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## SC seeks TDP response on A.P.'s plea

Jagan govt. appealed against HC stay on probe into 'corruption' by TDP regime

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NEW DELHI

The Supreme Court on Thursday sought a response from TDP leader Varla Ramaiah and another on an appeal filed by the Jaganmohan Reddy government against the Andhra Pradesh High Court decision to stay efforts to inquire into complaints about "large-scale improprieties and acts of corruption" allegedly committed by the previous regime.

A three-judge Bench led by Justice Ashok Bhushan, however, orally remarked that State did indeed have the power to appoint commissions, take appropriate actions and sue.

### Notice

The court issued notice to the respondents, including Mr. Ramaiah, whose writ petitions in the High Court led to the stay on September 16.

The Supreme Court said it would consider, after four weeks, both the appeal filed by the government and the

State's plea for interim relief to lift the High Court stay order.

### Cabinet sub-committee

On June 26 last year, the government issued a notification constituting a Cabinet Sub-Committee to review major policies, projects, programmes, institutions established and the key administrative actions taken by the TDP government following the bifurcation of the State of Andhra Pradesh.

The first report of the committee on December 27, 2019 pointed out "several procedural, legal and financial irregularities and fraudulent transactions concerned with various projects, including in the Capital Development Authority region".

On February 21, 2020, the government issued another notification setting up a special investigation team (SIT) to "inquire, register, investigate and conclude the investigation" into the findings of

the report.

Both the notifications were stayed by the High Court indefinitely in September last.

"The entire process was extremely fair. The State was proceeding in a very, very cautious manner. The committee report suggested major manipulations. The SIT was constituted to look into financial irregularities... It was impossible for the High Court to interfere at an investigation stage ... How could it interfere on the petitions of busybodies?" senior advocate Dushyant Dave, appearing for the government, submitted.

### 'State sought probe'

Countering the High Court's apprehensions of bias against it, the government said the State had *suo motu* sought a CBI investigation. Mr. Dave, along with senior advocate Shekhar Naphade, said a premature stay order from the High Court would only demoral-

ise the investigation.

"The High Court is not some extraordinary power, it is bound by law," Mr. Dave submitted.

The government petition said the two notifications were "necessitated in view of complaints relating to large scale improprieties/acts of corruption on part of the erstwhile government."

Mr. Dave said it was erroneous on the part of the High Court to believe that rule of law did not permit the incumbent to overturn the decision of the previous government.

He said the question here was not about policies of the TDP regime but it was about "alleged acts of corruption/misfeasance." No constitutional democracy denied a government the power to investigate corruption.

The government said one of the essential functions of the Executive was to ensure that the government was free of corruption.