

Anti-Sterlite protest: Madras HC asks NHRC to submit its probe report on 2018 police firing

The Madras High Court asked NHRC to submit its investigation report on the police firing during the anti-Sterlite protests in 2018.

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The Madras High Court on Friday directed the National Human Rights Commission (NHRC) to submit a copy of its investigation report into the police firing that took place in Thoothukudi in 2018 during the anti-Sterlite protests.

[Thirteen people were killed](#) in police firing on May 22-23, 2018 in Tamil Nadu's Thoothukudi district when violence broke out as [locals demanded closure of Sterlite Industries](#) in the district over pollution issues.

NHRC decision was ill-informed: Petitioner

The petition, filed by Henri Tiphagne, Executive Director of the NGO People's Watch, argues that NHRC's decision to close its suo moto case with regard to the Thoothukudi firing investigation was "ill-informed".

"The NHRC has stated in its order dated 25.10.2018 that the grounds for the closure of the case are that compensation was paid to the victims of the police firing. The compensation referred to is an ex gratia payment made by the Government of Tamil Nadu, which is within the domain of the government to provide the victims," the petition states.

The petitioner further argued, "The Commission (NHRC) has failed to exercise its own powers in cases of human rights violations by state authorities to award separate amounts of compensation to the families of the victims of the deceased, those injured during the protest, those who were illegally detained after the protests under the provisions of the Protection of Human Rights Act, 1993."

Is paying money to victims enough, asks Chief Justice

While hearing the case, Madras High Court Chief Justice Sanjib Banerjee made strong observations about compensation and inaction against those involved in the police firing.

The Chief Justice orally remarked, "Can we kill people and throw money at them and say our job is done? Is that the society we want to build?"

Besides this, the division bench also observed that it is "somewhat alarming" that the State through its police fires at unarmed protestors and no one is booked even three years after the incident.

"It may not augur well for a civil society governed by the constitutional principles that we have to merely throw money at the families of the victims and give closure to an incident of possible brutality and excessive police action," the bench said.

It however clarified that no conclusion need to be drawn in this case before the facts come to light.

"But it is necessary that facts come to light and be made public," the bench said.

Court asks NHRC to file counter-affidavit

Meanwhile, the high court has also issued a notice to the NHRC and asked it to file a counter affidavit within four weeks in response to the petition, along with its 2018 spot investigation report before the bench.

It said if the matter with reference to the spot investigation's findings are sensitive, then NHRC can submit the report to the court in a sealed cover.

The one-member commission

Apart from this, the high court directed the Tamil Nadu government to present the interim report submitted by Justice Aruna Jagadeesan.

The [one-member commission headed by Justice Aruna Jagadeesan](#) to probe the anti-Sterlite protest, had recommended that the government should "withdraw 244 foisted cases against 400 youths, all in the age group of 18-35, illegally detained after the May 22 police firing".

Advocate General R Shunmugasundaram on behalf of the state government submitted that Justice Aruna Jagadeeshan's interim report was submitted on May 14, 2021.

But this was countered by the petitioner stating that the interim report was filed after the state pushed for it and said that the report may not have been forthcoming otherwise.

The case will now be heard on August 9.

The matter was initially filed before the Madurai Bench of the Madras High Court but it will now be listed before the principal bench of the high court.

<https://www.indiatoday.in/law/story/anti-sterlite-protest-madras-hc-nhrc-probe-report-on-2018-police-firing-1819459-2021-06-25>