

Dated 30/08/2019

18 OCT 2019

Case No. 450/3/14/2012/

To

THE SECRETARY
MINISTRY OF SOCIAL JUSTICE AND
EMPOWERMENT, GOVT. OF INDIA, SHASTRI
BHAVAN, NEW DELHI

Sir/Madam,

The complaint dated 17/12/2012 received from TEJANG CHAKMA, COMPLAINTS COORDINATOR in respect of LAKHI MAYA CHAKMA D/O PURNOJOY CHAKMA & OTHERS, was placed before the Commission on 23/08/2019. Upon perusing the complaint, the Commission directed as follows.

The Commission received a complaint from activist Shri Tejang Chakma; alleging that two minor girls were kidnapped on 14 Nov 2012 from Lankajan Village in Nagaon District, Assam. The Investigating Officer rescued the two girls and arrested some of the accused persons. A charge sheet was filed in the court but the victims have not been provided any monetary relief in terms of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

In response to the directions, SP Hajoi, Assam sent his report dated 6 Nov 2018. As per the report, despite repeated correspondences made with different authorities, the relief amount grant which was accorded by the DM Hajoi, Assam has not been paid to the victims and as such he has not been able to furnish the proof of payment till date. In fact, he is not empowered to disburse the relief amount.

The Chief Secretary, Government of Assam was directed to intervene in the matter and direct the Director, Welfare of Scheduled Castes (Nodal Officer) and Scheduled Tribes (Prevention of Atrocities) to disburse the amounts of monetary relief which have been released by DM Hajoi and send a report to the Commission within 6 weeks.

In response, the Additional Secretary, Department of Home & Political Department, Government of Assam, Dispur, has sent a report dated 14 February 2019, wherein he has stated that WPT&BC Department, Government of Assam has processed financial sanction for an amount of Rs. 3.60.000/- for awarding to the

Atrocities) (Amendment) Rules, 2014, during the financial year 2018-2019 in connection with the instant case and the report will be submitted shortly to the Commission on receipt of the payment status report from the WPT&BC Department, Government of Assam. He has requested the Commission to grant additional time of 45 days for submission of the compliance report.

Pursuant to the further directions of the Commission, a report dated 29.6.2019 has been received from the Secretary, Home & Political Department, Government of Assam. It is intimated that the department is still waiting for sanction and release of central share from the Government of India for awarding statutory assistance to the victims.

The Commission has carefully considered the materials on record and takes note of the facts and circumstances of the case. The Commission expresses its displeasure, the way the matter has been dealt with by the concerned public servants. The inaction of the concerned authority has not been appreciated. In the circumstances let a copy of the report dated 29.6.2019 may be transmitted to the Secretary, Ministry of Social Justice and Empowerment, Government of India with direction to ensure sanction of necessary funds to the state of Assam for disbursement of the same to the victims at the earliest. With this direction the matter requires no further intervention of the Commission, accordingly the case be closed.

2. Accordingly, I am forwarding the complaint in original for necessary action as per the directions of the Commission.

Yours faithfully,

ASSISTANT REGISTRAR (LAW)

CC To :

Case No. 450/3/14/2012/

TEJANG CHAKMA, COMPLAINTS COORDINATOR
ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C,
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ASSISTANT REGISTRAR(LAW)