

to work out the framework for a boundary settlement. The 18th Round of Special Representative Level talk was held in New Delhi on 23-24 March, 2015.

During the visit of Chinese President Xi Jinping in September 2014 to India both sides agreed that peace and tranquility in the border region constitutes an essential foundation for mutual trust and confidence and for realizing the full potential of our relationship.

**Cases of custodial killings, rape and torture against army personnel**

948. SHRI AVINASH PANDE: Will the Minister of DEFENCE be pleased to state:

(a) the details of complaints of custodial killings, rape, torture and enforced disappearances against army personnel received during the last three years, year-wise and State-wise;

(b) the details of cases filed in such cases in civil courts;

(c) the details of cases where the Armed Forces (Special Powers) Act, 1958 has been invoked in the civil courts; and

(d) the details of cases where action has been taken by the armed forces itself?

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) The details of complaints of custodial killings, rape, torture and enforced disappearances against army personnel received by the Army Head Quarters from different sources during last three years are as under:-

Year	North East States				Jammu and Kashmir	Total
	Assam	Manipur	Arunachal Pradesh	Tripura		
2012	20	04	02	-	04	30
2013	11	03	-	-	05	19
2014	07	07	02	02	10	28
TOTAL	38	14	04	02	19	77

(b) The information relating to cases filed in all the Courts throughout the country is not centrally maintained. However, the lists of cases filed in High Courts of Jammu and Kashmir and States of North East are given in the Statement-I and II respectively (*See below*).

(c) During the last three years, request for prosecution in respect of following two cases in North East under Armed Forces (Special Powers) Act, 1958 has been received:

Sl. No.	Prosecution Sanction Against	Allegation	Date of incident
1.	Captain Tejpratap Singh and Others of 8 Sikh Regiment in connection with Harangajao PS case No 05/2008 U/S 448/302 IPS	Killing of Shri Projit Langthasa	24.02.2008
2.	Lieutenant Dhaka Naveen Kumar and Others in connection with Algapur PS case No 243/2010 U/S 365/302/IPS	Death of Shri Ikbal Hussain Laskar	09.10.2010

(d) Pursuant to newspaper reports about killing of innocent civilians in an operation launched in general area Katwari Forest (Kalaroos-Machhil Sector, Jammu and Kashmir) from 30.04.2010 to 02.05.2010, a Court of Inquiry was ordered and subsequently disciplinary actions have been taken against 14 Army personnel.

**Statement-I**

*List of court cases filed in High Court of Jammu and Kashmir*

Sl. No.	Title	Date of Incident	Allegation	Current Status
<b>Cases Registered in 2012 ( 03 Cases):</b>				
(a)	OWP 195/2012 Gh Mohd War Vs State and others	23rd April 1996	Custodial killing	Reply Affidavit filed has denied allegations. Police have filed Status Report on 28th January 2014 of challan of case and of sanction being sought from Central Government for prosecuting Maj. Duhoon.
(b)	OWP No 412/2012 Abdul Salam Vs UOI	13th August 1993	Disappearance	Reply Affidavit filed on 3rd August 2012. During Hearing on 3rd December 2013, Reply Affidavit by Army taken on record. Last heard on 19th February 2015. Next date not fixed.

