

## **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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