

No.22/14/2004-2005-DB-II/FC
NATIONAL HUMAN RIGHTS COMMISSION
(Law Division / Full Commission Branch)

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FARIDKOT HOUSE
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NEW DELHI-110001

Dated 27.01.2010

28 JAN 2010

To
The Chief Secretary,
Govt. of Manipur,
IMPHAL.

Subject: Complaint received from Shri Suhas Chakma, Director, ACHR regarding murder of R.K. Sanjoba s/o R.K. Naba Chandra of Sagolband by four Manipur police personnel of Patsoi Police Station on 20.10.2004.

Sir,

I am directed to say that the matter was considered by the Commission on 20.01.2010 when it inter-alia observed and directed as under:-

“Asian Centre for Human Rights vide letter dated 21st October, 2004, forwarded a complaint, inter alia, alleging that one R.K. Sanjaoba, son of R.K. Naba Chandra was killed by police personnel of Patsoi in Imphal at 10.30 A.M. on 20th October, 2004 at Sagolband Khongnang Hogaibi, Imphal. In this case, there is no report made by the State of Manipur about the death caused by the police. In fact, from the State of Manipur this Commission is not receiving any reports. According to the report 111 cases have been reported as police encounter cases. Therefore, Chief Secretary, State of Manipur shall explain as to why the reports are not being forwarded to the National Human Rights Commission. For this information, the Registry is directed to annexe a copy of the letter issued in this behalf to all the State Governments.

In the instant case, the police has put up a theory that it is a case of accidental firing and the person sustained injuries as a consequence of which he died. The deceased and one other person were returning home on their scooter which was stopped on the way by some unknown police personnel of Manipur Police which was headed by a lady police officer. In the scuffle which took place one of the police-men took out the weapon and shot him on his chest from point blank range as a result of which he died on the spot.

It is suggested that during the course of investigation which revealed that the person spoke some slang language as a result of which the escorts got down from the vehicle. The same unknown person forcibly snatched the fiber stick from the escort and started beating the police personnel including the

complainant and the unknown person alleged to have embraced the complainant and tried to snatch his service pistol. In the scuffle some rounds were accidentally fired which hit the person and he died on the spot. The police has registered a case and charge-sheet is also filed.

The theory propounded by the police is hard to believe. For some utterances no police will come down and enter into a scuffle with the persons moving on the road. It is also required to be noted that in the post-mortem report, the expert has opined that the injury was caused from a distant range, and, if it would have been fired in the manner in which it is narrated then there would have been blackening and tattooing. The doctor's opinion is an independent opinion and cannot be disregarded. The map which is produced on the record also suggests that the incident has not taken place on the road itself but just near a shop on a place like pavement. It is not suggested that during the course of scuffle persons moved from one place to another place. It is also hard to believe that three police personnel could not control one person who was without any weapon in his hands and it appears from the aforesaid picture that a story is created as if crime is not committed and is an accidental fire. No reliance can be placed on such theory. It is a case of killing of a person who was totally innocent.

In this case, a show-cause notice was issued to the State Government, followed by a reminder and there was no response. The Commission presumes that the State has nothing to say in the matter.

Under the aforesaid circumstances, a sum of Rs. five lakhs only as monetary relief is recommended to be paid to the next of kin of the deceased. Chief Secretary, Government of Manipur is directed to send proof of payment within a period of six weeks. ”

It is, therefore, requested that the compliance report with proof of payment be sent in the Commission by **26.02.2010**, for its further consideration.

Yours faithfully,


DEPUTY REGISTRAR (LAW)

Copy to :

✓ Shri Suhas Chakma, Director,
Asian Centre for Human Rights,
C-3/441-C, Janakpuri,
NEW DELHI - 110 058.