

### गुवाहाटी उच्च न्यायालय ने असम सरकार से पुलिस एंकाउंटर्स पर ...

<https://www.navyugsandesh.com/guwahati-high-court-asks-assam-government-to-file-detailed-affidavit-on-police-encounters/>

मंगलवार को गुवाहाटी उच्च न्यायालय ने मंगलवार को असम सरकार से कहा कि वह मई 2021 में राज्य में भाजपा की सत्ता में वापसी के बाद से हो रही पुलिस मुठभेड़ों पर एक विस्तृत हलफनामा दाखिल करे। अधिवक्ता आरिफ़ एमडी यासीन जवादर द्वारा दायर जनहित याचिका पर सुनवाई करते हुए, मुख्य न्यायाधीश सुधांशु धूलिया और न्यायमूर्ति सौमित्र सैकिया की खंडपीठ ने असम के महाधिवक्ता देवजीत लोन सैकिया से मुठभेड़ों से संबंधित विस्तृत हलफनामा प्रस्तुत करने को कहा।

उन्होंने बताया की हलफनामा गृह और राजनीतिक विभाग तैयार करेगा और दाखिल करेगा। हाईकोर्ट ने मामले की अगली सुनवाई के लिए 25 जनवरी की तारीख तय की है। अधिवक्ता जवादर के अनुसार अदालत ने प्रमुख सचिव (गृह) या अतिरिक्त सचिव (गृह) को कथित फर्जी मुठभेड़ों पर विस्तृत हलफनामा दाखिल करने को कहा।

प्रख्यात अधिकार कार्यकर्ता इंदिरा जयसिंह ने याचिकाकर्ता की ओर से मामले में तर्क दिया म जवादर ने दावा किया कि सैकिया ने अदालत को सूचित किया कि मुठभेड़ों के बारे में मजिस्ट्रियल जांच की जा रही है लेकिन जयसिंह ने कहा कि ऐसी कोई जानकारी उपलब्ध नहीं है। जयसिंह ने अदालत से आग्रह किया कि यदि मामले दर्ज किए गए हैं तो राज्य को अपनी वेबसाइट पर प्राथमिकी अपलोड करने का निर्देश दें।

जवादर ने अपनी याचिका में अदालत की निगरानी में सीबीआई, एसआईटी या अन्य राज्यों की पुलिस टीमों जैसी स्वतंत्र एजेंसी से जांच कराने की मांग की है। साथ ही याचिकाकर्ता ने गुवाहाटी उच्च न्यायालय के मौजूदा न्यायाधीश से न्यायिक जांच कराने और पीड़ित परिवार को उचित सत्यापन के बाद आर्थिक मुआवजा देने की भी मांग की।

इससे पहले, याचिकाकर्ता ने मई 2021 से हुई मुठभेड़ों की श्रृंखला को लेकर असम पुलिस के खिलाफ राष्ट्रीय मानवाधिकार आयोग (NHRC) के साथ कथित फर्जी मुठभेड़ों पर शिकायत दर्ज की थी। एनएचआरसी ने नवंबर 2021 में मामले को असम मानवाधिकार आयोग (एएचआरसी) को स्थानांतरित कर दिया, जिसने कथित फर्जी मुठभेड़ों का भी स्वतः संज्ञान लिया था और असम सरकार से रिपोर्ट मांगी थी।

**दारोगा की मौत की सीबीआई जांच को बनाई मानव श्रृंखला**

<https://www.jagran.com/jharkhand/sahibganj-human-chain-formed-for-cbi-investigation-into-the-death-of-the-inspector-22376885.html>

साहिबगंज के कबूतरखोपी निवासी दारोगा लालजी यादव की मौत से भड़के भाजपा ओबीसी मोर्चा के कार्यकर्ताओं ने बुधवार को नगर परिषद कार्यालय के सामने मानव श्रृंखला बनाई। सरकार विरोधी नारे लगाते हुए मामले की सीबीआई जांच की मांग की। मालूम हो कि लालजी यादव पलामू जिले के नावाबाजार थाना प्रभारी थे। वे निलंबित थे। मंगलवार सुबह उनका शव थाना परिसर स्थित क्वार्टर में पंखे से लटकता मिला था।

