

Editorial

Monday, August 19, 2019

Lapses of duty and knowledge- a recurring roadblock to effective administration.

The law is important because it acts as a guideline as to what is accepted in society. Without it there would be conflicts between social groups and communities. The law allows for easy adoption to changes that occur in the society. It also remains the most important tool for dispensing justice and compensate for injustices. But the most overlooked aspect of it is that it has not been utilized to its potential to deter and punish social disruptors and defaulters of socially accepted ethics and behavior who are in conflict with the law and are often termed criminals. And so it is expected and assumed that those working in the social sphere or are entrusted with responsibilities by the government - at least in their areas of duty or specialization- to have ample knowledge of the law and are well versed with its relevant applications.

Recent developments regarding the number of human traffickers being arrested from different areas of the state and their subsequent handling by the authorities, however, throws up a number of questions which would surely make a lot of individuals wriggle in their official seats with uneasiness. The most pertinent issue being that one out of the eight alleged human traffickers caught by the state security was released on bail due to the failure of the state machinery- read the police- to file a chargesheet even after 180 days of making the arrest/s as stipulated by law. It is also a matter of fact that the rescued individuals hailing from Nepal numbering 179 including 147 females and 32 males were handed over by the Chief Minister of Manipur to a delegation of Nepal embassy led by Counsellor Prakash Adhikari in an official event held at the indoor stadium, Khuman Lampak Imphal on Sunday the 17th February of the current year.

In these turn of events, a very vital procedure to initiate and complete the prosecution of the alleged traffickers was overlooked or neglected- that of recording the statements of the rescued victims before sending them away to their homeland. Section 164 in The Code Of Criminal Procedure, 1973 dealing with Recording of confessions and statements states: Any Metropolitan Magistrate or Judicial Magistrate may, whether or not he has jurisdiction in the case, record any confession or statement made to him in the course of an investigation under this Chapter or under any other law for the time being in force, or at any time afterwards before the commencement of the inquiry or trial: Provided that no confession shall be recorded by a police officer on whom any power of a Magistrate has been conferred under any law for the time being in force. And in the absence of a recorded statement any attempt to bring the traffickers to book have fallen flat- a significant triumph for the traffickers and a smack in the ear for the authorities who are responsible for the blunder.

Evidently, somewhere along the long line of formalities and procedures, a huge lapse of knowledge or duty has occurred. Interestingly, there was ample time to remedy the shortcomings if the concern authorities have put their heart and mind to it but obviously chose not to. A blunder of this magnitude and significance cannot be passed off as an oversight or ignorance.

Was it that the urge to publicize and politicize the issue proved greater than the need to practice discretion and follow procedures to investigate into the matter? Was it pure and utter incompetency and collective ignorance of the state machinery to have led to the present situation? Was it the spineless individuals in authority who lacked the will and the gut to stand up to pressure which resulted in the failure to take up proper procedures into the investigation? Questions that need definitive answers if such lapses of knowledge or duty is to be prevented in the future. The most important concern is preventing hapless individuals from being exploited and proper focus should be made to generate awareness of the menace of human trafficking and the ground reality at present. Only a dedicated and appropriate effort can garner support and cooperation from every quarter which is vital in making any undertaking- whether legal or otherwise to reach its logical conclusion.

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OUR DESTINY LIES ONLY IN OUR UNITY

As the All Manipur Students' Union (AMSU) is gearing up to observe the 54th Anniversary of the Hunger Marchers' Day, on August 27, 2019, Imphal Times produce this article as a mark of tribute to the martyred of this soil. This write up is prepared by the AMSU and Imphal Times extend our gratitude to the AMSU for giving us permission of publishing it.

Every community, every nation in this world aspires to live free. Free from the fear of subjugation, free from economic dependence on others, free from the shackles of oppression. For that, they have to face a number of challenges. If they are unable to face these challenges due to lack of courage and lack of determination, they would slowly but surely be wiped off from the face of the earth.

Today, we the people of our motherland Manipur are also faced with a number of challenges. The Government of India continues with its sinister ploy to destroy the sense of unity among the people of Manipur and to change our borders forcibly. Our own leaders and officials, in a bid to please their masters in the Indian Government have turned a blind eye to the needs and the rights of the people. The Indian Government has been for a long time tinkering with the idea of dividing the administration of Manipur based on ethnic lines, and in the name of subjugating terror groups and their 'anti-national' elements, they have imposed a number of draconian laws and acts which have resulted in the deaths and disappearances of so many of our people.

