

Poetry section

The slumbering Beauty

By: Dr. Nunglekjam Premi Devi
Independent Scholar

I doubt none, I fancy my presence
Holding her out in the meadow; gazing
She's happy; steadily
She's in hurry; speeding
She's one and she's heavy
She's hastening; shooting to charge
She accuse not a thing
She's bounding; chasing dog away
Bouncing and circling;
Hurdling, as I lay out her line stretching
She's relieving and appeasing all;
She soothes her comfort all along the dull mallow
As I strike her wooden piece hard.

I doubt none, I fancy my presence
Holding her out in the meadow; gazing
Thrilling by her side; energetically
Watching her moves lively, as
She's enjoying; seasoning green grass
She moo her best;
As she lower savoring greenery
She's cooling and she's soft;
She's listening and she's nibbling
She's watching, as I move out
She's good and she's healthy;
She cares not the scorching heat nor do I;
I care as much as I leave her alone; gazing in the meadow
Blushing myself in this morning heat;
I do still Aware, not bothering; wearing innocence.

I doubt none, I fancy my presence
Holding her out in the meadow; gazing
She isn't weary;
She's calm and she isn't complaining;
She seems burning inside still she's low;
She moos and moos,
She stands unspeakable; she's a mother
She's delighting as she waves through breeze,
She understand me; awaiting
She crawls within the summery heat; napping
She's strong and she's too secure
She's one beautiful being; a friend
Enchanting by her slumbering beauty, I am dumbstruck;
I wonder how violable, the nature is?

I doubt none, I fancy my presence
Holding her out in the meadow; gazing
I promise her; not hesitating
I withdrew all my strengths, wearing the cursed heat
I temper her out; she's holding me back
As I Pour a bucketful of water; quenching her thirst
Shedding her teary out; her emotions
Speaking out, out loud her commitments;
As I lay my eyes upon her;
She's still one Beautiful slumbering soul.

Where is the justice in mob justice?

By: Damudor Arambam
(Criminal Justice Fellow at Tata Institute of Social Sciences, Mumbai)

Mob violence, also referred to as "Mob Justice" highlights a striking paradox – it approves the dispensation of justice by people, who usurp the authorities of constitutionally delegated bodies and apply a process they define as speedy. It can take various forms; ranging from arson, beating, chasing away suspected criminals, lynching, destroying properties and even attacking family members of suspected criminals. When people take law into their own hands to lynch wrongdoers, they render the offences, however trivial, a capital offence, for which they appoint themselves accuser, prosecutor, judge and executioner all at the same time. In the last decade, mob justice has become rampant in our Manipuri society. Suspected criminals are beaten and many a time killed and properties destroyed which do not correspond with the crime committed. Damaging hospital properties and disrupting health services by mob consisting of relatives after the death of a patient are current trends in Manipur. Even accused are beaten outside court by mob when they are produced for trial. Protestors usually turn into vigilante mobs with ready justifications for burning of vehicles and public buildings during political agitation. But whenever such acts are visited on individuals, it heightens a dangerous phenomenon that suppresses the constitutional requirement of due process and further weakens the sanctity of laws that regulate human conduct.

India has an adversarial criminal justice system in which an accused or offender is presumed innocent until proven guilty by a court of competent jurisdiction. Through the practice of mob justice, victims are denied a fundamental right to a fair trial. Article 10 of the Universal Declaration of Human Rights stipulates about the right to fair trial. Also article 11 of the Universal Declaration of Human Rights specified about the right to stand innocent of a crime before being proved guilty. Sometimes mob justice deprives the victims' rights to live. The constitution of India has clearly states in Article 21 that "no person shall be deprived of his or her personal liberty except according to procedure established by law". Articles 3 and 5 of Universal Declaration of Human Rights and Articles 6 and 7 of International Covenant on Civil and Political Rights guarantee individuals the right to life, liberty, dignity and security of person. Inherent in these

articles is that no one should be subjected torture or to cruel, inhuman or degrading treatment or punishment.

