



Misusing NSA

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Misusing NSA-The Manipur government must revoke the vindictive detention order against a journalist

- The detention of a journalist in Manipur under the stringent National Security Act for a social media post is a clear instance of misuse of power and a blatant violation of his rights as a citizen.
- It indicates a dangerous trend among those wielding power to invoke laws aimed at preserving public order and security in a casual or vindictive manner, with utter disregard for constitutional provisions that uphold individual liberty.
- It is immaterial how scathing the Facebook post of Kishorechand Wangkhem was in its criticism of the Manipur Chief Minister and his party.
- Calling the Chief Minister a “puppet” can in no way be a reason to arrest him, as was done by the police in Imphal in November, on the charge of sedition.
- A magistrate granted him bail, noting that Mr. Wangkhem’s remarks were no more than an expression of opinion against the public conduct of a public figure, albeit in “street language”.
- However, in a sign that the regime of Chief Minister N. Biren Singh could not tolerate the journalist being set free, he was arrested again a couple of days later and detained under the NSA, which provides for detention for a year without bail to prevent someone from “acting in any manner prejudicial to the security of the state” or for “the maintenance of public order”.
- The NSA can be used only against those advocating armed insurrection or violent disaffection.
- The Manipur government confirmed his imprisonment for a year as soon as the detention order was cleared by the advisory board.
- At a time when the Law Commission is revisiting Section 124A of the Indian Penal Code, which deals with sedition, and there is a demand for its repeal, it is disturbing that State governments continue to use it.

- It is even more deplorable that on failing to make the sedition charge stick, a government puts away the same person under the NSA.
- This is a fit case for judicial review, and the protests and the outrage against the incarceration of Mr. Wangkhem ought to result in a stinging indictment of the State government's action.
- This will inhibit any future move to throttle free expression by misusing the law.

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