

Case Details of File Number: 1360/18/28/2013-AD**Diary No:** 69419**Name of the Complainant:** TEJANG CHAKMA, COMPLAINTS COORDINATOR**Complainant Address:** ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C (2ND FLOOR), JANAKPURI,**Name of the Victim:** HEMANTA NAYAK S/O DANIEL NAYAK**Place of Incident:** BEGUNIA**Date of Incident:** 05/05/2013**Action Taken:**

A show cause notice dated 14-8-2015 was issued to the Government of Odisha requiring it to show cause why monetary relief of Rs.50,000/- each be not recommended to be paid to Pabitra Nayak, Satya @Munda Nayak, Somanath @ Sonu Swain and the next of kin of deceased Hemanta Nayak. In response to the show cause notice S.P., Khordha through his letter dated 19.9.2015 has stated that the payment of compensation to the next of kin of deceased Hemanta Nayak would be proper and judicious. As regards, payment of compensation to the remaining three persons, the S.P. has submitted that this will result in demoralization of police and may develop a tendency among the street loafers to repeat such vandalism against the modesty of women. The Commission has considered the reply of SP, Khordha and does not find any merit in it. After considering the inquiry report of Collector, Khordha, this Commission had come to the conclusion that deceased Hemanta Nayak and the other three boys were illegally detained at the police station for nearly twenty four hours. The police had not registered any criminal case against the four boys and still they were detained at the police station on the night of 2.5.2013. Thus, the human rights of the four boys had been violated. In the reply received from S.P., Khordha, no satisfactory explanation has been given for the illegal detention of deceased Hemanta Nayak and the three other boys in the police station. We, therefore, recommend to the Government of Odisha to pay a sum of Rs.50,000/- each to Pabitra Nayak, Satya @ Munda Nayak, Somanath @ Sonu Swain and the next of kin of deceased Hemanta Nayak within a period of six weeks. Chief Secretary, Government of Odisha shall submit the compliance report with proof of payment within two weeks thereafter. In view of the orders passed in this case, the connected files on the same incident need not be kept on board and, therefore, the same are closed

Status : Action Taken On 10/05/2016**Action Due Date:** 10/05/2016