

National Human Rights Commission

Diary No	209343/CR/2018	Case / File No	66/2/17/2018
Victim Name	LEMPHO WANGJEN, RANKAI APESAM AND OTHERS	Registration Date	06/12/2018

Action List (Click on Action given in blue color to view details)

Action No.	Action	Authority	Action Date	Due Date	Completion Date
5	Relief granted [Compensation, Disciplinary & Prosecution]	THE SECRETARY GOVERNMENT OF INDIA, SOUTH BLOCK, NEW DELHI	26/05/2020	14/07/2020	
4	Show Cause Notice Issued (Comments)	THE SECRETARY MINISTRY OF DEFENCE, GOVT. OF INDIA, SOUTH BLOCK, NEW DELHI	11/11/2019	26/12/2019	
3	Sent to DG(I), NHRC	LONGDING, ARUNACHAL PRADESH	18/05/2019	14/07/2019	06/11/2019
2	Action Taken Report Called for	THE SUPERINTENDENT OF POLICE LONGDING, ARUNACHAL PRADESH	17/12/2018	29/01/2019	05/04/2019
1	Action Taken Report Called for	THE SECRETARY MINISTRY OF DEFENCE, GOVT. OF INDIA, SOUTH BLOCK, NEW DELHI	17/12/2018	29/01/2019	

[Expand All Action List](#)[Action](#)**Action : Relief granted [Compensation, Disciplinary & Prosecution](Action No 5)**

Action Date	26/05/2020	Due Date	14/07/2020	Completion Date	
Authority	THE SECRETARY, GOVERNMENT OF INDIA, SOUTH BLOCK, NEW DELHI				
Proceeding	<p>The complainant alleges that on 18.11.2018, a group of Army personnel in Charaideo District of Assam conducted a search operation in Longkhojan without accompanied by civil police and without informing the village chief. These army personnel misbehaved with locals including females and have also used abusive language. The victims were dragged to school playground and were forced to kneel down with folded hands; they were kept there for whole night without food and water. Various victims were beaten mercilessly and they sustained serious injuries.</p> <p>The matter rest when the Commission had considered the report of SP Longdong Govt. of Arunachal Pradesh wherein its stated that on 17.11.2018, during exchange of fire of army with militants, one militant namely Joiwang Mongchan died who was wanted accused in case no KBR/PS/C/NO-45/18 u/s 120B/121/307/34 IPC r/w 25(1-A)/27 Arms Act & 10/13 UAP Act. One HK-33 Rifle along with huge amount of Arms & Ammunition was recovered from his possession. Subsequently, two other militant of NSCN (U) also died in exchange of fire on 18.11.2018. two FIR have been registered in both the incident. During this a subsequent search operation was conducted in the area in search of other militant/terrorist and due to language problems all the villagers were asked to gather in the playground for verification. Later on the matter was amicably resolved between the villagers and army in presence of ADC KBR on 01.12.2018. The Commission after considering the material placed on record had forwarded the file to Investigation Division for analysis of report and submits its finding within six weeks.</p> <p>Vide proceedings dated 11.11.2019, the Commission had held that it is apparent from the report of SP Longdong AP and findings of Investigation Division that Army Personnel have violated the basic human rights of villagers, misbehaved with them and has also caused injuries to the victims including females. Merely they have entered into amicable settlement with victim villager on assurance of meager amount of Rs. 35000/- each in the name of medical assistance, the issue doesn't seems to be resolved. Further the report is not giving any disclosures/details that how many victims were there who have been agreed upon to be given the benefit of meager amount of Rs. 35000/- each in the name of medical assistance. Therefore the Show Cause Notice u/s 18 of PHRA was issued to Secretary Ministry of Defense and as why not Commission should recommend an interim compensation of Rs. 50000/- each be paid to the victims apart from already paid or agreed Rs. 35000/- to each of the victims, as there is gross violation of human rights of victims by Army Personnel and State is vicariously liable for it, response within four weeks. He is also directed to send the complete enquiry report and action taken in the matter along with.</p>				

However no reply to the show cause notice has been received from concerned authorities. Again the copy of earlier reply dated 13.03.2019 has been sent to the Commission instead of requisite detail enquiry report.

The Commission has considered the material placed on record. As no reply to the show cause has been received, hence the same stand confirms. Secretary Ministry of Defense Govt. of India is directed to send the compliance report of payment of compensation of Rs. 50000/- to each victim apart from already paid or agreed Rs. 35000/- to them with proof of payment within four weeks positively. He is again directed to send the complete enquiry report and action taken in the matter along with.

