

# Editorial

Imphal, Thursday, March 3, 2016

## Realizing the industrial prospects

“Manipur lacks behind the national norms with respect to their agrarian output resources, level of industrialization and infrastructure facilities. Lack of entrepreneurial culture, poor transport linkage, inadequate infrastructure facilities, poor employment opportunities with resultant diverse ethnic insurgency are the main factors which has caused an overall adverse economic development of this region”. The above is an extract from the report on ‘Pre-investment Feasibility Study on Industrial Potential Survey for Manipur’ provides a vision for development of potential industries in the State for the next ten years conducted in 2003. The report also points out Potential Industries Based on the various factors, sector wise survey by the Pricewater Cooper Private Limited team which are: (i) Agro Based: such as- integrated rice parboiling, hulling/ dehusking/ milling, bran stabilizing and captive power generation (based on rice husk biomass gasified fuel unit), Non-flavoured potato chip projects. (ii) Horticulture Plantation Based: Multi-fruit juice project, Orange Squash & Jam/Marmalade, Pineapple/Mixed Fruits Jam and Jelly, Tomato sauce, Ginger oleoresin Extraction (iii) Bamboo Based: integrated bamboo based project of Bamboo Mat Board, Bamboo Mat Corrugated Sheets and Bamboo Floor Board. There is scope for setting up of Bamboo shoots project in the State. (iv) Animal Husbandry Based: Pasteurized Milk & Cream Project can be viable in this sector. (v) Mineral Based: Green marble (serpentine) slab, tiles & idocrase stone (semiprecious jewelry stone) processing plant may be set up as well as a Cement unit can be set up based on the locally available raw material resources. (vi) Power Sector: Manipur has the potential of several biomass gasifier based rural/remote local area power project exploiting endless and regenerative bamboo resource. (vii) Other Sectors Investments in following demand-based industries are suggested for Manipur: Galvanized corrugated/plain steel sheet, Aluminium extruded household product project, PVC insulated electrical wire, Nursing Home cum Diagnostic Centre Project, Garment Project, Silk Reeling unit, to name a few.

While almost all of these potentials have remained untapped and underutilized till date owing to various reasons both genuine and concocted, the Union Budget for 2016-17 presented by Finance Minister Arun Jaitley presents some interesting and encouraging prospects for the state which, if utilized efficiently and judiciously, could pave the way out of the social quagmire we are in right now which is, if not all, for the most part a result of the lack of opportunity to be gainfully employed by the teeming educated and unemployed youths of Manipur. Of special importance would be the plan to set up 1500 multi-skill development centres at a cost of Rs. 1,700 crore, as also the provision for Entrepreneurship training to be provided across schools, colleges and massive online courses. The decision to establish hubs to support SC/ST entrepreneurs would provide the much needed fillip for entrepreneurs to set up units and help in generating products, employment opportunities as well as improve the social situation. The effort to bring 5 Lakh Hectares under Organic Farming over a three year period presents a very good opportunity for the farmers of the state to sell their certified organic products not only in the state but to other states as well. And to top it all, the state can be developed into an important hub for Information Technology for the NE region as well. All these prospects and opportunities, however, depend on the sincerity and efficiency of the state government to be converted into ground reality. The state cannot afford to miss the bus- rather the train this time around.

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# JNU row: Delhi HC order granting bail to Kanhaiya Kumar comes after a stern rap on the knuckles

By : Saib Bilawal

The early news trickling in from mainstream and alternative media reported about the Delhi High Court order granting six-month interim bail to Kanhaiya Kumar, JNU Students' Union President, in a sedition case. What was initially highlighted was the court's recognition of fabricated evidence, and as an interesting tidbit, the court's citation of a Bollywood film song. These have been highlighted in the media, in addition to this observation-

“8...The so called video recording of the incident by some channels has been reported to be doctored by the Press. The petitioner has been remanded to police custody thrice and has also joined the investigation. He is no more required for investigation of this case.”

Fresh from the exhilaration of a massive march to Parliament, the leadership of the JNU students' movement was quick to announce a ‘victory march’, eagerly awaiting their Presidents' return, along with a welcoming march planned for the next day. The immediate questions that lie before the students are: whether the movement will fragment since the most unifying goal of releasing the union President has been achieved, and how to effectively advocate for the release of the remaining two students currently in custody - Umar and Anirban.

There are, however, some insights from the bail order that may not be done well for the students, on closer scrutiny:

**a) At the very beginning there is an observation that the JNU community as a whole is morally responsible for the actions of some students.**

“2. Spring season is a time when nature becomes green and flower blooms in all colours. This spring why the colour of peace is eluding the prestigious Jawaharlal Nehru University (JNU) situated in the heart of Delhi needs to be answered by its students, faculty members and those managing the affairs of this national university.”

