

NHRC issues show cause notice to Defence Ministry over Relief Amount For Death Of Citizen In Army Firing In Arunachal

<http://www.businessworld.in/article/NHRC-issues-show-cause-notice-to-Defence-Ministry-over-relief-amount-for-death-of-citizen-in-Army-firing-in-Arunachal/26-02-2021-382315>

The National Human Rights Commission (NHRC) India on Wednesday issued a notice to the Union Ministry of Defence to cite a reason why Rs 5 lakh could not be paid as relief to the next of the kin of an innocent citizen Thingtu Ngemu, who died in the uninformed and indiscriminate firing by the Army unit of 21 Para Special Forces during an operation against Naxalites in Arunachal Pradesh in 2017.

According to a statement issued by NHRC on Friday, the Commission has communicated that the case needs to be treated as special because the Judicial Enquiry Magistrate has held that the PSF personnel are responsible for the death of an innocent citizen.

The Commission has also emphasized that if the Defence Ministry pays the relief amount to the victim's family on the basis of its show cause notice in such cases, it will send positive signals amongst the locals and the credibility of the Armed Forces shall also improve. The response is expected within four weeks.

The Commission had registered the case on June 29, 2017, on the basis of intimation from the Superintendent of Police of Arunachal Pradesh's Changlang, regarding the death of Thingtu Ngemu during an action by the security forces against naxalites in Nantok circle District Changlang.

Subsequently, the Commission through its Investigation Division found that the Judicial Magistrate, First Class, District Changlang, had conducted the enquiry in the matter. It is recorded, in his report that the PSF personnel neither cooperated nor submitted any statements regarding the operation despite official letters and request of the Enquiry Magistrate.

After considering the relevant evidences, the Judicial enquiry officer found that the Army Unit of 21 Para Special Forces (PSF) of Jorhat had laid ambush within the reachable range of civilian/villagers, without any knowledge of local civil police or villagers, which was undesirable and dangerous for the inhabitants. Further, the PSF personnel detained a local innocent villager Tawang Ngemu till late night without any reason, while he was returning from his own garden. He should have been allowed to go home after ascertaining his identity.

As a result, the other villagers and family members came towards the forest in search of Tawang Ngemu. The PSF should have used night vision glasses/equipment to see through the dark night hours and should have identified innocent empty handed villagers. They should have also heard the shouts of the villagers, who were searching their man, who was already detained by the PSF. Instead they resorted to blind firing without any provocation, which led to the killing of an innocent villager under the pretext of "mistaken identity".

The enquiry Magistrate has also reported that the PSF continued firing indiscriminately from one side till 3 am of next morning of June 15, 2017 without any retaliation or any cross-firing from anywhere. Such a blunder and irresponsible action is unjustified. Holding the PSF personnel responsible for the death of Thingtu Ngemu, the enquiry magistrate noted that the victim was innocent and had no connection with any outfit.

The deceased is survived by his old ailing parents, wife and two small children. He was the primary bread earner and now the family has no source of livelihood. Based on the analysis and inputs of the facts by its Investigation Division, the Commission, U/s 19 of PHR Act, has issued the show cause notice why the victim's family should not be paid the monetary relief

NHRC issues show cause notice to Defence Ministry over relief amount for kin of civilian killed in firing

<https://economictimes.indiatimes.com/news/politics-and-nation/nhrc-issues-show-cause-notice-to-defence-ministry-over-relief-amount-for-death-of-arunachal-resident-in-army-firing/articleshow/81235024.cms>

