

Assistant Registrar (Law)
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Case No. 699/25/13/2012-pf

NATIONAL HUMAN RIGHTS COMMISSION
(L A W D I V I S I O N)
* * *

MANAV ADHIKAR BHAWAN,
BLOCK-C, G.P.O. COMPLEX,

Case No. 699/25/13/2012-pf

Dated 07/05/2019

To

17 JUN 2019

THE CHIEF SECRETARY
GOVT. OF WEST BENGAL, KOLKATA
Pincode -

Sub : Complaint from

KIRITY ROY, SECRETARY (MASUM) & NATIONAL
CONVENER (PACTI)
BANGLAR MANABADHIKAR SURASKSHA MANCHA,
40A, BARABAGAN LANE (4TH FLOOR), BALAJI
PLACE SHIBTALA, <KIRITYROY@GMAIL.COM>
HOOGHLY WEST BENGAL. 712203

Sir/Madam,

I am directed to say that the matter was considered by the Commission on 07/05/2019 and the Commission has directed as follows.

These proceedings shall be read in continuation of the proceedings dated 30.01.2019 vide which the Superintendent of Police, Murshidabad and Under Secretary, Ministry of Home Affairs (IAS-1) Division, Government of India were directed to submit their reports regarding rehabilitation of the complainant and reply to the show cause notice issued vide its proceedings dated 10.11.2017.

Pursuant to the directions of the Commission, a report dated 18-01-2019 has been submitted by the Additional Superintendent of Police, Lalbagh, Murshidabad in which he has stated that a case crime No. 313/2013 was registered regarding the incident and a charge sheet No. 606/13 was submitted in the case.

No report has been received from the Under Secretary, Ministry of Home Affairs (IAS - 1) Division, Government of India.

No reply to the show cause notice has been submitted by the Government of India despite the reminder.

Commission perused and considered the papers placed on record.

Vide proceedings dated 10.11.2017, the Commission had issued a notice under Section 18 (a) (i) of the Protection of Human Rights Act, 1993 to the Government of India through its Secretary, Ministry of Home Affairs to show cause as to why the Commission should not recommend interim monetary relief for the victim.

He was further directed to take immediate steps for the rehabilitation of the victim.

Non-submission of the reply to the show cause notice shows that the Government of India has nothing to say in the matter.

A Charge sheet has already been submitted in the matter by the police.

As per the report dated 03.08.2015 submitted by the Assistant Secretary to the Government of West Bengal the BSF Jawans detained, assaulted and beaten up the victim Mr. Ranjan Mondal severely. As a result of his injuries he became crippled and lost his capacity to earn his bread as a daily labourer.

In the opinion of the Commission, a clear case of violation of the human rights of the victim is made out and State Government is vicariously liable to pay monetary compensation to the victim.

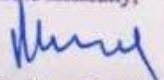
Keeping in view the facts and circumstances of the case, the Commission recommends to the Government of West Bengal through its Chief Secretary, to pay compensation of Rs. 2,00,000/-, to the victim. The Chief Secretary, Government of West Bengal is directed to submit compliance report along with proof of payment within six weeks.

The District Magistrate, Murshidabad and Secretary, Ministry of Home Affairs, Government of India are again directed to take immediate steps for rehabilitation of victim Mr. Ranjan Mondal and submit compliance report within 6 weeks positively.

It is therefore, requested that the compliance report in the matter be sent to the Commission latest by ~~28/06/2019~~ so that the same could be placed before the Commission.

~~28/06/2019~~
31/7/2019

Yours faithfully,



Assistant Registrar (Law)

CC To,

NNNN

NNNN

699/25/13/2012-PP

✓ KIRITY ROY, SECRETARY (MASUM) & NATIONAL
CONVENER (PACTI)

BANGLAR MANABADHIKAR SURASKSHA MANCHA,

40A, BARABAGAN LANE (4TH FLOOR), BALAJI

PLACE SHIBTALA, ~~KIRITYROY@GMAIL.COM~~ SRIRAMPUR

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