



# राष्ट्रिय मानव अधिकार आयोग

National Human Rights Commission, Nepal

केन्द्रिय कार्यालय Central Office

हरिहर भवन, पुल्चोक, ललितपुर, HariharBhawan, Pulchowk, Lalitpur, Nepal



Press Release

7 October, 2018

## Commission's Directive for Scientific Investigation and Legal Action to the Culprit on Nirmala Panta's Murder Incident

National Human Rights Commission, Nepal central and province office Dhangadhi team has monitored/investigated the incident of the 13 years old girl Nirmala Panta's rape and murder in Ultakham, Kanchanpur district that took place on last 26 July. Commission's meeting discussed the preliminary findings of its investigation report and on the basis of findings, the Commission has corresponded to the Nepal Government, Office of the Prime Minister and Council of Ministers in accordance with the section (4) 1 of the NHRC Act 2012 to find out the culprit after scientific and effective investigation and go for legal action instantly.

The victim's family and locals frustrated and raised questions over the police probe because there is no microscopic scientific tests conducted by Nepal Police, which is supposed to give high priority to the investigation of the murder after rape incident, lacked credibility.

In accordance with the provisions of article 16 Right to live with dignity and article 21 the right to justice including compensation of the Constitution, the Commission draws attention of the Government of Nepal to find out the real culprit, go for legal action instantly and ensure the right to justice to the victim's family.

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Mohna Ansari  
Member/Spokesperson



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D.N. 838

Date: 7 October, 2018

Office of the Prime Minister and Council of Ministers  
Singhdurbar, Kathmandu

## **Subject: Relating to the Correspondence of the Commission's Directives.**

With regard to the aforementioned subject, National Human Rights Commission, Nepal province office Dhangadhi and central office after monitoring/investigating the incident of the 13 years old Nirmala Panta's rape and murder in the sugarcane plantation of Ultakham, Bhimdutta Municipality -18, Kanchanpur district which took place on last 26 July and Commission's meeting discussed the preliminary findings of its investigation report and on the basis of findings, would like to request to do and cause to do the followings as per the instruction by the Commission in accordance with the section 4 (1) of the NHRCN Act 2012.

1. The key responsibility to probe the crime ensued within the district is in the local police, the day Nirmala Panta went missing her mother wanted the police to search but the police didn't show minimum sensibility, didn't show urgency to search and didn't be accountable, act accordingly to find out the culprit(s) concluding the probe instantly to lunch legal action to the culprit(s) and provide justice to the victims,
2. It was found that local police did not safeguard evidence at the incident site (Sugarcane Plantation) when the police found the dead body and the evidence was found to be destroyed. Sniffer dogs were not mobilized to find culprit(s) and the chief of the district police office was not present at the incident site to coordinate investigation therefore to have additional probe to the chief of the district police office,
3. When such grievous crimes occurred, there must be the cooperation of the locals, civil society, media, and the victims themselves, to find out the culprit(s) concluding the probe instantly and to provide justice to the victims on time, so ensure that nobody posed obstacles in the investigation by exerting undue pressure,
4. The day Nirmala Panta went missing her mother wanted the police to search the house of Roshani Bam and Babita (Anita) Bam, but the cops dismissed the idea. Investigators should, therefore, treat them as suspects,
5. Re-examine and re-analyze whether the laboratories where DNA tests were conducted had adequate equipment, chemicals and resources to store vaginal swab and test semen.
6. The victim's family and locals were frustrated over the police probe because the scientific tests conducted by Nepal Police, which was supposed to give priority to the investigation, lacked credibility.



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7. Due to the lack of coordination from the local police of Kanchanpur among the victims' relatives, local people led to present violent situation is seen, to show the readiness for intact security of the people and property of the victims and local people playing the coordinating role with the people.
8. Demands action against Nepal police personnel responsible for firing shots at protesters resulting in the death of Sunny Khuna and also demands free treatment for those injured in police firing.

CC:

The Ministry of Home,  
Singhdurbar, Kathmandu

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Bed Bhattarai  
Secretary