

Assistant Registrar(LAW)
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Case No. 304/3/1/2010

NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)

MANAV ADHIKAR BHAWAN, BLOCK-C,
G.P.O. COMPLEX,
INDIA, NEW DELHI 110023

Dated 25/04/2014

Case No. 304/3/1/2010
To

- 6 MAY 2014

THE CHIEF SECRETARY
GOVT. OF ASSAM, GUWAHATI

Sub : Complaint from

SUHAS CHAKMA, DIRECTOR
NATIONAL CAMPAIGN FOR PREVENTION OF
TORTURE, C-3/441-C, JANAKPURI,
WEST DELHI DELHI 110058

Sir/Madam,

I am directed to say that the matter was considered by the Commission on 23/04/2014 and the Commission has directed as follows.

These proceedings shall be read in continuation of the earlier proceedings of the Commission dated 27.05.2013, vide which the show cause notice U/S 18 (a) (i) of the Protection of Human Rights Act, 1993, was directed to be issued to the Government of Assam, through its Chief Secretary, to show cause as to why the Commission should not recommend monetary relief for the two victims.

No reply has been submitted by the Government of Assam. It is presumed that the government has nothing to say in the matter.

The Commission has observed vide its proceedings dated 27.05.2013 as under :

"It is apparent that the police did not handle the situation properly and indulged in lathi charge, which caused injuries to Shri Jayanti Biswas and Shri Ajit Ghosh. Even though it is not established during the investigation of the case by the police that SI T.M. Duwara caused injuries to the victims, yet the fact remains that they were injured in the lathi charge, which do not appear to be justified. Hence, a case of violation of human rights is made out.

Keeping in view the facts and circumstances of the case, the Commission recommends to the Government of Assam, through its Chief Secretary, to pay compensation of Rs. 25,000/- (Rupees Twenty Five Thousand only), each to Shri Jayanti Biswas and Shri Ajit Ghosh. The Chief Secretary, Government of Assam, is directed to submit compliance report alongwith proof of payment within six weeks.

It is therefore, requested that the compliance report in the matter be sent to the Commission latest by 13/06/2014, so that the same could be placed before the Commission.

Yours faithfully,

ASSISTANT REGISTRAR (LAW)

CC To.

NNNN
NNNN

✓ **SUHAS CHAKMA, DIRECTOR**
NATIONAL CAMPAIGN FOR PREVENTION OF
TORTURE, C-3/441-C, JANAKPURI,
WEST DELHI, DELHI- 110058