

Centre must help resolve border flareups in N-E

The only positive that seems to emerge from the unfortunate incident of firing by Assam police in a disputed area along Assam's border with Meghalaya last Tuesday is that the chief ministers of these states have so far refrained from feeding parochial or ethnic furies. Assam chief minister Himanta Biswa Sarma and his Meghalaya counterpart Conrad Sangma have, in fact, spoken telephonically and then addressed the media in balanced tones. The Assam leader has sought to set up an inquiry while the Meghalaya CM has asked for a probe by the CBI or the NIA — in effect, asking for the good offices of the Centre.

This appears to mark the difference in the approach of the two states. On the other hand, Mr Sangma's way has been to blame timber smugglers and criminal elements who encroached into his state, attracting the attention of the state police in the disputed area between the West Karbi Anglong district in Assam and the West Jaintia Hills district of Meghalaya, leading to deaths of Meghalaya villagers and an Assam forest guard.

However, it is not unlikely that if the discussion is held on schedule, in the current atmosphere the focus may be confined to the ritualistic rather than on addressing the substantive

In the Meghalaya villages of the area the deaths seems to have caused some emotional outrage. Perhaps it is for this reason that the CM of the small state had to escalate the discussion on what to do next to the cabinet, unlike Assam. The Assam-Meghalaya border differences go back to the creation of Meghalaya as a full-fledged state in 1972, with the latter pressing its opposition to the provisions of the law that led to the carving out of Meghalaya. For that reason, political conflict is in-built into the situation and this leads to flare-ups from time to time.

At the practical level, the two states had 12 points of dispute, six of which have evidently been worked out. Where the firing occurred earlier this week is among the remaining six in respect of which talks are ongoing. The Centre is likely to be concerned that the next round of talks, due later this month, is not derailed on account of the recent incident.

However, it is not unlikely that if the discussion is held on schedule, in the current atmosphere the focus may be confined to the ritualistic rather than on addressing the substantive. This begs the question whether Assam and Meghalaya can eventually sort out their differences amicably through mutual accommodation, especially since Meghalaya has questioned the Assam Reorganisation Act itself that brought the state into being.

It would seem that the Union home ministry may be called upon to engage in gentle diplomacy in respect of the two states. Mr Sangma heads the National People's Party, a BJP ally, while Mr Sarma is a leading BJP figure who has helped the saffron party expand its footprint in the country's northeast. Union home minister Amit Shah could propose a time-bound judicial inquiry by a retired Supreme Court judge to ascertain the facts of the recent incident while being aware that the aim was a larger one — to bring about wider reconciliation of interests.



Paramilitary forces sent to disputed N-E border

*Conrad meets Shah,
asks for CBI probe*

MANOJ ANAND

GUWAHATI, NOV. 24

With the Central government deciding to deploy neutral paramilitary forces along the disputed territory to defuse the tension, the situation along the Assam-Meghalaya border, where six people were killed in police firing on Tuesday, remained tense but peaceful on Thursday.

The vehicular movement between the two states was restricted as there were reports of arson and stone-pelting on vehicles with Assam registration numbers. Though Meghalaya police escorted some of the vehicles carrying essentials and perishable supplies, the security forces did not allow the movement of private vehicles even on Thursday.

On Thursday, Meghalaya chief minister Conrad Sangma led a Cabinet delegation to New Delhi to meet Union home minister Amit Shah and discuss the tense border situation between Assam and the hill state following clashes in Mukroh village. He also asked for a probe by the CBI or NIA into the violence.

Mr Sangma and his Cabinet have also decided to approach the National Human Rights Commission (NHRC), seeking justice for the people of the state.

The meeting with the

Union home minister comes a day after the Assam Cabinet also decided that it will hand over the probe into the violence to the CBI and asked the state police to show restraint while dealing with civilian disturbances. Security

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Forces sent to disputed border

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sources said that the ministry of home affairs was also keeping a close watch on the situation and the deployment of security forces in vulnerable areas has been intensified.

Six people, including a forest guard, were killed in violence on Tuesday at a disputed location in West Karbi Anglong district along the Assam-Meghalaya border after a truck allegedly laden with illegally felled timber was intercepted by Assam forest personnel.

