



HUMAN RIGHTS VIOLATION OF TANGKHUL COMMUNITY IN UKHRUL DISTRICT, MANIPUR STATE

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ABSTRACT

The Tribal communities are the most marginalized group in India as per their disadvantages and exploitation by the outsiders. The peace and harmony of the Tangkhul community are disturbed by continuous violation act committed by various Arm forces and insurgents in the district. It is the responsibility of the government to tackle human rights violation and focus on the grievances faced by the Tangkhul community. Due to implementation of AFSP Act 1958 Manipur state has been suffered under the power of Arm Forces. Many innocent lives have been taken by the Indian Arm forces resulting to increase in widows and orphans. Youth life has been vulnerable and risked due to intense suspect and torture given by the Arm forces. Exploitation towards the Tangkhul community and denial of human rights should not be taken as granted they should be safeguarded equally as Indian citizen.



KEY WORDS : National Crime Records Bureau (NCRB), Armed Forces Special Powers Act, (AFSPA), Ministry of Home Affairs (MHA), United Nations High Commissioner for Refugees (UNHCR) and Human Rights Violation.

INTRODUCTION

Manipur state is one of the eight sister's state of Northeast India with the total population of about 2.6 million, inhabiting more than 30 indigenous communities with unique multiple culture. Since the implemented of AFSP Act in 1980 at present there are roughly 100,000 Indian armed forces in Manipur not including Manipur state police commando units.¹

Irom Chanu Sharmila the 'Iron Lady of Manipur' a civil rights activist fights for removal of Arm Forces Special Acts, 1958 from Manipur state through hunger strike for 16 long years. Her cry for justice was not successful due to various problems and issues. Other Naga human rights Activists Luingam Luithui illegally revoked for 22 years by Ministry of Home Affairs (MHA). He and his wife Peingamla were forced to become refugees and exile in Canada and seek the protection of the United Nations High Commissioner for Refugees (UNHCR). However, Luingam Luithui fought back and The Delhi High Court finally restored the Indian citizenship of both Luingam Luithui and his wife.²

MEANING AND CONCEPT OF HUMAN RIGHTS

"Human rights" are known as the fundamental rights and freedoms which every individual in the world possess without considering their, religion, caste, race and color from their birth till their death. These human rights are applicable without considering from where you belong to, who you believe or how you wanted to spend your life. These rights cannot be snatch away even though there are some restrictions like

¹ See HRLN Manipur AFSPA IPT Report, statement by Mr. Laishram-Cha Jinine Meetei, at 185

² Indian citizenship regained: The 22-year ordeal of Luingam Luithui for justice, Edited by **Joyjeet Das**

if somebody go against the law, or go against the national security. These human rights are focused on the value like, respect, dignity, equality, independence and dignity. After all human rights are not only just a theoretical aspect but they are definite and protected by the Human rights law. The term "Human Right" is emerged just recently, still then the concept of human rights is not younger than the history of olden human civilization.

Human rights have its own based in the olden human civilization past. The historical existence of the mankind is closely connected with the struggle of a person against exploitation, disdain and injustice. Justice V.R. Krishna Iyer in his book, "Human Rights and Inhuman Wrongs" asserts that, "ultimately humanity has a commitment to history to make human rights a viable reality." Human rights comprise of; Justice, Love, Trust, Rule of Law, Freedom, Prosperity, Peace, Equality Dignity and Dignity in deep sense.

ORIGIN AND DEVELOPMENT OF HUMAN RIGHTS IN INDIA

Since from the days of Indus Valley Civilization, Indian culture has been the centre of diverse mixture of religion and culture sources which later spread out in all the sub continent of the country over the period of time. According to the words of Jawaharlal Nehru, "an unbroken continuity between the most modern and the most ancient phases of Hindu thought extending over three thousand years." Since from the very beginning to protect the human rights is the main concern in the entire civilization. "The concept of the rights of man and other fundamental rights was not unknown to the people of earlier periods." The "Assyrian laws in the Middle East" and the "Babylonian Laws," the "Dharma" of the "Vedic period in India" and the "jurisprudence of Lao-Tze" and "Confucius in China" have been strongly recognized the value of human rights while tracing back the entire human civilization history. According to the perspective of the Indian, they consider the individual, the society and the universe as a complete organic whole. Everybody is considered as the children of God and everyone is related to each other in one or the other way and we are the family of the universe. In the words of Mahatma Gandhi he said, "I do not want to think in terms of the whole world. My patriotism includes the good of mankind in general. Therefore my service to India includes the services of humanity."