Secondary Action List

Secondary Action No	Secondary Action	Secondary Action Date	Secondary Action Due Date	Secondary Completion Date
1	Grant of Compensation	26/05/2020	14/07/2020	

Complaint

Diary No	209343/CR/2018	Section	M-5
Language	ENGLISH	Mode	HRCNET/ONLINE
Received Date	01/12/2018	Complaint Date	26/11/2018

Victim

Victim Name	LEMPHO WANGJEN, RANKAI APESAM AND OTHERS	Gender	Both
Religion	Unknown	Cast	Scheduled Tribe
Address	LONKHJON VILLAGE, KANUBARI SUB DIVISION		
District	ARUNACHAL PRADESH	State	ARUNACHAL PRADESH

Complainant

Name	BUTENG TAYENG		
Address	GENERAL SECRETARY NORTH EAST HUMAN RIGHTS ORGANIZATION, ARUNACHAL PRADESH STATE UNIT		
District	NA	State	ARUNACHAL PRADESH (792103)

Incident

Incident Place	LONKHJON VILLAGE, LONGDING, AP	Incident Date	18/11/2018
Incident Category	ABUSE OF POWER		
Incident District	LONGDING	Incident State	ARUNACHAL PRADESH
Incident Details			

Cause List

List No	Case / File No	Listing Date	Category
4	66/2/17/2018	13/10/2020	COMPLIANCE REPORT CASES
3	66/2/17/2018	10/03/2020	COMPLIANCE REPORT CASES
2	66/2/17/2018	11/10/2019	COMPLIANCE REPORT CASES
1	66/2/17/2018	27/02/2019	COMPLIANCE REPORT CASES

National Human Rights Commission

Diary No	209343/CR/2018	Case / File No	66/2/17/2018
Victim Name	LEMPHO WANGJEN, RANKAI APESAM AND OTHERS	Registration Date	06/12/2018

Action List (Click on Action given in blue color to view details)

Action No.	Action	Authority	Action Date	Due Date	Completion Date
4	Show Cause Notice Issued (Comments)	THE SECRETARY MINISTRY OF DEFENCE, GOVT. OF INDIA, SOUTH BLOCK, NEW DELHI	11/11/2019	26/12/2019	
3	Sent to DG(I), NHRC	LONGDING, ARUNACHAL PRADESH	18/05/2019	14/07/2019	06/11/2019
2	Action Taken Report Called for	THE SUPERINTENDENT OF POLICE LONGDING, ARUNACHAL PRADESH	17/12/2018	29/01/2019	05/04/2019
1	Action Taken Report Called for	THE SECRETARY MINISTRY OF DEFENCE, GOVT. OF INDIA, SOUTH BLOCK, NEW DELHI	17/12/2018	29/01/2019	

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Action

Action : Show Cause Notice Issued (Comments)(Action No 4)

Action Date	11/11/2019	Due Date	26/12/2019	Completion Date	
Authority	THE SECRETARY, MINISTRY OF DEFENCE, GOVT. OF INDIA, SOUTH BLOCK, NEW DELHI				
Proceeding	<p>The complainant alleges that on 18.11.2018, a group of Army personnel in Charaideo District of Assam conducted a search operation in Longkhojan without accompanied by civil police and without informing the village chief. These army personnel misbehaved with locals including females and have also used abusive language. The victims were dragged to school playground and were forced to kneel down with folded hands; they were kept there for whole night without food and water. Various victims were beaten mercilessly and they sustained serious injuries.</p> <p>Vide earlier Proceedings dated 18.05.2019, the Commission had considered the report of SP Longdong Govt. of Arunachal Pradesh wherein its stated that on 17.11.2018, during exchange of fire of army with militants, one militant namely Joiwang Mongchan died who was wanted accused in case no KBR/PS/C/NO-45/18 u/s 120B/121/307/34 IPC r/w 25(1-A)/27 Arms Act & 10/13 UAP Act. One HK-33 Rifle along with huge amount of Arms & Ammunition was recovered from his possession. Subsequently, two other militant of</p>				

NSCN (U) also died in exchange of fire on 18.11.2018. two FIR have been registered in both the incident. During this a subsequent search operation was conducted in the area in search of other militant/terrorist and due to language problems all the villagers were asked to gather in the playground for verification. Later on the matter was amicably resolved between the villagers and army in presence of ADC KBR on 01.12.2018. The Commission after considering the material placed on record had forwarded the file to Investigation Division for analysis of report and submits its finding within six weeks.

