

Editorial

Monday, February 25, 2019

The Consumers' Rights

More often than not, the immediate necessity for the preservation of the self and family (read: staying alive) in these uncertain times have relegated a very vital issue which should have been of much concern for the people of this state to a mere inconvenience. Perhaps, the rising sense of desperation or the expectation of worsening social conditions has made the public alter its sense of priorities. The issue; the rights and interests of the consumers of the state and measures to protect them. The Consumer Protection Act, 1986 was enacted to provide a simpler and quicker access to redress of consumer grievances.

However, in India, it has been found from a number of independent analyses carried out over the years that the agencies at the district level are working more efficiently than those at the national and state level. Therefore, there is still need of agencies functioning at state and national level to dispose of the pending cases as early as possible by creating supplementary benches as per the provisions of Consumer Protection Act, 1986. Consumers are very often at the receiving end of the poor, inefficient and negligent services and substandard goods on offer. Modern technological growth and complexities of the sellers' techniques, existence of a vast army of middlemen and unethical and untruthful advertisements as well as hoarding and creation of artificial scarcity during difficult and troubled times in the society have aggravated the situation of consumer exploitation. And yet, these blatant exploitations can be brought down or at least curtailed only with proper awareness and involvement of the consumers about their rights.

Under the Consumer Protection Act, 1986, Redressal Forums have been established at three different levels namely District Forum, State Commission and National Commission or National Consumer Disputes Redressal Commission. A complaint can be filed with the district forum by a consumer, any recognized consumer association, a group of consumers or The Central /State Government as the case may be, either in its individual capacity or as a representative of interests of consumers in General. Moreover, any person aggrieved by an order made by the District Forum may appeal against such order to the State Commission within a period of 30 days from the date of the order. The State Commission may entertain an appeal after 30 days if it is satisfied that there was sufficient cause for not filing it within that period. The same process can be repeated with the national commission if the consumer is still not satisfied with the rulings of the state commission. It must be said that there already exist a strong setup designed to protect the interests and rights of the consumers of the state, at least in principle. The state forum situated at the Food & Civil

Supplies complex at Sangaiporou have started functioning after being suspended for a few years, and the public should avail of the legal and other assistance which can be had from this centre if there is any instance where the sellers of goods or providers of services are felt to have used unfair means or cheated the consumers. It is we the consumers whose proactive ways can send a clear message saying that no one can shortchange us.

Change of land ownership

Land owned by (late) Oinam Mahabir Singh measuring 0.0441 hector at Keishamthong Irom Pukhri Mapal, Imphal West will be changed in the name of his wife Oinam Ashangbi Devi, his son Oinam Goroba Singh, his daughter—in-law Oinam (Ongbi) Longjam Soney Devi, his son Oinam Naoba Singh, his daughter—in-law Oinam Ongbi Chaoba Devi and his daughter Oinam Ningol Sunita Devi.

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Aftermath of the Citizenship Amendment Bill in the Northeast

Courtesy NEWS CLICK

The Citizenship (Amendment) Bill, 2016 (CAB) lapsed in the Rajya Sabha about a week ago on February 13. The Bill had received widespread condemnation for its anti-secular posture among some political parties and public figures in mainland India, whereas in the Northeast it raised fears among the locals of being outnumbered by migrants. While the debate on the Bill persisted, it became clear that the Bharatiya Janata Party (BJP) would have a harder fight to win seats in the Northeast on this issue. However, this remained a simplistic view which depended on the opposition's ability to garner support against the Bill. Once the Bill lapsed it appeared that the opposition had lost the stick to beat the BJP with, until on February 17, when BJP president Amit Shah announced the party's plan to reintroduce the Bill if it wins the 2019 polls.

Considering that out of the 25 members of the Lok Sabha that the Northeast sends to Parliament, Assam sends 14, the political narrative of the region tends to be dominated by the Lok Sabha members from the state. Further, the only other states to have more than a single representative in the Lok Sabha are Arunachal Pradesh, Manipur and Tripura. Considering that the latter two states have significant Hindu population, a communally driven agenda could be used, provided that a political void can be created.

The BJP's confidence in announcing that it would reintroduce the CAB if it voted to power at a rally in Assam points towards either hubris or confidence in its ability to retain the seats it has already won. Moreover, the governments in all the Northeastern states are either run by the BJP or its regional allies. It is unlikely that these alliances will be broken particularly if the BJP were to win the 2019 Lok Sabha polls. Adding to this are the vast funds the party has managed to amass though its term at the centre. The only variables in this equation are whether defections will occur if the party cannot form the Union Government. Now that the CAB has lapsed and the BJP has not opted to promulgate and ordinance as it did with the triple talaq Bill, it may seek to portray itself as being sympathetic to the concerns of the Northeast. Similarly, it may at the same time seek to portray the Bill's lapse as a result of the anti-Hindu forces in the Parliament. In Assam at least, the BJP has sought to gain political mileage by invoking Kashmir and the Pulwama attack to accentuate a fear of a particular type of migrant.