Pointing out that Assam has restricted the movement of vehicles towards Meghalaya, security sources said that police have set up barricades at most of the entry points and advised vehicles not to enter Meghalaya till the situation gets back to normal.

"We are requesting people not to travel to Meghalaya in Assam-registered cars. If there is any urgency, they should hire a Meghalaya taxi from the border points," deputy commissioner (east) of Guwahati police Sudhakar Singh told reporters. He, however, clarified that there is no such restriction on commercial vehicles like trucks and tankers.

Meanwhile, the Assam government on Thursday handed over the body of the forest guard to his family members after a post-mortem, the official said.

The body of the Forest Protection Force personnel, identified as Bidyasing Lekhte, was handed over to Assam officials on Wednesday night by the Meghalaya authorities in West Karbi Anglong district.

In Meghalaya, at least five social organisations on Thursday announced a two-day peaceful agitation, demanding stern action against those responsible for the incident in Mukroh village.

Assam and Meghalaya have a long-standing dispute in 12 areas along the 884.9-km-long inter-state border. The two neighbouring states had signed a memorandum of understanding in March this year to end the dispute in six of the areas.

थानों में सीसीटीवी न होने पर एनएचआरसी ने जताई चिंता

नई दिल्ली: राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) ने राज्य व केंद्र शासित प्रदेशों के हर थाने में आडियो रिकार्डिंग और नाइट विजन वाले सीसीटीवी कैमरे लगाने के सुप्रीम कोर्ट के निर्देश की अनदेखी पर चिंता व्यक्त की है। आयोग के अध्यक्ष न्यायमूर्ति (सेवानिवृत्त) अरुण कुमार मिश्रा ने कहा है कि पुलिस संगठन लगातार इसकी अनदेखी कर रहे हैं। (प्रैट)

CJI to reconstitute Bench for 'nikah halala', polygamy pleas

TRIBUNE NEWS SERVICE

NEW DELHI, NOVEMBER 24

Chief Justice of India DY Chandrachud on Thursday agreed to reconstitute a Constitution Bench to hear petitions seeking to declare Islamic practices of polygamy and 'nikah halala' unconstitutional.

A five-judge Constitution Bench of Justices Indira Banerjee, Hemant Gupta, Surya Kant, MM Sundresh and Sudhanshu Dhulia had on August 30 issued notices to the Centre, National Human Rights Commission, National Commission for Women, National Commission for Minorities and others on nine petitions challenging these alleged discriminatory practices.

Advocate Ashwini Kumar Upadhyay, one of the petitioners, on Thursday told a Bench led by CJI Chandrachud that a new Bench was needed to be set up as two of the judges on the Constitution Bench—Justice Banerjee and Justice

2 JUDGES RETIRED

Two of the judges on the five-judge Constitution Bench, which had issued notice to the Centre, NHRC, NCW and NCM on August 30, have since retired.



Gupta—had already retired. “We will form a Bench,” the CJI told Upadhyay.

Polygamy allows a Muslim man to have four wives while under 'nikah halala', a Muslim woman wanting to remarry her husband after divorce is forced to first marry another man, get the marriage consummated and then get divorced by him.

In 2017, the top court had declared the practice of instant triple talaq unconstitutional, saying it went against the basic tenets of the Quran. It had, however, said petitions against polygamy

and 'nikah halala' would be dealt with separately.

Filed by some Muslim women, NGOs and Upadhyay, the petitions challenging the validity of polygamy and nikah halala were referred to a five-judge Constitution Bench in March 2018.

“Muslim law in so far it permits to have more than one wife at a time is against the very spirit of the Constitution as it discriminates on the basis of gender and there is no valid reason for continuing polygamy or bigamy in the national interest,” read a petition filed by a Lucknow-based NGO through advocate Vishnu Shankar Jain.

The petition challenged the validity of Section 2 of Muslim Personal Law (Shariat) Application Act, 1937, that recognised bigamy or polygamy among Muslims and sought reading down Section 494 of IPC, which allows such marriages among Muslims while making it punishable with seven-year jail term for members of other communities.

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