As per the teaching of Buddhist doctrine about the non-violence according to Nagendra Singh, "is a humanitarian doctrine par excellence, dating back to the third century B.C". Jainism too contained similar doctrines. As per the Bhagavad Gita, "he who has no ill will to any being, who is friendly and compassionate, who is free from egoism and self sense and who is even minded in pain and pleasure and patient" is beloved in the eyes of God. It is also says that a person who has a nature of and spirit of nonviolence, liberty from anger, truth, rejection, contempt to finding someone else fault, showing compassion to others, abstaining from desire of possessing somebody things, tenderness, humility and firmness are the qualities which human need to have and it represent spirituality and divinity of the human being. According to the historical perspective of ancient Bharat affirm without query that the value of human rights is visible in every religion like in Islamic civilizations, ancient Hindu and in the early Christian civilizations. Ancient leaders like Prophet Mohammed, Ashoka and Akbar cannot be removed from the chronology of human rights.

HUMAN RIGHTS OF TRIBAL COMMUNITIES

The Tribal communities are known to be the most marginalized group in India as per their disadvantages and exploitation by the outsiders. Tribal communities enjoy fewer opportunities and are deprived of their inherent rights in every social aspect. They have more burdens and bear bitter suffering since time immemorial as compared to the rest of the mainland. In India the tribal constitute of 8.6 % out of the total population presenting 104.3 million population as per 2011 census and they are the most neglected community in availing rights and justice due to ignorance. There are 33 recognized ST communities in Manipur which constitutes 34.41% of the state population of Manipur. Even though the constitution on India give several rights and protection to the tribal population, the tribals of Manipur still remains backwards , and their rights were neglected in many ways. The tribals are the most backward as comparing with the

general population and also comparing with the other backward group Schedule caste, who are also under same constitutional protection for their upliftment. The planned development intervention program of the tribals from 1961 to 1981 did not made any significant effect and impact for improving the critical condition of the backward tribals. Traditionally for the survival the tribals are engaged in fishing, hunting animals, traditional crafts, jhum cultivation and shifting cultivation. The tribal groups are bound by their customary law, they do not have any written law and order but they followed according to their forefathers inherited practice.

India has witnessed the growing recognition in the last quarter of the 20th century in terms of place and significance of human rights because of the pressure given from several collective human rights movement. It has seen in the past two decades the concerns of human rights have been highlighted due to peasants movement, Dalits movement, tribals movement, working class movements, women movement and students movement.³

According to the definition of 'Human rights' every human being has their own birthrights called Human rights, which forms the integral parts all over the world in socio-cultural foundation of the humanity. Yet, human beings are still vulnerable to ill-treatment and human rights violation. However, Human rights are known as theoretical rules and morals which are protected in laws, International conventions and Indian constitutions. However, Human rights are also a cultural concept which has evolved slowly in response to social or contestation (Nair Ravi, 2006). On the other hand, tribals human right also provides the basic insights of the causes, disclosure and outcome of human rights violations encountered by the tribal communities.⁴

MANIPUR HUMAN RIGHTS COMMISSION

Manipur Human Rights Commission (MHRC) is the "Sign Board" Commission of Manipur. This observation was made by the former Chairperson of MHRC, Justice WA Shishak, (former Chief Justice of High Court of Chattisgarh and Himachal Pradesh), when he was asked about the status of the Commission.