नगर परिषद उपाध्यक्ष सह भाजपा नेता रामानंद साह ने इस दौरान कहा कि लालजी यादव की मौत के मामले की सीबीआई जांच हो। ताकि पता चल सके कि यह हत्या है या आत्महत्या। आरोप लगाया कि लालजी यादव की साजिश कर हत्या की गई है। कहा कि राज्य में कानून व्यवस्था बिगड़ गई है। झारखंड के लोग असुरक्षित महसूस कर रहे हैं। रामानंद साह ने बताया कि कोरोना से बचने के उपायों को अमल में लाकर मानव मौत की सीबीआई जांच को बनाई मानव श्रृंखला बनाई है। धर्मेन्द्र कुमार, अनिमेश सिन्हा, ज्योति शर्मा, दिनेश पांडे समेत अनेक कार्यकर्ता थे। राष्ट्रीय मानवाधिकार आयोग को भेजा पत्र : इधर राजमहल व्यवहार न्यायालय के अधिवक्ता सह हिंदू धर्म रक्षा मंच के केंद्रीय अध्यक्ष संत कुमार घोष ने राष्ट्रीय मानवाधिकार आयोग को पत्र भेजा है। लालजी यादव को वरीय पुलिस पदाधिकारी द्वारा प्रताड़ित करने व षड्यंत्र रच हत्या किए जाने की आशंका जताई है। कहा है कि नावाबाजार थाना क्षेत्र में बड़े अवैध धंधे होते थे। रुपये की उगाही होती थी। लालजी यादव विरोध करते थे। इस कारण वरीय पदाधिकारियों द्वारा प्रताड़ित किया जाता था। छह जनवरी 2022 को पलामू के डीटीओ से लालजी यादव की बहस हुई थी। डीटीओ ने एसपी से शिकायत की। लालजी यादव निलंबित हो गए। थाना प्रभारी की बाइक तथा मोबाइल गायब है। पलामू में उनके पक्ष में जनता सड़क पर उतरी। जो उनकी कर्तव्यनिष्ठा दर्शाती है।

## **Gauhati HC Orders Assam Govt To File Detailed Affidavit On Alleged Fake Encounters In Assam**

<https://www.guwahatipius.com/assam/gauhati-hc-orders-assam-govt-to-file-detailed-affidavit-on-alleged-fake-encounters-in-assam>

The Gauhati High Court (HC) has asked the Assam Government to file a detailed affidavit on the alleged fake encounters being conducted in the State by Assam Police since May last year. The detailed affidavit is to be filed by the Secretary (Home) or the Additional Secretary (Home) within two weeks. The order was passed by a bench of Chief Justices Sudhanshu Dhulia and Soumitra Saikia in response to a Public Interest Litigation (PIL) filed by lawyer Arif Jwadder in December 2021, that says 80 alleged fake encounters incidents have happened in Assam since May 2021, resulting in 28 deaths and 48 injuries. Senior advocate and former Additional Solicitor General of India, Indira Jaising on January 11, appeared on behalf of the petitioner who sought independent probe into the alleged fake encounters in Assam. Advocate General of Assam Devajit Lon Saikia appearing for the State informed that magisterial inquiry was being held. Jaising, arguing for the matter, informed the Court that there is no such information available and urged the Court to direct the State to upload FIRs on their website, if any lodged. Lawyer Arif Jwadder has sought an order from the High Court for the registration of an FIR in the alleged fake encounter cases and an independent investigation by the Central Bureau of Investigation (CBI), a Special Investigation Team (SIT) or a police team from another state, under the supervision of the Court. In his PIL, Jwadder also sought a judicial inquiry by a sitting Judge of the Gauhati HC into the alleged encounters and monetary compensation to the families of the victims after due verification. Besides the State Government, Assam Police, the Department of Law and Justice, National Human Rights Commission (NHRC) and the Assam Human Rights Commission had been named as respondents in the petition. In July last year, Jwadder had filed a complaint against such incidents with the NHRC. The commission had sought a report from the Assam Police in September. In November, NHRC transferred the case to the Assam Human Rights Commission.

## **'Matter of serious concern', Dhankhar says after CS, DGP 'skip' meeting for second time**

<https://www.thestatesman.com/bengal/matter-serious-concern-dhankhar-says-cs-dgp-skip-meeting-second-time-1503038169.html>

Few hours after West Bengal Chief Secretary HK Dwivedi, and DGP Manoj Malaviya skipped their meeting with the Governor — second time in three days — a furious Jagdeep Dhankhar criticised the two top government officials, saying it “has dealt a spinal blow to the reputation of the services they belong”.

In a Twitter post on Wednesday, the Governor said: “It is a matter of very serious concern. The Chief Secretary and the DGP of the state have chosen to boycott meetings with the Governor in the last three days. This is serious inexcusable constitutional lapse and has dealt a spinal blow to the reputation of the services they belong.”

“Their conduct as a matter of fact was observed by the National Human Rights Commission that in the state of West Bengal there is law of the ruler and not the rule of law. I have noticed that the chief secretary of the state aggravates his conduct habitually by not responding and always taking a derogatory and diversionary route. These senior officials rather than upholding the supremacy of the constitution and democratic values have chosen to decimate the same,” he said.

