

## Supreme Court Updates from Zomi Students Federation (ZSF)

31st July 2023

With the blessings of God Almighty and the services of our advocates and legal support team, we were able to cohesively present our case and petition to the Supreme Court today.

- **Senior Advocate Kapil Sibal represented the two rape survivors in the court.** He submitted that the survivors are against the transfer of the case outside of Manipur if it is to be transferred to Assam and also how the survivors are opposed to the transfer of the case to CBI.
- **Advocate Nizam Pasha submits an IA (Intervention Application) has been filed on behalf of Zomi Students' Federation,** and which brings to the attention of the SC, 14 incidents of violence against women which are equally or more heinous than the matter of the incident depicted in the viral video, which discloses how the police are complicit by omission or commission i.e. working against the victims either by not lodging FIRS or turning the victims to the mobs.
- **An IA was filed by Mahua Moitra in the on-going Writ Petition filed by the Zomi Students' Federation's (ZSF) in the Supreme Court, seeking for an independent Special Investigation Team (SIT) consisting of senior serving or retired police officers drawn from different parts of the country in the matter.** She has urged the investigation carried out by the SIT to be supervised by the Supreme Court. **The IA application was represented by Ms. Indira Jaising, Senior Advocate.**
- **Advocate Vrinda Grover, appearing for 'Women in Governance India', informed the bench about several incidents including of two Kuki-Zomi women being assaulted and killed in May 2023** whereby the family of the victims still have no information about the victims. She further stressed before the Supreme Court that, "It is essential to highlight this targeted violence... the offence is also rape committed during communal strife... we cannot turn a blind eye towards it". **She pointed out that rape during communal violence is dealt as a separate offence under Section 376 (2) (g) IPC and the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.**
- **Dr Colin Gonsalves, Senior Advocate, appearing for the MTFD, also emphasised on the need for a SIT. In addition,** he alleged that the sexual crime was not an isolated event and that there was a "larger conspiracy" involving police complicity. He further stressed that, "The people in Manipur, the victim, could not distinguish between State govt and Central govt- they acted in unison. Kindly consider not having CBI at all".

The Chief Justice of India, hearing our case today, made the following remarks:

- That, 'the viral video case is not the only incident of violence against women in the state', and suggested that 'there must be a wider mechanism in place so that all such cases are taken care of.'
- He also questioned what the police had been doing in regard to the 6000~ FIRs being registered, sought for a report on how the cases are being categorised, and the action of the state thereof.
- He went to term the violence in Manipur as a systematic act, he stated:  
*"...this is not an isolated instance. Here we are dealing with systemic violence which IPC recognises as a special offence. In such a case, is it not important that you should have a specialised team? There is a need in the State of Manipur to have a healing touch. Because the violence is continuing unabated."*

The SC directed the state to submit a report on the actions taken with regard to the FIRs by tomorrow, i.e., 1st August 2023, where the next hearing would take place.

We request all the Zo ethnic community in India and across the world to continue to uphold our legal activities in your prayers. Our collective efforts are needed more than ever.

Issued by

**Zomi Students' Federation (ZSF) Media Center/ZSF Legal Support and Advocacy Group**