

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

Dated 07/12/2020

Case No. 3454/24/36/2010-ad

To ✓

SUHAS CHAKMA, DIRECTOR  
NATIONAL CAMPAIGN FOR PREVENTION OF TORTURE,  
C-3/441-C, JANAKPURI,  
WEST DELHI, DELHI.  
110058

08 DEC 2020

Sir/Madam,

With reference to your complaint dated 29/12/2009, I am directed to say that the matter was considered by the Commission on 25/11/2020. The Commission has made the following directions.

*The matter rested thus when the petitioner had drawn attention of the Commission towards the death of one Ram Khilawan, aged 60 years, allegedly due to torture by police on 25.12.2009 in Hardoi District, Uttar Pradesh. Vide proceedings dated 14.10.2019, the Commission had observed and directed as under:*

*"The Chief Secretary, Government of Uttar Pradesh, Lucknow, has not filed the requisite report despite being asked by the Commission vide letter dated 16.05.2019. Therefore, the Registry to issue a reminder to the Chief Secretary, Government of Uttar Pradesh, Lucknow, to pay a sum of Rs.5,00,000/- (Rupees Five Lakh only) as compensation to the next of kin of the deceased Ram Khilawan and to file the compliance report along with proof of payment to the Commission, within six weeks positively, failing which the Commission shall be constrained to exercise its coercive power U/S 13 of Protection of Human Rights Act, 1993. Registry to send the copy of the proceedings dated 24.04.2019 to the aforesaid authority for his information and filing of requisite report".*

*Pursuant to further directions, the Deputy Secretary, Home (HR) Deptt, Govt. of Uttar Pradesh vide his communication dated 21.10.2020 has informed that an amount of Rs 5,00,000/- (Rupees five lakhs only) as recommended by the Commission has been sanctioned and District Magistrate, Hardoi and Superintendent of Police, Hardoi have been directed to disburse the amount and submit the compliance report directly to the Commission.*

*The Commission has considered the matter. The case is of the year 2010. The amount of interim relief as recommended by the Commission has been sanctioned by the State Govt. and the same is being disbursed to the Next of Kin of the deceased, Ram Khilawan. In these circumstances, let a Notice be sent to the DGP, Uttar Pradesh, Principal Secretary, Home (HR) Deptt, Govt of Uttar Pradesh, District Magistrate, Hardoi and Sr.*

*Superintendent of Police, Hardoi, UP calling upon them to ensure that the amount of interim relief as already sanctioned by the State Govt. is paid to Next of Kin of the deceased within 8 weeks from the date of receipt of this order. They shall also ensure that proper legal / departmental action as recommended by the CB CID in the matter is taken in accordance with law expeditiously. With these directions, the matter stands disposed off. Let a copy of these proceedings together with copy of the communication dated 21.10.2020 be also transmitted to son of the deceased namely Kamla Kant Tripathi, S/o Ram Khilawan Tripathy, R/o Jairajpur, PS Tadiawan, District Hardoi, Uttar Pradesh for information.*

This is for your information.

Yours faithfully,



ASSISTANT REGISTRAR(LAW)

CC :-

## National Human Rights Commission

<b>Diary No</b>	146335	<b>Case / File No</b>	3454/24/36/2010-AD
<b>Victim Name</b>	RAM KHILAWAN	<b>Registration Date</b>	29/01/2010

**Action List** (Click on Action given in blue color to view details)

Action No.	Action	Authority	Action Date	Due Date	Completion Date
22	<a href="#">Additional Information Called for</a>	THE CHIEF SECRETARY GOVT. OF UTTAR PRADESH, LUCKNOW	14/10/2019	13/12/2019	
21	<a href="#">Relief granted [Compensation, Disciplinary &amp; Prosecution]</a>	THE CHIEF SECRETARY GOVT. OF UTTAR PRADESH , LUCKNOW	24/04/2019	20/06/2019	
20	<a href="#">Additional Information Called for</a>	THE CHIEF SECRETARY LUCKNOW, UTTAR PRADESH	20/09/2018	24/10/2018	07/11/2018
19	<a href="#">Additional Information Called for</a>	THE DIRECTOR GENERAL OF POLICE GOVT. OF UTTAR PRADESH , LUCKNOW	09/01/2018	03/03/2018	
18	<a href="#">Show Cause Notice Issued (Comments)</a>	THE CHIEF SECRETARY GOVT. OF UTTAR PRADESH , LUCKNOW	09/01/2018	03/03/2018	
17	<a href="#">Additional Information Called for</a>	THE SUPERINTENDENT OF POLICE HARDOI,UTTAR PRADESH	09/08/2017	15/10/2017	
16	<a href="#">Additional Information Called for</a>	THE SUPERINTENDENT OF POLICE HARDOI, UTTAR PRADESH	07/02/2017	10/04/2017	10/08/2017
15	<a href="#">Additional Information Called for</a>		10/09/2014	10/09/2014	
14	<a href="#">Additional Information Called for</a>		22/08/2014	22/08/2014	
13	<a href="#">Additional Information Called for</a>	THE CHIEF SECRETARY GOVT. OF UTTAR PRADESH, LUCKNOW	21/03/2012	30/04/2012	

