

Public petition submitted to Chief Justice



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Anup Biswas 9 February 2013 9000 views

With a prayer before his Lordship to grant justice to the victim family and to the people of Karbi Anglong and Dima Hasao by expanding the scope of the CBI investigation in the case and include his roles as mentioned in Para 13 above within the scope of the investigation and also take appropriate steps so that in the interest of credible investigation and the cause of justice Mr Khor Sing Engti is immediately dropped from the Assam State Council of Ministers, the people of Dima Hasao Submitted Public petition before His lordship the chief justice of the Hon'ble Gauhati High Court on the matter of Case No 2591/12 through the Deputy Commissioner of Dima Hasao district Haflong on Friday.

The 13 point petition explaining the justification maintained that to take notice of the widespread reaction of the general mass people of Karbi

Anglong and Dima Hasao to the learned wisdom of the Hon'ble Guahati High Court which decided to entrust the investigation of the land grabbing case involving the Hon'ble HAD Minister Sri Khorsing Engti (Case No 2591/12) to the CBI We the undersigned members of the general public would like to hereby register our deep appreciation of the learned order passed by the said Hon'ble High Court and pray for Your Lordship's indulgence to graciously consider the following matter which in essence is the sentiment and common wish of the public of Karbi Anglong and Dima Hasao as a whole:

1. That there is no dispute on the fact of Your Lordship's gracious concern for the rights of ordinary citizens in the face of the dominating nature of people in high office and authority which, no doubt, prompted Your Lordship to take up sou moto the case referred to above on the basis of a letter sent to Your Lordship the family members of the victims.
2. That while considering the situation being faced by the said victim family Your Lordship has been convinced of the helplessness of the said family in the face of the continued arrogance of the said Hon'ble Minister to exert his undue official authority for self-aggrandizement at the cost of the rights of the said family and also, perhaps, to use his official clout as a Minister to scuttle any official and/or police intervention that could have taken place on the plea of the victim family.
3. That the undersigned, as members of the public, believe that the arrogance of the Hon'ble Minister to trample the rights of the said victim family stems from the continued immunity he enjoys as a member of the ruling party and as a Minister which helped him to go scot free in the past on the serious charges of heinous crimes leveled against him.

4. That in the past ten years, no one dared question his authority because he not only held high political office firstly as the Chief Executive Member (CEM) of Karbi Anglong Autonomous Council (KAAC) and then as a Cabinet Minister in the Tarun Gogoi Ministry, but he also enjoys the backing of extremist elements.

5. That as the CEM of KAAC, he entered into a signed deal with Sri Pranab Nunisa, the C-in-C of an armed extremist group called the DHD on 12th April 2004 in which he promised inter alia "to take the prior approval of DHD in any appointment of job" and also that he would "abide by the conditions laid down by the DHD in any eventuality" (Photocopy of the signed deal enclosed as Annexure - I). Obviously he receives the unstinted support of the extremist elements while employing strong arms tactics in his self-aggrandizement endeavours. Interestingly, the said extremist group is yet to lay down arms.

6. That by rendering wholesale patronage as a consequence of the signed deal he has helped the said extremist group to gain undue political clout amongst the helpless public and in doing so, the said Hon'ble Minister has aided and abetted extremist movement in Karbi Anglong and Dima Hasao.

7. That as a Minister since 2006, he appears to have continued his wheels and deals with elements connected with the extremist network in the two hill districts of Assam. That is why his authority, as the HAD Minister, get mention in the Manisana Commission Report. It may be mentioned here that the One-man Commission headed by R K. Manisana Singh was instituted by the Governor of Assam vide Notification dated 20th June 2008 to inquire into the misappropriation of funds of the North Cachar Hills, Autonomous Council with inter alia, a reference to diversion of the Council fund to extremist elements.

8. That in the Report of the said Manisana Commission submitted to the Government of Assam on the 18th December, 2008, under Section - II (Brief of the Representations), sub-section 5 (Representation of contractors), the contractors had deposed before the said Commission that the staff members of the HAD Minister, namely A. Ahmed and Saha, Deputy Secretaries, took moneys for issuance of Letter of Sanction (LoS) for release of funds from the State Government to the said Council. They also mentioned that they also had to pay the Research Officer, Mr Das who collected money on behalf of the HAD Minister (Mr KS Engti). For the release of Rs 70 Lakhs in 2007, they had to pay the PS to the Commissioner and Secretary, HAD, one Mr Rahman 4% of the released fund which was collected for the said Minister. (Page 8 & 9 of the said Report, photocopy enclosed as Annexure- II)

9. That The Hon'ble Manisana Commission could not ignore the allegations made by the contractors but found it necessary to make mention in its report and recommendation section of the Report (Page 45, photocopy enclosed as Annexure - HI). Under the terms of reference - "measures to be taken at the time of release of development funds, monitoring and supervision" the said Commission Report said that "moneys were taken from the persons who were seeking for the Letter of Sanction by some of the staff of the Hill Areas Department for themselves and /or for payment to the Minister-in-Charge of the Department for the issuance of the LoS." This was the damning indictment of Mr Khorsing Engti who was also the Minister in charge at that time. The Commission had continued to say that "although there is no material to support the allegation, there might be something behind the allegations". The Commission, perhaps, took this view because the matter needed further investigation by a credible investigation agency.

10. That the Manisana Commission was appointed in the wake of the much publicized scandal of a 1000 Cr Scam in NC Hills and lesser fortunate mortals have been languishing in jail for the past three years or so facing NIA investigation for the same crime as the said Minister, as the Manisana Commission suggested, could be a part of. Perhaps, because he is a sitting Minister, Mr Engti escapes the scope of the NIA investigation, because the terms of reference of the NIA appears to have been designed by the Government in a manner that would spare the Ministers,

11. That in scant regard to public sentiments, the said Minister has continued to indulge in the practice of taking percentage money for issuance of LoS, now raising the percentage from 4% to 30% (News report of 'Assamiya Pratidin Oct 26 2012 under the caption - 'Durnitir bhuswargot porinot hoise Karb Anglong')

12. That the course of law and justice have been denied intervention by the clout the said Hon'ble Minister enjoys as a Minister for the role he played in aiding and abetting extremist movement in the two hill districts and in his role as a conspirator in the misappropriation of public money in NC Hills, both of which have been summarised above. That is why his arrogance has risen to such height as to trample the human rights of his lowly neighbors.

13. That justice against Mr K.S.Engti would not be complete unless his role as an 'aid and an abettor' of extremism and a 'co-conspirator of corruption in NC Hills' as summarised above are also included in the terms of reference for the CBI investigation directed by the Hon'ble Gauhati High Court in the case noted above; and that credible investigation may not be accomplished if he continues as a Minister in the State Cabinet, the petition added.

Anup Biswas

Anup Biswas - Journalist from Haflong.

BY ANUP BISWAS

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