

# Editorial

Saturday, May 25, 2019

## Reality of Education system in Manipur

Education Minister Th. Radheshyam has been in the news many times for his inevitable inspection visits to school and colleges. His action speaks louder and people are hopeful of the changes that the dynamic Minister is likely to bring changes in the state education scenario.

All is not well when the system remain as it is even after 2years. Now a finding by two students group which suggested possible leakage of examination question papers from a coaching center is indeed shocking. And regarding this the Minister or department authority is yet to give a response.

Well, since his inception as the education Minister, all that has been heard from the Minister is the present state of school buildings and other infrastructures. However , we the people still fails to hear even single word about bringing reform to the educational sectors which is a major reason for the failure of the education scenario. After inspection of the school buildings now it's again mass transfer of teachers.

Everyone knows the repercussion of this mass transfer. And again after the state assembly session which is scheduled from tomorrow tenders for construction of school buildings of the already built schools will be notified. If the Minister felt that the schools were not constructed upto the mark then why is our honourable Minister instead of taking action against those contractors or any other official responsible, have to start another construction.

We are all aware of the fact that various initiatives and incentives taken up by the ministry of education such as the Sarva Shiksha Abhiyan (SSA) and Rastriya Madhyamik Shiksha Abhiyan (RMSA) under the Right to Education Act (R TE) 2009 have not achieved its objectives despite four years of concerted efforts. It has also been reported that a large number of elementary teachers all over the country (more than 7,000 in Manipur alone) have yet to receive the requisite training or the expertise to impart education to the students at the elementary level.

The training program is taken up to address this lacuna, with the Chief Minister prominently stating that untrained elementary teachers will not be employed after 2015. It may be mentioned that the Constitution (Eighty-sixth Amendment) Act, 2002 inserted Article 21-A in the Constitution of India to provide free and compulsory education of all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may , by law , determine.

The Right of Children to Free and Compulsory Education (R TE) Act, 2009, which represents the consequential legislation envisaged under Article 21-A, means that every child has a right to full time elementary education of satisfactory and equitable quality in a formal school which satisfies certain essential norms and standards. Article 21-A and the R TE Act came into effect on 1 April 2010.

The title of the R TE Act incorporates the words 'free and compulsory'. 'Free education' means that no child, other than a child who has been admitted by his or her parents to a school which is not supported by the appropriate Government, shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education. 'Compulsory education' casts an obligation on the appropriate Government and local authorities to provide and ensure admission, attendance and completion of elementary education by all children in the 6-14 age groups.

With this, India has moved forward to a rights based framework that casts a legal obligation on the Central and State Governments to implement this fundamental child right as enshrined in the Article 21A of the Constitution, in accordance with the provisions of the R TE Act which provides for , among others, Right of children to free and compulsory education till completion of elementary education in a neighbourhood school, making provisions for a non-admitted child to be admitted to an age appropriate class.

It also lays down the norms and standards relating inter alia to Pupil Teacher Ratios (PTRs), buildings and infrastructure, school-working days, teacher-working hours. And, most importantly, the Act provides for appointment of appropriately trained teachers, i.e. teachers with the requisite entry and academic qualifications and prohibits (a) physical punishment and mental harassment; (b) screening procedures for admission of children; (c) capitation fee; (d) private tuition by teachers and (e) running of schools without recognition.

Now that one can safely conclude that the groundwork is coming to a satisfactory conclusion, what remains to be seen is how actively and keenly is the Government looking into the implementation of the schemes, for no amount of planning and financial support or investment will reap result unless the teachers deliver , and in time.

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## PROTECTIVE THINKING:

# THE CURRENT STATUS OF NAGA-KUKI RELATIONS IN MANIPUR (PART-II)

By: Mr. Pakinrichapbo (Advocate)

It is a well known fact that the driving force responsible for shaping the Naga-Kuki relations in Manipur owes to the uncompromising policies followed by their underground nationalists. Before I make my arguments on how the underground nationalists play a major role in determining Naga Kuki relations, first-time followers and observers ought to know the categories of nationalists within these ethnic groups.

