

THE HINDU-ENGLISH

Dated: 10.12.2024

## Approach EC to enact POSH Act in political parties: SC

**The Hindu Bureau**  
NEW DELHI

The Supreme Court of India on Monday asked a petitioner seeking application of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, or the POSH Act, of 2013 in political parties, to first approach the Election Commission of India.

A Bench of Justices Surya Kant and Manmohan was hearing a petition filed by a Supreme Court lawyer, Yogamaya M.G., represented by senior advocate Shobha Gupta and advocate Sriram Parakkat, for a judicial declaration that political parties were bound to comply with the POSH Act, including the constitution of an Internal Complaints Committee.

Justice Kant said the Election Commission was the "competent authority" as far as political parties were concerned.

The court said in case the petitioner's concern was not addressed effectively, she could move the appropriate judicial forum in accordance with law.

DECCAN CHRONICLE

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### Centre may bring one-election bill in winter session

New Delhi: The government is reported to be mulling to bring the 'one nation-one election' in the ongoing winter session of Parliament. The bill is likely to be sent to a joint parliamentary committee (JPC) for wider consultation with all the political parties and the general public if introduced in the Parliament in this session. The bill will need an amendment in the Constitution which would require two-thirds majority in Parliament.

TIMES OF INDIA

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## Govt may refer bill on joint polls to JPC

TIMES NEWS NETWORK

New Delhi: Though there is no confirmation whether the 'one nation, one election' (ONOE) bill will be introduced in the ongoing Parliament session as the draft bill awaits cabinet approval, there is a view within the govt to refer the legislation to a parliamentary panel for broader consultation with all political parties to reach a consensus on synchronising elections across India.

The proposal is seen as a significant reform to reduce

the time, cost and resources expended under the present staggered electoral system.

The cabinet has already approved the recommendations of the Ram Nath Kovind-led committee on simultaneous elections. The govt is now focused on building consensus on the bill, with plans to refer it to a Joint Parliamentary Committee (JPC) for detailed deliberation. The opposition has consistently criticised the proposal, describing it as "impractical, undemocratic and unconstitutional".

# SC asks EC to study if parties can be within POSH Act ambit

Dhananjay Mahapatra  
@timesofindia.com

New Delhi: With incidents of sexual harassment of women workers/members of political parties often hushed up, SC on Monday asked the Election Commission to examine whether registered political parties could be brought under the ambit of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Appearing for advocate-petitioner Yogamaya G, senior advocate Shobha Gupta told a bench of Justices Surya Kant and Manmohan that though many women are active members of political parties, only CPM has set up an internal complaint committee with external members.

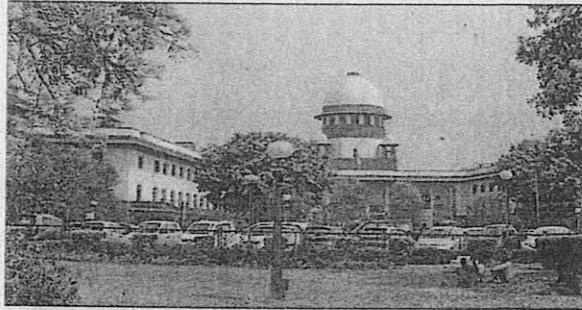
AAP lacks transparency about its committee, while BJP and Congress have admitted not having an adequate ICC structure mandated under law, the petitioner alleged, while demanding the law must apply in equal rigour to parties which owe allegiance to the Constitution that mandates protection of dignity of women.

The bench said the petitioner's analogy to equate political parties as employers and workers/members as employees may not be apt, but agreed that this is an important issue that should be adjudicated by EC.

SC told the petitioner that if she does not receive any satisfactory response from EC on the issue raised by her, she is free to approach court again.

The PIL quoted a 2014 NDTV article titled 'Congress seeks security for Nagma, winks at party leader who kissed her', which narrated an incident of a Congress member publicly kissing the actress who was seen walking off without addressing a rally.

Quoting a report from Ranjana Kumar's organisation, Centre for Social Re-



GENDER JUSTICE

## NGOs, activists cannot try to run country through PILs, Centre tells Supreme Court

With NGOs and social activists trying to perpetuate Covid-time free ration to migrant labour, Centre on Monday told SC that it continued to provide foodgrain to the needy under Food Safety Act but strongly resisted what it called attempts by petitioners to run the country through PILs, reports **Dhananjay Mahapatra**.

Appearing for a PIL petitioner, activist-lawyer Prashant Bhushan said the govt may be giving free ration to 80 crore people but had illegally left out 2-3 crore poor people from the scheme by telling states that stock of foodgrain meant to be distributed under the scheme was exhausted. A bench of Justices Surya Kant and Manmohan said it may fall under the govt's policy domain to decide its food security scheme, but suggested to SG Tushar Mehta that if the financial status of 80 crore beneficiaries of free ration was re-evaluated and if a few crore people had crossed the below poverty line parameters, it could consider including those left out from the scheme.