## **Gauhati High Court directs government to file affidavit on alleged fake encounters**

<https://www.sentinelassam.com/guwahati-city/gauhati-high-court-directs-government-to-file-affidavit-on-alleged-fake-encounters-572729>

The Gauhati High Court has asked the Assam Government to file a detailed affidavit on the alleged fake encounters orchestrated by Assam Police since May last year within two weeks. The detailed counter affidavit is to be filed by the Secretary (Home) or Additional Secretary (Home). Senior advocate and former Additional Solicitor General of India, Indira Jaising appeared on behalf of the petitioner, who has sought an independent probe into the alleged fake encounters in the State. The Attorney General appearing for the State, informed that magisterial inquiry was conducted into these alleged fake encounters. Jaising informed the court that there is no such information available and urged the court to direct the State to upload FIRs on their website if FIRs were lodged. Also Read - Shri Prasanna Kumar Barthakur Passes Away in Guwahati A Public Interest Litigation (PIL) (86/2021) has been filed by Arif Md Yeasin Jwadder under Article 226 of the Constitution of India in Gauhati High Court to issue an appropriate writ or order or direction calling for the records on "fake encounter killings" by police personnel. The petitioner also sought an order for registration of FIR for an offence under section 302 of Indian Penal Code and for conducting an independent investigation against the Assam Police personnel who are involved in all the fake encounters by an independent agency like the Central Bureau of Investigation (CBI), Special Investigation Team (SIT) or any other police team from another State under the supervision of the Gauhati High Court. The PIL mentions that 80 such incidents had happened in the State since May 2021, resulting in 28 deaths and leaving 48 people injured. Also Read - Guwahati: LGBTI Airport Reduces Parking Fee From January 10 The petitioner also sought a judicial inquiry by a sitting Judge of the Gauhati High Court into the alleged encounters and monetary compensation to the families of the victims after due verification. Besides the State Government, Assam Police, the Department of Law and Justice, the National Human Rights Commission (NHRC) and the Assam Human Rights Commission have been named as respondents in the petition. Also Read - Roll out of Ethanol Blended Petrol (E10) across Northeastern States In July last year, Jwadder had filed a complaint against such incidents with the National Human Rights Commission (NHRC). The Commission had sought a report from the Assam Police in September. In November, NHRC transferred the case to the Assam Human Rights Commission. The complaint is still pending.

## **‘Constitutional lapse’: Governor slams officials for skipping meets**

<https://indianexpress.com/article/cities/kolkata/constitutional-lapse-governor-slams-officials-for-skipping-meets-7720441/>

GOVERNOR JAGDEEP Dhankhar on Wednesday expressed his “strong displeasure” after state Chief Secretary H K Dwivedi and Director-General of Police Manoj Malaviya skipped two scheduled meetings with him in three days and said there was a “constitutional lapse”.

The strong reaction from the Governor came after the two top state government officials did not attend a meeting convened by him earlier in the day. They skipped another meeting with him on January 10. The meeting was convened to seek details on why Leader of Opposition in the state Assembly Suvendu Adhikari was stopped by the police from visiting Netai in Jhargram district on January 7 to attend a programme despite obtaining permission for the same from Calcutta High Court.

“CS @MamataOfficial DGP @WBPolice ‘boycott’ WB Guv meeting (Re:LOP @SuvenduWB Netai visit) for second time in 3 days – actionable incondonable constitutional lapse by top officials @IASassociation @IPS\_Association bearing out observation @India\_NHRC in WB ‘Law of Ruler not of Law’,” Dhankhar tweeted.

The Governor alleged that the two officials have not only “damaged the reputation of top services” but also violated the “essence of democracy by defying his repeated calls for a meeting.

“CS @MamataOfficial DGP @WBPolice conduct aggravated by lack of response and habitual defiance of directives from Guv. Rather than ‘uphold the supremacy of the Constitution and democratic values’ these officials @IASassociation @IPS\_Association have violated essence of democracy,” Dhankhar said in another tweet.

The Governor added that he would ensure that the chief secretary and the DGP “get into constitutional groove”. “Constitutionally ordained ‘to preserve, protect and defend the Constitution and the law’ would now ensure that CS @MamataOfficial DGP @WBPolice get into constitutional groove. These officials @IASassociation @IPS\_Association have spinally damaged the reputation of top services,” he added.

Reacting to the Governor’s remarks, TMC spokesperson Saugata Roy said, “The Governor has no other work than sending out tweets. The state government officers are working in a difficult situation and addressing issues such as the Covid-19 situation. The Governor should understand this.”