

Case Details of File Number: 287/34/6/2013

Diary No: 32665

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: MADHO MURMU AND MANGAL BASKE

Place of Incident: DOMUHANI

Date of Incident: 25/02/2013

Action Taken:

The Commission received a complaint dated 27.2.2013 from Shri Tejang Chakma, alleging that Ms. Madho Murmu and Shri Mangal Baske, resident of Balram Basti were brought to Sonari Police Station in East Singhbhum District of Jharkhand by police on the intervening night of 25-26.2/2013 on suspicion of being thieves. He further alleged that they were subjected to torture in police custody. He requested appropriate action in the matter. Pursuant to direction of the Commission, reports dated 25.07.2013 and 12.02.2014 were received from SSP, East Singhbhum, Jamshedpur, Jharkhand. It was intimating that a crime No. 24/2013 u/s147/148/149/341/ 342/323/333/307 IPC was registered on 25.02.2013 against both the aforesaid persons along with 35 unknown females and about 40 men. As regards departmental action against SI Dilip Kumar Singh, penalty of withholding of increment for six months had been imposed upon him. Copies of the daily dairies, statements and injury reports have been enclosed for perusal. After considering the material placed on record, the Commission vide proceedings dated 25.08.2014 observed and directed as under: "It is an admitted fact that Ms. Madho Murmu and Mangal Baske were treated in the hospital and discharged. They were issued injury certificates. In the departmental action, penalty of withholding of increment for six months had been imposed upon SI Dilip Kumar Singh. The Commission observes that the human rights of the victims have been violated by a public servant for which the State must bear liability. Issue a Show Cause Notice to the Government of Jharkhand through its Chief Secretary as to why monetary relief of Rs. 25,000/- u/s 18 of the Protection of Human Rights Act, 1993, be not recommended to be paid to each of the victims. " On non receipt of report the Commission vide proceedings dated 22.12.2014 issued a reminder to the Chief Secretary, Govt. of Jharkhand. The Commission vide proceedings dated 11.06.2015, directed the Under Secretary to Govt. of Jharkhand, Home Department, to send the compliance report along with proof of payment. In response, the Special Secretary, Home, Prison and Disaster Management Department, Govt. of Jharkhand, sent an endorsed copy of his letter dated 01.09.2015, addressed to Accountant General, Jharkhand, Post Doranda, Ranchi, requesting him to release the payment of monetary relief of Rs.25,000/- each i.e. total of Rs.50,000/- to Ms. Madho Murmu and Mangal Baske. In response, the Commission has received a report dated 05.12.2016 intimating that an amount of Rupees 25,000/- each has been paid to both the victims. Proof of payment has also been submitted. The Commission has considered the material placed on record. The delinquent police official in the case has already been punished departmentally by way of withholding six increments. Proof of payment of compensation to the victims has also been received. No further action is called for. The case stands CLOSED.

Status : Action Taken On 21/04/2017

Action Due Date: 21/04/2017

Assistant Registrar(LAW)
Fax No.: 011-2465 1332
Home Page : <http://nhrc.nic.in>

Case No. 287/34/6/2013/UC
NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
MANAV ADHIKAR BHAWAN
BLOCK-'C', G.P.O. COMPLEX, INA, NEW DELHI - 110023

Dated 25/04/2017

Case No. 287/34/6/2013/

To

THE UNDER SECRETARY, DEPARTMENT OF
HOME, GOVT. OF JHARKHAND, RANCHI

16 MAY 2017

2 JUN 2017

Sir/Madam,

The complaint dated 27/02/2013 received from TEJANG CHAKMA, COMPLAINTS COORDINATOR in respect of MADHO MURMU AND MANGAL BASKE, was placed before the Commission on 21/04/2017. Upon perusing the complaint, the Commission directed as follows.

The Commission received a complaint dated 27.2.2013 from Shri Tejang Chakma, alleging that Ms. Madho Murmu and Shri Mangal Baske, resident of Balram Basti were brought to Sonari Police Station in East Singhbhum District of Jharkhand by police on the intervening night of 25-26.2/2013 on suspicion of being thieves. He further alleged that they were subjected to torture in police custody. He requested appropriate action in the matter.

Pursuant to direction of the Commission, reports dated 25.07.2013 and 12.02.2014 were received from SSP, East Singhbhum, Jamshedpur, Jharkhand. It was intimating that a crime No. 24/2013 u/s 147/148/149/341/ 342/323/333/307 IPC was registered on 25.02.2013 against both the aforesaid persons along with 35 unknown females and about 40 men. As regards departmental action against SI Dilip Kumar Singh, penalty of withholding of increment for six months had been imposed upon him. Copies of the daily dairies, statements and injury reports have been enclosed for perusal.

After considering the material placed on record, the Commission vide proceedings dated 25.08.2014 observed and directed as under:

"It is an admitted fact that Ms. Madho Murmu and Mangal Baske were treated in the hospital and discharged. They were issued injury certificates. In the departmental action, penalty of withholding of increment for six months had been imposed upon SI Dilip Kumar Singh. The Commission observes that the human rights of the victims have been violated by a public servant for which the State must bear liability. Issue a Show Cause Notice to the Government of Jharkhand through its Chief Secretary as to why monetary relief of Rs. 25,000/- u/s 18 of the Protection of Human Rights Act, 1993, be not recommended to be paid to each of the victims. "

On non receipt of report the Commission vide proceedings dated 22.12.2014 issued a reminder to the Chief Secretary, Govt. of Jharkhand.

proof of payment.

In response, the Special Secretary, Home, Prison and Disaster Management Department, Govt. of Jharkhand, sent an endorsed copy of his letter dated 01.09.2015, addressed to Accountant General, Jharkhand, Post Doranda, Ranchi, requesting him to release the payment of monetary relief of Rs.25,000/- each i.e. total of Rs.50,000/- to Ms. Madho Murmu and Mangal Baske.

In response, the Commission has received a report dated 05.12.2016 intimating that an amount of Rupees 25,000/- each has been paid to both the victims. Proof of payment has also been submitted.

The Commission has considered the material placed on record. The delinquent police official in the case has already been punished departmentally by way of withholding six increments. Proof of payment of compensation to the victims has also been received. No further action is called for. The case stands CLOSED.

2. ~~Accordingly, I am forwarding a copy of the complaint for necessary action as per the directions of the Commission.~~

Yours faithfully,

ASSISTANT REGISTRAR (LAW)

CCTo:

Case No. 287/34/6/2013/

TEJANG CHAKMA, COMPLAINTS COORDINATOR
ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, (2ND
FLOOR), JANAKPURI,
WEST DELHI, DELHI.

ASSISTANT REGISTRAR(LAW)