

Editorial

Imphal, Monday, May 22, 2016

Adversity to opportunity

Diversity of beliefs, religion, traditions, customs, language and cultures presents diverse opportunities and impediments the world over. What differentiates a progressive culture or government from one steeped in tradition and blind beliefs is the way difficulties and drawbacks are perceived, and addressed. The most developed countries in the world, at the best of times still have to grapple with myriad issues and internal conflicts which are social, political and fiscal in nature. The world has yet to witness or experience a perfect government, and indeed, governing is a thankless job. What keeps prominent personalities relentlessly pursuing the top posts of a country are the inducements and privileges in various forms that comes with the posts. It would be wishful thinking if we are to believe that leaders of the developed nations or states are above reproach; guided only by their altruistic beliefs and zeal. After certain permutations and combinations of the existing political and economic atmosphere, everything boils down to just a few basic factors that determines the level of efficacy of a government- readiness to usher in changes no matter how radical or unpopular such a move might appear initially, ability to reach out and stay connected with the masses through its various agencies, the political determination backed by action for curbing corruption, despotism and nepotism as well as the humility to respect and give space for other machineries such as the law and media to carry out their roles in the society without any restraint or suspicion of unwarranted influence. China, the most populous country in the world beset with the accompanying problems of overpopulation and underemployment, after a long struggle, realised the opportunities presented by its inherent shortcomings and shifted focus from an agrarian economy to one with optimum utilization of the abundantly available manpower for production and manufacturing to become the largest economy, surpassing the USA in the process. Thailand, a small south-east Asian country has managed to utilize its agrarian economy to become the largest exporter of rice in the world, and coupled with the proactive development of tourist facilities, have managed to earn 10 percent of its GDP from the tourism sector alone, resulting in keeping rate of unemployment to less than 1 percent. Cut to the present India, and by extension, our very state with the sobriquet " mani gee leipak" - loosely translated as 'land of jewels'. There is no denying that we are proud of our rich culture, customs and traditions and we would go to any length to protect and preserve them. We almost always refer to our 'glorious' past and 'developed' heritage at the drop of a hat. There is a sneaking feeling that we are becoming more than 'proud', that we have acquired a certain air of 'haughtiness' of a past we are unsure if we still deserve. It is time to introspect and reflect on the deviations, to own up our mistakes and review our moral and social standing. Everyone of us have a stake in making earnest efforts to make this state work and progress. It would be sheer foolishness to try and push each other off the boat as that will only result everybody getting capsized.

Manipur Legislative Assembly Secretariat

NOTIFICATION

Imphal, the 23rd May, 2016

No. 1/13(11)/2014 -LA (E) : It is hereby informed that the speed test (Computer typing) for direct recruitment to the post of LDA rescheduled earlier on 23-05-2016 has been further postponed on Tuesday the 24th May, 2016 due to unavoidable circumstances. And, those candidates who have failed to appear in the earlier tests may also appear for the same on the afore-mentioned date.

Venue of speed test : Reporter's room, Manipur Legislative Assembly Secretariat
 Time of reporting : 10:45 am
 Time of Speed Test : 10:00 onwards

Sd/-
 G. Tapankumar Sharma
 Deputy Secretary (Admin)
 Manipur Legislative Assembly

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Legislative Intervention for Combating Cyber Crimes in India

By: Dr. Sapam Dilipkumar Singh
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Abstract

Emergence of state system in human society has brought a radical change in all sphere of the life of individuals irrespective of cast, creed, gender and religion. The state owes its obligation to protect the life, liberty and property of each and every subject of the state as the authority and power of the state actually derive people. The administration of criminal justice constitutes one of the primary functions of the state, which is indispensable for maintenance of peace and tranquility in a politically organized society and it also refers to using the force of the state to maintain law and order in such politically organized society for which it circumscribes to enact laws and establish courts and other law enforcement agencies as well.

Crime is as old as human society. It is an act prohibited by law which is the expression of the will of the state. With the help of law, every human society has been endeavouring to prevent and reduce the occurrence of crimes in society. Even though crime is contextual, some crimes are universal in their nature and character in the sense that such acts are obviously disapproved or prohibited by laws as well as the

conscience of the people.

Considering that law changes according to the need of the society, many acts which were treated as crimes in the past are no longer crimes in the present; however, new acts are required to be declared as crimes according to the changes of human society. It was seen in the history that industrial revolution has brought drastic change in the body of rules across the world that has led to codification of many laws for the protection of worker's rights. In the same way, with the advancement of science and technology, particularly, the evolution of information and technology in the present century has necessitated nation states to enact laws to cope with the emerging set of acts which are extremely needed to control, because of their devastating effect in all respects in any given society. Cyber crimes are the emerging flip side of the revolution of information technology.

The unique characteristic of cyber crime is that it has no national boundary. Acknowledging such effect of cyber crime, the United Nations General Assembly has adopted dozens of resolutions, such as resolution no. 55/63 for combating the criminal misuse of

information technology in 2000. In the similar way, the Economic and Social Council has also adopted resolution no. 211/ 33 for the prevention, protection and international co-operation against the use of new information technology to abuse and/or exploit children in 2011. However, the UN has not been able to negotiate and adopt a specific global treaty for the prevention and combating cyber crime in the line of promotion and protection of human rights, other than the adoption of the UN Convention against Transnational Organised Crime. Nonetheless, the UN resolutions are recognized as subsidiary means of the sources of international law under Article 38 of the Statute of International Court of Justice, to which nation states ought to abide by.