It was mandatory for every state of our country to have an act pertaining to human rights as per the heights of the structural programme undertaken by India (liberalisation). As a result, an act popularly known as the Protection of Human Rights Act was formed in 1993; consequently, it was amended in 2006. This Act is the backbone for creating Human Rights Commissions in every state including Manipur Human Rights Commission (MHRC). With reference from the Protection of Human Rights Act 1993, Manipur Human Rights Commission (MHRC) was formed on 27th June 1998. Justice Surendra Nath Bhargava, retired Chief Justice of the Sikkim High Court, was appointed as the first Chairperson; he was also the Chairperson of the Assam Human Rights Commission. The members were appointed on 13 October 1998 and took their responsibility with effect from 10th December 1998.

Unfortunately, Manipur State Commission has stopped functioning since 2010 after retirement of its then Chairman Chief Justice WA Shishak and members M Gourachand, retired Colonel RK Rajendra and Ng Nongyai. The defunct of the State Human Rights Commission has been discussed from the various concern civil organization and appeal has made tentatively to the State government. The process of re-activation of the Commission emerged again after the Chairperson and all the members completed their tenure. Grievances and petition cannot be filed at the commission due to dysfunctional system in the State therefore the office of the State Human Right Commission remains closed most of the time.

³ Shah, G. (2004). "Social movements in India: A review of literature." New Delhi: Sage Publications.

⁴ Nair, R. (2006). "Human rights in India: Historical, social and political perspectives." New Delhi: Oxford University Press.

STATUS OF HUMAN RIGHTS VIOLATION IN MANIPUR

According to Advocate Indra Kumar, a Human Rights activist expressed on the programme of International Human Rights observation Day held on 10th Dec, 2012 at Manipur Press Club that total 1528 people been killed in Manipur from the year 1979 to May 2012 in encounters. Out of which 1399 were males, 31 females and 98 were children. According Human Rights Special Report- 2009 conducted by Human Rights Initiative (HRI), Manipur, a non-governmental organization, on the basis of Extra Executions, there are total 298 victims recorded in the year 2008, there are total 288 victims record in the year 2009 and a total of 1133 Illegal detain and arrested by Security Force in the year 2008 and a total no of 190 peoples are killed by the Unidentified persons and Non states Actors. In the 2009, total no of 142 peoples are killed by the Unidentified persons and Non- state Actors.⁵ Human Rights Watch documented human rights abuses by all sides in Manipur, where close to 20,000 people have been killed since separatist rebels began their movement in 1950s.⁶

STATUS OF HUMAN RIGHTS VIOLATION OF TANGKHUL COMMUNITY IN UKHRUL DISTRICT

There are 33 recognized ST communities in Manipur which constitutes 34.41% of the state population of Manipur. Despite the protection given to the tribal population by the Constitution of India (1950), it remains the most backward ethnic group in India, and their rights were neglected in many ways.

Tangkhul community is one of the most distinct tribes among the Northeast of India; they follow strict law and order given by the village elders. They are the head hunting tribe's men and very brave in fighting. Until the arrival of American missionary, they remain aggressive towards the other groups of community. The American missionary William Pettigrew brought western education in the Tangkhul tribal inhabited area of Ukhrul district. This has brought drastic changes in culture, religion, politics, occupation, dress and way of living for the Tangkhul tribes. Tangkhul were never like this before but Tangkhul tribal identity remains the same from generation to generation but their rights are deprived and neglected by the government in many ways.

The Tangkhul community has strongly against the imposed of AFSPA and CrPC several protest and rally were made in the district led by highest apex body Tangkhul Katamnao Saklong (TKS) Tangkhul Shanao Long (TSL) and Tangkhul Naga Long (TNL). Civil organization and the community have raised their voice in various state and central level which is strongly supported by Naga People Movement for Human Rights (NPMHR). All the local civil organization, NGOs and Institution, Religious organization and community at large jointly raised their voice together to the state government for violating human rights in Ukhrul district. Removal of AFSPA from the state is the sole objectives for all the concern organization and it has been appeal with the central government several times.

