Supreme Court on extra-Judicial Killing

Why in news?

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

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What is the case?

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- The ruling came on petitions which demanded an inquiry into 1,528 deaths in counter-insurgency operations in Manipur.
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What was the Government’s stand?

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- The Attorney General had argued against the court ordering an investigation into some specific instances.
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- 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.
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What was the Supreme Court’s stand?

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

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- Last year, the court had ruled that the armed forces cannot escape investigation for excesses even in places where they enjoy special powers.
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- 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.
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- 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.
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- 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.
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- In some instances, the First Information Report was against the victim and not against the alleged perpetrators.
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What are the problems faced by NHRC?

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- The National Human Rights Commission (NHRC) has been reduced to a "toothless tiger".
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- It is grossly understaffed despite its increasing workload, and many State

governments show little respect for its guidelines and instructions.
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Source: The Hindu

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