

NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
MANAV ADHIKAR BHAWAN, BLOCK-C, G.P.O. COMPLEX,
INA, NEW DELHI- 110023

Dated 25/08/2015

Case No. 31/14/0/08-09-AFE

✓ SHRI SUHAS CHAKMA, DIRECTOR
NATIONAL CAMPAIGN FOR PREVENTION OF
TORTURE, C- 3/441- JANAKPURI
DELHI, DELHI.

6 001

Sir/Madam,

With reference to your complaint dated 12/01/2009, I am directed to say that the matter was considered by the Commission on 19/08/2015. The Commission has made the following directions.

From a report submitted by the Amicus Curiae before the Supreme Court in Writ Petition (Crl.) No. 129/2012 it is seen that the brothers of the deceased Ningombam Gopal Singh have filed a Writ Petition No. 18/2009 in the High Court and the Manipur High Court vide Judgment dated 5th September, 2014 directed payment of compensation of Rs. 5.00 lakhs to the petitioners.

Hence, the Commission does not consider it is necessary to pursue this case any further. The case is closed.

This is for your information.

Yours faithfully,


DEPUTY REGISTRAR(LAW)

National Human Rights Commission

New Delhi, India

Case Details of File Number: 31/14/0/08-09-AFE

Diary Number 5108
Name of the Complainant SUHAS CHAKMA, DIRECTOR
Address NATIONAL CAMPAIGN FOR PREVENTION OF TORTURE, C- 3/441- JANAKPURI DELHI , DELHI
Name of the Victim NINGOMBAM GOPAL SINGH S/O LATE NINGOMBAM KULA SING
Address HEIRAN GOITHING MAKHA MUTUM LERAK UNDER SINGJAMEI, IMPHAL WEST, MANIPUR , MANIPUR
Place of Incident SADOKPAM & HEINOUBOK
 MANIPUR , MANIPUR
Date of Incident 12/23/2008

Having considered the materials available including the magisterial inquiry report, we are not convinced with the investigation conducted in the case relating to the death of Ningombam Gopal Singh on 23.12.2008 as witnesses were not examined during the investigation/magisterial inquiry and no serious effort was made to find out the truth. It was stated in the complaint of Shri Suhas Chakma, Director, National Campaign for Prevention of Torture that the deceased was forcibly taken away by two unidentified persons in a Santro car from a local tea shop located at Maibam Leikai Bokul Makhong. However, no attempt was made to identify the said tea shop owner to record his statement and the statements of other customers, if any, who were present at the time of the incident. It was also alleged in the complaint that one police Gypsy had come to the spot and one Mrs.Heisnam Randoni Devi, a Panchayat Member who had witnessed the incident had shouted to chase the car in which the deceased was forcibly taken away. Neither during the investigation nor in the magisterial inquiry, the statement of Mrs. Heisnam Randoni Devi was recorded. According to the complainant, the deceased Ningombam Gopal Singh was a Grade-IV employee with Imphal Bench of the Guwahati High Court. The Investigating Officer or the Magistrate has not reported in their report about the employment of the deceased or about his conduct or antecedents after inquiring from his colleagues. It is also not reported whether the deceased was on duty and attending office during the relevant period. In the letter dated 16.2.2009 sent to the Commission by the SSP, Imphal West District, Manipur, it is stated that further investigation of the case so far revealed that deceased Ningombam Gopal Singh was a member of Proscribed/banned organization PREPAK as per record of SP, CID (SB), Manipur DSI No.277 Dec. 29-2008, Para No.5607. Though the incident took place on 23.12.2008, the above mentioned record is of 29.12.2008. Neither the investigating report nor the magisterial inquiry refers to any record prior to the date of incident. In such circumstances, we are of the considered view that District Magistrate, Imphal West District, Manipur should ensure that further magisterial inquiry is conducted on the various aspects given below and submit a report to the Commission within eight weeks :- i) Locate and identify the owner of the tea shop from whose shop deceased Ningombam Gopal Singh was forcibly taken away by two unidentified persons in a Santro car and to record his statement and the statements of other customers, if any, who were present at the time of incident. ii) Record the statement of Mrs. Heisnam Randoni Devi, a Panchayat Member who is stated to have witnessed the incident of picking up of Ningombam Gopal Singh by two unidentified persons in a Santro car and who shouted to chase the car when a police Gypsy came at the spot. iii) Inquire whether there is any record with the police for the period prior to 23.12.2008 to indicate that the deceased was a member of any banned organization like PREPAK. iv) Verify the existence and authenticity of the record of SB/CID (SB), Manipur DSI No.277 Dec. 29-2008, Para 5607 which shows that the deceased was a member of a banned PREPAK. Put up after eight weeks.

