

Editorial

Imphal, Saturday, August 27, 2016

Failed electoral system makes immature democratic nation

The electoral politics being practiced in the country in its present form has come under increasing attacks and criticisms from all quarters, and with credible reasons which are acquiring greater relevance considering the fact that even after more than seventy years since the country regained independence, the rate of development and progress across every parameter remains dismally low, especially in comparison with countries like China and many of the southeast Asian countries. Yet, despite the conceived flaws and drawbacks, representative democracy or electoral politics remains the most widely followed form of electing public representatives throughout the world, a clear indication that either the system or the method of implementation has gone awry, either through inefficiency or as a deliberate mechanism. The seemingly inexplicable contradiction should be analysed in detail if the country is to make radical changes and expedite progress and development. A perfect or fail-safe system, when used in the context of a political environment, is something non-existent, and yet this inherent drawback should not be allowed to be used as an excuse to cover up deficiencies or, more alarmingly, to pilfer from the huge amount of resources allocated for public welfare by a few who have the wherewithal to control and regulate such schemes. There has been a perceptible increase in the pace of initiation of development measures with more promises and assurances, a signal to the changing work ethos of the government and the increasing awareness of the general populace of the intricacies of governance coupled with the willingness to air one's views and opinions ably supported, and at times, sensationalized by the rapidly expanding reach and influence of the print and electronic media. What is woefully absent is the fruitful completion of these initiatives. Till date, almost every public project conceived for the general welfare of the public has yet to have a smooth run and are often beset with disruptions, cost and time overrun, and in many cases, ending up being scrapped altogether after huge amount of funds have been sunk in. There surely has to be a remedy for these unfortunate and undesirable deviations and shortcomings. Public opinions have it that the overlapping jurisdiction and authority of many implementing agencies and departments have been playing an unenviable role in propagating such rampant inefficiencies, discord and opportunities for pilferage and misappropriation in the actual implementation of the schemes and projects which are always often launched with much pomp and promise. A persistent and continuous monitoring system with clearly defined objectives and procedures should help in carrying out the plans. A system of checks and measures to take prompt actions, whether remedial or punitive, should also be in place which would act as a deterrent for any individual or department with the intention or inclination to deviate from the given procedures and process. Perhaps it is high time for the government think tank to hunker down and draw up a system which would improve the delivery or implementation system rather than conjuring up populist schemes and grand plans that serve to benefit a few unscrupulous individuals because of the inherent loopholes and defects that allows them an easy escape route.

Earthquake of 4.6 intensity hits Himachal Pradesh

PTI Shimla, Aug 27: An earthquake measuring 4.6 on the Richter scale hit parts of Himachal Pradesh this morning, following which panic-stricken people rushed out of their homes in Shimla and Kullu districts. While some old buildings developed cracks, there was no

report of loss of life or major damage.

The earthquake which occurred at 6:46 AM, had its epicentre at Kullu at a depth of 10 km, said Director of local MeT office, Manmohan Singh said, adding that aftershocks of 4.3 and 4.2 magnitudes were recorded at 7:05 AM and 9 AM respectively.

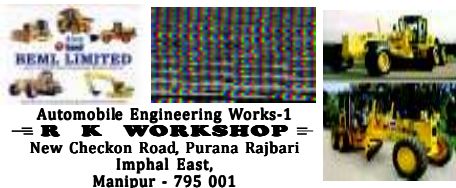
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National & International News

India, Pakistan should hold talks to solve Kashmir issue: US

PTI Washington, Aug. 27: India and Pakistan should continue a dialogue process to address their differences and issues, including Kashmir, the US has said as it asked the two nations to refrain from indulging in rhetoric.

"What I would say that the extent to which both countries are seeking to continue a dialogue process that will do more to address concerns and tensions than perhaps other approaches. So I would just say that it is our hope and our counsel to (the two) continue to push forward on a process of talks between the two governments to try to address concerns," a senior State Department official said.

The United States, the official noted, has also said that with respect to the issues emanating from Kashmir, that it believes that this is something that the two countries need to determine through the dialogue.

"Nothing has changed in terms of the US position and perspective on that and we do encourage the two countries to continue the dialogue process that allows them to process areas of concerns in both countries," the official said in response to a question. In an apparent reference to the war of words between the two countries, the official cautioned against indulging in rhetoric.

"I think, when you start going into a situation where there is rhetoric that flies that is rarely going to be conducive to push forward a dialogue process," the official said.

"At the same time, we have understood and the concerns and frustrations that has been expressed with respect to terrorism.