One, however, cannot entirely blame the public for the upsurge in mob violence without taking a critical look at the justice delivery system. Mistrust and lack of confidence in the judicial system are some of the reasons the public indulge in mob justice. An enormous increase in mob justice is directly proportionate to the increase crime rate and backlog of cases in the courts. Various crime associated factors like poverty, unemployment in the state are leading to upsurge of mob justice in our society. This is so because when people feel insecure because of crime, and for that matter robbery, they will defend and protect themselves by resorting to violent acts of instant justice. Here people's ignorance of the law could also implicate them in mob violence.

The reasons for the setting up the prison system are Retribution, Incapacitation, Deterrence, and Rehabilitation. It is well acknowledged that the present-day reforms in our criminal justice system only succeeded in establishing incapacitation as the only form of punishment. This, it is argued, has led to a situation where people who are sent to prison only come out worse than they went. There are so many cases of armed goons groups operating inside the jail in our state. The kidnapping and subsequent murder of Luningla Elizabeth in 2003 was executed by a group of goons operated inside the Sajiwa Central jail.

Over and above the entire state is marked by a culture of impunity and lawlessness. Armed forces are empowered under the Armed Forces Special Powers Act, 1958 to shoot, arrest, and destroy properties on mere suspicion without following the due process of law or rule of law. AFSPA has resulted in fake encounters, rapes, torture, extra-judicial killings and disappearances in Manipur. There are about 1500 cases of reported extra-judicial killings in the state. Such situations can be considered as a threat for the enjoyment of human rights and fundamental freedoms, because separation of powers, right to a fair trial and accountability are no longer respected. So called civil society, frontal organization and various other moral policing groups operative in the state are so

empowered to give instant justice by taking laws in to their hands. There was a time people usually approach to the armed insurgents to resolve their dispute over another keeping aside the state judiciary where these non-state actors delivered their so called justice under what they termed various courts like Kangaroo court, People's court. It is the fact that rule of law or due process of law is not strictly followed in the state.

Perhaps one heinous, barbaric, and gruesome act of mob violence that sent chills down the spines of most Indian was the infamous Dimapur Lynching in Nagaland. A mob of around ten thousand people broke into a prison, dragged a man detained suspicion of rape out of the Dimapur Central Jail in Karimganj, paraded him naked and beat him to death by. This incident received media coverage around the world.

In August 2011, Laishram Chaoba of Thenta Marongband in Thoubal district reported missing of his wife at Thoubal police station. About three days later a dead body of a woman was found at Ithai Barrage. The family and relative of the missing women then charged Laishram Chaoba and his family of murdering their daughter and forcibly cremated in the courtyard of the accused. The accused husband pleaded the hurriedly formed JAC not to cremate the dead body as he protested the dead body as not of his wife. Laishram Chaoba and his father were charged of murdering the lady and later released on bail. After four years Laishram Chaoba found his wife living a new life with another partner at Nongdam Tangkhul Village in Ukhrul district. Here the question is who is going to compensate about the loss of his house and properties in the hands of mob justice.

On 2nd November 2015 Md. Hashmad Ali, a headmaster of a Primary Madrasa in Keirao Making Awang Leikai, under Irlibang Police Station in Imphal East, was lynched over allegations of stealing a calf. The abandoned dead body of Hashmad Ali was found in Uchekon Lai-muriba village, around 4 km from the deceased house. As per the locality of the Uchekon, Hashmad Ali was beaten to death by a mob after he was seen with a calf that was belong to one Khumallambam Brojen. The Joint Action Committee (JAC) constituted against the brutal killing of Md Hashmad Ali alleged that the

cold blooded murder was plotted by immediate neighbour Md Amu for some land dispute. A mob of locality again burn down the house of Md Amu in retaliation. There is a stigmatisation of Meetei Pangal as "could be thieves or robbers" that had produced a toxic social order, therefore causing severe injustice to the entire community. This stereotypically throws light on two evils in Manipuri society, namely, an overly casual attitude toward one community specifically and the penchant for instant justice. There is a suspicion that Md Amu took advantage of this prejudice in order to shift the blame on another community from his involvement.