### Underground Nationalists and their roles:

The quick militarization of their nationalism leads to the rise of the underground nationalists, who now hold the reins to the future of both ethnic groups unless their power is checked by the general mass which is unlikely to be happening. These underground nationalists refer to the militants serving full time in the armed political groups. The Naga-Kuki relations post militarization of their nationalism always depend on the policies pursued by the underground nationalist, it means the nature of relation the common Nagas and Kukis shares, depends on the underground nationalists, much have not changed till today. To save time and space, this writer would not present the historical background leading to the militarization of Naga and Kuki ethnic nationalism, all the same, the readers ought to make historical note that the impact created by militarization of ethnic nationalism continues to last in their present relations and it appears the current uncompromising political behaviour

of nationalists and their policies would let the history repeat itself again in Manipur unless the general masses muster up the courage and take precautionary measures to avoid giving unquestionable power to militants to decide their future by blindly supporting their policies like the civil organizations did in the past and even now.

### Over ground Nationalists and their roles:

Over ground nationalist categories cover all the civilians from different backgrounds who staunchly support the political goals propagated by their respective armed political groups. The over ground nationalists, particularly from civil society organizations and religious organizations, had largely played the role of peacemaker in the past making limited progress as more than a century old conflicts remain unsettled and the chances of another clash in the future are still looming in the dark shadow of ethnic intrigues. Over ground nationalists groups from both parties have to try harder this time to break the impasse to build a secure future for all.

### Ethnic debate post - Sahnit-Ni:

The war of words between Naga and Kuki nationalists both underground and overground post- Sahnit Ni observation from 11<sup>th</sup>-13<sup>th</sup> Sept. 2018 was really an eye opener with numerous revelations from both party. The disappointment was when several accusations claiming to be based

on records hurled at each other was not countered precisely points by points to disprove the particular accusations by either of the party but the debate mostly centred on being the ancestral owners of the lands in the hills by producing their evidence derived from their own historical source. The matter of accusations and counter-accusations will be dealt with in details some other time.

### Naga Nationalists argument as it is:

To understand Naga Nationalists argument, the natural critics of Naga Nationalism ought to critically analyse the nationalists' stand that the New Kukis distinct from Old Kukis came and settle in their ancestral lands with their permission with certain conditions, in some case after uprooting earlier settlements and also planted by the Colonial British. The new Kuki groups began to name their new settlements within their territories in their own dialect. Moving forward top underground Naga Nationalist leaders could not compromise on such historical facts, also feel Kukis help are not required in Naga cause and hold the views that the Kukis were largely responsible for the conflicts by plotting with Central Government intelligence agencies to finish NSCN IM and to capture strategic Moreh town in Khumi region of Nagalim.

### Kuki Nationalists response to Naga Nationalist argument:

The Kuki Nationalists would respond by quoting Royal Chronicles of Meitei Kings to prove that they are ancient settlers of Manipur hills, that the Nagas were

slaves of Kukis. The past atrocities committed by the primitive Kuki Chiefs against Naga villages are the fault of those villages for refusing to obey their Kuki masters. Our peaceful Kuki brothers and sisters ought to rethink if such boastful statement can bring peace in the long run.

### Kuki Nationalists argument as it is:

The Kuki nationalists still argue that Kukis were the master/ruler of entire Manipur hills, that Nagas as subjects of Kukis have no right to question their masters. That NSCN IM committed genocide against Kukis because of their past dominance and to grab their ancestral lands.

### Naga Nationalists response to Kuki Nationalist argument:

The Naga nationalists argues that both sides have equally suffered during the 1992-97 conflicts, further claiming the Kukis refused to reciprocate even after the olive branch was offered on several occasions for reconciliation and such baseless accusation must stop for the sake of communal harmony.