**b) There is a recognition in the court's view that the event ‘Country Without A Post Office’ was liable for disruption of peace on campus, and that it was of an anti-national nature. On the other hand, the role of those who complained to the authorities so as for them to cancel the permission for the function (ABVP activists) and their political interests, has not come into the picture.**

“19. ...The JNU authorities on getting the information that in the guise of cultural function, some anti-national activities were to take place, cancelled the permission and the organising group was duly informed. The reason being that the posters about the proposed programme were against the judicial killing of Afzal Guru and Maqbool Bhatt and have been put up at all the hostels and these activities were likely to disrupt the peace and harmony of the campus. Approaching breach of peace at the campus, the Chief Security Officer, JNU as well local police was informed.”

**c) The State accuses Kanhaiya Kumar of staging his speech upholding the Constitution for future evidence in his defence.**

“23. ...Mr. Tushar Mehta, learned ASG for the State has further submitted that the speech given by the petitioner on 11th February, 2016 was part of his strategy to create a defence.”

**d) The court refers to a case involving Pappu Yadav to assert-**

“28... (1) The Court granting bail should exercise its discretion in a judicious manner and not as a matter of course.”

**e) The court invokes the Hardik Patel case when considering definitions of sedition and whether the charge fits-**

“34. What constitutes sedition has been recently considered by Gujarat

High Court in *Hardik Bharatbhai Patel vs. State of Gujarat & Ors.* 2016(1) RCR (Criminal) 542as under:-

“14. I should be mindful of the fact that the case in hand is one wherein the accused is praying for quashing of the F.I.R. at a stage when the investigation is in progress. I should look into the allegations et al in the F.I.R., as they are without adding or subtracting anything from it. I am of the view that a speech or a statement, in which the speaker exhorts the persons, who are listening to him, to resort to violence, prima facie, could be said to be intended to excite disaffection towards the established Government and amounts to an offence under Section 124A of the Indian Penal Code. To put it in other words, to advise a person to persuade to violence as a means of attaining a particular goal or seeking revenge is not less objectionable than advising that person to commit violence himself for that purpose. In either case, the advice is to pursue a course of action, it is calculated to disturb the tranquility of the State. It is a recommendation to oppose the established Government by force.

**f) The ideals of JNU as embodied on its website are invoked, in order to hold Kanhaiya Kumar accountable to them:**

“37. The vision and object of Jawaharlal Nehru University as reflected in the Website of University is:

“The living ambience and social milieu of the campus is also reflected in an integrated, interdisciplinary approach in teaching and research. There is freedom to define and design course content or start new courses. Research themes evolve with new developments in the area and the interface between different areas of study. Everyone at the university competes with himself/herself to excel in their own field of research. JNU is academically and socially a vibrant place where all have space to express their views.

The JNU campus is a microcosm of the Indian nation, drawing students from every nook and corner of the country and from every group and stratum of society. To make sure that this is so annual admission tests are simultaneously held at 37 centres spread across the length and breadth of the country, and special care is taken to draw students from the underprivileged castes and ethnic groups by reserving 22.5 per cent of seats for them. Overseas students form some 10 per cent of the annual intake. Students' hostels and blocks of faculty residences are interspersed with one another, underlining the vision of a large Indian family.”

39. As President of Jawaharlal Nehru University Students Union, the petitioner was expected to be responsible and accountable for any anti-national event organized in the campus...”

**g) The court order brings out the contrast between dissent in JNU and troops on the border.**

“39. ...While dealing with the bail application of the petitioner, it has to be kept in mind by all concerned that they are enjoying this freedom only because our borders are guarded by our armed and paramilitary forces. Our forces are protecting our frontiers in the most difficult terrain in the world i.e. Stachen Glacier or Rann of Kutch.”

41. Suffice it to note that such persons enjoy the freedom to raise such slogans in the comfort of University Campus but without realizing that they are in this safe environment because our forces are there at the battle field situated at the highest altitude of the world where even the oxygen is so scarce that those who are shouting anti-national slogans holding posters of Afzal Guru and Maqbool Bhatt close to their chest honoring their martyrdom, may not be even able to withstand those conditions for an

hour even.  
42. The kind of slogans raised may have demoralizing effect on the family of those martyrs who returned home in coffin draped in tricolor.

43. The petitioner claims his right regarding freedom of speech and expression guaranteed in ...Constitution of India. He has also to be reminded that...fundamental duties of every citizen have been specified along with the fact that rights and duties are two sides of the same coin.”

**h) The court's observations on ‘anti-national slogans’ do not bode well for Umar and Anirban, who are seen as being part of the organising team for the event and are in custody. Kanhaiya Kumar, too, has to demonstrably prove his level of involvement.**

“40. It is a case of raising anti-national slogans which do have the effect of threatening national integrity...”