The Juvenile Justice (Care and Protection of children) Act, 2000 provides a framework for a special approach towards the prevention and treatment of juvenile delinquency and provides a framework for the protection, treatment and rehabilitation of children below 18 years in the purview of juvenile justice system in India. Recently a juvenile accused of raping a minor girl was kept in the custody of police station for a week and later ousted with his family from the village by locality. It is very clear that Juvenile Justice Act has failed miserably to protect the accused minor.

In our society mob violence is considered a deviant behaviour but not necessarily a crime. By inference, this might account the reasons why many perpetrators of mob attacks go unpunished and the menace reoccurs. The menace of mob violence has assumed such alarming proportions in the state that government, policy makers, human rights defenders group and intellectual need to think about the disastrous consequences of mob violence. Although the criminal code of India is silent on mob violence as a crime, a person or group of persons involved in mob attacks may be arrested and prosecuted for the resultant effect of their actions. What this means is that when the action of a mob results in any offence stated in the criminal code, the perpetrator(s) can be charged in a court.

It is very clear from the present trends of justice delivery system by people that all of us are at risk, not safe at all, as far as mob violence, and for that matter, mob justice, is concerned. The "mob justice" and other visceral mob violence it must be understood, represent a slap in the face of law and human rights, and cannot be justified under any circumstances.

National and International News

GST has transformed India's economy: PM Modi in 'Mann ki Baat'

Courtesy TNN
NEW DELHI: In the 34th edition of his radio programme "Mann ki Baat", Prime Minister Narendra Modi hailed the Goods and Services Tax (GST) and said the benefits of the landmark tax reform are already visible in the upswing in the country's economy. "It has been one month since GST was implemented and its benefits can be seen already. GST has transformed the economy. It is also an example of cooperative federalism. All decisions were taken by both Centre and states," PM Modi said in his address to the nation. He said the successful rollout of GST is a case study that will be analysed by other countries for years to come. Further, the tax has facilitated a "friendly environment" between traders and the government as well as consumers and the Centre, which has gone a long way in building trust. PM Modi also expressed his

concern regarding the flood situation in different states of the country, and assured that the Centre was working in tandem with the state government to rescue people and provide relief. "The government has deployed Army, Indian Air Force (IAF), paramilitary forces and NDRF to flood-hit states. A 24x7 control room helpline number 1078 is functioning continuously to deal with the flood situation," he said. He added that insurance companies were being made pro-active to ensure faster settlement of farmers' claims and those who have suffered losses in the natural calamity. The Prime Minister recalled that August was a month of revolution and historic movements like 'Non Cooperation' and 'Quit India' were launched in this month, which helped the country win independence on August 15, 1947. He said the people had united under Mahatma Gandhi's "Do or Die" call and their sacrifice helped liberate

India from the British yoke. "We remember Mahatma Gandhi for his leadership during 'Quit India' and we remember leaders like Lok Nayak JP and Dr Lohia who took part in it. In 1920 and 1942 we saw two different Gandhian movements. What was common was the widespread support for Mahatma Gandhi," he said. On a lighter note, the Prime Minister revealed that he'd been told that his August 15 address to the nation is quite long-winded, and he promised to keep it short this time. PM Modi then issued a clarion call for the people of the nation: "Today, we do not have to die for the nation. We have to live for our nation and take it to new heights of progress." The Prime Minister emphasised that 2017 to 2022 are crucial for the country and urged the people to build a 'New India'. This, he said, could be achieved if everyone resolved the make the country free of poverty, terrorism, casteism and communalism.

Eviction matters should be given priority by courts at all stages: SC

AIR
New Delhi, July 30: Supreme Court has said that eviction matters should be given priority by courts at all stages of litigation, especially in cases where the landlord has sought eviction for his bonafide needs. A bench of Justices AM Sapre and R Banumathi observed that the object of the rent law was to ensure speedy disposal of eviction cases between the landlord and the tenant. It expressed hope that due attention will be paid by all courts in deciding such matters. The apex court made these observations while dealing with an eviction-related case of Kerala which went on in different courts for over a decade.

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