"We have been very firm in our statements, public and private that there has to be actions against terrorist groups wherever they may operate there cannot be a safe haven for terrorist groups and that there cannot be any distinction made. We have urged for robust cooperation to try to address those concerns,"

said the senior State Department official.

On issue of Balochistan, the US said that it "strongly supports" the territorial integrity of Pakistan.

The remarks came after Baloch leaders in exile demanded freedom from Pakistan, called for an independent referendum under UN supervision and criticised US President Barack Obama for not taking up the issue of gross human rights violations in this restive

Pakistan province.

"The United States has strongly supported the territorial integrity of Pakistan," the official said.

"We certainly have expressed concerns as they have come up human rights concerns with respect to various countries and relationships. I am not going to comment on the Prime Ministers' remarks. I think that is for the Indian government to characterise," the State Department official said.

UN Security Council condemns North Korea missile launches

Seoul, Aug. 27: The UN Security Council late on Friday condemned a series of missile launches by North Korea after failing to do so earlier this month when China had wanted a statement also to oppose the planned deployment of a US anti-missile system in South Korea.

North Korea test-fired a submarine-launched ballistic missile on Wednesday which flew about 500 km (300 miles) in the direction of Japan, the latest in a series of launches by the isolated nation in defiance of UN resolutions.

"The members of the Security Council deplore all Democratic People's Republic of Korea ballistic missile activities," the statement said, referring to North Korea by its formal name.

The statement referred to Wednesday's launch as well as

other North Korean ballistic missile launches since July 9.

"Such activities contribute to the Democratic People's Republic of Korea's development of nuclear weapons delivery systems and increase tension," it said.

As in past statements, the Council went on to say that it "would continue to closely monitor the situation and take further significant measures in line with the Council's previously expressed determination."

Earlier this month, the 15-member council had been unable to agree on a U.S.-drafted statement to condemn North Korea's Aug. 3 launch of a ballistic missile that landed in or near Japanese-controlled waters.

China had wanted the statement to oppose deploying "any new anti-ballistic missile stronghold in

Northeast Asia with an excuse of dealing with threats of the DPRK nuclear and missile programs." Friday's statement did not include such language.

China strongly opposes the planned basing of a US Terminal High Altitude Area Defense (THAAD) anti-missile system in South Korea, which it says would worsen tension on the Korean peninsula.

Beijing worries that THAAD's radar system has a range that could extend into China. The United States says the system is defensive and intended to counter North Korea's missile threat.

North Korea has been under U.N. sanctions since 2006. In March, the Security Council imposed harsh new sanctions in response to North Korea's fourth nuclear test in January and the launch of a long-range rocket in February.

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Autonomous District Council in North East India

The Sixth Schedule contains provisions as to the administration of tribal areas in the state of Assam, Meghalaya, Tripura and Mizoram. The aim of the Sixth Schedule was to protect hill and other tribal communities from the control and power of the groups and the plains.

The process of protection began with the formation of the first District Councils in Assam, as far back as 1951. The Sixth Schedule provisions are regarded as a mini-Constitution within the main Constitution but the whole Schedule needs a close look to remove flaws, contradictions and shortcomings. Earlier, Arunachal Pradesh was also part of the Sixth Schedule and administered by the Governor of Assam as the agent of the President.

The North-East with its large number of tribal groups and newly emerging educated elites has a peculiar political history. Most of these communities had self-governing village councils and tribal chiefs even during late British period. Nation and state formation was absent and even in the most advanced area of the region, then Assam, the economy was run by the British. But the effort should be to give all States the opportunities provided by the 73rd and 74th Constitutional Amendments. This should be done by safeguarding their traditions, without tampering with their essential rights and giving each state the chance to use its own nomenclature for such systems of governance, with local acceptance.

Over the past decades, the systems of local-governance promoted under the Sixth Schedule have been seeking to guarantee political dominance for backward groups, better local governance at the community level, better economic development and ethnic security for those who feel threatened by large scale influx of illegal migrants and even shelters from other parts of India. There is a long list of subjects and powers as far as District Councils in the four states under the Sixth Schedule under Articles 244 (2) and 275 (1). The list includes allotment, occupation or use, or setting apart, of land, the regulation of jhum (shifting cultivation),

establishment of village or town committees or councils and their powers as well as administration, flood control, trade and commerce, town and village police.