Also, our local economy, our food supplies are now virtually under the complete control of outsiders from the states of mainland India, and because of this the mindset of our people cannot progress beyond the thoughts of what to eat today and tomorrow. It is only natural, and it is the right of any nation to rise and revolt against those who have taken over their resources. The events of 1939 and 1965 bear testimony to this. We all know that Manipur's economy is largely based on agriculture. We feed ourselves with our own produce and sell the surplus to earn a living. We thus have a stable economy, and this knowledge of the diversity and productivity of our agricultural activities is taught to the students and younger generations as well. However, our land has been subjected to artificial rice/paddy scarcity twice in our history, in 1939 and in 1965. In both cases, the ploy was identical. Rich traders from mainland India colluded with the then authorities to send a huge majority of our paddy products to other areas of the country with an aim to earn maximum profit, oblivious of the needs of the local people and this led to scarcity of rice, the staple food of the people of Manipur. This in turn made the people to revolt against such unscrupulous activities. Even today, we are facing a situation of scarcity where the price of local rice has reached Rs 50 per kg in the market, and this has created a grave situation for many lower and middle income families. The National Food Security Act (NFSA) has not at all been implemented properly in the state, and there are numerous reports of beneficiaries not getting their required quotas of rice and other essential food items. Instead of solving these issues, there is a perennial blame game between the authorities, NFSA agents and traders regarding who is at fault. It may be remembered that in the protests of 1965 against the artificial rice scarcity, 4 innocent people including 3 students were martyred in police firing.

There are many questions we have to ask ourselves. How have we become so dependent on food imports in just over half a century? Where have our once surplus lush green fields and farms gone? Ever since we became a part of the Republic of India in 1949, the population of our state has

increased three times faster than the normal rate. This in turn led to more mouths to be fed, and what we produced on our own could no longer meet the demand. The main reason for this unwanted boom in our population may be the removal of the Inner Line Permit (ILP) system which once required outsiders to possess a permit before coming to Manipur. The permit system was removed in 1950 by the then Chief Commissioner of Manipur, Himmat Singh (undoubtedly, a colonial agent employed by India). After that, swarms of migrants from all parts of India and even neighbouring countries like Bangladesh came to Manipur like an army of locusts. They have settled in all corners of the state, and there have been many cases of them standing as candidates for elections to local bodies across the state and many of them have even been elected.

These migrants have taken over our economy, they have changed the face of our society (for worse), and they've even started interfering in our administration, with many of our own leaders reluctant to work against their interests. Demographic data from the 2011 census tells us that almost one-third of the population of Manipur are outsiders/non-indigenous people.

The Loktak Hydro-electric project that was constructed to supply electricity to our people has turned out to be a bane rather than a boon. The Itai Barrage that was made as a part of the project has led to artificial flooding of more than 25000 paris of arable land, and this has been a major contributor to the food scarcity. Also because of the barrage, many species of fish that used to come into the Loktak Lake from the Manipur River have vanished completely and only a few remain. We have to ask ourselves, isn't it time to decommission this project which is doing more harm than good?

There have been repeated attempts by the authorities to sow the seeds of mistrust among the different communities living in Manipur by following policies of partial administration, deliberate neglect of genuine issues faced by a section of people. The Indian government seems to be waiting for an opportunity to divide the state on communal lines taking advantage of some obscure issues created by them to mislead the people and to foster disunity. For instance the Indian Government has repeatedly flirted with the idea of providing a 'separate administration' for the Naga people in Manipur as a part of their peace talks with the NSCN-IM. It all began with the ceasefire signed in 1997 "without any territorial limits", then proceeding to the idea of a "territorial council" and a "Supra-state body". There have also been rumours about extending the 6th Schedule and Article 371(a) of the constitution to the Naga areas of Manipur. It all culminated in the signing of the Framework Agreement between the Government of India and the NSCN-IM in August 2015, the details of which have not been made public till date even after 4 years. The Indian Government has repeatedly assured that the administrative, economic, territorial and social integrity of the stakeholder states would not be harmed by the peace accord in any way. But considering the innumerable u-turns that have happened throughout history, it is only natural that the people of Manipur would be suspicious about the government's motives and would be prepared to rise against any challenge thrown in the way.

Above all this, there are the heinous cases of human rights violations by personnel of the Indian

Army and state police forces. Many innocent people have been picked up, tortured and even killed in the name of AFSPA. There have been hundreds of cases of fake encounters, unexplained disappearances, and sexual abuse of women orchestrated by the security forces in the name of tackling insurgency in Manipur. Recently, the Supreme Court of India has acknowledged almost 1500 such cases of human rights violations in Manipur and many Army and state police personnel have been booked for the same. Reports are frequently seen in newspapers and news websites about the same. The extremely unfortunate part is that there may be hundreds of similar cases which have not reached the doors of the Supreme Court due to various inhibitions on the part of the victims and their families.