The National Human Rights Commission (NHRC) issued a show cause notice to the defence ministry over relief amount of Rs 5 lakh to the next of kin of Thingtu Ngemu, an Arunachal resident who died in Army ring during an operation in Arunachal Pradesh's Changlang in 2017. The commission has communicated that the incident needs to be treated as a special case because the Judicial Enquiry Magistrate has held that the PSF personnel responsible for the death of an innocent citizen. The commission also emphasised that if the Defence Ministry pays the relief amount to the victim's family on the basis of its show cause notice, it will send positive signals amongst the locals and the credibility of the Armed Forces shall also improve. The response is expected within four weeks. The Commission registered the case on June 29, 2017. Subsequently, the commission, through its investigation division found that the district judicial Magistrate's in his inquiry report recorded that the PSF personnel neither cooperated nor submitted any statements regarding the operation despite official letters & requests. After considering the relevant evidences, the Judicial enquiry officer found that the Army Unit of 21 Para Special Forces (PSF) of Jorhat had laid ambush within the reachable range of civilian/villagers, without any knowledge of local civil police or villagers, which was undesirable and dangerous for the inhabitants. Further, the PSF personnel detained a local innocent villager Tuwang Ngemu till late night without any reason, while he was returning from his own garden. He should have been allowed to go home after ascertaining his identity. As a result, the other villagers and family members came towards the forest in search of Tuwang Ngemu. The PSF should have used night vision glasses/equipment to see through the dark night hours and should have identified innocent empty handed villagers. They should have also heard the shouts of the villagers, who were searching their man, who was already detained by the PSF. Instead they resorted to blind firing without any provocation, which led to the killing of an innocent villager under the pretext of "mistaken identity".

NHRC issues show-cause notice to MoD on civilian killing in firing

<https://www.thehindu.com/news/national/nhrc-issues-show-cause-notice-to-mod-on-civilian-killing-in-firing/article33943722.ece>

The National Human Rights Commission (NHRC) has issued a show-cause notice to the the Ministry of Defence (MoD), asking why it should not recommend ₹5 lakh as relief for the family of a citizen killed in Army firing in Arunachal Pradesh in 2017, an NHRC statement said on Friday.

The “innocent citizen”, Thingtu Ngemu, died in the “indiscriminate firing by the Army unit of 21 Para Special Forces (PSF) during an operation against Naxalites in Nantok circle, Changlang district, Arunachal Pradesh” on the intervening period of June 14-15, 2017, it said.

“The Commission has communicated that the case needs to be treated as special because the Judicial Enquiry Magistrate has held that the PSF personnel are responsible for the death of an innocent citizen. The Commission has also emphasized that if the Defence Ministry pays the relief amount to the victim’s family on the basis of its show cause notice in such cases, it will send positive signals amongst the locals and the credibility of the Armed Forces shall also improve. The response is expected within four weeks,” the NHRC said.

It registered a case on June 29, 2017, based on an intimation by the Changlang Superintendent of Police. Its investigation found that the PSF personnel did not cooperate with the judicial enquiry.

“After considering the relevant evidences, the Judicial enquiry officer found that the Army Unit of 21 Para Special Forces (PSF) of Jorhat had laid ambush within the reachable range of civilian/villagers, without any knowledge of local civil police or villagers, which was undesirable and dangerous for the inhabitants,” the NHRC said.

NHRC issues show cause notice to Defence Ministry over relief amount for death of citizen in Army firing in Arunachal

<https://www.aninews.in/news/national/general-news/nhrc-issues-show-cause-notice-to-defence-ministry-over-relief-amount-for-death-of-citizen-in-army-firing-in-arunachal20210226211428>

The National Human Rights Commission (NHRC) India on Wednesday issued a notice to the Union Ministry of Defence to cite a reason why Rs 5 lakh could not be paid as relief to the next of the kin of an innocent citizen Thingtu Ngemu, who died in the uninformed and indiscriminate firing by the Army unit of 21 Para Special Forces during an operation against Naxalites in Arunachal Pradesh in 2017. According to a statement issued by NHRC on Friday, the Commission has communicated that the case needs to be treated as special because the Judicial Enquiry Magistrate has held that the PSF personnel are responsible for the death of an innocent citizen. The Commission has also emphasized that if the Defence Ministry pays the relief amount to the victim's family on the basis of its show cause notice in such cases, it will send positive signals amongst the locals and the credibility of the Armed Forces shall also improve. The response is expected within four weeks. The Commission had registered the case on June 29, 2017, on the basis of intimation from the Superintendent of Police of Arunachal Pradesh's Changlang, regarding the death of Thingtu Ngemu during an action by the security forces against naxalites in Nantok circle District Changlang. Subsequently, the Commission through its Investigation Division found that the Judicial Magistrate, First Class, District Changlang, had conducted the enquiry in the matter. It is recorded, in his report that the PSF personnel neither cooperated nor submitted any statements regarding the operation despite official letters and request of the Enquiry Magistrate.