### What to expect from the uncompromising nationalists:

We cannot expect permanent peace from the current uncompromising nationalists but one can hope that in the near future with changes of leadership and their policies, the common Nagas and Kukis may find everlasting peace. Until such time comes, the public have to be more vigilant in giving free hand to underground nationalists and communal state politicians if they truly favour peace.

## Torture: A Tool of Impunity in Jammu and Kashmir

By : Inamul Haq

The recent report on torture in Indian administered Kashmir published by JKCCS in collaboration with APDP provides insights that torture is prevalent in the valley and 70% people who are being affected are common civilians. This report was based on 432 cases that provide the structure of violence that the state has been doing by using the method of torture. All such data is being provided in the entire report. The purpose of this article is to provide a brief introduction of torture and how it is being applied in the state of Jammu and Kashmir. The term torture is a generic concept and can be defined, debated and deliberated under various conditions, in diverse contexts and claims. There is no consensus among the scholars, practitioners about the meaning of the term. It has been used as an investigative technique inflicted on a third person for extracting information or confession. According to the United Nations Convention on 10 December 1984, Torture means any kind of act which causes severe pain or sufferings whether physical or mental and is intentionally inflicted on a person for such purposes to obtain information or a confession. This definition does not include "pain or suffering arising only from inherent or incidental to lawful sanctions"

Torture is considered a crime against humanity and is prohibited in an extensive range of human rights conventions. Article 5 of the Universal Declaration of Human Rights (1948) states no one should be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Geneva Convention (1949) prohibits violence to life and person, in particular, cruel treatment and torture and



outrages upon personal dignity. Torture is also prohibited by European Convention on Human Rights (1950), the African Charter on Human and People's Rights (1969), the Inter-American Convention to Prevent and Punish Torture (1985), International Convention on Civil and Political Rights (1976), and Genocide Convention (1948). 1990 gives birth to massive human rights violations. The security forces carried out a ruthless campaign of terror against the people who are fighting for their freedom (Self-determination). Unrestricted arbitrary powers were given to the security forces to suppress the movement in the valley. As a result, thousands of Kashmiri were killed, injured, prosecuted or arrested. India government describes the insurgency as law and order problem and in order to deal with the situation, several oppressive laws have been put into force, which becomes a great reason for the Human Right violation in the valley. Among such laws

code names like *Shiva, Eagle and Cobra*. The main goal of these operations was to create an intense fear among the people of the valley, who were demanding separation from India (Human rights watch 1993:22). The secessionist movement in the valley got support from the locals in every way. The security forces suspect every individual as a supporter of militants. In order to find out, they took anyone in the custody and tortured him in this way torture became of a tool to get information about the militants or forced to confess militant activity (Physicians for Human Right 1993). After insurgency, the Indian government took strict methods in eliminating the movement of succession in the valley. They used other groups like Ikhwan-ul-Muslimoon (Renegades), Muslim Mujahedeen, Village Defense Committees (VDC) and Special Police Officers (SPO), who played a central role in torture without any accountability. These groups are not recognized officially, and the Indian government used them as a shield for prosecution (Imroz

et: al 2012). These groups were acted like *Salwa Judumof* Chhattisgarh. The number of these parallel Militia groups of Kashmir valley is greater than Chhattisgarh. The Jammu and Kashmir Coalition of Civil Societies has reported that young boys of the valley continue to be arrested and subjected to torture and harassment. In March 2011, Margaret Sekaggya, the UN Special Rapporteur on Human Rights Defenders stated that police used to detain the people and beat them mercilessly and torture, killing and custodial deaths by police and Paramilitary forces were prevalent in the valley. The group of Interlocutors set up in October 2010 by Central Government states that the people of valley feared oppression by the hands of security forces, police, armed groups and militants (Amnesty International 2013). The coercive method of torture is used by state actors in order to crush insurgents, while as non-state actors used torture to pressurize the state machinery.

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