its kind '2+2' dialogue at which External Affairs Minister Sushma Swaraj and Defence Minister Nirmala Sitharaman hosted US Secretary of State Mike Pompeo and Defence Secretary Jim Mattis. At a joint press interaction, the four leaders read out their respective statements expressing satisfaction over the dialogue and listing out the outcomes of their day-long discussions. They avoided taking any questions from the media apparently in view of differences between



Foreign Minister Sushma Swaraj, Defence Minister Nirmala Sitharaman, US Secretary of State Mike Pompeo and US Secretary of Defence James Mattis at a press meet in Delhi on Thursday. SNS

the two sides over India's oil purchases from Iran and its defence relationship with Russia. The Indian side is understood to have explained how

important Iran was for India for meeting its oil and energy needs and its proposed deal with Russia for purchasing S-400 Triumph missile

defence systems that could attract sanctions against India entities under the Countering America's Adversaries Through Sanctions Act (CAAT-

SA). Washington, however, maintained that oil-related sanctions against Iran would come into force on 4 November and hoped oil purchases would go to zero for every country by then. Waivers would be considered where necessary. On the S-400 deal, the two sides are likely to continue their discussions. Washington has been nudging New Delhi to step back from defence purchases.

Great significance is being attached to the COMCASA agreement that will enable India to access advanced US defence systems and optimally utilise its existing US-origin platforms. The two countries also announced their readiness to begin negotiations on an industrial Secu-

city Annex (ISA) that would support closer defence industry.

Welcoming the expansion of bilateral counter-terrorism cooperation, the two countries announced their intent to increase information-sharing efforts on known or suspect terrorists. Denouncing any use of terrorist proxies in the region, they called upon Pakistan to bring to justice expeditiously the perpetrators of the 26/11 Mumbai, Pathankot, Uri and other terror attacks. The two sides also reviewed cooperation in the Indo-Pacific region and agreed to work together toward a free, open and inclusive region, based on recognition of ASEAN centrality and on respect for sovereignty, territorial integrity, rule of law, good governance,

free and fair trade and freedom of navigation and overflight.

In an apparent dig at China's Belt and Road Initiative (BRI), India and the US emphasised the need to work collectively with other partners to support transparent, responsible and sustainable debt financing practices in infrastructure development. The US welcomed India's accession to three major non-proliferation regimes and iterated its full support for India's membership of the NSG. The two sides said they looked forward to full implementation of the civil nuclear energy partnership and collaboration between the NPCIL and the Westinghouse electric company for setting up six nuclear power plants in India.