The bench said states were indiscriminately issuing ration cards for free foodgrain knowing full well that it was the Centre's liability to provide grains. "If states are asked to provide free ration, then most of them would run away citing financial crunch," it said.

Mehta said these proceedings were initiated suo motu by SC in 2020 when the pandemic was at its peak to ensure that no one went hungry. "Bhushan is riding on that and trying to run the govt and frame policies," he said. "These NGOs and activists must file affidavits detailing what they did to help ameliorate the condition of the poor during the pandemic," the SG added.

A hurt Bhushan said, "Mehta has a habit of making comments against me in every case he opposes me in SC as I had made public damaging emails featuring him." SG replied, "He cannot attempt to run govt. We have and will always oppose such attempts from him."

search, published in Economic Times, it said, "Nearly 50% respondents said they faced verbal abuse and 45% said physical violence and threats were common, particularly true during election campaigns. Sixty-seven per cent of women politicians said perpetrators were male contestants and 58% party colleagues. Violence

and harassment at the hands of colleagues is a reason why we see only women from political families in politics."

Interestingly, in March 2022, Kerala HC ruled that political parties are under no compulsion to establish internal complaints committees, as mandated by the 2013 law, since parties lack the employer-employee relationships.

## SC: Delay in deciding mercy plea violates convict's rights

Amit Anand Choudhary  
@timesofindia.com

New Delhi: Delay on govt's part in deciding a mercy plea or in execution of a death sentence is violative of a convict's right and valid grounds to commute the sentence, SC ruled Monday and directed Centre and states to set up dedicated cells for dealing with mercy petitions.

It said this while upholding a Bombay HC order that commuted death penalty of two convicts in 2007 Pune BPO employee gang-rape and murder case to "life term for a period of 35 years" on grounds of an inordinate delay in deciding their mercy petitions and executing their sentences.

A bench of Justices Abhay S Oka, Ahsanuddin Amanullah and Augustine George Masih said the Executive must promptly deal with mercy petitions filed by convicts on death row. When delay from date of filing of mercy petitions till the date of issue of warrant of execution is inordinate and unexplained, right of a convict guaranteed is violated, SC said, while noting that there was a delay of four years in deciding the mercy petitions before Maharashtra govt and the President, and in issuing warrants for executing the sentences.

"This right must be upheld, and it is duty of courts to do so," SC said and added, "Keeping a convict in suspense while considering his mercy petitions by governor or President for an inordinately long time will cause agony to him/her. It creates psychological stress on convict."

**ஒரே நாடு  
ஒரே தேர்தல்  
மசோதா தாக்கல்?**

புதுடில்லி, டி.ச. 10-  
நம் நாட்டில் லோக்சபா  
தேர்தலுடன், அனைத்து  
மாநிலங்களின் சட்ட  
சபை தேர்தல்களையும்  
ஒரே நேரத்தில் நடத்தும்  
வகையில், 'ஒரே நாடு  
ஒரே தேர்தல்' என்ற  
திட்டத்தை மத்திய அரசு  
முன்மொழிந்துள்ளது.

இந்தத் திட்டத்தை  
அமல்படுத்துவதற்கான  
சாத்தியக்கூறுகள் பற்றி  
ஆராய முன்னாள் ஜனா  
திபதி ராம்நாத் கோவிந்த்  
தலைமையில் குழுவை  
மத்திய அரசு அமைத்தது.

சமீபத்தில், இந்த குழு  
தன் அறிக்கையை மத்திய  
அரசிடம் தாக்கல் செய்த  
நிலையில், அதற்கு ஒப்பு  
தலும் அளிக்கப்பட்டது.

இந்நிலையில், தற்  
போது நடந்து வரும் பார்  
லிமென்ட் குளிர்கால  
கூட்டத்தொடரிலேயே,  
ஒரே நாடு, ஒரே தேர்த  
லுக்கான மசோதாவை  
அறிமுகப்படுத்த மத்திய  
அரசு முடிவு செய்துள்ள  
தாக தகவல் வெளியாகி  
உள்ளது.

இதில், அனைத்து கட்  
சியினரிடமும் ஒருமித்த  
கருத்தை உருவாக்க மத்  
திய அரசு விரும்புவதால்,  
இந்த மசோதா மீதான விரி  
வான ஆலோசனைக்காக  
பார்லிமென்ட் கூட்டுக்  
குழுவிற்கு அனுப்பவும்  
வாய்ப்புள்ளதாக கூறப்  
படுகிறது.

இதுதவிர, பொதுமக்  
களின் கருத்துக்களை  
பெற்று, விரைவில் இந்த  
மசோதாவை சட்டமாக்கி  
நடைமுறைப்படுத்த  
மத்திய அரசு ஆயத்தமாகி  
வருகிறது.