In response DG (I) vide findings dated 4.10.2019 has informed the Commission that in the matter as per enquiry it was found that the situation has been created between the villagers and Army personnel due to misunderstanding and later on they have also resolved the issue amicably. It is true that victim villagers have been asked to gather in the playground and were released only after obtaining NOC from Village Chief by the Army but later on they have amicably settled the issue after army paid medical assistance of Rs. 35000/- to each victim and after providing basic amenities till these victims fully recover.

The Commission has considered the material placed on record. It is apparent from the report of SP Longdong AP and findings of Investigation Division that Army Personnel have violated the basic human rights of villagers, misbehaved with them and has also caused injuries to the victims including females. Merely they have entered into amicable settlement with victim villager on assurance of meager amount of Rs. 35000/- each in the name of medical assistance, the issue doesn't seem to be resolved. Further the report is not giving any disclosures/details that how many victims were there who have been agreed upon to be given the benefit of meager amount of Rs. 35000/- each in the name of medical assistance. Let the Show Cause Notice u/s 18 of PHRA be issued to Secretary Ministry of Defense and as why not Commission should recommend an interim compensation of Rs. 50000/- each be paid to the victims apart from already paid or agreed Rs. 35000/- to each of the victims, as there is gross violation of human rights of victims by Army Personnel and State is vicariously liable for it, response within four weeks. He is also directed to send the complete enquiry report and action taken in the matter along with. Let the copy of proceedings be also sent along with the show cause notice.

Complaint

Diary No	209343/CR/2018	Section	M-5
Language	ENGLISH	Mode	HRCNET/ONLINE
Received Date	01/12/2018	Complaint Date	26/11/2018
Gist	The complainant alleges that villagers of Longkhojan village were exposed to brutal and barbaric act under Longding District in the name of Armed Forces Special Powers Act. The complainant states that the body of one Kamchan Wangpan S/o Bantosh Wangpan belonging to NSCN U group was brought to the village Longkhojan in the evening of 14th November by the militants. The villagers were threatened and compelled to carry the body up to Ranglua village without any personal connection with the dead body. The complainant states that some Indian Army personnel came to Longkhojan village and started search operation without informing the village chief and gaon bura. The complainant states that the search operation was not accompanied by any civil police. The complainant states that the Army personnel on duty have mistreated with villagers. Altogether 23 people were detained in the general ground		

whole night without food, water and warm clothes. The victims Lempho Wangjen, a church pastor and Rankai Apesam, former ZPM of the village were beaten with lathis and are undergoing treatment at Community Health Centre, Kanubari.

Victim

Victim Name	LEMPHO WANGJEN, RANKAI APESAM AND OTHERS	Gender	Both
Religion	Unknown	Cast	Scheduled Tribe
Address	LONKHJON VILLAGE, KANUBARI SUB DIVISION		
District	ARUNACHAL PRADESH	State	ARUNACHAL PRADESH

Complainant

Name	BUTENG TAYENG		
Address	GENERAL SECERETARY NORTH EAST HUMAN RIGHTS ORGANIZATION, ARUNACHAL PRADESH STATE UNIT		
District	NA	State	ARUNACHAL PRADESH (792103)

Incident

Incident Place	LONGKHJON VILLAGE, LONGDING, AP	Incident Date	18/11/2018
Incident Category	ABUSE OF POWER		
Incident District	LONGDING	Incident State	ARUNACHAL PRADESH
Incident Details			

Cause List

List No	Case / File No	Listing Date	Category
3	66/2/17/2018	10/03/2020	COMPLIANCE REPORT CASES
2	66/2/17/2018	11/10/2019	COMPLIANCE REPORT CASES
1	66/2/17/2018	27/02/2019	COMPLIANCE REPORT CASES

National Human Rights Commission**Diary No : 2115/IN/2019 is attached with Case / File No : 66/2/17/2018****Main Case / File No : 66/2/17/2018****Linked Diary No : 2115/IN/2019**

Diary No	209343/CR/2018	Case / File No	66/2/17/2018	
Victim Name	LEMPHO WANGJEN, RANKAI APESAM AND OTHERS	Registration Date	06/12/2018	
Action List (Click on Action given in blue color to view details)				
Action No.	Action	Action Date	Due Date	Completion Date
3	Sent to DG(I), NHRC	18/05/2019	14/07/2019	
2	Action Taken Report Called for	17/12/2018	29/01/2019	05/04/2019
1	Action Taken Report Called for	17/12/2018	29/01/2019	

