

## Scheduled Exam postponed due to agitation

IT News  
Imphal, June 24,

All the Post Graduate Examinations, 2018 (June) and BP'Ed Examination, 2018 (June) scheduled to be held at Manipur university have been postponed. A press communiqué by Tokpam Shantikumar Singh, Deputy Controller of Examinations, MU said that the examination will be postponed until further notification due to the prevailing situation in the Manipur University campus.

## State bans plastic bags

IT News  
Imphal, Jun 24,

The state government has launched a drive against the use of plastic bags which are less than 50 microns thick. The State Government had issued a notification banning plastic bags under 50 microns in September last year. The Manipur Pollution Control Board will set up centres in every district of the state to collect plastic wastes. Like several other states, the Manipur government is trying to educate the common people about the disadvantage of use of low quality plastic bags. The State Pollution Control Board officials have seized more than 1,400 kilograms plastic bags during the recent searches in various parts of Imphal. The seized plastic bags would be used in road construction on trial basis by the authorities. The Board has made provision of jail term of five years or one lakh rupees fine for using and stockpiling the banned plastic bags from August this year.

## AR Arrested 5 UGs in Nagaland

AIR  
Kohima, June 24,

Based on specific intelligence reports, Assam Rifle s arrested five underground cadres, three of NDFB(S) and two belonging to NSCN (Kitovi-Neopak), PRO to Inspector General Assam Rifles, Major L Vincent Patton said that the arrest was made on Friday. He said that acting on specific information regarding movement of underground cadres, Assam Rifles troops of Medziphema battalion along with police representatives established a Vehicle check post in general area Jharnapani and apprehended three NDFB(S) cadres with a pistol, magazine and four live rounds. The PRO said that in the follow up operation, in general area Dimapur railway station, Assam Rifles nabbed two cadres of NSCN (KN) along with incriminating documents. He said that the apprehended persons along with seized arms, ammunition and other incriminating materials were handed over to Medziphema Police Station for further investigation.

# Herajit lambasts some organisation who underestimated Indigenous people in Barak Valley



IT News  
Silchar, June 24:

80% of the indigenous people of the Barak Valley have strongly opposed the Citizenship Amendment Bill 2016 during a public hearing conducted recently while 20% of the community support it. This was stated by Seram Herajit, General Secretary of the Indigenous Forum Assam during a press meet organised by the Barak Valley committee at Shilchar yesterday. Herajit said, "It is very unfortunate that some

organisations of the Barak Valley in Assam have underestimated the indigenous people of the Barak valley". He added that permission for convening meeting by the Indigenous Forum Assam (IFA) on May 30 has been rejected by the district administration however a meeting in support of the Bill was permitted. This showed that the district administration is functioning at the whim of the RSS. Herajit added. President of the IFA Monmohan Barman said that the rights of the Indigenous

people of Barak have been hijacked by Bangladeshi immigrants. "It is time now that we stand united and struggle for our right", the IFA president said. The president also cautions entering of the Bangladeshis to the NRC and said that the administration should take extreme care of the Bangladeshis who are trying to enrol in the NRC by getting illegal documents from neighbouring states - Manipur and Mizoram. Monmohan Barman also cautions serious agitation if any Bangladeshi were found enrolled in the NRC.

## IN THE COURT OF THE SPECIAL JUDGE (ND&PS) (FTC, MANIPUR AT CHEIRAP COURT COMPLEX, IMPHAL.

**SPECIAL TRIAL NO. 63 OF 2018**

Ref:- G.R. 22/Ex/Ne/H/91 Narcotic Cell PS

U/S 21 ND & PS Act.