NHRC Issues Notice to Defence Ministry in Connection with Death of Man in Firing by Army Unit During Anti-Naxal Op

<https://www.news18.com/news/india/nhrc-issues-notice-to-defence-ministry-in-connection-with-death-of-man-in-firing-by-army-unit-during-anti-naxal-op-3478313.html>

<https://english.lokmat.com/national/nhrc-issues-show-cause-notice-to-defence-ministry-over-relief-amount-for-death-of-citizen-in-army/>

The NHRC on Friday said it has issued a notice to the Defence Ministry to show cause as to why Rs 5 lakh should not be recommended to be paid to the next of the kin of an "innocent citizen" who died in "uninformed and indiscriminate firing" by an army unit during an operation against Naxalites in Arunachal Pradesh in June 2017. The National Human Rights Commission, in a statement, also emphasised that if the Defence Ministry pays the relief amount to the victim's family on the basis of its show cause notice in such cases, it will send "positive signals" among the locals and the "credibility of the armed forces shall also improve".

The NHRC issued a notice on February 24 to the Ministry of Defence, through its secretary, to show cause why Rs 5 lakh should not be recommended to be paid as relief to the next of the kin of an "innocent citizen", who died in the "uninformed and indiscriminate firing by the army unit of 21 Para (Special Forces), during an operation against Naxalites in Nantok circle in Changlang district, Arunachal Pradesh in the interning period of June 14-15, 2017," the statement said. The response is expected within four weeks, the rights panels said.

The NHRC has communicated that the case needs to be treated as "special" because the judicial inquiry magistrate has held that the 21 Para (Special Forces) personnel are "responsible for the death of an innocent citizen," it added. The Commission had registered the case on June 29, 2017, on the basis of intimation from the superintendent of police, Changlang, "regarding the death" of a man "during an action by the security forces against Naxalites in Nantok circle, District Changlang," the statement said.

"Subsequently, the Commission through its investigation division found that the judicial magistrate, first class, district Changlang, had conducted the inquiry in the matter. It is recorded, in his report that the PSF personnel neither cooperated nor submitted any statements regarding the operation, despite official letters and request of the inquiry magistrate," it said. After considering the relevant evidences, the judicial inquiry officer found that the army unit of the 21 Para (Special Forces) of Jorhat had "laid ambush within the reachable range of civilian/villagers, without any knowledge of local civil police or villagers, which was undesirable and dangerous for the inhabitants," the NHRC statement said.

Further, the PSF personnel "detained a local innocent villager", till late night without any reason, while he was returning from his own garden. He should have been allowed to go home after ascertaining his identity," it claimed. As a result, the other villagers and family members came towards the forest in search of the man. The PSF should have

used night-vision glasses or equipment to see through the dark night hours, and should have identified "innocent empty-handed villagers", the statement said.

"They should have also heard the shouts of the villagers, who were searching their man, who was already detained by the PSF. Instead they resorted to blind firing without any provocation, which led to the killing of an innocent villager under the pretext of 'mistaken identity'," it added. The inquiry magistrate has also reported that "the PSF continued firing indiscriminately from one side till 3 AM of next morning of June 15, 2017 without any retaliation or any cross-firing from anywhere. Such a blunder and irresponsible action is unjustified," the statement said.

"Holding the PSF personnel responsible for the death" of the man, the inquiry magistrate noted that the "victim was an innocent and had no connection with any outfit". The deceased is survived by his old ailing parents, wife and two small children. He was the primary bread earner, and now the family has no source of livelihood, it added. Based on the analysis and inputs of the facts by its investigation division, the Commission, under section 19 of PHR Act (Protection of Human Rights Act), has issued the "show cause notice as to why the victim's family should not be paid the monetary relief", the rights panel said.

MEA rejects UN panel's demand for release of Christian Michel, Says 'arrest As Per Law'

<https://www.republicworld.com/india-news/general-news/mea-rejects-un-panels-demand-for-release-of-christian-michel-says-arrest-as-per-law.html>

The Ministry of External Affairs on Friday rejected the Working Group on Arbitrary Detention's appeal seeking the immediate release of AgustaWestland case accused Christian Michel. Functioning under the aegis of the UN Human Rights Council, the WGAD is a body of independent human rights experts that probes cases of arbitrary arrest and detention. A day earlier, it reportedly concluded that the British middleman's extradition was a "de facto swap" for India's capture and return of a high-profile detainee to Dubai in March 2018.

