

SC Decision on Rohingyas Deportation

What is the issue?

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- Seven Rohingya men were recently deported to Myanmar for being "illegal immigrants".

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- The Supreme Court dismissed an application to restrain the government from taking steps for deportation.

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What is the deportation case?

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- The men had entered Assam in 2012 without documentation and were prosecuted for illegal entry under the Foreigners Act.

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- A case challenging the government's move to carry out en masse deportation of Rohingya refugees is still pending before the Supreme Court.

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- Given this, the deportation of seven Rohingya men was unexpected and contentious.

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- The government says that the detainees had consented to return and the Myanmar Embassy had confirmed they were "citizens".

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- An intervention application was filed before the SC, seeking a stay order.

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- The petition says the detainees were "refugees" as they were at the risk of persecution.

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- But the matter was dismissed by the Bench noting that they were "illegal immigrants".

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- By allowing this deportation, the SC has set a new precedent that is contrary to India's core constitutional tenets.
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- However, it is important to not overstate the implications, as the order was based on the notion that the men had consented to return.
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- So in cases where there is no consent, this cannot apply as a precedent.
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Source: Indian Express

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