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Case No. 50/9/5/08-09-WC / M-1
NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
* * *
FARIDKOT HOUSE
COPERNICUS MARG, NEW DELHI - 110 001

Dated 08/07/2009

To
THE CHIEF SECRETARY
GOVT. OF JAMMU & KASHMIR, SRINAGAR

Sub : Complaint from

SUHAS CHAKMA, DIRECTOR
R/O N.C.P. OF TORTURE, C-3/441-C, JANAKPURI
WEST DELHI DELHI

Sir/Madam,

I am directed to say that the matter was considered by the Commission on 06/07/2009 and the Commission has directed as follows.

These proceedings are in continuation of the earlier proceedings of the Commission.

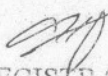
As per the complaint, a 17 years old minor girl was kidnapped from Nowshera on 31.05.2008 and was taken to the residential quarter of police constable Shabir Ahmed where she was gang-raped by Shabir Ahmed and his accomplices.

The report of the SSP, Jammu, confirmed the allegation made in the complaint stating that FIR No.100/2008 under section 363, 366A, 342, 376, 109, 354 & 511 RPC had been registered against Shabir Ahmed and his two accomplices and that after completion of the investigation chargesheet had been filed in the court on 11.07.2008.

Vide proceedings dated 17.10.2008 a notice under section 18 (a) (i) of the PHR Act, 1993, was ordered to be issued to the Government of Jammu & Kashmir because a police constable was involved in the crime. No response has been received from the Government of Jammu & Kashmir despite a reminder dated 12.02.2009. Hence, it can be presumed that the Government has nothing to say against the notice. Consequently, the Commission recommends to the Government of Jammu & Kashmir to pay a compensation of Rs. Two Lakhs to the victim. Chief Secretary of the State is directed to submit compliance report alongwith proof of payment within six weeks. The Chief Secretary is further directed to inform the Commission of any departmental action taken against Shabir Ahmed.

It is therefore, requested that the compliance report in the matter be sent to the Commission latest by 26/08/2009, so that the same could be placed before the Commission.

Yours faithfully,


ASSISTANT REGISTRAR (LAW)