Arunachal Pradesh

The opposition to the Bill in Arunachal Pradesh, according to reports, was quite muted as compared to that in Assam and Manipur. All the state representatives from the Congress opposed the Bill both in Parliament as well as at rallies organised in the state. The Arunachal Indigenous Tribal Forum too voiced their opposition to the Bill. However, in the case of Arunachal Pradesh, the issue never seemed to be about Hindu Bengalis as is the case in Assam. Instead, the issue has centred around the Chakma and Hajong refugees, who were 'dumped' there by the Indian government following their departure from East Pakistan. This would mean that legally, as per the Indira-Mujib Pact, they are Indian citizens. Following the Bill's lapse in the Rajya Sabha, there has been little chatter on the issues raised against it. However, going by an editorial and letters to the editor in the *Arunachal Times*, the sticking points are that the silence of the state BJP members was noticed. Further, the silence of a significant portion of the otherwise raucous civil society organisations was equally noted. Another point raised was that the Chief Minister, Pema Khandu even went so far as to attempt to pacify the people stating that the state was protected by the Inner Line Permit System. However, observers found this hard to digest, reasoning that the Bengal Eastern Frontier Regulations, 1873 (BEFR) can as easily be repealed as the Citizenship Bill being passed. It is likely that the silence of the state's civil and political leadership

may affect how they are perceived at least in the urban areas. However, to the cynically minded observer, parties do not matter in Arunachal Pradesh as much as individual candidates' pockets.

Assam

One of the most tumultuous states in opposition to the Bill has been Assam. The opposition to the Bill was allegedly responsible for several young people joining the anti-talks faction of the United Liberation Front for Assam (ULFA(I)). This in part was due to Assam's long and checkered history in dealing with the 'foreigner issue', of which the lowest point was Nellie where over 2,000 Bengali speaking Muslim people were killed. From the political side, the opposition to the Bill came from firstly, the opposition parties in the assembly, and secondly from the BJP's alliance partner, the Asom Gana Parishad (AGP). The Left parties too opposed the Bill. On December 28, under the aegis of the Left Democratic Manch (LDM) the Communist Party of India (Marxist), Communist Party of India, Communist Party of India (Marxist Leninist), Nationalist Congress Party, Janata Dal (S), Samajwadi Party, Aam Aadmi Party, Liberal Democratic Party, Revolutionary Communist Party of India and Asom Sangrami Mancha staged a protest against the Bill at Jantar Mantar in Delhi.

The primary driver of the opposition here was that it would violate the Assam Accord which was signed after half a decade of agitation by the All Assam Students' Union (AASU) on August 15, 1985. The Accord provided that March 24, 1971 – the day before Bangladesh declared independence – would be considered a cut-off date for determining citizenship, in line with the Indira-Mujib Pact.

The civil society opposition was led by the AASU as well as the North East Students' Organisation (NESO) as student groups, and the Krishak Mukti Sangram Samiti (KMSS) as an external political force. KMSS activists even staged a nude protest in Delhi against the Bill.

At present, the BJP seems to be determined to make the people of Assam accept the thought of granting citizenship to minorities from Bangladesh. On February 17, Assam Finance Minister, Himanta Biswa Sarma appealed at a Bharatiya Janata Yuva Morcha (BJYM) rally in Lakhimpur that the CAB would protect Assam and India against 'becoming like Kashmir'. BJP president Amit Shah at the same event made it abundantly clear that the party would reintroduce the Bill if it voted back to power. While *The Telegraph* reported that the AGP has taken great umbrage to the remarks, *The Print* has reported that the AGP is in talks with the BJP for yet another alliance for the Lok Sabha polls.

Angshuman Choudhury writing for *The Quint* opined that the BJP's statements may backfire keeping in mind the strength of civil society organisations in Assam in shaping public opinion, namely the AASU and the Assam Jatayatibadi Yuva Chatra Parishad (AJYCP).

However, the brazenness of the BJP's statements in Assam may in fact be pointing to its confidence in winning a significant proportion of Lok Sabha seats. Considering that the AGP has been reduced to a non-entity and that

the Congress does not appear to have got its act together in the state, in the likelihood of a political void, the BJP could fill in the space.

Meghalaya

The first state cabinet to pass a resolution condemning the CAB was in Meghalaya. The resolution was passed, notwithstanding, the fact that a BJP representative was a part of the same cabinet. The political opposition here was from across the board. Both the National People's Party (NPP) led alliance as well as the Congress opposition voiced their criticisms against the Bill. The NPP eventually split with the BJP on the issue, but perhaps it will not be long before the strange bedfellows of Hindu nationalism and ethnic nationalism share seats as well. The civil society opposition to the CAB was led by the Khasi Students' Union (KSU) and the Hnniewtrep Youth Front (HYF).