**i) JNU's image as a ‘hub of intellectuals’ comes into the picture when Kanhaiya Kumar's character comes into the discussion, rather than his economically backward background.**

“44. The petitioner belongs to an intellectual class pursuing Ph.D. from International School of Studies, Jawaharlal Nehru University, which is considered as a hub of intellectuals.”

**j) The teachers are also referred to as being responsible persons with respect to the issue, and the JNU administration has been advised to be tighter on such activity.**

“45. The faculty of JNU also has to play its role in guiding them to the right path so that they can contribute to the growth of the nation and to achieve the object and vision for which Jawaharlal Nehru University was established.

46. The reason behind anti-national views in the mind of students who raised slogans on the death anniversary of Afzal Guru, who was convicted for attack on our Parliament, which led to this

situation have not only to be found by them but remedial steps are also required to be taken in this regard by those managing the affairs of the JNU so that there is no recurrence of such incident.”

**k) Kanhaiya's political activities are now somewhat legally restricted, by his undertaking to be submitted to the court.**

“52. The time is ripe that while giving some concession to the petitioner on monetary aspect for purpose of furnishing the bond, he can be required to furnish an undertaking to the effect that he will not participate actively or passively in any activity which may be termed as anti-national.”

**l) The bench has pointed that not all statements can be protected under the freedom of expression.**

47. The investigation in this case is at nascent stage. The thoughts reflected in the slogans raised by some of the students of JNU who organized and participated in that programme cannot be claimed to be protected as fundamental right to freedom of speech and expression.

**m) The court makes a striking analogy involving ‘infections’, ‘cures’ and ‘amputation’.**

“48. Whenever some infection is spread in a limb, effort is made to cure the same by giving antibiotics orally and if that does not work, by following second line of treatment. Sometimes it may require surgical intervention also. However, if the infection results in infecting the limb to the extent that it becomes gangrene, amputation is the only treatment.”

Even as the Delhi High Court granted interim bail to Kanhaiya Kumar, it thus seems a little too early to declare victory - legal, moral or otherwise. What the students claim are “fabricated charges that must be dismissed” have not been dismissed. (The author is a research scholar in Modern and Contemporary History at Centre For Historical Studies, Jawaharlal Nehru University.)

## National & International News

### Up to govt to decide on release of convicts in Rajiv Gandhi case: Rahul

**ANI**  
**New Delhi, March 03:** Congress vice-president Rahul Gandhi on Thursday said that he would not voice his opinion on the release of all seven convicts in former prime minister Rajiv Gandhi's assassination case as a son.

“It is up to the government to decide, I won't give my personal opinion,” Gandhi said in a statement.

The Tamil Nadu Government has sought the opinion of the ministry of home affairs on releasing all convicts in the case.

Tamil Nadu chief secretary K. Gnanadesikan in a letter to Union home secretary Rajiv Mehriishi said while the state has already decided

to release the seven convicts, it is necessary to seek the Centre's opinion under Section 435 of the Criminal Procedure Code, as they have been in prison for over 24 years. Under the provisions of the Criminal Procedure Code, the state governments have to consult the Centre before releasing life convicts who were tried by the CBI.

The J Jayalalithaa-led government had earlier sent a similar note in February 2014 to the then UPA government after the Supreme Court commuted the death sentence of three convicts - Murugan, Santhan and Perarivalan - citing inordinate delay by the executive in deciding their mercy plea.

### 3 Hizbul militants killed in encounter

**PTI**  
**Srinagar, Mar 3:** Three Hizbul Mujahideen militants were killed in an overnight encounter in Tral area of South Kashmir's Pulwama district, an army official said today. Security forces launched a cordon and search operation in Dadsara area of Tral last night, following information about the presence of militants there, the official said. The official said in the ensuing gun fight three local

militants of Hizbul Mujahideen were killed. The slain militants have been identified as Ashiq Hussain Bhat, Mohammad Isaq Parray and Asif Ahmed Mir, the official said, adding that Bhat was involved in providing shelter to militants involved in Udhampur attack on a BSF convoy last year. Three AK rifles have been recovered from the scene of the gun battle, where search and sanitisation operation are in progress, the official said.

### Aftershocks rock Indonesia after 7.8 magnitude quake, calls for calm

**AFP**  
**Indonesia, March 03:** Strong aftershocks rocked Indonesia early on Thursday after a massive undersea earthquake sparked fears of a region-wide disaster similar to the 2004 Indian Ocean quake and tsunami that killed more than 200,000 people.

There were no reports of deaths or damage to buildings from Wednesday night's 7.8 magnitude quake, which caused panic in the Sumatran island port of Padang as people tried to reach higher ground when a tsunami warning was issued. No tsunami occurred.