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**Expand All Action List****Action**

**Action : Additional Information Called for(Action No 22)**

<b>Action Date</b>	14/10/2019	<b>Due Date</b>	13/12/2019	<b>Completion Date</b>	
<b>Authority</b>	THE CHIEF SECRETARY, GOVT. OF UTTAR PRADESH, LUCKNOW				
<b>Proceeding</b>	<p>This complaint pertains to the allegations of the complainant has drawn the attention towards the death of Mr. Ram Khilawan, aged 60 years, allegedly due to torture by police on 25.12.2009 in Hardoi district, Uttar Pradesh.</p> <p>Vide proceedings dated 24.04.2019, the Commission had observed and directed as under :</p> <p>“The submission on behalf of the Government of Uttar Pradesh, to the affect that payment of compensation for violation of human rights of the deceased Ram Khilawan is not justified, is not convincing to the Commission, in the view of the categorical observation of the Commission in its proceedings dated 09/01/2018 as mentioned above and the compensation is liable to be awarded to the next of kin of the deceased victim for violation of his human rights.</p> <p>Therefore, the Commission reiterates its show cause notice and recommends the Chief Secretary, Government of Uttar Pradesh, to pay a sum of Rs. 5,00,000/- (Rupees Five Lakh only) as compensation to the next of kin of the deceased Ram Khilawan and to file the compliance report along with proof of payment to the Commission within six weeks”.</p> <p>The Chief Secretary, Government of Uttar Pradesh, Lucknow, has not filed the requisite report despite being asked by the Commission vide letter dated 16.05.2019.</p> <p>Therefore, the Registry to issue a reminder to the Chief Secretary, Government of Uttar Pradesh, Lucknow, to pay a sum of Rs.5,00,000/- (Rupees Five Lakh only) as compensation to the next of kin of the deceased Ram Khilawan and to file the compliance report along with proof of payment to the Commission, within six weeks positively, failing which the Commission shall be constrained to excise its coercive power U/S 13 of Protection of Human Rights Act, 1993. Registry to send the copy of the proceedings dated 24.04.2019 to the aforesaid authority for his information and filing of requisite report.</p>				

**Complaint**

Diary No	146335	Section	M-4
Language	ENGLISH	Mode	BY HAND
Received Date	30/12/2009	Complaint Date	29/12/2009
Gist			

**Victim**

<b>Victim Name</b>	RAM KHILAWAN	<b>Gender</b>	Male
<b>Religion</b>	Hindu	<b>Cast</b>	Unknown

<b>Address</b>	R/O VILL- JAIRAJPUR, PS- HARDOI,		
<b>District</b>	HARDOI	<b>State</b>	UTTAR PRADESH

### Complainant

<b>Name</b>	SUHAS CHAKMA, DIRECTOR		
<b>Address</b>	NATIONAL CAMPAIGN FOR PREVENTION OF TORTURE, C-3/441-C, JANAKPURI,		
<b>District</b>	WEST DELHI	<b>State</b>	DELHI ( 110058 )

### Incident

<b>Incident Place</b>	HARDOI	<b>Incident Date</b>	25/12/2009
<b>Incident Category</b>	ALLEGED CUSTODIAL DEATHS IN POLICE CUSTODY		
<b>Incident District</b>	HARDOI	<b>Incident State</b>	UTTAR PRADESH
<b>Incident Details</b>			

### Cause List

List No	Case / File No	Listing Date	Category
21	3454/24/36/2010-ad	04/02/2020	FOR FINAL DISPOSAL
20	3454/24/36/2010-ad	19/07/2019	FOR FINAL DISPOSAL
19	3454/24/36/2010-ad	09/04/2019	FOR FINAL DISPOSAL
18	3454/24/36/2010-ad	04/04/2019	FOR FINAL DISPOSAL
17	3454/24/36/2010-AD	11/10/2018	FOR FINAL DISPOSAL
16	3454/24/36/2010-AD	19/03/2018	FOR FINAL DISPOSAL
15	3454/24/36/2010-AD	18/04/2017	FOR FINAL DISPOSAL
14	3454/24/36/2010-ad	24/05/2016	COMPLIANCE REPORT CASES
13	3454/24/36/2010-ad	08/01/2015	COMPLIANCE REPORT CASES
12	3454/24/36/2010-ad	11/03/2014	COMPLIANCE REPORT CASES

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