History

The administration of the Tribal Areas of the Northeastern region, which were earlier known as 'Backward Tracts, has a history of its own. The Grant of the Diwani of Bengal to the East India Company in 1765 by Shah Alam II, secured for the East India Company "superintendence of all revenues" in the Presidency of Bengal. Even prior to the taking over of the territories formerly administered under the East India Company by the British sovereign in 1858, following the Sepoy Mutiny of 1857, the making of laws was entrusted to the Governor General-in-Council by the Government of India Acts of 1833 and 1853. These statutes allowed laws to be made directly (or the areas which were earlier under the authority of the East India Company.

In the subsequent years, many Acts and Regulations were passed which affected the Northeastern region in diverse ways-like the Inner Line Regulation of 1873, the Scheduled Districts Act 1874, the Government of India Acts, 1919 and 1935. Under the scheme of Provincial Autonomy, the hill areas of the then province of Assam fell into two categories, viz., the Excluded and Partially Excluded Areas, as scheduled in the Order-in-Council under the Government of India Act 1935. The main concern of the administration at that period of time was more static than dynamic. Thus, the administrative insulation contributed to the prolongation of backwardness of the Northeastern region especially the areas predominantly inhabited by the tribal people. The British did everything possible to check the emotional integration between the tribal's and non-tribal for the evolution of a spirit of common identity superseding ethnic diversities. There were even abortive attempts at keeping the Northeastern tribal areas outside the Indian Dominion when the Indian Independence Act of 1947 was being passed by the British Parliament.

But, in free India, under the inspiring leadership of Jawaharlal Nehru, the policy of winning the confidence of the tribal people and promoting closer contacts and intercourses between the tribal's and non-tribal's, ensuring the protection of interests of the tribal's in their lands and autonomy to shape their lives as they desire, was followed. In the Constituent Assembly, Jawaharlal Nehru moved the historic: objectives Resolution which was adopted on 22 January 1947. These objectives have actually shaped the making of the Constitution. This Resolution proclaimed that India would be an Independent Sovereign Democratic Republic wherein, inter-alia, "adequate safeguards shall be provided for the minorities, backward and tribal areas, depressed and other backward classes".

When the Indian Constitution was adopted, it envisaged strong democratic institutions at the grass-root level as well as concerning the affairs of the tribal communities. Consequently, democratic decentralization and establishment of Panhayati Raj became one of the Directive Principles of State Policy. However, in the case of the Tribal Areas in the country, especially those in the Northeast, there are certain specific provisions provided in the Constitution. The Constitution makers also recognized the necessity of a separate political and administrative structure for the Hill Tribal Areas of the erstwhile province of Assam by enacting the Sixth Schedule to the Constitution of India. In doing so, they were broadly guided by three major considerations:

- (i) The necessity to maintain the distinct customs, Socio-economic and political culture of the tribal people of the region and to ensure autonomy of the tribal people and to preserve their identities.
- (ii) The necessity to prevent their economic and social exploitation by the more advanced neighboring people of the plains;
- (iii) To allow the tribal people to develop and administer themselves according to their own genius.

An Advisory Committee on Fundamental Rights of Minorities in Tribal Areas was constituted by the Constituent Assembly in India. One of the sub-committees constituted by the Advisory Committee was the Northeast Frontier (Assam) Tribal and Excluded Areas Subcommittee under the chairmanship of Gopinath Bordoloi. The Sub-Committee visited the tribal areas in the then composite State of Assam and interacted with the representatives of the hill people in order to formulate a model administrative set up for these areas within the State of Assam. When the Sub-Committee studied the problems of the tribal people of the region, it realized that these areas needed protection and safeguard so that they might be able to preserve their way of life and at the same time participate in political life of the country along with others. It also noted the existence of the traditional tribal self-governing institutions which functioned democratically and settled their disputes in accordance with their own customs and traditions. The Sub-Committee Sought to evolve a system by which it could be possible to remove the apprehensions of the tribal people, simple and backward as they were, so that they might not be exploited, subjugated and oppressed by the more advanced people.

The recommendations of the Sub-Committee were incorporated in the Sixth Schedule to the Constitution. The idea behind the Sixth Schedule was to provide the tribal people with a simple and inexpensive administration of their own, so that they could safeguard their own customs, traditions, culture, etc., and to provide them maximum autonomy in the management of their tribal affairs. The Subcommittee in particular, appreciated that the tribal people were particularly sensitive about their land, forest, traditional system of justice and social customs. In acceptance of the recommendations of this Sub-Committee, the Sixth Schedule to the Constitution of India was adopted. This provided for the Constitution of the Autonomous District Councils (Autonomous District Councils) in certain hills districts of the then composite State of Assam. (To be contd.....)