

Case No. 2103/24/21/2011
राष्ट्रीय मानव अधिकार आयोग
NATIONAL HUMAN RIGHTS COMMISSION
(Law Division / Full Commission Branch)

I/C JOINT REGISTRAR (LAW)
Tel No. 011-24663355
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Manav Adhikar Bhawan
'C' Block, GPO Complex
INA, New Delhi – 110 023
Dated 21.11.2019

To

✓ Shri Suhas Chakma,
Director,
National Campaign for Prevention of Torture,
C-3/441-C, Janakpuri,
New Delhi-110058.

27 NOV 2019

Subject: Comaplain against the extra-judicial killing of Master Manoj Pal (17) and injrury of two other persons during a protest at Raipur Road in Deoria District of Uttar Pradesh on 03.01.2011.

Sir / Madam,

I am directed to say that the matter was considered by the Commission on 24.10.2019, when it inter-alia observed and directed as under:-

"This matter pertains to a complaint dated 04.1.2011 from Shri Suhas Chakma, Director, National Campaign for Prevention of Torture, New Delhi regarding extra –judicial killing of one Manoj and injuries to two others during a protest procession at Raipur Road in Deoria District of Uttar Pradesh on 03.1.2011. The deceased and the injured persons were part of the protestors who were protesting against the alleged murder of a Sadhu indentified as Jashwant @ Jatawa Baba, 60 years. A prayer was made for an independent enquiry, action against the responsible police personnel and adequate compensation to the next of kin of the deceased as well as to other victims.

Pursuant to the directions of the Commission, a detailed report dated 25.2.2011 was received from CO City, Deoria. According to the report, on 02.1.2011 at 11.15 P.M., the police of P.S. Rampur, Karkhana was informed about the death of one Baba Satnam Das @ Naga Baba due to burning inside a Kali Temple of Patanawa Putra. The next day, on receiving this information, the people of the area got agitated and blocked the road and set fire to the nearby huts and houses and damaged vehicles. The police forces along with administrative authorities rushed to the spot to control the mob. They tried to disperse the mob by warning them, but when they paid no heed, the police used tear gas followed by rubber bullets and ultimately the force has to resort to lathi charge to control the mob. One person was killed in the incident and two others sustained injuries. Regarding the incident, three FIRs No.5/11, 5B/11 and 5C/11 were registered at P.S. Rampur with appropriate sections of law.

The magisterial enquiry of the incident was conducted by Addl. District Magistrate, Deoria. During the course of enquiry, the Magistrate recorded the statements of independent witnesses, victims of arson, police officers and Autopsy Surgeon. No family members of the deceased or the injured persons appeared before the Magistrate to record their statements. The Magistrate on examination of the statements of witnesses and other evidence, concluded that during the incident, an agitated and uncontrolled mob of about 2000-3000, armed with various kinds of weapons, pelted stones at the police and set properties on fire and in order to

control the situation, the police resorted to open fire in the air. However, there was no evidence to show that deceased Manoj Pal died as a result of police firing. The Magistrate found no foul play on the part of the police forces in the death of the deceased.

The Tehsildar, Deoria Sadar vide email dated 28.6.2019 informed the Commission that the State Government has paid an amount of Rs.2 Lakhs to the next of kin of the deceased Manoj Pal and Rs.25,000/- to the two injured persons.

Commission on consideration of the various reports on record including the magisterial enquiry report, finds no fault on the part of police force in the incident. To protect the lives and properties and also to control the unruly mob, the police resorted to open fire in air. The magisterial enquiry report also ruled out that the deceased died as a result of police firing. Moreover, the next of kin of the deceased and the two injured persons have been compensated by the State Government. We do not find any human rights violation in this case. The case is closed."

This is for information.

Yours faithfully,



I/C JOINT REGISTRAR (LAW)