### PROCLAMATION REQUIRING THE APPEARANCE OF THE ACCUSED

(Section 82 of the Code of Criminal Procedure)

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|---|--|
| 1. Name, Description And address of the accused | (1) Whereas the complainant has been before me that <b>Alangbam Kunjo Singh (60 years) S/o (L) A. Pheijao Singh of Khangabok Village, P.S. Thoubal</b> has committed/or is suspect to have committed the offence of Spl.Trial No 63 of 2018<br>FIR No. GR 22/Ex/NC/H/91 Narcotic Cell PS.<br>punishable u/s 21 of ND&PS Act.   |
| 2. Name of the accused                          | and it has been returned to a warrant of arrest there upon issued that (2)<br>above accused <b>Alangbam Kunjo Singh (60 years) S/o (L) A. Pheijao Singh</b> cannot be found and whereas it has been shown to my satisfaction that the said(2) above accused <b>Alangbam Kunjo Singh (60 years) S/o (L) A. Pheijao Singh</b> has absconded/or is concealing himself to avoid the service of the said warrant. |
| 3. Place -                                      | Proclamation is hereby made that the said (2) <b>Alangbam Kunjo Singh (60 years) S/o (L) A. Pheijao</b> is required to appear at (3) 10.30 am before this court to answer the said complaint on the 26 <sup>th</sup> day of July, 2018.  |

Dated this 5<sup>th</sup> day of June, 2018

Sd/-  
(W. Tonen Meitei)  
Special Judge (ND&PS)(FTC)  
Manipur  
Judge  
Special Court (ND&PS)(FTC)

## Legal Clinic

### Section 499 in The Indian Penal Code

499. Defamation.—Whoever, by words either spoken or intended to be read, or by signs or by visible representations, makes or publishes any imputation concerning any person intending to harm, or knowing or having reason to believe that such imputation will harm, the reputation of such person, is said, except in the cases hereinafter expected, to defame that person. Explanation 1.—It may amount to defamation to impute anything to a deceased person, if the imputation would harm the reputation of that person if living, and is intended to be hurtful to the feelings of his family or other near relatives. Explanation 2.—It may amount to defamation to make an imputation concerning a company or an association or collection of persons as such. Explanation 3.—An imputation in the form of an alternative or expressed ironically, may amount to defamation. Explanation 4.—No imputation is said to harm a person's reputation, unless that imputation directly or indirectly, in the estimation of others, lowers the moral or intellectual character of that person, or lowers the character of that person in respect of his caste or of his calling, or lowers the credit of that person, or causes it to be believed that the body of that person is in a loathsome state, or in a state generally considered as disgraceful. Illustrations

(a) A says—"Z is an honest man; he never stole B's watch"; in-tending to cause it to be believed that Z did steal B's watch. This is defamation, unless it fall within one of the exceptions.

(b) A is asked who stole B's watch. A points to Z, intending to cause it to be believed that Z stole B's watch. This is defama-tion unless it fall within one of the exceptions.

(c) A draws a picture of Z running away with B's watch, intending it to be believed that Z stole B's watch. This is defamation, unless it fall within one of the exceptions. First Exception.—Imputation of truth which public good requires to be made or published.—It is not defamation to impute anything which is true concerning any person, if it be for the public good that the imputation should be made or published. Whether or not it is for the public good is a question of fact. Second Exception.—Public conduct of public servants.—It is not defamation to express in a good faith any opinion whatever respecting the conduct of a public servant in the discharge of his public functions, or respecting his character, so far as his character appears in that conduct, and no further. Third Exception.—Conduct of any person touching any public question.—It is not defamation to express in good faith any opinion whatever respecting the conduct of any person touching any public question, and respecting his character, so far as his character appears in that conduct, and no further. Illustration It is not defamation in A to express in good faith any opinion whatever respecting Z's conduct in petitioning Government on a public question, in signing a requisition for a meeting on a public question, in presiding or attending a such meeting, in forming or joining any society which invites the public support, in voting or canvassing for a particular candidate for any situa-tion in the efficient discharges of the duties of which the public is interested. Fourth Exception.—Publication of reports of proceedings of Courts.—It is not defamation to publish substantially true report of the proceedings of a Court of Justice, or of the result of any such proceedings. Explanation.—A Justice of the Peace or other officer holding an inquiry in open Court preliminary to a trial in a Court of Jus-tice, is a Court within the meaning of the above section. Fifth Exception.—Merits of case decided in Court or conduct of witnesses and others concerned.—It is not defamation to express in good faith any opinion whatever respecting the merits of any case, civil or criminal, which has been decided by a Court of Justice, or respecting the conduct of any person as a party, witness or agent, in any such case, or respecting the character of such person, as far as his character appears in that conduct, and no further. Illustrations

(a) A says—"I think Z's evidence on that trial is so contradic-tory that he must be stupid or dishonest". A is within this exception if he says this in good faith, in as much as the opinion which he expresses respects Z's character as it appears in Z's conduct as a witness, and no further.