Calling for action to be taken against those responsible for violation of Michel's rights, it allegedly held that he deserves compensation and reparations from India and the UAE. Commenting on these "selective leaks" in the media, the MEA clarified that the WGAD's opinion is not legally binding as it is not a judicial body. Moreover, the Ministry made it clear that the UN panel's conclusions are based on biased allegations from an "unidentified source" and on an inaccurate understanding of the country's criminal justice system.

Maintaining that Michel's extradition was done in accordance with the Extradition Treaty signed between India and UAE, it added that he was never denied access to legal counsel or a fair hearing. It also stressed that the AgustaWestland case accused is being treated at par with other detainees as per the rules. Additionally, the MEA reminded the WGAD that India has a "robust grievance redressal mechanism" against allegations of human rights violations in an independent judiciary and the NHRC.

Michel's extradition

Michel along with two other middlemen Carlo Gerosa and Guido Haschke is accused of bribing politicians and other officials to secure the VVIP chopper deal for AgustaWestland. Despite being a British national, Michel was successfully extradited to India from UAE on December 5, 2018. After spending a few days in the custody of both the Central Bureau of Investigation and the Enforcement Directorate, he was sent to judicial custody on January 5, 2019. Since then, he has been languishing in Tihar jail as both the Delhi High Court and the Supreme Court dismissed his bail petition.

Notice to Def Min in connection with death of man in firing by army unit during anti-Naxal op: NHRC

<https://www.outlookindia.com/newscroll/notice-to-def-min-in-connection-with-death-of-man-in-firing-by-army-unit-during-antinaxal-op-nhrc/2037134>

The NHRC on Friday said it has issued a notice to the Defence Ministry to show cause as to why Rs 5 lakh should not be recommended to be paid to the next of the kin of an "innocent citizen" who died in "uninformed and indiscriminate firing" by an army unit during an operation against Naxalites in Arunachal Pradesh in June 2017.

The National Human Rights Commission, in a statement, also emphasised that if the Defence Ministry pays the relief amount to the victim's family on the basis of its show cause notice in such cases, it will send "positive signals" among the locals and the "credibility of the armed forces shall also improve".

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The response is expected within four weeks, the rights panels said.

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After considering the relevant evidences, the judicial inquiry officer found that the army unit of the 21 Para (Special Forces) of Jorhat had "laid ambush within the reachable range of civilian/villagers, without any knowledge of local civil police or villagers, which was undesirable and dangerous for the inhabitants," the NHRC statement said.

Further, the PSF personnel "detained a local innocent villager", till late night without any reason, while he was returning from his own garden. He should have been allowed to go home after ascertaining his identity," it claimed.

As a result, the other villagers and family members came towards the forest in search of the man. The PSF should have used night-vision glasses or equipment to see through the dark night hours, and should have identified "innocent empty-handed villagers", the statement said.

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Based on the analysis and inputs of the facts by its investigation division, the Commission, under section 19 of PHR Act (Protection of Human Rights Act), has issued the "show cause notice as to why the victim"s family should not be paid the monetary relief", the rights panel said. PTI KND RDM RDM

'Release Christian Michel Forthwith': UN Slams India on Detention of Aviation Consultant

<https://thewire.in/external-affairs/release-christian-michel-forthwith-un-slams-india-on-detention-of-aviation-consultant-wagd>

In an unprecedented indictment of India by any branch of the United Nations, the Working Group on Arbitrary Detention (WGAD), which functions under the UN High Commission for Human Rights, has censured India for its treatment of British aviation consultant Christian Michel, who has been in custody in Delhi for 27 months without a trial.

The Wire has obtained extracts of the order, which has not officially been released. It comes in response to an Anglo-French petition submitted on Michel's behalf last year. India's Ministry of External Affairs has rejected the WGAD's opinions.

The story of WGAD's decision being imminent and the likelihood of this being an adverse conclusion for the Narendra Modi administration was first and exclusively touched upon in The Wire on February 8.

The verdict is yet to be made public. But Michel's lawyers – Paris-based Zimeray & Finelle and London-headquartered Guernica 37 – in a communique shared extracts of the outcome. A source at the UN Human Rights Commission in Geneva confirmed the adjudication had taken place and that this would soon be published. The source indicated as well “the advance edited version of the opinion will be posted on the website of the Working Group between the next 7 to 14 days”.