Combating cyber crime is not exception to Indian society, as the country has been striving to bring about a digital revolution in governance. The parliament has enacted the Information Technology Act.2000 and also brought a major amendment to the Indian criminal laws, such as the Indian Evidence Act, the Indian Penal Code, among other to deal with emerging threat of cyber crimes. In this context, the National

Crimes Records Bureau (NCRB) has also started documentation of the incidence of cyber crimes as separate genre of crimes in India in view of the increasing trend of cyber crimes. The NCRB reported that a total of 9,622 cases were registered under the cyber crimes in 2014 as compared to 5,693 cases registered during the previous year which shows an increase of 69% over the previous year.

The real meaning of law lies in its effective implementation. Understanding of law in letter and spirit by the law enforcement agencies of the state are the imperative and people are also required to make known the implications of relevant laws for the realization of the objective of all laws. Law relating to cyber crime is new to the law enforcement agencies since such crimes are of recent origin. With the proliferation of cyber space, it could reach in the traditional and poor families' of the most underdeveloped regions of the North - East India where literacy rate is also low. In such situation, people need to be educated about cyber crimes and also the legitimate state agencies ought to be ready for combating the emerging threat of cyber crime.

National and International News

Jayalalithaa takes charge after 6th oath, begins with part prohibition

Chennai, May 23: Thousands of supporters lined the route as Jayalalithaa, along with an impressive convoy, headed to the venue in Tamil Nadu where she was sworn in as chief minister after a historic victory last week. The supporters cheered, danced and showered her car with rose petals.

After Ms Jayalalithaa took oath, 28 ministers - 13 of them new faces - were also sworn in in groups. Among those who were present were MK Stalin of arch political rival, the DMK.

The oath ceremony, Ms Jayalalithaa's sixth, was held at the Madras University Centenary Auditorium in Chennai. She made history last week by winning a second consecutive term in a state that had alternately voted her party and arch rival DMK to power for three decades.

Soon after taking oath, Ms Jayalalithaa ordered the closure of 500 government-owned liquor shops as part of phased prohibition in the state. Liquor shops will now be allowed to function only from 12 PM to 10 PM.

O Panerselvam, avowed Jayalalithaa loyalist and the man who served as chief minister in the months that the AIADMK chief was in jail on corruption charges, continues to be the state's finance minister. Ms Jayalalithaa, 68, will retain important portfolios like police, home and general administration.

On Monday last, Tamil Nadu returned Ms Jayalalithaa to power, but with a narrower margin of victory than five years ago. Her AIADMK has won 134 of the state's 234 seats, while the DMK, which was virtually wiped out in 2011, has managed to win 89 seats. Its pre-poll partner the Congress has won 8.

The DMK's M Karunanidhi has pointed out that the difference between the vote share of his coalition and winner AIADMK is only a little over one per cent - 41.6 for Jayalalithaa's party and 40.2 for DMK plus - and has delivered a warning by saying that a much more muscular DMK will function as a "constructive opposition" in the state assembly.

Flood in Manipur

As there is a break in the torrential rain for around 24 hours, water level at most rivers in the state is receding. However, after effect is more terrible. Many people are left homeless. Many people at Thoubal district as well as those in Imphal East and West district faced extreme hardship in restoring their settlement. Drinking water and essential commodities are real problem for those affected by the flood cause due to failure proper maintenance of drainage system in Imphal area. Meaningless retaining wall constructed at most Rivers in the state is also being blamed by the affected people for the cause of the flood. Produced here is the scene at various part of the state captured through the lens of our reporters.



Imphal River water level receding at Sanjenthong bridge



Houses destroyed by the flood at Sangai Yumphan in Thoubal district



Bank of Wangjing River at Wangjing area

Open letter

To
 The Secretary, MPSC
 Govt. of Manipur, Imphal, Manipur

Sir,
 In UPSC CSE 2015 prelims, few candidates were called for re exam without any public notice. CBSE,SSC also conduct re exam only for selected candidates at selected centers. MPSC can also follow the suit.

In MAHUD Exam, MPSC had made a blunder by canceling whole exam process. There should have been re exam only for 1 Centre where there was violence. Now demand for fresh MCSCCE is the result of above mentioned mistake. UPSC,SSC,CBSE make mistakes. But they endure pressures. Its opposite for MPSC. MPSC exams can be conducted easily, it can also be cancelled easily. Now, we fear that it can also be easily manipulated at any stage !! Because MPSC is easy.

- Sir, I suggest some measures :
1. Grace marks for all printing errors.
 2. Penalty or No penalty, candidates have attempted what they knew. So no fresh exam OR
 3. Ask the candidates to go to Court. OR
 4. Identify the affected candidates due to wrong instructions. Give them the option to appear in reexam. Announce re exam only for those candidates. OR
 5. Cancel whole examination process and handover the function to UPSC.

Sir, mistakes are bound to happen. Mistakes may happen in Mains/ Interview. Mistakes can also occur in other exams of MPSC. If you cancel whole exam now, will you cancel it again during next prelims/ mains for some errors ? How many exams will you cancel ?

Thank you.

Yours
 Mohd Amir
 Yairipok, Thoubal Manipur