

NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
FARIDKOT HOUSE
COPERNICUS MARG, NEW DELHI - 110 001

Dated 12/09/2012

Case No. 1706/35/8/2011-AD /M3

18 SEP 2012

To

TEJANG CHAKMA, COMPLAINTS COORDINATOR
ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, (2ND
FLOOR), JANAKPURI,
WEST DELHI, DELHI.
(Pin Code -110058)

Sir/Madam,

With reference to your complaint dated 18/10/2011, I am directed to say that the matter was considered by the Commission on 10/09/2012. The Commission has made the following directions.

These proceedings shall be read in continuation of the earlier proceedings of the Commission dated the 27th June, 2012.

In response, the Superintendent of Police, Pauri Garhwal (Uttarakhand) vide his communication dated the 3rd August, 2012 has submitted the compliance report. Perusal of the same reveals that an amount of Rs.20,000/- (Rupees twenty thousand only) has been paid to the victim as interim relief on 2.8.2012 as recommended by the Commission. The proof of payment has also been annexed.

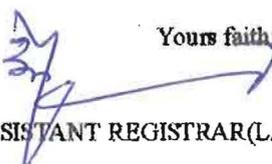
The Commission has considered the matter. The amount of interim relief as recommended by the Commission has been paid to the victim. No further action is called for. The compliance report is taken on record and the case is closed.

Let a copy of these proceedings be also sent to the Information Officer, NHRC and to the beneficiary.

LINK FILE NO.475/35/8/2012-AD.

This is for your information.

Yours faithfully,


ASSISTANT REGISTRAR(LAW)

Assistant Registrar(LAW)
Tel. No.: 011-2338 5368
Fax No.: 011-2338 6521
Telegraphic Add.: "HUMANRIGHTS"
Home Page : <http://nhrc.nic.in>

Case No. 1706/35/8/2011-AD
NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)

FARIDKOT HOUSE
COPERNICUS MARG, NEW DELHI - 110 001

Dated 28/06/2012

To
THE CHIEF SECRETARY
GOVERNMENT OF UTTARAKHAND, DEHRADUN

02 JUL 2012

Sub : Complaint from

TEJANG CHAKMA, COMPLAINTS
COORDINATOR
ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C,
(2ND FLOOR), JANAKPURI,
WEST DELHI DELHI 110058

Sir/Madam,

I am directed to say that the matter was considered by the Commission on 27/06/2012 and the Commission has directed as follows.

These proceedings shall be read in continuation of the earlier proceedings of the Commission dated 26.4.2012.

In response, a letter dated 5.6.2012 has been received from District Magistrate Pauri Garhwal Uttarakhand along with the copy of magisterial enquiry report conducted by Sub-Divisional Magistrate Koidwar. He has concluded that the alleged incident took place due to the negligence on the part of victim.

The Commission has also received a letter dated 5.6.2012 from Dy. Inspector General, CID, Uttarakhand. Perusal of the same reveals that the victim was suspect in the theft of laptop and binocular of Bhuran Chander was brought to the police station on 16.9.2011. It is further revealed that he was addicted to intoxicants, a tube of intoxicant which is inflammable was leaking from his pocket of half pant. The moment he tried to lit a biri with a match box his cloth caught fire and he sustained burnt injuries. There has not been any negligence on the part of any police officials. The victim who was aged 12 years is responsible for the same. However, if any interim relief is recommended by the Commission the CID has no objection.

The Commission has considered the report. Even though the incident has taken place due to the negligence and ignorance on the part of the victim but he being in the care and custody of the State, his human rights have been violated. In these circumstances, the Commission feels that grant of interim relief to the victim is justified. An amount of Rs.20,000/- (Rupees Twenty Thousand only) is recommended to be paid to the victim. Chief Secretary, Government of Uttarakhand, Dehradun is directed to send the proof of payment made to the Commission within four weeks.

It is therefore, requested that the compliance report in the matter be sent to the Commission latest by 02/08/2012, so that the same could be placed before the Commission.

Yours faithfully,

ASSISTANT REGISTRAR (LAW)

CC To.

TEJANG CHAKMA, COMPLAINTS
COORDINATOR

ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C,
(2ND FLOOR), JANAKPURI,
WEST DELHI, DELHI. 110058