

Editorial

Wednesday, June 27, 2018

The dark side of Indian democracy

“LIES” no matter how big or small always crack the foundation of “TRUST”. There were times when the candidates made false promises during election time and fooled the people to vote for them. The moment they were elected they often forgot what they had promised to the people often led a live thinking that the general public who elected them are bunch of ignorant fools who can be driven at any direction. The sinister concept become phenomenon and now people (almost all) now started thinking that there is no true leader who deserve victory in any of the election. But as the hangover system still has to be followed and continue there cannot be a full stop to the ongoing process. Election is mandatory for a democratic country. And for that candidates are required. In-order to form government there again need political party and those candidates need to be attached to any of the political party to render their service with effective power.

We are not sure if God frequently surfaces in the form of man, as is commonly believed. But what we can be dead certain is the fact that his arch enemy Satan often manifests himself, especially in Manipur, in the form of politicians. These incarnations of Satan, who are now running amok with the people’s sensibilities, have cast such a nasty spell on the state that it is well nigh impossible for the people who elected them in the first place, to retain even a semblance of sanity.

There could be no other logical explanation to the goings on in the political arena than taking refuge in the unnatural and the irrational. And for the teeming millions who had inflicted this handful of pests on themselves, there could be no other option but to bemoan their fate. The curse, call it the millenium curse, is well and truly upon us.

It would be an understatement to say that there is something very basically wrong with our polity. Things have now come to such a pass that our state of Manipur can neither move forward nor backward but remain painfully suspended in a maze of anarchy and disorder.

The scourge of politicians have indeed taken a heavy toll, not only of the riches but also of its psyche. The epidemic is now all pervading and has invaded the very roots of the country’s integrity and well being thereby impeding its prosperity and peace. Whatever the party, whatever their ideology and hue, when it comes to pursuit of power and pelf, our politicians are at their wily best and very united too in their mission.

If only these characters demonstrate the same solidarity and zeal in nation building, things would have been much different. But alas, their penchant for self-preservation has always won over patriotism, their quest for wealth has always been at the nation’s expense and above all their instinct for survival has always prevailed over the nation’s.

They have always prospered even as the state disintegrated, and they are always in a position of strength, be it ‘secularism or communalism’ that is at play. But what about the nearly 28 lakhs people who elected them? They are never in the reckoning.

Manipur State Constitution Act-1947 –A Cure for all myriads of ailments in Manipur ?

By- Dr. Khomdon Lisam

Many books and articles on the Constitutional Assembly of India, Manipur State Constitution Act (MSCA) -1947, Instrument of Accession, Standstill Agreement, Manipur Merger Agreement etc have been published by various experts, historians, researchers, academicians, lawyers, members of Civil Societies (CSOs), Columnists etc during the last 30 years or so. These books and articles have given food for thought for all Manipuris as to how to continue the fight for revival of the operation of the Manipur State Constitution Act-1947 to restore peace, mutual love, mutual trust, communal harmony in Manipur. The Government of India had played the role of proverbial monkey mediating between the two cats fighting over the division of a piece of bread. Ultimately the monkey ends up eating the entire piece of bread alone and the cats get nothing. Unfortunately, the national political parties and national leaders in India created mutual hatred, ethnic clash, ethnic cleansing, riots among the minority communities. The so called national leaders of India used this strategy since 1946 till date to keep us divided. The Constitution of India has been framed in such a manner that the Government of India can divide or disintegrate any state, can make any smaller ethnic group extinct in their own soil as happened in Andaman and Nicobar Islands. The tragedy is that this is happening in the name of secularism, democracy and in the name of Indian Constitution. The Indian Constitution is not appropriate for a small state like Manipur. One pertinent question is “ Why do Manipur becomes a melting pot after merger to India.” Almost all the issues and problems of Manipur are the making of the Indian Constitution. All these issues and problems of Manipur will disappear once we revive the operation of the Manipur State Constitution Act-1947.

Today Manipur is burning. We have to find appropriate remedy to prevent any possible bloodshed. The volcano may erupt any moment because of wrong policies of the Government of India. We should stop blaming each other. Oracles say:- “ the eastern doors will be opened and western doors will be closed”. Now all prophecies are becoming true. This golden land of Manipur had suffered many attacks from outsiders on many occasions. Every time we have succeeded. We have survived for more than 2000 years. We are going to survive another 2000 years. India has survived only 71 years whereas the Manipur has survived for more than 2000 years. The Golden Manipur will not perish from the

surface of the earth in vain. Lord Mountbatten once questioned himself “ Is the newly created India going to survive for 100 years?”. We will build not only a sustainable economy but an advanced economy based on modern technology with the strength of our youth who will be working in high positions in many trades all over the world. One man alone can not fight the future. Let us unite and work together to achieve revival of MSCA-1947. Then there will be no turning back .Let us unite for a change for the better.