Since more than decades Arms forces has committed several crime against the women in the district the community has come up with courage to fight for the justice and in some cases the violators were punished as per the law. There are many cases which are not being investigated by the concern authority but despite the state government negligence the community civil organization is taking initiative to investigate and brought before the court. The community itself is tired and warned out of human violation but being struggling for survival under the shadow of Arm Forces nobody wants to give up fighting for justice.

⁵ The Status of Human Rights Violations in Manipur, International Journal of Interdisciplinary and Multidisciplinary Studies, 2014, Vol 1, No.3, 51-55.

⁶ India: Top Court Orders Manipur Killings Inquiry

MAJOR INCIDENTS OF VIOLENCE IN UKHRUL DISTRICT MANIPUR, 2007- 2017

Sl. No.	Date & Year	Place/District	Responsible Outfit	Killed	Injured
1	June 30/ 2017	Ramva, Ukhrul	PLA & MNPF	1	2
2	June 15/2017	Ukhrul	NSCN(IM)	2	0
3	June 15/2017	Kashungabout, Ukhrul	Unspecified	1	3
4	Mar 07/ 2017	Ukhrul	Unspecified	0	2
5	Jan 04/2017	Khunthak village	Unspecified	1	1
6	March 31/2016	Ukhrul	PLA	3	1
7	Feb 15/ 2016	Hundung Junction	PLA	0	0
8	Jan 05/ 2016	Grihang and Kamjong,	Assam Rifles	2	0
9	October 26/ 2015	Khuikai and Sampui Lamkhai	PLA	2	5
10	October 20/2014	Ukhrul	UNLF	3	0
11	October 08/2014	Muirei village	Unspecified	1	2
12	September 17/ 2014	Viewland, Ukhrul	Unspecified	2	0
13	September 9/2014	Ukhrul - Imphal road	Unspecified	1	2
14	August 30, 2014	Ukhrul Town	Manipur Police	2	15
15	July 12/2014	Finch Corner	Unspecified	1	2
16	October 20/ 2013	Kangpat village, Ukhrul	PLA	3	5
17	September 4/ 2013	Ukhrul town	Unspecified	0	0
18	June 03/ 2013	Ukhrul Police station,	Unspecified	0	0
19	December 28, 2012	Kongkan village	UNLF	2	0
20	June 30/2012	Phaikok village /Ukhrul District	KNA-Lungam	4	0
21	May 9/2012	Chadong Tangkhul village /Ukhrul District	PREPAK	3	0
22	January 26/2012	Taretlok / bordering Thoubal and Ukhrul District	CorCom	5	0
23	April 15/2011	Near village Riha, Ukhrul District	NSCN(IM)	8	6
24	February 11/2010	Nambasi Ukhrul	Unspecified	3	0
25	September 7/2009	Mokot Chepu, Ukhrul	KLA	4	0
26	August 12/2009	Ukhrul	NSCN(IM)	3	0
27	April 14/ 2009	Leishang between Kongkan villages, Ukhrul	MPA(UNLF)	1	6
28	November 26/2008	Nongdam Tangkhul, Imphal East, Senapati and Ukhrul	Unspecified	5	0
29	September 3/2007	Tangkhul Hundung Khunou, Ukhrul	NSCNIM	12	0
30	June 1/2007	Manturam, Ukhrul	KYKL	3	0
31	February 9/2007	Ukhrul	UNLF	5	1
TOTAL				83	53

CONCLUSION:

Tangkhul community are being exploited everyday despite an assurance made by the constitution of our country, the value of human rights does not seem to be in our society, we remain essentially afraid and

vulnerable to different types of gross violation. The peace and harmony of the citizens are disturbed by continuous violation act committed by various Arm forces and insurgents in different region of the state. The government should also focus on the grievances faces by the Tangkhul community and should initiate preventive measures for maintaining peace and stability in the Ukhrul district. Exploitation towards the Tangkhul community and denying of basic human rights should not be taken as granted; Tangkhul community should be safeguarded equally unlike other Indian citizen.

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