

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

Case No. 46674/24/59/07-08-PCR / M-4  
NATIONAL HUMAN RIGHTS COMMISSION  
( L A W D I V I S I O N )

\* \* \*  
FARIDKOT HOUSE  
COPERNICUS MARG, NEW DELHI - 110 001

Dated 22/10/2009

To  
THE CHIEF SECRETARY  
GOVT. OF UTTAR PRADESH, LUCKNOW

Sub : Complaint from

SUHAS CHAKMA, DIRECTOR  
NATIONAL CAMPAIGN FOR PREVENTION 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 21/10/2009 and the Commission has directed as follows.

*These proceedings shall be read in continuation of the Commission's earlier proceedings dated 10.10.2008 when it directed as under :-*

*"Let a reminder be sent to Chief Secretary, Govt. of UP, Lucknow, impressing upon him to send the requisite report within a period of four weeks. A copy each of Commission's Proceedings dated 12.6.08 and Show Cause Notice dated 19.6.08 be also sent."*

*Pursuant to the directions of the Commission, Spl. Secretary, Govt. of U.P. vide communication dated 18.11.2008 has informed that there is a violation of human rights of the victim committed by the errant police official and therefore the State Government has no objection to grant the interim relief to the victim girl. A charge sheet no.5 dated 29.2.2008 was submitted in the court against errant police official, Manoj Kumar Roy in Crime Case No. 358/07 u/s 323/504/376 IPC.*

*The Commission has considered the report. In the light of the above Chief Secretary, Govt. of UP is recommended to award Rs.2,00,000/- (Rupees Two Lakhs only) as damages to the victim u/s 18 (a)(i) of the Protection of Human Rights Act 1993. The proof of payment be submitted within a period of four weeks.*

It is therefore, requested that the compliance report in the matter be sent to the Commission latest by 26/11/2009, so that the same could be placed before the Commission.

Yours faithfully,


  
ASSISTANT REGISTRAR (LAW)

MS-1667A/24/59/7-8-PCR/M-A

---

CC To.

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

  
Anur (M-A)

22 OCT 2009

**MOST IMMEDIATE  
BY SPEED POST**

**No. 46674/24/59/07-08-PCR  
NATIONAL HUMAN RIGHTS COMMISSION  
(Report-II) M-4  
\*\*\*\*\***

**Faridkot House  
Copernicus Marg, New Delhi**

**SHOW CAUSE NOTICE**

To

The Chief Secretary,  
Govt. of UP,  
Lucknow.

**WHEREAS** the Commission received a complaint dated 2.1.08 from Shri Suhas Chakma, Director, National Campaign for Prevention of Torture, New Delhi (an NGO) alleging that on 25.12.07 SHO of PS Ranigunj Manoj Rai picked up a girl while she was eloping with her boy friend. He has further alleged that the said police officer illegally detained and raped the said girl in the intervening night of 25/26.12.2007.

**AND WHEREAS** pursuant to the Commission's directions dated 11.1.08, SP Pratapgarh vide communication dated 22.1.2008 forwarded a copy of the enquiry report of Additional SP, Pratapgarh (copy enclosed) and submitted that concerning the incident, finding the charge of rape prima facie true, FIR crime No.358/07 u/s 323/376/504 IPC was registered against the then errant SHO PS Jethwara Manoj Rai pending investigation and arrest of Manoj Rai.

**AND WHEREAS** the Commission on consideration of the aforesaid report on 12<sup>th</sup> June, 2008 has inter-alia observed / directed as under:-

***“This is a case of gross violation of human right of a minor girl by a public servant. Thus State is liable vicariously for the misdeed of its employee.***

***Thus, a show cause notice be issued to the Chief Secretary, Govt. of UP U/S 18(a)(i) as to why a compensation be not recommended to be awarded to the victim. Response within four weeks. The copy of enquiry report of Addl. SP Pratapgarh dated 24.12.2007 be also transmitted.”***

**NOW THEREFORE**, you are hereby called upon to show cause, if any, on or before 31.07.2008 as to why recommendations u/s 18(c) of the Protection of Human Rights Act, 1993 be not made to grant “interim relief” to the victim.

Take further notice that in default, the Commission may proceed to take such action as it deems proper.

**Given under my hand and the SEAL** of the Commission, on this the day 19<sup>th</sup> June, 2008.

Encl: As above



BY ORDER

JOINT REGISTRAR (LAW).

g/c

Issued

20-06-08