

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

Dated 10/07/2018

Case No. 3/2/13/2014-af

30 AUG 2018

To

AMALKANT CHAKMA, COMPLAINTS COORDINATOR
ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, (2ND
FLOOR) JANAKPURI,
WEST DELHI, DELHI. - 110058

Sir/Madam,

With reference to your complaint dated 03/01/2014, I am directed to say that the matter was considered by the Commission on 21/06/2018. The Commission has made the following directions.

The matter pertains to death of two civilians namely Panjam Wangsu & Ranthak Wangsu during encounter between Assam Rifles and terrorists in Hollam Village of Tirap District in Arunachal Pradesh on 02.01.14. Two militants namely Vangshung Mi and Sumong Tikhil were also killed.

Pursuant to the directions of the Commission the Investigation Division obtained requisite reports from the concerned authorities and analyzed them.

The postmortem report of deceased Ranthak Wangsu revealed gunshot / entry and exit wounds on his various body parts. The cause of death has been opined "due to fatal gunshot injury to the liver resulting in haemorrhagic shock". Similarly postmortem report of deceased Panjam Wangsu revealed gunshot injuries entry/exit wounds on various parts of his body. The cause of death has been opined "due to the multiple bullet injuries which has also ruptured the liver and right lung." The postmortem report of deceased SS, SGT Wangshung MI revealed various entry and exit wounds on various body parts. The cause of death has been opined "due to multiple bullet injury on vital organ(brain) which causes severe damage to vital faction. The postmortem report of deceased Sumang Tikhar revealed number of entry and exit wounds on his various body parts. The cause of death has been opined "due to multiple bullet injuries which has also ruptured the liver and right lung."

The Magisterial Enquiry has been conducted by Dy. Commissioner, Khonsa. As per the Magisterial Enquiry Report, the Enquiry Magistrate recorded statement of lone apprehended member of NSCN(IM), relative of deceased person. The relatives of the deceased persons revealed that they were told by Assam Rifles personnel to run downwards in the jungle and were fired upon from the back. In this firing, two civilians namely Panjam Wangsu and Ranthak Wangsu and the NSCN(IM) cadres namely Wangshank Mi & Sumang Tikhar were killed. The Enquiry Magistrate has concluded that the civilian might

have been trapped in the cross fire and no ulterior motive was noticed on the part of Assam Rifles personnel as they had sent the injured personnel to the hospital.

The Commission has carefully considered reports. The analysis of material on record revealed that the two deceased suspected to be members of NSCN(IM) extremist group were killed in the encounter with security forces (Assam Rifles). When the security forces surrounded the extremist group, they fired upon them. Two villagers were also killed and one woman was injured in the cross fire. Recovery of huge cache of arms and ammunition including AK series rifles strengthens the view that the deceased persons were extremists and fired upon the security forces. No charring, tattooing and blackening were found on the bullet injuries on the body of the deceased persons. It seems that the security forces fired upon the extremists in self defence and follow due care with caution to save the life of the villagers after being attacked by the extremists. The available evidence indicates that the deceased persons died in the encounter. Prima facie no human right violation has been done by the security forces in the incident. Reports are taken on record and the case stands closed.

Nevertheless, there is one more question to be answered from the complaint as well as in the reports. It is seen that admittedly two villagers have been killed and one woman injured in the cross fire and they are entitled to compensation. However, by its order dated 14.03.14 the Commissioner (Home), Govt. of Arunachal Pradesh, Deptt. of Home & Inter-State Boundary Affairs, Itanagar, had communicated the sanction accorded towards compensation of Rs. Two Lakh to each of NoKs of the deceased who were killed and Rs. One Lakh to the woman who sustained serious injuries in the firing incident. The said order is taken on note by the Commission.

The CD of the post mortem, if any, available on record be sent to the concerned authority.

This is for your information.

Yours faithfully,



ASSISTANT REGISTRAR(LAW)

CC :-