In a diplomatically worded, but unmistakable ruling, the working group in its “Opinion No 88/2020” is said to have stated: “The violations of the right to a fair trial and due process (in Michel's case) are of such gravity as to give Mr Michel's deprivation of liberty an arbitrary character.”

WGAD has also referred the matter to the UN Special Rapporteur on Torture for further action. The “Republic of India” has as a result contravened both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Francois Zimeray of Zimeray & Finelle said: “We welcome the recognition by the UN experts that the lack of due process is utterly unacceptable.” Michel's Indian lawyer in New Delhi Aljo Joseph commented: “The verdict will be a milestone against arbitrary detention.”

‘Arbitrary detention’

WGAD also asserted that the United Arab Emirates unlawfully arrested and handed over Michel to the Indian government. It further maintained he had been held in India arbitrarily since December 2018.

The body has recommended that the appropriate remedy would be for the Government of India to release Michel “immediately” and for both the Indian and UAE authorities to grant him an enforceable right to compensation and other reparations in accordance with international law.

Indian investigators had alleged Michel was involved in the 2010 sale of AgustaWestland VVIP helicopters to the Indian government. His lawyers reacted by saying this accusation was made “without any proper evidential basis that the sale involved fraudulent conduct”. They added: “This unsupported allegation has been rejected twice by the Italian Courts, due to the complete absence of evidence.”

File photo of the AgustaWestland helicopter. Photo: Reuters.

The extradition of Michel, who was resident in Dubai, had previously been rejected by UAE courts. He was subsequently transferred by the Emirates into the hands of Indian officials – he had said that he was ‘kidnapped while he was cycling in Dubai. He was given to the Indian authorities and has been in Tihar Jail since.

The handing over was done apparently in ‘exchange’ for the pick of Princess Latifa in the middle of the sea by Indian armed forces. She was in a yacht with her friend, who is Finnish, and a French crew.

“As part of a shameful exchange following the abduction of Princess Latifa, the daughter of the ruler of Dubai, (by Indian coastguards),” his lawyers said, the suggestion being a quid pro quo occurred between Modi and Latifa’s father Sheikh Mohammed bin Rashid al Maktoum.

BBC’s flagship investigative programme Panorama recently broadcast pieces to camera secretly sent by 35-year-old Latifa – who said she has been held hostage by her father since – described how she was captured by Indian coastguards who boarded her yacht in international waters firing guns.

After being transported to India, Michel has, his lawyers said, “languished in squalid conditions, abandoned by all, awaiting trial on charges that amount to a flagrant denial of justice for more than two years”. In a 35-page letter written to British Prime Minister Boris Johnson last month, Michel set out his dismay in the failings of the British government.

His lawyers charged that “he has been subjected to not only repeated and prolonged interrogations aimed at securing a confession by way of duress, but also to inhuman or degrading treatment that is of such severity that it constitutes torture” by the Central Bureau of Investigation (CBI) and the Enforcement Department.

They went to the extent of contending: “It is noteworthy that Christian experienced all this – in breach of basic human rights conditions – without being charged with a criminal offence, leading to the conclusion that this arbitrary detention was politically motivated.” Both in Dubai and Delhi, Michel was repeatedly asked by the CBI to initial a statement saying he paid bribes to the Gandhi family of the Congress party.

Toby Cadman, a barrister at Guernica 37, remarked: “Christian was asked to sign a forged Budget Sheet in exchange for being a witness in the proceedings that would lead to all charges being dropped against him as well as the Red Notice (issued against him by Interpol) being withdrawn. Christian refused to cooperate...which resulted in his extradition.”

Michel’s legal team called on the British Foreign Office “to take immediate steps to intervene”. It impressed upon “the Governments of India and United Arab Emirates to respect the UN ruling and implement the recommendations fully to demonstrate their commitment to the rule of law”. “Nothing short of Christian’s immediate release and repatriation to the United Kingdom and to his family will suffice.”

Johnson’s office was requested to comment. It did not reply. Neither did the Indian ambassador to the UN in Geneva.

