

'Omission' by Maha CM in not disclosing cases in election papers may be decided in trial: SC

PRESS TRUST OF INDIA New Delhi, July 23

THE SUPREME COURT on Tuesday said the alleged "omission" by Maharashtra chief minister Devendra Fadnis...

tion of the People (RP) Act for failing to furnish details of two pending criminal cases...

The bench, also comprising Justices Deepak Gupta and Aniruddha Bose, said, "We are concerned with a limited issue whether the prima facie Section 125A of the RP Act is attracted or not."

The provision deals with the penalty for "filing false affidavit" and says that if a candidate or his proposer fails to furnish or gives false or conceal

any information in his nomination paper on issues like pending criminal cases then the person would be awarded six months jail term or fine or both.

"You had the window, you could have disclosed the cases where the court has taken cognizance (of the offence). Whether the omission is liable under section 125A of the RP Act may be decided in trial," the bench said, adding, though Fadnis said he disclosed the details of cases in which charges have been framed by the trial courts.

Investcorp raises \$142 m for first Indian buyout fund

ARIF SHARIF Dubai, July 23

INVESTCORP BANK BSC raised about \$1,000 crore (\$142 million) for its first India private equity fund, just months after the Bahrain-based alternative asset manager opened in the country.

The fund will focus on investments in the consumer, financial services and healthcare industries and has already deployed \$270 crore in four companies — Incred, ASG, Zolo and Citykart, Investcorp said in a statement. The limited partners of the fund comprise Indian banks, insurance companies, family offices and international funds of funds, according to the statement. —BLOOMBERG

99 VOTES IN SUPPORT OF JD(S)-CONG, 105 AGAINST

Karnataka govt fails trust vote, falls

Ready to happily sacrifice position, CM Kumaraswamy says in his reply

EXPRESS NEWS SERVICE Bengaluru, July 23

ENDING DAYS OF political turmoil in Karnataka, following the resignation of 15 MLAs from the ruling JD(S)-Congress coalition, the 13-month state government headed by H D Kumaraswamy Tuesday lost the trust vote in the Assembly with just 99 votes in favour and 105 against.

The floor test, which was held after four days of heated debate, came minutes after Chief Minister Kumaraswamy told the House in his reply to the confidence motion that he was ready to "sacrifice" his post.

"I am ready to happily sacrifice this position," Kumaraswamy said. He also said he had no intention to drag the trust vote, adding, "I apologise to the Speaker and the people of the state."

Kumaraswamy also said discussions were on why he also not resigned when he was sticking to the chair. He said when the 2018 assembly polls results were out, he had plans to quit politics. "My political entry itself was all of a sudden and unexpected," he said.

Earlier, Congress leader Siddaramaiah and Leader of Opposition B S Yeddyurappa of BJP were locked in a wordy duel in the Karnataka assembly on Tuesday over the fate of whip issued to rebel MLAs whose resignation brought



B S Yeddyurappa with BJP MLAs after the trust vote

down the coalition government. Yeddyurappa told Siddaramaiah, the Congress Legislature Party leader, that the whip he has issued against the rebel MLAs has no value. "My understanding of law is that the Supreme Court has given protection to the (rebel) MLAs from the whip. They cannot be compelled to attend the assembly proceedings. Whether you agree with me or not but your whip has no value," the BJP veteran told Siddaramaiah.

However, Siddaramaiah countered him saying the apex court has not barred him from issuing whip and the Speaker of the assembly has upheld his right. "Supreme court has not told me not to issue whip. I have got every right to issue whip under the Constitution. It has been upheld by the Speaker," he said.

He also said the 10th Schedule of the Constitution dealing with disqualification on ground of defection brought

made it clear that not only the violation of a whip but also indulging in anti-party activities could invite disqualification of the MLAs. Kumaraswamy and state Congress president Dinesh Gundu Rao had earlier sought a clarification from Supreme Court on its July 17 order by which the 15 rebel Congress-JD(S) MLAs were granted relief that they cannot be compelled to participate in the ongoing assembly proceedings.

On Monday, with the stalemate still in place, Speaker K R Ramesh Kumar adjourned the House till 10 am Tuesday, with a deadline of 6 pm to complete the floor test.

While the Opposition BJP has 105 MLAs in the House and the support of two Independents, the ruling coalition has 101 MLAs on its side on paper. On Monday, however, as many as 20 coalition MLAs were absent from the House, suggesting that their numbers could be down to 98.

IT ministry may back storage curbs for critical, sensitive data; not for all personal information

PRESS TRUST OF INDIA New Delhi, July 23

THE IT MINISTRY is likely to propose that personal information which neither qualifies as 'critical' nor 'sensitive' should be allowed to be stored and processed anywhere, while data classified as 'critical' should be kept only in India under the Personal Data Protection Bill.

The proposal is significant as it marks a departure from the original draft of the Personal Data Protection Bill, which had recommended that copy of all personal data should be stored in the country. The tweaking of this provision, if accepted, will spell a relief for companies.

The draft Data Protection Bill submitted by Justice B N Srikrishna com-

mitted last year had also suggested that personal data that is of 'critical' nature should mandatorily be stored only in India, a stance that will be backed by the IT ministry.

According to a government official, the IT Ministry is, however, of the view that not all personal data needs to be stored in India, and only critical and sensitive data should be kept here. While 'critical' personal data should be mandatorily stored only in India, 'sensitive' personal information should be stored and processed in India but permitted to be transferred outside the country, the official pointed out.

The IT ministry feels that there are adequate safeguards in the proposed Bill and even if a copy of all personal data is not stored in India, such infor-

mation will always be governed by the stringent provisions of the data protection law, including penalty in event of a breach.

After the Justice Srikrishna panel submitted its draft version of the Bill, the IT Ministry had sought public feedback on the provisions, and fine-tune the proposed document. The draft legislation will now be placed before the Cabinet, after which it will be introduced in Parliament.

The official said that in the clause pertaining to all kinds of personal data was primarily driven by industry feedback - both Indian and global companies - which argued that maintaining one copy of all information may become cumbersome, expensive and increase compliance burden on firms.

Table with columns: Folio no, Certificate number, No. of Shares, Distinctive Numbers, Seller's Name. Buyer Name: GHANSHYAM PRASAD GUPTA.

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