Sl. No.	Title	Date of Incident	Allegation	Current Status
(c)	OWP 894/2012 Mst Fazi <i>Vs</i> State of Jammu and Kashmir	14th July 2012	Disappearance	Reply Affidavit filed on 17th September 2012 has denied the allegations. Case last heard on 5th February 2015. Case listed for Hearing in March 2015.
<b>Cases Registered in 2013 ( 05 Cases):</b>				
(d)	OWP 332/2013 Mst Farida <i>Vs</i> UOI	23rd June 2003	Disappearance	FIR No 08/2005 registered by PS Kothibagh on directions of CJM, Srinagar and investigation in progress. Reply Affidavit filed on 8th August 2013. Court directed IGP on 10th October 2013 to file Status Report. Last Hearing on 18th February 2014. Case not listed since then.
(e)	OWP 1559/2013 Abdul Rehman Beigh <i>Vs</i> UOI Others Jammu and Kashmir	October 2001	Disappearance	Came up for Hearing on 4th November 2013. Court directed filing Reply Affidavit within four weeks. Last listed on 11th August 2014 but not heard. No fixed date for next Hearing.
(f)	OWP 1534/2013 Ab Ahad Shah and Ors. <i>Vs</i> UOI and Others	23/24 February 1991	Rape	Court directed to State to grant compensation has been challenged by the State through an SLP in the Apex Court. Case last heard on 23rd February 2015. No fixed date for next Hearing.
(g)	OWP 1782/2013 and CMA 2471/2013 1999 (Regd. in 2013)	15/16 October	Disappearance	Para-wise comments being filed by Legal Cell, HQ 16 Corps.
(h)	OWP 266/2013 and CMA 329/2013 titled Mst Safiya Begum <i>Vs</i> UOI and Ors.	3rd October 2003	Custodial killing	Case under progress. Reply Affidavit is being filed.
<b>Cases Registered in 2014 ( 03 Cases):</b>				
(j)	OWP 80/2014 Akhter Hussain Nazar <i>Vs</i> UOI and Ors.	1996	Disappearance	First Hearing on 28th January 2014. Reply Affidavit filed on 30th August 2014. Case not listed for Hearing thereafter.

Sl. No.	Title	Date of Incident	Allegation	Current Status
(k)	OWP 452/2014 Abida Vs UOI, HCP 107/1996 in High Court	29 December 1995	Disappearance	Prosecution sanction denied by Ministry of Defence on 12th February 2010. First listed on 3rd April 2014.
(l)	OWP 917/2014 Saleema Begum Vs UOI and Ors.	2006	Custodial killing	SHRC in Complaint 193/2007, dated 14th March 2013 recommended compensation by State. First Hearing on 13th June 2014. Reply Affidavit being filed. Case not listed since September 2014.

### *Statement-II*

#### *List of court cases filed in High Courts of North-Eastern States*

Sl. No.	Title and Case No	Date of Incident	Allegation	Present Status
<b>Year 2012 (07 Cases)</b>				
(a)	Sri John Kennedy Marak Vs UOI and Others WP (C) 383/2012- Assam	7th June 2011	Torture/ Illegal Detention	Case disposed off on 13th February 2012. Allegation not proved.
(b)	Lileswar Moran and Two Others Vs UOI and Others WP (C) 6/2012 – Assam	25th December 2011	Custodial Death	Case disposed off on 15th November 2013. Compensation of ₹ 9.3 lac awarded by Court to the Petitioner.
(c)	Smt Mithinga Narzary Boro wife of Shri Sankhang Boro Vs UOI and Others WP(C) 12/2012 – Assam	25th January 2012	Disappearance	Case disposed off on 19th June 2012. Allegation not proved.
(d)	Sri Jugeswar Daimary Vs UOI and Others WP(C) 5243/2012- Assam	20th May 2002	Killing	In progress. Last Hearing of the Case was in September 2014.

Sl. No.	Title and Case No	Date of Incident	Allegation	Present Status
(e)	Smt Gurumayum (O) Radha Devi <i>Vs</i> UOI and others WP (C) 8/2012– Assam	18th August 2011	Disappearance	Case disposed off on 18th September 2012. Allegation not proved.
(f)	Sh Sarangthem <i>alias</i> Sajoaba Singh WP (C) 92/2012– Manipur	23rd February 2011	Torture	Case disposed off on 26th July 2013. Allegation not proved.
(g)	Smt. Mangolnganbi Devi <i>Vs</i> UOI and Others WP (C) 616//2012– Manipur	15th January 2012	Custodial Killing	Case disposed off on 4th October 2012. Allegation not proved. Liberty to file new one.
<b>Year 2013 (10 Cases):</b>				
(h)	Sri Raj Kumar Rabha and Others <i>Vs</i> UOI and Others WP (C) 4256/2013 – Assam	21st December 2012	Torture/Killing	In progress. Last date of Hearing was on 9th May 2014.
(j)	Sri Henjen Narzary and Others <i>Vs</i> UOI and Others WP(C) 7388/2013– Assam	11th December 2013	Killing	In progress. Last date of Hearing was on 23rd April 2014.
(k)	Sri Sumitra Basumatary <i>Vs</i> UOI and Others WP (C) 4013/2013– Assam	8th November 2010	Killing	Case disposed off on 26th July 2013. Allegation not proved.
(l)	Nailin Malangmei <i>Vs</i> UOI WP (C) 538/2013– Manipur	14th July 2013	Torture	Case dismissed by Manipur High Court on 21st May 2014. Allegation not proved.
(m)	Shri N Muhendro Meiti <i>Vs</i> State of Manipur and Others WP(C) 29/2013– Manipur	12th January 2012	Killing	In progress. Last date of hearing was on 18th December 2014.

