



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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Ref No: HRDA/North East/MN/03/04/2020

April 8, 2020

To,  
Mr. Debindra Kundra,  
National Focal Point - Human Rights Defenders & Assistant Registrar,  
National Human Rights Commission,  
Manav Adhikar Bhawan,  
Block-C, GPO Complex, INA, New Delhi –110 023  
Email: [hrd-nhrc@nic.in](mailto:hrd-nhrc@nic.in)

Dear Sir,

**Sub: HRD Alert - India - Urgent Appeal for Action – Manipur: Illegal detention/arrest, wrongful confinement and censorship of HRD Dr. Laifungbam Debabrata Roy by Manipur Police**

Greetings from Human Rights Defenders Alert -India!

HRD Alert – India is a forum of Human Rights Defenders for Human Rights Defenders. It endeavours to initiate actions on behalf of Human Rights Defenders under threat or with security concerns. We are writing to express our grave concern over the illegal arrest and detention of Dr Laifungbam Debabrata Roy.

#### **Status of the Human Rights Defenders:**

Dr. Laifungbam Debabrata Roy is a senior public health physician and also the President of Centre for Organization, Research and Education (CORE). He is also the Chairperson of the Steering Committee of Human to Humane Transcultural Centre for Trauma and Torture [H2H], Manipur. Since 2010, he is the Convenor of the Civil Society Coalition on Human Rights in Manipur and the UN [CSCHR].

#### **Source of the Information:**

- Conversation with HRD
- Other HRDs in Manipur
- Media Reports

**The Perpetrators:**

Police personnel of the Imphal Police Station, Manipur

**Date and Place of Incident:**

April 03, 2020; 5:30 PM

Imphal West Police Station

**Details of the incident:**

On April 02, 2020, Dr. Roy shared a post on Facebook concerning the crisis posed by the spread of COVID-19 in the state of Manipur. The post read as follows:

*“The present Manipur Chief Minister, especially at this time of crisis, should desist from wasting State resources, time and personnel in carrying out any personal political agenda or vendetta. It demeans and belittles the position occupied and the responsibility that entails.”*

Thereafter, on April 03, 2020, at around 5:30 PM, a team of Imphal West police, one Gypsy vehicle belonging to the Officer-in-Charge (OC), one ASI led team of 5 police constables including the driver, armed with light automatic rifles and pistols, in uniform, came to Dr Roy's residence at Yaiskul Police Lane, Imphal. Dr. Roy was not informed of any charges against him and was not arrested. He was only informed that the Superintendent of Police (SP), Imphal West, wanted to speak with him and they were given the responsibility to escort him to the SP's office at the Imphal West Police Station. There was no mention of any charges and no written summon under Section 160 of the Criminal Procedure Code (CrPC) was produced.

Dr. Roy drove to the Imphal West Police Station in his own car along with a police escort to speak with the SP. During the conversation with the SP, Dr. Roy was asked to explain the meaning of his Facebook post. In the context of the said Facebook post, he was made to write a letter to the Manipur Chief Minister explaining his intention and offering his regrets if the post in any way has offended the Chief Minister or lowered his personal dignity.

Thereafter, after two hours an arrest memo was signed by Dr. Roy's nephew. Even at this time, Dr. Roy was not made aware of the charges under which he was booked or being booked.

However, an FIR was prepared and presented before Dr. Roy's legal counsel for perusal. The contents of the said FIR disclosed an offence under Section 188 of the Indian Penal Code (IPC) [Disobedience to follow order promulgated by public servant]. However, the said FIR was not registered. This action of the police clearly shows that the FIR was merely prepared to threaten and intimidate the HRD.

Dr. Roy was only released on April 04, 2020, after a detention of around 26 hours. During the majority of this detention/arrest period, he was kept in the police station lockup. Despite exceeding the statutory time limit of 24 hours, he was not produced before the Magistrate, thus making the detention/arrest illegal.

Dr. Roy was only released after he deleted the impugned Facebook post and shot a video apologising for passing statements against the Chief Minister of Manipur.

This is a case of blatant police abuse by the SP, Imphal West and personnel of Imphal West Police Station, significantly impinging upon fundamental rights to free expression (Article 19), dignity and liberty (Article 21) of Dr. Roy. Dr. Roy is a victim of police excesses – he was illegally detained/arrested and confined for over 26 hours in a police lockup. This police action is not in conformity with the provisions of the Criminal Procedure Code (CrPC), DK Basu Guidelines and NHRC Guidelines on Arrest.

**Appeal:**

We, therefore, urge you to immediately take necessary steps and urgently:

- Consider initiating an immediate independent inquiry through NHRC's own investigation division and direct the Director General of Police, Manipur to submit urgently –
  - Copy of the written summon served to Dr. Laifungbam Debabrata Roy under Section 160 of the CrPC.
  - The names, designations and duty timings and records of all arresting/detaining officers and Station In-Charge on duty in Imphal West Police Station, for April 3 and 4, 2020.
  - Entries of General Diaries, FIR and Arrest Register of Imphal West Police Station, for April 3 and 4, 2020.
  - CCTV footages of Imphal West Police Station, for April 3, 2020.

- Call data records of all police personnel of Imphal West Police Station, for April 3 and 4, 2020.
- Wireless logbook record of Imphal West Police Station, for April 3 and 4, 2020, or district police wireless HQ, where such log is maintained for April 3 and 4, 2020.
- Logbook records of the government vehicles used by all police officers of Imphal West Police Station, for April 3, 2020.
- Record statements of Dr. Laifungbam Debabrata Roy through video conferencing or allowing him to submit written statements to the NHRC's investigation division.
- Provide security to the HRD Dr. Laifungbam Debabrata Roy as he stands at further risk of reprisals.
- Direct the Director General of Police, Manipur to submit a status report on the compliance to the Supreme Court judgement requiring all police stations to upload FIRs online within 24 hours of their registration.

Thanking you in anticipation.  
Sincerely,



(Henri Tiphagne)  
National Working Secretary  
Human Rights Defenders Alert – India (HRDA)