

## Strike a balance on Rohingya, says SC

The government said “questions pertaining to deportation of illegal immigrants is essentially an executive function.”

It maintained that “questions regarding illegal migrants need to be examined keeping in mind diplomatic considerations, internal security situations, demographic changes in the country and such other administrative and diplomatic factors which are better left to policy making by the executives.”

“We know what to do... if Your Lordships say anything, it will have international ramifications. No such contingency has arrived so far,” Mr. Mehta submitted. “Make sure no such contingency arrives, in case of which petitioners [Rohingya] can come [to SC],” the Bench observed at one point.

Mr. Mehta continued to protest against the Bench mentioning anything in its order which may give the impression that a direction is being passed by the Supreme Court to the government regarding deportation.

He objected even when the court attempted to record in its order that the case is ‘sub judice’ or even tried to mention that the “government is sensitive to the problem.”

The Additional Solicitor General urged the court, at this point, to plainly record a line in its order that “Mr. Nariman says in case of contingency, he will approach the court.”

The Bench agreed even as the Chief Justice remarked that this was as an ‘extraordinary situation’ and an ‘issue of great magnitude’ in which the state has a pivotal role.

Chief Justice Misra pointed out that the Constitution is a protector of human rights, especially of children, women, the sick, the infirm and the innocent.

“By ‘innocent’ we mean the (Rohingya) children and women who know nothing about what is happening. As a constitutional court we cannot be oblivious of this fact, the state should also not be oblivious,” Chief Justice Misra observed.

END

Downloaded from **crackIAS.com**

© **Zuccess App** by crackIAS.com