(b) But if A says—"I do not believe what Z asserted at that trial because I know him to be a man without veracity"; A is not within this exception, in as much as the opinion which he express of Z's character, is an opinion not founded on Z's conduct as a witness. Sixth Exception.—Merits of public performance.—It is not defa-mation to express in good faith any opinion respecting the merits of any performance which its author has submitted to the judgment of the public, or respecting the character of the author so far as his character appears in such performance, and no further. Explanation.—A performance may be substituted to the judgment of the public expressly or by acts on the part of the author which imply such submission to the judgment of the public. Illustrations

(a) A person who publishes a book, submits that book to the judgment of the public.

(b) A person who makes a speech in public, submits that speech to the judgment of the public.

(c) An actor or singer who appears on a public stage, submits his acting or signing in the judgment of the public.

(d) A says of a book published by Z—"Z's book is foolish; Z must be a weak man. Z's book is indecent; Z must be a man of impure mind". A is within the exception, if he says this in good faith, in as much as the opinion which he expresses of Z respects Z's character only so far as it appears in Z's book, and no further.

(e) But if A says—"I am not surprised that Z's book is foolish and indecent, for he is a weak man and a libertine". A is not within this exception, in as much as the opinion which he expresses of Z's character is an opinion not founded on Z's book. Seventh Exception.—Censure passed in good faith by person having lawful authority over another.—It is not defamation in a person having over another any authority, either conferred by law or arising out of a lawful contract made with that other, to pass in good faith any censure on the conduct of that other in matters to which such lawful authority relates. Illustration A Judge censuring in good faith the conduct of a witness, or of an officer of the Court; a head of a department censuring in good faith those who are under his orders; a parent censuring in good faith a child in the presence of other children; a school-master, whose authority is derived from a parent, censuring in good faith a pupil in the presence of other pupils; a master censuring a servant in good faith for remissness in service; a banker cen-sur-ing in good faith the cashier of his bank for the conduct of such cashier—are within this exception. Eighth Exception.—Accusation preferred in good faith to autho-rised person.—It is not defamation to prefer in good faith an accusation against any person to any of those who have lawful authority over that person with respect to the subject-matter of accusation. Illustration If A in good faith accuse Z before a Magistrate; if A in good faith complains of the conduct of Z, a servant, to Z's master; if A in good faith complains of the conduct of Z, and child, to Z's father—A is within this exception. Ninth Exception.—Imputation made in good faith by person for protection of his or other's interests.—It is not defamation to make an imputation on the character of another provided that the imputation be made in good faith for the protection of the inter-ests of the person making it, or of any other person, or for the public good. Illustrations

(a) A, a shopkeeper, says to B, who manages his business—"Sell nothing to Z unless he pays you ready money, for I have no opin-ion of his honesty". A is within the exception, if he has made this imputation on Z in good faith for the protection of his own interests.

(b) A, a Magistrate, in making a report of his own superior offi-cer, casts an imputation on the character of Z. Here, if the imputation is made in good faith, and for the public good, A is within the exception. Tenth Exception.—Caution intended for good of person to whom conveyed or for public good.—It is not defamation to convey a caution, in good faith, to one person against another, provided that such caution be intended for the good of the person to whom it is conveyed, or of some person in whom that person is inter-ested, or for the public good. COMMENTS Imputation without publication In section 499 the words "makes or publishes any imputation" should be interpreted as words supple-menting to each other. A maker of imputation without publication is not liable to be punished under that section; Bilal Ahmed Kaloo v. State of Andhra Pradesh, (1997) 7 Supreme Today 127.