Let us first revisit the Manipur State Constitution Act-1947:-

We can start our discussion from the statement of Mr. G.K. Pillai, retired Union Home Secretary, which was published on 27 September, 2011 in the Telegraph newspaper. According to him, “the repeal of the draconian act AFSPA -1958 was one of the first steps towards resolving the vexed conflict of Manipur’s valley and hills”. He said that “ the ancient kingdom of Manipur had a constitution even before India wrote her own and had a proud history and was overnight turned into a C-category state in 1948. He further added “ we have to build trust by dealing with the core issues . An apology , say by the Prime Minister or the Home Minister, for the past mistakes could be a start”. This is a very bold and forceful statement. But unfortunately this bold, statement has no impact in Manipur., According to Manipur State Gazette Notification of dated 2 January, 1947. His Highness, the Maharajah of Manipur was pleased to enact the Manipur State Constitution Act (MSCA), 1947 on 1 January, 1947. The price of the Gazette was Rs. 1 (one rupee) only per copy to be head of the State Library , Imphal , L.G.Singh , Supdt State Press.

But there are many sources who said that “On 12 December 1946, Maharajah Bodhchandra issued a Royal Order constituting a Constitution Making Committee chaired by F.F. Pearson, Political Agent and President of the Manipur State Darbar. Muhammad Saleh Akbar Hydar, Governor of Assam (4 May 1947 –28 December 1948), who was the representative of British Crown in India approved the Constitution Making Committee proposed by the Maharajah of Manipur. The approval of the Constitution Making Committee by the then Governor of Assam acting as the representative of the British Crown in India was something which could not be erased by any order having retrospective effect from 3 June 1947. The same source said “The Constitution Making Committee led by its Chairman F.F. Pearson was inaugurated on 10 March 1947. The members were- 1. F.F. Pearson,

Chairman 2. S. Somorendro Singh, 3. Md. Kazi Waliullah (representing the Darbar) 4. L.M. Ibungohal Singh (Chief Court). 5. Bijoy Singh (Jiribam), 6.A. Ibombi Singh (alias Minaketon) (non-official), 7.H.Dwijamani Dey Sharma, 8.Dr.L. Leiren Singh, 9. L. Jogeswar Singh, 10. S. Krishnamohun Singh 11.Mera Jatra, (five representatives of the valley), 12.Daiho, 13.Thangkhopao Kipgen, 14.Tiangkham, 15. Teba Kilong, and 16.R. Suisa, (five representatives of the hills)”. Further the same source added “The Manipur State Constitution Act, 1947 was passed on 8 May, 1947 and the Constitution was adopted on 26 July 1947. The passing of the Manipur State Constitution Act (MSCA), 1947 in May before the date of 3rd June 1947 is something very unpleasant to those working for the Merger of Manipur to India. After adoption of the Manipur State Constitution Act (MSCA), 1947, the Maharajah became the Constitutional Ruler when he devolved his powers to the newly established Manipur State Council and Manipur State Legislative Assembly. He was no longer the absolute monarch.

The administration of hill areas , which was earlier carried out by the President of the Manipur State Darbar (PMSD) on behalf of the His Highness was brought under the Maharajah’s control by passing the Manipur Hill People’s (Administration) Regulation -1947. The Maharajah abolished the Darbar and brought in a setup called His Highness in Council similar to the Governor General in Council. The PMSD was designated as Chief Minister and Darbar members as Ministers. Mr. F.F Pearson IPS the then British PMSD became the first Chief Minister of Manipur on 1 July, 1947. When Mr. Pearson left Manipur on 14 August, 1947, Rajkumar Priyabrata Singh became the Chief Minister of Manipur. Under Chapter-II, Section (b) of the Manipur State Constitution Act, 1947 the Maharajah of Manipur is defined as the Constitutional Head of the State. The Administration and the Executive Authority of the State is delegated to the Council of Ministers. The Council of Ministers shall be responsible for the welfare and good administration of the Hill people of the State. The Council of Ministers shall consist of the Chief Minister and six other Ministers. Under chapter –III (16) of the Constitution, it is mentioned :- “A Minister of the Council shall not be removable from office except in accordance with the provisions of the Chapter IV” .

