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Case No. 114/3/2004-2005-AF/UC
NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
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FARIDKOT HOUSE
COPERNICUS MARG, NEW DELHI - 110 001

Dated 01/09/2007

11 SEP 2007

To
THE SUPERINTENDENT OF POLICE
CHIRANG, ASSAM

Sub : Complaint / Intimation from

SUHAS CHEKME, DIRECTOR
ASIAN CENTRE FOR HUMAN RIGHTS C-3/441-C
JANAKPURI
WEST DELHI, DELHI.

Sir/Madam,

With reference to your letter no. *CHR/CRIME/2007/2982* dated *19/8/07*, I am directed to say that the matter was considered by the Commission on 24/08/2007 and the Commission has directed as follows:

This is in continuation of the earlier proceedings of the Commission. The Commission vide its proceedings dated 19.8.2007 directed as under:-

"On the basis of the enquiry report it has been reported by the Deputy Commissioner Chirang, Kajalgaon that an amount of Rs. 3 lacs was paid to Sri. Nirmal Muchahary, next-of-kin of the deceased Kunja Muchahary. Concerning the incident a case crime No.121/04 u/s 302/326/323/201 IPC was registered but the outcome of the investigation of the crime has not been submitted. Further, the report is silent as to what compensation was awarded to the injured victim.

Thus, in the facts and circumstances of the case, Dy. Commissioner/SP Chirang, Kajalgaon be asked to submit the outcome of crime No. 121/04 u/s 302/326/323/201 IPC registered at Police Station Basugaon within four weeks along with the factum of proof of payment of the financial relief to the next-of-kin of the deceased and explanation as to why the compensation to injured victim was not awarded."

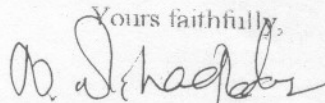
In response to the Commission's directions the Supdt. of Police vide communication dated 19.6.2007 submitted that Nirmal Mushahary (injured) and Nirmal Mushahary (deceased) were the victim of cross firing between Army and suspected NDFB activists. Concerning the incident of said cross firing a case crime No.120/04 u/s 353/307/326/302 r/w Section 25/27 (IB) Arms Act and Section 10/13 UA (P) Act was registered and investigated. He further submitted that concerning the incident of death Kunja Mushahary a case crime No.121/04 u/s 302/326/323/201 IPC was also registered and investigated. But the report is singularly silent regarding the outcome of investigation of crimes No.120/04 and 121/04. The report is also silent regarding the factum of proof of payment of financial relief to the next-of-kin of the deceased and explanation as to why the compensation was not awarded to the injured Nirmal Mushahary.

Thus, in the light of aforesaid observations, the Supdt. of Police and Dy. Commissioner, Chirang, Assam be asked to send the requisite report to the Commission within four weeks.

2 It is therefore, requested that the additional/complete report as directed by the Commission in the matter be sent latest by ~~24/08/2007~~, for further consideration by the Commission.

6/10/07

Yours faithfully,



ASSISTANT REGISTRAR (LAW)