MEA response

In response to media queries, MEA spokesperson Anurag Srivastava said that India rejects the WGAD’s indictment and wishes to “make it clear” that the Working Group is not a judicial body, “and therefore, its opinions are not legally binding on the Member States.”

“We regret that the conclusions drawn by the Working Group are based on limited information, biased allegations from an unidentified source and on an inaccurate understanding of India’s criminal justice system,” Srivastava added.

Noting that the extradition, arrest and custody were in accordance with the Extradition Treaty and due process of law, the MEA said Michel had never been denied his rights to legal counsel, consular access or a fair hearing.

“The Working Group should be aware that India has a robust grievance redressal mechanisms against allegations of violations of human rights in a vibrant and independent judiciary and a ‘category A’ National Human Rights Commission compliant with the Paris Principles,” the MEA said.

“The allegations which form the basis of the opinion rendered by the Working Group are contrary to facts. The Government of India therefore, rejects the opinion rendered by the Working Group,” Srivastava ultimately noted.

मारे गए निर्दोष व्यक्ति के परिवार को मुआवजा क्यों न दिया जाए? NHRC ने रक्षा मंत्रालय से मांगा जवाब

<https://zeenews.india.com/hindi/india/nhrc-issued-notice-to-ministry-of-defense-and-asks-answers-on-2017-case/856272>

<http://www.univarta.com/news/india/story/2329463.html>

राष्ट्रीय मानवाधिकार आयोग (NHRC) ने वर्ष 2017 के एक मामले में शुक्रवार को रक्षा मंत्रालय को कारण बताओ नोटिस जारी किया है। इसमें पूछा गया है कि सेना (Indian Army) की गई गोलीबारी में मारे गए एक निर्दोष नागरिक के परिजनों को 5 लाख रुपये मुआवजा क्यों नहीं दिया जाना चाहिए।

4 हफ्ते में देना होगा जवाब

आयोग ने चार सप्ताह में नोटिस का जवाब मांगा है। आयोग (Human Rights) की तरफ से जारी एक बयान में यह भी कहा गया है कि यदि रक्षा मंत्रालय (Ministry of Defense) मृतक के परिवार को मुआवजे की राशि देता है तो इससे स्थानीय लोगों में सकारात्मक संदेश जाएगा और भारतीय सेना की विश्वसनीयता बढ़ेगी।

क्या है पूरा मामला?

गौरतलब है कि अरुणाचल प्रदेश में 14-15 जून 2017 के बीच चांगलांग जिले के नान्तोक सर्कल में नक्सलियों के खिलाफ एक अभियान चलाया जा रहा था। इसी दौरान सेना की 21 पैरा स्पेशल फोर्स टुकड़ी ने बिना सूचना दिए गोलीबारी शुरू कर दी थी। इस दौरान एक निर्दोष नागरिक की मौत हो गई थी। मजिस्ट्रेट ने अपने आदेश में कहा था कि 21 पैरा स्पेशल फोर्स कर्मी एक निर्दोष नागरिक की मौत के जिम्मेदार हैं।

एनकाउंटर में हुई मौत पर कोर्ट का पुलिस वालों पर हत्या की धाराओं में एफआईआर का आदेश

<https://www.dw.com/hi/%E0%A4%8F%E0%A4%A8%E0%A4%95%E0%A4%BE%E0%A4%89%E0%A4%82%E0%A4%9F%E0%A4%B0-%E0%A4%AE%E0%A5%87%E0%A4%82-%E0%A4%B9%E0%A5%81%E0%A4%88-%E0%A4%AE%E0%A5%8C%E0%A4%A4-%E0%A4%AA%E0%A4%B0-%E0%A4%95%E0%A5%8B%E0%A4%B0%E0%A5%8D%E0%A4%9F-%E0%A4%95%E0%A4%BE-%E0%A4%AA%E0%A5%81%E0%A4%B2%E0%A4%BF%E0%A4%B8-%E0%A4%B5%E0%A4%BE%E0%A4%B2%E0%A5%8B%E0%A4%82-%E0%A4%AA%E0%A4%B0-%E0%A4%B9%E0%A4%A4%E0%A5%8D%E0%A4%AF%E0%A4%BE-%E0%A4%95%E0%A5%80-%E0%A4%A7%E0%A4%BE%E0%A4%B0%E0%A4%BE%E0%A4%93%E0%A4%82-%E0%A4%AE%E0%A5%87%E0%A4%82-%E0%A4%8F%E0%A4%AB%E0%A4%86%E0%A4%88%E0%A4%86%E0%A4%B0-%E0%A4%95%E0%A4%BE-%E0%A4%86%E0%A4%A6%E0%A5%87%E0%A4%B6/a-56714393>

