



Supreme Court on extra-Judicial Killing

Why in news?

\n\n

The Supreme Court ordered CBI investigation into suspected extra-judicial killings in Manipur.

\n\n

What is the case?

\n\n

\n

- The ruling came on petitions which demanded an inquiry into 1,528 deaths in counter-insurgency operations in Manipur.

\n

\n\n

What was the Government's stand?

\n\n

\n

- The Attorney General had argued against the court ordering an investigation into some specific instances.

\n

- He argued that inquiries conducted by the authorities in Manipur were biased in favour of the citizens owing to local pressure and the ground situation.

\n

\n\n

What was the Supreme Court's stand?

\n\n

\n

- The cases involved either suspected fake encounters or the use of excessive or retaliatory force.
\n
- The Supreme Court has reiterated the principle of accountability as an essential part of the rule of law.
\n
- It has taken the view that the killing of a person who was possibly innocent cannot be overlooked owing to mere lapse of time.
\n
- The state cannot take advantage of its own inaction and ruin a probe by citing the delay as a reason.
\n
- The Supreme Court ordered CBI investigation into suspected extra-judicial killings in Manipur.
\n

\n\n

What is the Supreme Court's rationale on AFSPA?

\n\n

- \n
- Last year, the court had ruled that the armed forces cannot escape investigation for excesses even in places where they enjoy special powers.
\n
- It also reiterated that the legal protection provided by the Armed Forces (Special Powers) Act, or AFSPA, will have to yield to the principles of human rights.
\n
- The court's order is yet another reminder that AFSPA has contributed to the climate of impunity in States where it is in force, especially in Manipur.
\n
- The situation under AFSPA is so hostile to the concept of human rights that in many of these cases there was no inquiry at all.
\n
- In some instances, the First Information Report was against the victim and not against the alleged perpetrators.
\n

\n\n

What are the problems faced by NHRC?

\n\n

- \n
- The National Human Rights Commission (NHRC) has been reduced to a

“toothless tiger”.

\n

- It is grossly understaffed despite its increasing workload, and many State governments show little respect for its guidelines and instructions.

\n

\n\n

\n\n

Source: The Hindu

\n



IAS PARLIAMENT

Information is Empowering

A Shankar IAS Academy Initiative