Action**Action : Sent to DG(I), NHRC**

Action Date	18/05/2019	Due Date	14/07/2019	Completion Date	
Authority	, LONGDING, ARUNACHAL PRADESH				
Proceeding	<p>A complaint dated November 18, 2018 by North East Human Rights Organisation & November 23, 2018 by Campaign Against Torture was received by the Commission. In above complaints the Complainants alleges that on November 18, 2018 in evening a group of Army Personnel from Dhangri Kumar in Charaideo district of Assam conducted a search operation in Longkhojan without being accompanied by Civil Police and without informing the Gaon Burah (Village Chief). The Army Personnel misbehaved with both men and women and used unparliamentarily words during the search operations. The victims were forcefully dragged into the school playground and were made to kneel down with folded hands and spent the whole night without food, water and warm clothes. The Security Forces also beat up many of the victims including former Longkhojan Gaon Panchayat member Rankai Apesam, Baptist church pastor Lempo Wangjen and a woman. All of them sustained injuries. The villagers were released in the next morning only after obtaining seal and sign from the Gaon Burah on a blank paper.</p> <p>Both the Complainants requested for enquiry into custodial torture of 23 villagers and interim compensation of Rs. 5,00, 000/- (Rupees Five Lakhs Only) each and also requested for immediate suspension of all accused Army Personnel responsible for torture.</p> <p>The Commission took the cognizance and transmitted the copy of the complaints to the concerned authority calling for a report within four weeks.</p>				

Pursuant to the directions of the Commission, SP, Longdong, Government of Arunachal Pradesh filed the report of Officer in Charge P.S. Kanubar dated March 13, 2019 alongwith mutual agreement certificate.

The report reveals that on November 15, 2018, subsequently the Army (244 Field Regt.) Joypur Army camp and 16 AR launch operation in the area on 16th AR had an exchange of fire on November 17, 2018 at 20:30 hrs and One SS Major NSCN(U), Joiwang Mongchan died in exchange of fire who was wanted in KBR/PS/C/NO-45/18 U/s 120(B)/121/307/34 IPC R/W section 25(1-A)/27 Arms Act, R/W section 10/13 UAP Act, and one HK-33 Rifle huge amount of arms and ammunition were recovered from his possession and again subsequently two other NSCN(U) died in exchange of fire on November 18, 2018, at 13:15 hours and 19:25 hours and AK series rifle, HK-33 other Arms and ammunitaion were recovered in both cases and two FIR registered at KBR/PS/C/NO-46/18 U/s 120(B)/121/307/34 IPC R/W section 25(1-A)/27 Arms Act, R/W section 10/13 UAP and KSA/PAS/C/NO-47 registered. While Army Personnel of Dangri Kumar and Joypur Army Camp (244 field Regt.) had argument and misunderstanding with the villagers of Longkhojan, due to language problem and Army asked to the villagers to gather in ground and later released after obtaining NOC from Chief and Gaon Bura. However the matter was amicably resolved between villagers and Army Personnels in presence of ADC KBR on December 01, 2018. The copy of agreement enclosed herewith.

The report is taken on record, the Investigation Division may analyze the report and do the spot enquiry if necessary within six weeks.

Victim

Victim Name	LEMPHO WANGJEN, RANKAI APESAM AND OTHERS	Gender	Both
Religion	Unknown	Cast	Scheduled Tribe
Address	LONKHJON VILLAGE, KANUBARI SUB DIVISION		
District	ARUNACHAL PRADESH	State	ARUNACHAL PRADESH

Complainant

Complainant Details of Main Case			
Name	BUTENG TAYENG		
Mobile		Email	
Address	GENERAL SECERETARY NORTH EAST HUMAN RIGHTS ORGANIZATION, ARUNACHAL PRADESH STATE UNIT		
District	ARUNACHAL PRADESH	State	ARUNACHAL PRADESH (792103)

Complainant Details of Linked Diary			
Name	Dhana Kumar		
Mobile	9870564190	Email	campaignagainsttorture.india@gmail.com
Address	C-3/441, Third Floor, Janakpuri		
District	KAMRUP	State	DELHI (110058)

Incident

Incident Place	LONGKHJON VILLAGE, LONGDING, AP	Incident Date	18/11/2018
Incident Category	ABUSE OF POWER		
Incident District	LONGDING	Incident State	ARUNACHAL PRADESH
Incident Details			

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