

Assistant Registrar(LAW)  
Fax No.: 011-2465 1332  
Home Page : <http://nhrc.nic.in>

Case No. 762/20/1/2011/UC  
NATIONAL HUMAN RIGHTS COMMISSION  
(LAW DIVISION)  
MANAV ADHIKAR BHAWAN  
BLOCK-'C', G.P.O. COMPLEX, INA, NEW DELHI - 110023

Dated 20/09/2014

Case No. 762/20/1/2011/

24 SEP 2014

To  
THE SUPERINTENDENT OF POLICE  
AJMER, RAJASTHAN

Sir/Madam,

The complaint dated 26/04/2011 received from SUHAS CHAKMA, DIRECTOR in respect of MAHENDRA AJMERA, was placed before the Commission on 15/09/2014. Upon perusing the complaint, the Commission directed as follows.

*These proceedings shall be read in continuation of the earlier proceedings.*

*The complainant Suhas Chakma, Director, National Campaign for Prevention of Torture, in his complaint dated 26.04.2011, has alleged that on 19.04.2011 the Police of P.S. Alwergate, District Ajmer came to the house of victim Mahendra Ajmera and forcibly dragged him out in front of his wife and took him to the police station where the police personnel removed his trousers and beat him with sticks to extract a confession. The victim was tortured till late night and released thereafter. The complainant has requested intervention of the Commission and action against the police personnel.*

*Vide proceeding dated 27.11.2012, the Commission recommended that the Government of Rajasthan pay Rs. 50,000/- as monetary compensation to the victim Mahendra Ajmera.*

*Vide proceeding dated 28.02.2014, the Commission noted that a sum of Rs. 50,000/- has been paid by cheque No. 784751 dated 03.09.2013 to Smt. Vinita w/o Sh. Mahendra Ajmera. A copy of receipt has been enclosed as proof of payment. The Commission noted that the payment has been given to Smt. Vinita though it was to be paid to her husband Sh. Mahendra Ajmera. The Commission asked for the reason for the same.*

*Vide proceeding dated 23.06.2014 a reminder was issued in this regard.*

*In response, the Joint Secretary, Home (HR) Department, Government of Rajasthan has submitted a report dated 14.08.2014 which mentions that due to inadvertent error, the cheque had been prepared in the name of Smt. Vinita Ajmera instead of Mahendra Ajmera. However, the receipt of the payment had been acknowledged by Mahendra Ajmera and his wife. Regretting the mistake, it is requested that the case be closed. The copy of the receipt signed by Mahendra Ajmera, the victim and his wife is enclosed with the report.*

*The Commission has considered the material placed on record. Vide proceeding*

*dated 27.11.2012, the Commission has sanctioned Rs. 50,000/- as compensation to the victim Mahendra Ajmera which was however paid by cheque in the name of his wife. The Commission asked for an explanation for this and the State Authorities have submitted a report stating that the error is inadvertent and have enclosed a copy of the receipt of payment signed by the victim Mahendra Ajmera and his wife. The report is taken on record. In view of the aforesaid circumstances, no further intervention by the Commission is required. The case is closed.*

2. ~~Accordingly, I am forwarding a copy of the complaint for necessary action as per the directions of the~~  
~~Commissioner~~

Yours faithfully,

ASSISTANT REGISTRAR (LAW)

CC To:

Case No. 762/20/1/2011/  
SUHAS CHAKMA, DIRECTOR  
NATIONAL CAMPAIGN FOR PREVENTION OF  
TORTURE, C-3/441-C, JANAKPURI,  
WEST DELHI, DELHI.

ASSISTANT REGISTRAR(LAW)

# National Human Rights Commission

New Delhi, India

## Case Details of File Number: 762/20/1/2011

<b>Diary Number</b>	63883
<b>Name of the Complainant</b>	SUHAS CHAKMA, DIRECTOR
<b>Address</b>	NATIONAL CAMPAIGN FOR PREVENTION OF TORTURE, C-3/441-C, JANAKPURI, WEST DELHI , DELHI
<b>Name of the Victim</b>	MAHENDRA AJMERA
<b>Address</b>	R/O AT. ALWER GATE POLICE STATION, AJMER, AJMER , RAJASTHAN
<b>Place of Incident</b>	ALWER GATE AJMER , RAJASTHAN
<b>Date of Incident</b>	4/19/2011

**Direction issued by the Commission**

These proceedings shall be read in continuation of the earlier proceedings of the Commission dated 19.4.2012, when it issued a notice u/s 18 of the Protection of Human Rights Act, 1993, to the Govt. of Rajasthan and also asked the SP, Ajmer to send the final outcome of case crime no. 97/11, PS Alwargate. In response to those proceedings, a report has been received from the SP, Ajmer wherein it is stated that in case crime no. 97/11 a final report has been submitted. In this report it has been tried to make out that complainant was not tortured in the Police Station and his human rights were not violated. From perusal of record the existence of injuries of the complainant and medical examination of those injuries cannot be denied. It is also not denied that he was called to PS Alwargate for interrogation and in connection with case crime no. 85/11 u/s 302/201 IPC. The Enquiry Officer has not been able to explain why Mahendra Ajmera sustained injuries if he was not beaten by the police. In a preliminary enquiry, the Enquiry Officer had found that the policemen involved were prima facie guilty and were suspended. The matter was also reported in newspapers with photograph of Mahendra Ajmera with injuries. The Commission cannot therefore accept the report of SP, Ajmer. In view of the above, the Commission recommends the Govt. of Rajasthan to pay a sum of Rs.50,000/- as monetary compensation to the victim Mahendra Ajmera. Proof of payment is expected within eight weeks.

**Action Taken** **Relief granted [Compensation, Disciplinary & Prosecution] (Dated 11/27/2012 )**  
**Status on 3/16/2013** Compliance of the Commission's recommendation by the concerned authority is awaited.

**Note:** For further details kindly contact **National Human Rights Commission, Copernicus Marg, New Delhi, PIN 110001 Tel.No. 23385368 Fax No. 23384863 E-Mail: covdnhrc@hub.nic.in**

**Disclaimer:** Neither **NHRC** nor **NIC** is responsible for any inadvertent error that may have crept in the Complaint Information being published on **NET**. The Complaint Information on net is for immediate information to the Complainants/ Victims.