

NATIONAL HUMAN RIGHTS COMMISSION
(L A W D I V I S I O N)
FARIDKOT HOUSE
COPERNICUS MARG, NEW DELHI - 110 001

Dated 01/05/2013

Case No. 13842/24/57/09-10-AD/DB-I

14 MAY 2013

To

✓
SHRI SUHAS CHAKMA, DIRECTOR
NATIONAL CAMPAIGN FOR PREVENTION TORTURE, C-3/441-
C, JANAKPURI,
WEST DELHI, DELHI.
(Pin Code - 110058)

Sir/Madam,

With reference to your complaint dated 08/07/2009, I am directed to say that the matter was considered by the Commission on 09/04/2013. The Commission has made the following directions.

LINKED WITH CASE NO. 14530/24/57/09-10-PCD/DB-I

"The monetary relief, which was recommended by the Commission, has been disbursed the next of kin of the deceased victim. The proof of payment has been sent by the State Government.

In view of compliance of recommendation, the case is closed."

This is for your information.

Yours faithfully,


DEPUTY REGISTRAR(LAW)

National Human Rights Commission

New Delhi, India

Case Details of File Number: 14530/24/57/09-10-PCD

Diary Number 73507
Name of the Complainant SENIOR SUPERINTENDENT OF POLICE
Address .
 MUZAFFARNAGAR , UTTAR PRADESH
Name of the Victim RAJBAL S/O RATIRAM
Address R/O MOHALLA- HOLI CHOWK, PS- CHAPPAR,
 MUZAFFARNAGAR , UTTAR PRADESH
Place of Incident MOHALLA HOLI CHOWK CHAPPAR
 MUZAFFARNAGAR , UTTAR PRADESH
Date of Incident 7/7/2009

Vijay Pal made a complaint at P.S. Chhappar, Muzaffarnagar on 7.7.2009 that his father Rajbal and uncle Mayaram had been assaulted by the police and some other persons. A criminal case No.456/2009 u/s 302 IPC was registered on the basis of his complaint. The case was initially investigated by the local police and subsequently the investigation was transferred to CB CID. The investigation by CB CID disclosed that S.I. Muninder Singh and Constable Ajay had committed offences u/s 302/323 IPC. It was also found by the investigating agency that Constable Sardar Singh had committed offences u/s 323/302/109 IPC. Since a Sub-Inspector and two Constables were found liable for the death of Rajbal by CB CID, a notice was issued to the Government of Uttar Pradesh requiring it to show cause why monetary relief be not given to the next of kin of deceased Rajbal. In response to the show cause notice, the State

Direction issued by the Commission Government has submitted vide its communication dated 10.8.2011 that a charge-sheet has been filed in the court against the delinquent policemen. We have been further informed that financial assistance of Rs.1.5 lakhs has been given to the next of kin of deceased Rajbal under the provisions of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act. The State Government has added that it has no objection to the grant of additional monetary relief. It has been established prima facie during investigation by CB CID that Rajbal lost his life in consequence of assault by policemen. The bereaved family has to be suitably compensated. Considering all circumstances, we recommended to the Government of Uttar Pradesh to pay a sum of Rs.five lakhs to the next of kin of deceased Rajbal. The amount which has been disbursed as financial assistance under the provisions of SC/ST(POA) Act may be deducted. Compliance report with proof of payment be submitted to the Commission within two months.

ion Taken **Relief granted [Compensation, Disciplinary & Prosecution] (Dated 5/2/2012)**
Status on 3/8/2013 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: cov.dnhrc@hub.nic.in

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