

National Human Rights Commission

Case /

File No : 305/3/7/2013 is attached with Case / File No : 285/3/7/2013

Main Case / File No : 285/3/7/2013**Linked Case / File No : 305/3/7/2013**

Diary No	9174/JR	Case / File No	285/3/7/2013
Victim Name	SUJIT NAYAK (DIED), RAJIB NAYAK (INJURED)	Registration Date	20/08/2013

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

Action No.	Action	Authority	Action Date	Due Date	Completion Date
9	Conditional Summon	THE DISTRICT MAGISTRATE JORHAT, ASSAM	23/10/2019	11/02/2020	
8	Additional Information Called for	THE DISTRICT MAGISTRATE JORHAT,ASSAM	25/02/2019	07/04/2019	
7	Additional Information Called for	THE SUPERINTENDENT OF POLICE JORHAT,ASSAM	21/08/2018	26/10/2018	
6	Sent to DG(I), NHRC	JORHAT,ASSAM	21/08/2018	26/10/2018	
5	Additional Information Called for	THE SUPERINTENDENT OF POLICE JORHAT,ASSAM	23/07/2018	25/09/2018	
4	Additional Information Called for	THE DISTRICT MAGISTRATE JORHAT,ASSAM	23/07/2018	25/09/2018	
3	Additional Information Called for	THE SUPERINTENDENT OF POLICE JORHAT, ASSAM	16/03/2017	14/04/2017	
2	Additional Information Called for		23/11/2016	23/12/2016	
1	Sent to DG(I), NHRC		21/08/2013	21/08/2013	

[Expand All Action List](#)[Action](#)**Action : Conditional Summon(Action No 9)**

Action Date	23/10/2019	Due Date	11/02/2020	Completion Date	
Authority	THE DISTRICT MAGISTRATE, JORHAT, ASSAM				
Proceeding	The case pertains to the death of Sujit Naik aged about 13 years and injury to Rajib Naik aged about 17 years on 18.08.2013 due to indiscriminate police firing done by the officials				

of Police Station Mariani District Jorhat Assam.

Vide proceedings dated 21.08.2018, the ATR received from SP Jorhat Assam on the findings of the One Man Commission and status of FIR No. 210/13 to the Investigation Division of the Commission for analysis.

In response, DIG Investigation Division filed its report dated 15.02.2019 to the Commission wherein it is stated that as per the findings of One Man Commission of enquiry conducted by Justice PK Musahary regarding the incident of firing that occurred on 18.08.2013 at Hemlai Tea Estate has recommended certain immediate measures as well as long term measures for action on the part of District Civil and Police Administration. Further a compensation of Rs.5 Lakhs as additional compensation to the victim's family in addition to the already paid Rs.5 Lakhs for the aid of the victim's family is recommended, employment to an eligible member of the victim's family in Grade III or Grade IV post preferably in Police Dept. or other such Dept. is recommended. Further a payment of Rs.1 Lakh only as compensation on humanitarian consideration of injured boy Sh. Rajib Naik is recommended, Re-engagement of Sh. Montu Nayak in the Tea Estate on humanitarian grounds as per his eligibility and permissibility is recommended. However as per action taken report of SP Jorhat, the Final report in the FIR No. 210/13 and 211/13 has already been filed and disciplinary proceedings against the delinquent have been dropped. Therefore it is recommended to close the matter as the compensation aspect is already been looked into by the Judicial Commission set up for the same.

The Commission vide proceedings dated 25.02.2019 observed that the report is silent on the compliance of recommendations made by the One Man Commission of enquiry conducted by Justice PK Musahary regarding certain immediate measures as well as long term measures for action on the part of District Civil and Police Administration.

The Commission has not received the compliance report as per its directions dated 25.02.2019.

The Commission takes serious note and further directs its registry to issue Conditional Summons u/s 13 of PHRA to District Magistrate, Jorhat, Assam calling upon them to personally appear along with the requisite compliance report as per the recommendations made by One Man Commission of enquiry conducted by Justice PK Musahary in the matter as per the directions of the Commission before the Commission on 11.02.2020 at 11 am at NHRC Office Manav Adhikaar Bhawan INA New Delhi to explain causal & callous attitude and non-responsive behavior, should however, if the requisite reports received in the Commission one week prior to the scheduled date then personal appearance shall dispensed with. Let the copy of the complaint and relevant directions of the Commission along with the copy of present proceedings be transmitted.

Complaint

Diary No	9174/JR	Section	M-5
Language	ENGLISH	Mode	E-MAIL
Received Date	20/08/2013	Complaint Date	20/08/2013
Gist			

Victim

Victim Name	SUJIT NAYAK (DIED), RAJIB NAYAK (INJURED)	Gender	Male
Religion	Unknown	Cast	Unknown
Address	HEMLAI HIGH SCHOOL HEMLAI TEA ESTATE, MARIANI PS. TEOK,		
District	JORHAT	State	ASSAM

Complainant

Complainant Details of Main Case			
Name	MRIGANKU BAHAK		
Address	ACTIVIST OF EKTA PARISHAD AND SOUTH ASIA PEACE ALLIANCE, JORHAT,		
District	JORHAT	State	ASSAM (0)
Complainant Details of Linked Case			
Name	AMAL KANTI CHAKMA, COMPLAINTS COORDINATOR		
Address	ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, (2ND FLOOR), JANAKPURI,		
District	WEST DELHI	State	DELHI (110058)

Incident

Incident Place	DHODAR ALI, HEMLAI, MARIANI	Incident Date	18/08/2013
Incident Category	DEATH IN POLICE FIRING		
Incident District	JORHAT	Incident State	ASSAM
Incident Details			

Cause List

List No	Case / File No	Listing Date	Category
7	285/3/7/2013	11/02/2020	COMPLIANCE REPORT CASES
6	285/3/7/2013	06/05/2019	COMPLIANCE REPORT CASES
5	285/3/7/2013	14/01/2019	COMPLIANCE REPORT CASES
4	285/3/7/2013	25/09/2018	COMPLIANCE REPORT CASES
3	285/3/7/2013	21/04/2017	COMPLIANCE REPORT CASES
2	285/3/7/2013	30/12/2016	FOR FINAL DISPOSAL

1	285/3/7/2013	23/09/2013	FOR FINAL DISPOSAL
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