लखनऊ में करीब दस दिन पहले हुए एनकाउंटर में गिरधारी विश्वकर्मा नाम के एक अभियुक्त की मौत हो गई थी. कोर्ट ने लखनऊ के डीसीपी संजीव सुमन, विभूति खंड थाने के इंस्पेक्टर चंद्रशेखर सिंह और अन्य संबंधित अधिकारियों और पुलिसकर्मियों के खिलाफ एफआईआर दर्ज करने का आदेश दिया है. कोर्ट ने यह फैसला सर्वजीत सिंह नाम के एक वकील की याचिका पर दिया है.

गिरधारी विश्वकर्मा लखनऊ में ही पिछले महीने हुए अजीत सिंह की हत्या के मुख्य अभियुक्त थे और पुलिस रिमांड के दौरान मुठभेड़ में उनकी उसी जगह मौत हो गई जहां अजीत सिंह की हत्या हुई थी. गिरधारी के परिजनों ने इस एनकाउंटर पर सवाल उठाते हुए अदालत में चुनौती दी गई थी.

वकील सर्वजीत सिंह की ओर से इस मामले में हुई मौत को लेकर न्यायिक कार्रवाई में कोर्ट में झूठे तथ्य देने और कमिश्नर डीके ठाकुर, डीसीपी संजीव सुमन, एसीपी प्रवीण मालिक और थानाध्यक्ष विभूतिखंड चंद्रशेखर सिंह के खिलाफ कार्रवाई करने की मांग वाली अर्जी आजमगढ़ कोर्ट में दी गई थी. इस पर सुनवाई करते हुए जिला न्यायाधीश दिनेश कुमार शर्मा ने मामले की सुनवाई के लिए सीजेएम से रिपोर्ट तलब की थी.

कोर्ट ने अपने आदेश में कहा कि सीजेएम 24 फरवरी की शाम तक रिपोर्ट देकर बताएं कि सुप्रीम कोर्ट की गाइडलाइन के अनुसार एनकाउंटर में कौन से हथियार प्रयोग किए गए. इससे पहले याचिकाकर्ता की ओर से कोर्ट को बताया गया कि अभियुक्तों ने जानबूझकर सुप्रीम कोर्ट

के निर्देशों का पालन नहीं किया. पुलिस ने इस मामले में पीड़ित पक्ष की ओर से एफआईआर तक नहीं दर्ज की थी.

अदालत ने अपने आदेश में कहा कि यह विवेचना का विषय है कि पुलिस टीम की ओर से इस मुठभेड़ में अपनी आत्मरक्षा के तहत गिरधारी की मौत हो गई या फिर पुलिस ने आत्मरक्षा के दायरे से बाहर जाकर कोई काम किया है. याचिका में आरोप लगे थे कि पुलिस अभिरक्षा के दौरान थाना विभूतिखंड के प्रभारी निरीक्षक चंद्रशेखर सिंह एवं संबंधित पुलिस अधिकारी ने पूर्व नियोजित और षडयंत्र के तहत 14 फरवरी की रात निर्मम तरीके से हत्या कर दी और हत्या के जुर्म से बचने के लिए कुछ झूठे सरकारी दस्तावेज तैयार किए गए.

अदालत का कहना था कि गिरधारी के पुलिस हिरासत से भागने से संबंधित तो दो प्राथमिकी पुलिस ने दर्ज कर रखी हैं लेकिन उनकी मृत्यु कैसे हुई, इस बारे में कोई एफआईआर नहीं दर्ज की गई है, जबकि ऐसा करना सुप्रीम कोर्ट का निर्देश है.

कौन कौन सी एजेंसियां कर सकती हैं भारत में फोन टैप?