Under the current Bharatiya Janata Party (BJP) led government at the Centre, the already fragile federal structure of the Indian Union seems to be diminishing day by day. It is well known that many small independent states were merged into the Indian Union by force during the tumultuous post-1947 years, and a fragile peace prevailed in many of these areas despite of repeated conflicts because of the loosely federal nature of the Union. However the present government at the Centre seems hell bent on 'unifying' the whole length and breadth of the country by any means possible. A recent example is the abrogation of Article 370 and Article 35(a) of the Constitution of India, constitutional provisions that gave a special status to the people of the state of Jammu & Kashmir. The state was also bifurcated into two union territories. All this was done by brute force without taking any prior consent of the people of J&K. To prevent any uprising by the people, the whole region was completely shut down with curfews imposed and communication lines blacked out. A heavy military presence was also maintained. For the largest 'democracy' in the world to act in such a manner, it is extremely shameful. For years, people in Kashmir and many parts of the North-East region have had their basic human rights violated and denied by the Indian government. In light of the situation in Kashmir, it is only natural for the people of Manipur to grow apprehensive day by day especially with the murky political atmosphere surrounding the 'imminent' signing of the Indo-Naga Peace Accord. Past experiences regarding such issues have never ended well, and this gives more reasons to the Manipuri people to be cautious and wary. On the other hand, with the recent amendment to the Unlawful Activities Prevention Act, the Indian Government has given itself the power to declare anyone as a terrorist, a threat to the country from their own perspective. Now the question arises, who is a terrorist? In no way can the perspective of the Indian Government and the perspective of the Manipuri people be similar! There is a sea of difference between the two perspectives. Having been an independent nation, the people of Manipur have their own unique history, unique identity and aspirations for the future. There have been various attempts to link up the history of Manipur with that of India, a clear sign of the Indian state trying to erase the unique history of the Manipuris and to mislead the masses. A glaring example of this was an event organised recently by the Rashtriya Swayamsevak Sangh (RSS) in Imphal on the eve of Patriots' Day where a portrait of 'Bharat Mata'

was kept in between the portraits of Bir Tikendrajit and General Thangal. In reality the Anglo-Manipuri War had nothing to do with the so called Indian struggle for freedom. It is extremely unfortunate and heartbreking to see so many Manipuris falling for the false narrative. It is even more heartbreking when we realise that many are following this false narrative even when they themselves know about its absurdity.

In light of all this, it is important for us to remember the uprising on Friday, the 27th of August, 1965 by the common people and the students against the blood sucking rich traders and the authorities who colluded for personal profits and caused an artificial paddy/rice scarcity that year due to excess export of paddy to other states. It was not just an uprising against the rice scarcity; it was an uprising against the authoritarian regime for denial of basic human rights to the common people. The uprising also showed that we Manipuris were against dependency on other people for our survival. It also showed that we were always in support of standing on our own feet as a dignified, independent and free people like other nations of the world. Keeping the never say die attitude, the brave ideals of our dear brothers and sisters of those days in front of us and by following the path they laid out for us, the All Manipur Students' Union (AMSU) has been observing August 27th of every year as 'Hunger Marchers' Day'.

For this year (2019) as well, AMSU will be observing the 27th of August, (Tuesday) as the "54th Hunger Marchers' Day" along with the student community and the people of Manipur. On this solemn occasion, we will be paying homage to our dear departed comrades (L) Oinam Nabakumar, (L) Nongmeikapam Pramodini, (L) Laishram Chaobaal and driver of AIR Imphal (L) Waikhom Nilamani. Firstly, there will be a ceremony for floral tributes to the departed souls at the Students' Memorial at Pishum Chingamkha followed by a mass rally. Further, there will be public meetings at the ground of DM College of Arts, Imphal and at Jiribam Higher Secondary School, Jiribam. All clubs and organizations, civil society groups, students and youths, elders, Meira-Pabis and all the people of Manipur are cordially invited to take part in this observance.

In view of all the grave challenges faced by our modern day Manipuri society, AMSU feels that it is high time we all rise to face the challenges confronting us. We should honour the duty that we, as sons of the soil, have towards our motherland. AMSU firmly believes that our destiny lies only in our unity.

**"AMSU IS FOR THE PEOPLE
AMSU STANDS FOR THE
PEOPLE"**

Programme schedule:-

Tuesday, 27th August, 2019
2:00 a.m. :- Awakening Anthem.
09:00 a.m. :- Floral tribute to our departed comrades at the Students Martyrdom Complex, Pishum and Jiribam Hr. Sec. School's auditorium.
10:30 a.m. :- Mass Rally,
12:00 p.m. :- Mass meeting/DM College of Arts Ground, Thangmeibaal & Jiribam Hr. Sec School, Jiribam).

Publication Team
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AMSU