



THE TIMES OF INDIA

SC junks plea to bar convicted leaders from heading parties

'How Far Can Courts Go? Let House Take Call'

Dhananjay.Mahapatra
@timesgroup.com

New Delhi: The Supreme Court refused to entertain a plea on Friday that sought to debar people who have been convicted in criminal cases and cannot contest elections from heading or floating political parties. A bench of Chief Justice of India Dipak Misra and Justices A M Khanwilkar and D Y Chandrachud asked the petitioner, advocate Ashwini Upadhyay, "How far can the courts go? Let the government and Parliament look into this. Can we stop a convicted person from heading a political

OTHER IMPORTANT CASES

POLLUTION | Agreed to hear plea for directions to curb pollution, including all-India ban on firecrackers and sale of new diesel vehicles in NCR and other 13 most polluted cities; sought Centre's response

which a parent living abroad brings back the child to India without informing the spouse

FILM BAN | Seeks UP, U'khand response on plea accusing them of illegally stalling 'Muzaffarnagar - The Burning Love'



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PARENTAL ABDUCTION | Tells Centre to reply in 8 weeks on NRIs' plea seeking direction to frame law on cases of parental abduction, under

PARSI LAW | Asks Centre to reply on plea for quashing provisions of British-era Parsi Marriage and Divorce Act

party? Will it not be incongruent with the right to free speech? Can the court restrain a convicted person from propagating his political views?"

The petitioner said at present, a person convicted for serious criminal offences can form a political party and become party president even af-

ter being barred from contesting elections as a candidate. "For instance, Lalu Prasad, O P Chautala and Sasikala have been convicted of major criminal offences but still hold the highest post in political parties," Upadhyay said.

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Med admissions case: Court fines NGO ₹25L

The apex court dismissed another petition on Friday seeking a court-monitored investigation into allegations of judges-middleman nexus in admissions to a medical college and imposed an exemplary fine of Rs 25 lakh on the petitioner NGO.

Make removal of ECs tougher, says PIL

The Supreme Court on Friday sought assistance of attorney general K K Venugopal on a PIL seeking to insulate the Election Commission from executive influence by making the removal of Election Commissioners as tough as that of the Chief Election Commissioner. P 13

SC to examine if ECs, CEC must be treated alike

TIMES NEWS NETWORK

New Delhi: The Supreme Court on Friday sought assistance of attorney general K K Venugopal on a PIL seeking to insulate the Election Commission from executive influence by making removal of Election Commissioners (EC) as difficult as that of the Chief Election Commissioner (CEC).

The petitioner, advocate Ashwani Upadhyay, told a three-judge bench headed by Chief Justice Dipak Misra that though across the board political parties favour more autonomy to the EC for fair and transparent elections, no party in government had taken legislative steps to grant parity in removal procedure for the CEC and ECs.

Petitioner's counsel Gopal Shankaranarayanan said the CEC can be removed from office for misconduct through a process applicable to removal of Supreme Court judges, that is by passing a removal motion by two-third majority present and voting in both Houses of Parliament. However, the ECs can be removed by the government on a recommendation made by the CEC, he said, add-

Pan-India cracker ban on the cards?

The Supreme Court on Friday agreed to hear a plea seeking a slew of directions to curb the menace of pollution, including ban on firecrackers across the country and sale of new diesel vehicles in the national capital region and other 13 most polluted cities. TNN

ing that it brought in executive interference in the functioning of the ECs.

The bench, also comprising Justices A M Khanwilkar and D Y Chandrachud, asked the petitioner to serve a copy of the petition on attorney general and asked the top law officer of the government to assist in deciding the plea.

The petitioner cited a 1995 judgement of the SC in T N Seshan case, in which the SC had said that the CEC was the first among equals in the Election Commission and that he was not in a superior position. The Supreme Court had said: "The scheme of Article 324 clearly envisages a multi-member body comprising the CEC and ECs."

Not enough CD4 machines for HIV/AIDS patients to access treatment

There are just 34 such machines that help in initiating therapy for patients in State

AFSHAN YASMEEN
BENGALURU

Despite the National AIDS Control Organisation (NACO) rolling out universal treatment and opening up Anti-Retroviral Therapy (ART) centres for those who test positive, people living with HIV/AIDS (PLHA) continue to find it hard to get initiated into treatment. One of the important reasons for this is the lack of adequate number of machines that measure CD4 cell count – a scale to measure the person's immune system.

Karnataka, which had only 5 CD4 machines for many years, has 34 machines today. But, the State has over 3.11 lakh who have tested positive and have been pre-regis-

Karnataka's fact sheet

No. of Anti-Retroviral Therapy (ART) centres **64**

No. of patients registered for ART from 2004 till Sept. 2017 **3,11,896**

No. of patients started on ART **2,30,800**

Patients alive on ART **1,48,545**

No. of CD4 cell count machines in State **34**

Required number of machines at least **120**

CD4 cell count is a scale to measure the person's immune system

tered at the 64 ART centres. The number of patients, who were initiated into ART and are alive till date are over 1.48 lakh. Those registered for

ART is 1.63 lakh

"However, even after five months of NACO rolling out the 'test and treat' policy for all, the State is not able to do the required tests like CD4 and viral load to decide on the dosage and initiate ART. This may be due to several factors, but lack of enough CD4 machines is a cause for concern. With the State facing a gigantic task of treating 3 lakh patients, it needs a minimum of 120 machines," said health activist David Bodapati.

What is CD4 cell count?

The CD4 count is a vital parameter that will measure the person's immune system. Before being initiated into the first line of ART, screen-

ing is done not only to identify the combination of drugs, but also to deal with the toxic multi-drug therapy and its myriad side effects.

The number of patients registered with ART centres as of March 2014 was 2,43,564. This means 68,332 patients were registered in the last three years, proving that the new infection rate has jumped by a huge number in the last few years.

"ART to all patients without restrictions is a boon to HIV positive people. But not getting the treatment for lack of CD4 machines is a curse and the worst form of denial of treatment. Now every PLHA has a right to demand initiation of ART. It not only helps my community lead a

better life, but also increases the life span and the quality of life. It also prevents the patient from spreading the infection. I am a living example," said Parveen Ahmed, a community leader and secretary of Sangama, who has been living with HIV for the last 13 years.

R.S. Gupta, NACO Deputy Director-General, who admitted that Karnataka required more machines, told *The Hindu* that the country has a total of 278 machines. "Karnataka has 34, but there are several high prevalent States such as Maharashtra and U.P. that have lesser number of machines. We are adding more machines and Karnataka will get eight more by March," Dr. Gupta added.