केंद्रीय अन्वेषण ब्यूरो (सीबीआई)

ये देश की प्रमुख जांच संस्था है जो भ्रष्टाचार और रिश्वतखोरी से लेकर, संगठित जुर्म, आर्थिक जुर्म और अंतरराष्ट्रीय जुर्म तक के मामलों की जांच कर सकती है. ये इंटरपोल से संपर्क रखने वाली भारत की एकमात्र संस्था है. ये कार्मिक, लोक शिकायत और पेंशन मंत्रालय के अधीन है.

फर्जी एनकाउंटरकी लिस्ट लंबी

उत्तर प्रदेश में पिछले कुछ दिनों में हिरासत में ऐसी कई घटनाएं हुई हैं जिनमें अभियुक्त की मृत्यु हुई या फिर वह गंभीर रूप से घायल हुआ और ऐसे ज्यादातर मामले संदेह के घेरे में आए. जुलाई में कानपुर के चर्चित बिकरू कांड के मुख्य अभियुक्त विकास दुबे की मौत भी कुछ इसी तरह हुई थी और उस पर भी सवाल उठे जिसकी जांच भी हो रही है.

अक्टूबर 2019 में झांसी में ऐसी ही एक मौत ने काफी सुर्खियां बटोरी थीं और जिसमें पुष्पेंद्र यादव नाम के एक युवक की मौत हो गई थी. परिजनों ने पुलिस पर हत्या का आरोप लगाया था. परिजनों का दावा था कि रिश्वत देने के लिए मना करने पर उसे मार दिया गया. लखनऊ में ही जहां युवक-युवती के एक साथ घूमने के मामले में पुलिस वालों ने विवेक तिवारी नाम के एक शख्स को एनकाउंटर में मार गिराया था, वहीं नोएडा में एक जिम के संचालक को एक पुलिस वाले ने कथित तौर पर रंजिश के तहत मार दिया था और बाद में उसे एनकाउंटर दिखा दिया था. जांच में एनकाउंटर फर्जी निकला और पुलिसकर्मी निलंबित हुआ.

उत्तर प्रदेश में योगी सरकार आने के बाद पुलिस एनकाउंटर की संख्या बढ़ी है। मुख्यमंत्री योगी आदित्यनाथ खुद इसकी तारीफ करते हैं और कहते हैं कि इसीलिए अपराधी राज्य की सीमा से बाहर चले गए हैं। हालांकि अपराध के आंकड़ों में कमी फिर भी नहीं दिख रही है। योगी सरकार के तीन साल में एनकाउंटर में 112 मौतें हुईं और इन सभी मौतों पर सवाल उठते रहे हैं। वहीं यदि पिछली सरकार में देखें तो अखिलेश यादव के नेतृत्व वाली समाजवादी पार्टी की सरकार के अंतिम तीन साल में किसी भी साल एनकाउंटर का आंकड़ा दहाई में भी नहीं पहुंचा।

दिलचस्प बात यह भी है कि यूपी में जहां पुलिस एनकाउंटर में मौत के मामले बढ़े हैं, वहीं पूरे देश में ऐसे मामलों की संख्या में कमी आई है। 6 जनवरी 2019 को गृह राज्य मंत्री हंसराज अहीर ने राज्यसभा में बताया कि 2018 में भारत में 22 फेक एनकाउंटर हुए जिनमें इनमें 17 यानी 77 फीसद से भी ज्यादा उत्तरप्रदेश में हुए। राष्ट्रीय मानवाधिकार आयोग ने भी एक आरटीआई के जवाब में बताया था कि भारत में साल 2000 से साल 2018 के बीच 1804 फेक एनकाउंटर हुए जिनमें 811 फेक एनकाउंटर यानी 45 फीसद अकेले उत्तरप्रदेश में हुए।

उत्तर प्रदेश में योगी आदित्यनाथ के नेतृत्व में बीजेपी सरकार आने से पहले देश में सबसे ज्यादा एनकाउंटर असम, मेघालय, छत्तीसगढ़ और झारखंड में होते थे लेकिन अब यूपी में इन राज्यों से भी ज्यादा एनकाउंटर होने लगे।

Notice to govt over death of man during Naxal op

The NHRC on Friday said it has issued a notice to the Defence Ministry to show cause as to why ₹5 lakh should not be recommended to be paid to the next of the family member of an "innocent citizen" who died in "uninformed and indiscriminate firing" by an army unit during an operation against Naxalites in Arunachal Pradesh in June 2017. The response is expected within four weeks, the human rights panels said.

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