

NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
MANAV ADHIKAR BHAWAN, BLOCK-C, G.P.O. COMPLEX,
INA, NEW DELHI- 110023

Dated 10/06/2014

Case No. 15/11/12/2012-AD

To

98 JUL 2014

TEJANG CHAKMA, COMPLAINTS COORDINATOR
NATIONAL CAMPAIGN FOR PREVENTION OF
TORTURE, C-3/441-C, JANAKPURI,
WEST DELHI, DELHI.

Sir/Madam,

With reference to your complaint dated 23/12/2011, I am directed to say that the matter was considered by the Commission on 06/06/2014. The Commission has made the following directions.

These proceedings shall be read in continuation of earlier proceedings of the Commission dated 25.4.14.

In response the Principal Secretary, Home (B) Department, Government of Kerala vide his communication dated 10.3.14 has submitted the compliance report. Perusal of the same reveals that an amount of Rs. 3,00,000/- (Rupees three lakhs only) as interim relief, as recommended by the Commission has been paid to the next of kin of deceased under trial prisoner Sreedharan Panicker on 7.2.14. 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 next to kin of the deceased. No further communication is called for. The reports received from the State Authority are taken on record and the case is closed.

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

LINKED WITH MAIN FILE NO.14/11/12/2012-JCD.

This is for your information.

Yours faithfully,


ASSISTANT REGISTRAR(LAW)

National Human Rights Commission

New Delhi, India

Case Details of File Number: 15/11/12/2012-AD

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| Diary Number | 163407 |
| Name of the Complainant | TEJANG CHAKMA, COMPLAINTS COORDINATOR |
| Address | NATIONAL CAMPAIGN FOR PREVENTION OF TORTURE, C-3/441-C, JANAKPURI, WEST DELHI , DELHI |
| Name of the Victim | SREEDHARAN |
| Address | SPECIAL SUB-JAIL, POJAPURA, THIRUVANANTHAPURAM , KERALA |
| Place of Incident | MEDICAL COLLEGE HOS, THIRUVANA THIRUVANANTHAPURAM , KERALA |
| Date of Incident | 12/19/2011 |
| Direction issued by the Commission | These proceedings shall be read in continuation of the earlier proceedings. Vide proceedings dated 08-04-2013, the Commission considered the material placed on record and observed that the deceased Sreedharan who was in the care and custody of the State who had died due to antimortem head injury. The State failed in its duty to protect the life of the deceased as he was attacked by another jail inmate Hakkim. It is the absolute responsibility of the State to protect the life of a person who is in its care and custody. In these circumstances, the Commission feels that grant of interim relief to the next of kin of the deceased is justified. An amount of Rs. 3,00,000/- (three lakhs only) was recommended to be paid as interim relief to the next of kin of the deceased. Chief, Secretary, Government of Kerala was directed to send the proof of payment made to the next of kin of the deceased to the Commission within four weeks. In response to the aforesaid directions and further issuance of the conditional summons vide communication dated 02-08-2013, the Commission has received a report dated 29-08-2013 from the Additional Secretary, Home(B) Department, Thiruvananthapuram Government of Kerala seeking grant of two months time to furnish the proof of payment, which is already over. Issue a final reminder to the Additional Secretary, Home(B) Department, Thiruvananthapuram, Government of Kerala to submit the requisite proof of payment. Response within four weeks. |
| Action Taken | Additional Information Called for (Dated 4/25/2014) |
| Status on 5/21/2014 | Response from concerned authority is awaited |

Note: For further details kindly contact National Human Rights Commission, Manav Adhikar Bhawan Block-C, GPO Complex, INA, New Delhi - 110023

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नोट: अन्य जानकारी हेतु कृपया संपर्क करे राष्ट्रीय मानव अधिकार आयोग, मानव अधिकार भवन, ब्लॉक-सी, जी.पी.ओ. कॉम्प्लेक्स, आई.एन.ए., नई दिल्ली - 110023,

फोन नं. 24651330 फैक्स नं. 24651329 ई-मेल : [covdnhrc\[at\]nic\[dot\]in](mailto:covdnhrc@nic.in), [ionhrc\[at\]nic\[dot\]in](mailto:ionhrc[at]nic[dot]in)

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अस्वीकरण : नेट पर प्रकाशित सूचना में, अनजाने में हुई किसी भी गलती के लिए न तो एन.एच.आर.सी. न ही एन.आई.सी. जिम्मेदार है।