Direction Issued by the Commission

Action Taken Additional Information Called for (Dated 1/1/2014)
Status on 5/24/2014 Response from concerned authority is awaited

Note: For further details kindly contact National Human Rights Commission, Manav Adhikar Bhawan Block-C, GPO Complex, INA, New Delhi - 110023

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 अस्वीकरण : नेट पर प्रकाशित सूचना में, अनजाने में हुई किसी भी गलती के लिए न तो एन.एच.आर.सी., न ही एन.आई.सी., जिम्मेदार है।

National Human Rights Commission

New Delhi, India

Case Details of File Number: 31/14/0/08-09-AFE

Diary Number	5108
Name of the Complainant	SUHAS CHAKMA, DIRECTOR
Address	NATIONAL CAMPAIGN FOR PREVENTION OF TORTURE, C- 3/441- JANAKPURI DELHI , DELHI
Name of the Victim	NINGOMBAM GOPAL SINGH S/O LATE NINGOMBAM KULA SING
Address	HEIRAN GOITHING MAKHA MUTUM LERAK UNDER SINGJAMEI, IMPHAL WEST, MANIPUR , MANIPUR
Place of Incident	SADOKPAM & HEINOUBOK MANIPUR , MANIPUR
Date of Incident	12/23/2008

The complainant in his complaint dated 12-01-2009 drew the attention of the Commission towards alleged extra judicial killing of one Ningombam Gopal Singh by combined forces of Imphal West Police Commandos and 32 Assam Rifles under jurisdiction of Lamphal Police Station in Imphal West, Manipur on 23/12/2008. The complainant prayed for as under:- Direct the Ministry of Home Affairs and State Government of Manipur to order a judicial inquiry into alleged extrajudicial killing of Ningombam Gopal Singh by combined forces of Imphal West Police Commandos and 32 Assam Rifles at an isolated place between Sadokpam and Heinoubok under Lamphel police station in Imphal West district, and submit report to the NHRC within two weeks; Direct the Ministry of Home Affairs and State Government of Manipur to send the post mortem report of the deceased, which should have been conducted in full conformity with the guidelines laid down by the NHRC, within two weeks; Direct the Ministry of Home Affairs and the State Government of Manipur to immediately arrest the accused security personnel responsible for the alleged extrajudicial killing and take appropriate legal action against any one found to be guilty; Direct the Ministry of Home Affairs and State Government of Manipur to provide an interim compensation of Rs. 10,00,000 (ten lakhs) to the family of the deceased; and Take any other measures that the NHRC deems fit and proper. Upon perusal, the Commission vide proceedings dated 19-01-2009 requested DG(I) to collect requisite reports from the concerned authorities within six weeks. Pursuant to the directions of the Commission, following reports have been received and are taken on record:- 1) Inquest Report 2) Post Mortem Examination Report. 3) Extracts of GD 4) Copy of FIR 5) MER As the case relates to alleged death in an encounter and requisite reports have been received, place before a Division Bench immediately. Registry to check and examine thoroughly about any other case registered in the Commission in the same incident and if found link up immediately.

Direction Issued by the Commission

Action Taken

Status on 2/14/2013

Additional Information Called for (Dated 8/11/2011)

Commission is considering the reports recieved from concerned authority.

Note: For further details kindly contact National Human Rights Commission, Copernicus Marg, New Delhi, PIN 110001 Tel.No. 23385368 Fax No. 23384863 E-Mail: covdnhrc@hub.nic.in

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