Under chapter –IV (17). It is mentioned :- “There shall be constituted a State Assembly...The Assembly shall be Elected for a period of three years ... elected by the people on adult franchise as may be laid down under rules for the

elections.....the Representatives returnable from General, Hill and Mohammedan constituencies in the ratio of 30:18:3 respectively..... with an additional two seats for the representatives of Educational and Business interests”.

The Chapter V (26) of the Manipur State Constitution Act, 1947 says:-

“ The Law Making Authority in the state shall consist of the Maharajah in Council in collaboration with the State Assembly acting under section 18 above ”.

The Manipur State Hill Peoples (Administration) Regulation -1947 was also passed on the same day”. When Manipur regained sovereign status in the midnight of 14 August, 1947, the Manipur State Constitution Act (MSCA) -1947 was already in operation. As the Governor-General of India or Assam Governor could not revoke any previous order to bring into halt the operation of the laws in force in Manipur. In fact the famous Indian Leaders like Jawaharlal Nehru , Sardar Patel could not find a way to repeal or dissolve or abrogate the MSCA-1947.

The section 9 (5) of Indian Independence Act, 1947 says “No order shall be made under this section, by the Governor of any Province, after the appointed day, or, by the Governor-General, after the thirty-first day of March, nineteen hundred and forty-eight, or such earlier date as may be determined, in the case of either Dominion, by any law of the Legislature of that Dominion.” . Thus the retrospective effect of any order made under section 9 of the Indian Independence Act, 1947 could not remove the Manipur State Constitution Act (MSCA), 1947.

The section 8 of the Instrument of Accession says clearly “ Nothing in this instrument affects the continuance of my sovereignty in and over the state or save as provided by or under the Instrument, the exercise of any power , authority and rights now enjoyed by me as Ruler of this State or validity of any law at present in force in this State.” This means that Manipur was still enjoying the sovereignty and the Manipur State Constitution Act-1947 enacted on 1 January, 1947 was still in force.

Together with section 8 of the Instrument of Accession signed by Maharajah Bodhchandra on 11 August, 1947, the Manipur State Constitution Act (MSCA), 1947 was in force in Manipur with the terms of the Instrument protecting the Manipur State Constitution Act from erosion. Manipur State Constitution Act (MSCA)-1947 was never repealed or dissolved by the Indian Parliament or by the Manipur State Assembly. It is still a living document.

(To be contd.....)

Original Mark Sheet lost

I, undersigned, have lost my original mark sheet of class X, Sc. bearing Roll No. 7035 and Regd. No. 0804555013 of 2010 issued by BOSEM on the way between Khwairamband Bazar to Manipur University on 5/6/2018.

Finders are requested to handover the same to the undersigned. Sd/-

Kumam Boris Singh
Moirang Kumam Leikai

Letters, Feedback and Suggestions to ‘Imphal Times’ can be sent to our e-mail : imphaltimes@gmail.com. For advertisement kindly contact : - 0385-2452159 (O)

Open letter to the Chief Minister of Manipur requesting assistance to flood victims

Request for the immediate Relief to the Flood Victims of Kiyamgei Muslim Awang Leikai, Ward No.2

Respected Sir,

With due respect as a layman citizen, I have the honour to state that the Kiyamgei Muslim Awang Leikai is worst affected due to the Flash Flood breaching river embankments at 4 different places within 1 km of Kiyamgei Muslim Areas. I have directly visited the affected site & talk with the flood victims about their problems. Heard that neither the govt or concern dept nor the MLA have visited the flood affected sites. Also learnt that there is an area where the flood water still logged and as a result a boat or raft is necessary for reaching the victims at Ward no 2.

It is good to know that the Medical Directorate is giving relief to the flood victims. But, the sad part is that the free medicines provided to the flood victims does not suits with its symptoms caused by the flood. The supplies & requirement of the medicines also doesn’t balance. The medical officer can’t give full course of the medicines due to limited stocks in the department. Therefore, I am requesting to direct the department authority for providing medicines for the right symptoms.

I have come across in news & media that our Hon’ble CM has given assurance in building 20 houses in every Constituency in the worst flood affected area from the Local Area Development Fund of the concern MLAs. But, Sir, there are areas where more than 20 houses were destroyed or washed away by the flash flood in Keirao Assembly Constituency.

I would like to request your good self to make sure that affected victims whose houses have been destroyed by the flood get new houses under your initiative.

I have firm believe that our Hon’ble Sir would immediately & positively response to my concerns at the earliest possible time as you are known as “Peoples’ Chief Minister”.

Thanking you in anticipation.

Your sincerely,
Devikarani Phurailatpam