Following the Bill's lapse in the Rajya Sabha, according to *The Shillong Times*, the KSU took out a 'peaceful' victory march in Shillong, where some of the non-tribal residents of Rynjah were attacked.

As per the editorials and letters to the editor in *The Shillong Times*, the mood appears to be that the BJP has failed to understand a region that is still grappling with articulating its 'Indianness'. The dominant forms of self-identification tend to be along the lines of clan or ethnic identity being the first stage of identification before the Indian identity is considered. Another theme that emerged is that the Bill's lapse had little to do with civil and political opposition in the region, but rather a conscious decision by the BJP to delay the inevitable, considering it did not have the majority in the Rajya Sabha. This would allow the BJP to appeal to its core Hindutva constituency in the mainland as being serious about the issue, while temporarily placating the people of the Northeast.

Mizoram

Former chief minister, Lalthanhawla came into the spotlight for all the wrong reasons when an image of him carrying a placard saying "Hello independent Republic of Mizoram" was picked up by the media. For those somewhat aware of Mizoram's political expressions, the threat of secession makes for good photo-ops during times of protest. The BJP's state unit chief, John V. Hluna threatened to dissolve the party in the state if the Bill was not revoked. Like in the case of Meghalaya, the opposition to the Bill was unanimous. However, the reasons for opposition to the Bill were similar to those in Arunachal Pradesh. The Mizo people opposed the Bill due to the fear that it would enable the ingress of Chakma refugees and migrants. However, unlike Arunachal Pradesh, the presence of Chakma people in the hills of present-day Mizoram existed prior to India's independence.

Considering that the lone BJP seat in the state was won by a Chakma candidate, and that the Chakma people in Mizoram have an Autonomous District Council, it could cement the perception that the BJP will protect Chakma interests. However, by the tyranny of numbers, it is unlikely that this perception will be reflected in Mizoram's lone Lok Sabha seat.

Nagaland

Initially chief minister, Neiphiu Rio

claimed that due to the existence of Article 371A and the BEFR, Nagaland would not be affected by the CAB. This position quickly changed when it became apparent that Naga civil society was not buying it. On January 28, the Nagaland cabinet rejected the CAB after it had been passed in the Lok Sabha twenty days earlier. On February 11, a dawn to dusk shutdown was announced by various civil society organisations in Nagaland under the aegis of the Nagaland Gaon Buras Federation (NGBF). The shutdown was also backed by the Naga People's Front (NPF), the main opposition party in the state.

Firstpost has reported that a resolution against the Bill will be tabled in the Budget Session of the state assembly on February 23. The significance is that Nagaland will be the second state after Meghalaya, where the BJP is in the ruling alliance, to table such a resolution.

Sikkim

The only state that seems to have absolutely no larger politico-civil participation in the Northeast is Sikkim. The CAB did not feature on any agenda in the state apart from a meek condemnation by Pradyot Deb Barman, the All India Congress Committee observer for the state. The CAB will have absolutely no bearing on the political equations in the state, which tend to be based on allegations of corruption and counter allegations of *gundaism*.

Tripura

The only state in the Northeast where the opposition to the Bill was led by a minority group was Tripura. The tribal population of Tripura accounts for around 30 per cent of the state's population. This has in part been influenced by colonial era policies while Tripura was ruled by a monarchy aligned with the British. In the partition and post partition era, migrants and refugees from East Pakistan sought refuge in Tripura. This process shifted the demographic balance in favour of the migrants and refugees.

Tribal politics in Tripura has since been dominated by demands ranging from autonomy to statehood to even secession. This has been borne out of a nationalist consciousness among the hill people with the lowest point being the ethnic riots in 1980. Hence, the fear of becoming a smaller minority in the state has been the backbone behind the opposition to the CAB. However, being a minority group as opposed to the Bengali speaking majority, the protests launched by myriad organisations against the Bill, including former insurgents, tribal political parties and the BJP's ally, the Indigenous People's Front for Tripura (IPFT), resulted in several members being booked for sedition. As a part of the countryside protest against the Bill, the CPI(M) held demonstrations against the Bill in Tripura as well. The BJP government in Tripura claimed that the violence and allegedly seditious slogans that arose in the course of the protests were instigated by the CPI(M) members. However, the protesters alleged that the violence was a result of excessive force being used by the police.

At present, the tribal opposition to the Bill coupled with the repression orchestrated by the BJP-led state machinery may result in the reserved tribal Lok Sabha seat no longer being viable for the BJP.

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