Sl. No.	Title and Case No	Date of Incident	Allegation	Present Status
(n)	Smt. Tingu Jam Ongbi Devi <i>Vs</i> State of Manipur and Others WP (C) 32/2013 - Manipur	12th January 2012	Custodial death	In progress. Last date of Hearing was on 18th December 2014.
(o)	Smt Mangolnganbi Devi <i>Vs</i> UOI and Others WP (C) 92/2013- Manipur	15th January 2013	Custodial Killing	In progress. Last date of Hearing was on 5th December 2014.
(p)	Mr. Thuinilung Kamei <i>Vs</i> UOI and Others WP(C) 24/2013- Manipur	22nd June 2013	Torture/ Illegal Detention	Case disposed off on 8th July 2013. Allegation not proved.
(q)	Mst Hamida <i>Vs</i> State of Manipur and 05 Others WP (C) 25/2013 - Manipur	15th January	Killing 2012	In progress. Last date of Hearing was on 19th November 2013.
(r)	Smt Hawaibam Ongbi Maipakpi Leima <i>Vs</i> UOI and 03 Others WP (C) 38/2013- Manipur	18th March 2010	Illegal Detention and Killing	In progress. Last date of Hearing was on 18th October 2014.
<b>Year 2014 (09 Cases):</b>				
(s)	Sri Bhupen Basumatary <i>Vs</i> UOI and Others WP (C) 144/2014- Assam	22nd June 2009	Killing	Case disposed off on 9th January 2014. Allegation not proved.
(t)	Sri Lakhiram Basumatary <i>Vs</i> UOI and Others WP (C) 2179/ 2014-Assam	8th December 2013	Killing	In progress. Last date of Hearing was on 25th June 2014.

Sl. No.	Title and Case No	Date of Incident	Allegation	Present Status
(u)	Shri Phijam Manikumar <i>Vs</i> UOI and Others WP (C) 2481/2014 – Manipur	13 March 2010	Killing	In progress. Last date of Hearing was on 16th July 2014.
(v)	Konto Warisa and Anr <i>Vs</i> UOI and Others WP(C) 4368/2014 – Assam	14-19 July 2009	Killing	In progress. Last date of Hearing was on 20th February 2015.
(w)	Smt Meitieram <i>Vs</i> UOI and seven Others WP (C) 14/2014– Assam	12th March 2012	Killing	In progress. Last date of Hearing was on 29th May 2014.
(x)	Smt Soro Khibam Ongbi Nandini Devi <i>Vs</i> UOI and four Others WP (C) 656/2014- Manipur	4th January 2009	Killing	In progress. Last date of Hearing was on 5th December 2014.
(y)	Smt Seram Ongbi Sunita Devi <i>Vs</i> UOI and 05 Others WP (C) 840/2014- Manipur	30th June 2009	Killing	In progress. Last date of Hearing was on 3rd December 2014.
(z)	Smt Laishram Ongbi Prema Devi <i>Vs</i> UOI and 05 Others WP (C) 841/ 2014- Manipur	30th June 2009	Killing	In progress. Last date of Hearing was on 3rd December 2014.
(aa)	Mr Guangbi Dangmei <i>Vs</i> UOI and 05 Others WP (C) 943/2014- Manipur	31st December 2012	Killing	In progress. Last date of Hearing was on 20th February 2015.