

National Human Rights Commission

Diary No	186527/CR/2018	Case / File No	4552/18/7/2018
Victim Name	RAJENDRA MAHAKUD	Registration Date	02/11/2018

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

Action No.	Action	Authority	Action Date	Due Date	Completion Date
6	Additional Information Called for	THE DIRECTOR GENERAL OF POLICE POLICE HEAD QTR, GOVT. OF ODISHA, BHUBANESWAR	10/07/2020	05/09/2020	
5	Additional Information Called for	THE DIRECTOR GENERAL OF POLICE POLICE HEAD QTR, GOVT. OF ODISHA, BHUBANESWAR	10/02/2020	02/04/2020	
4	Show Cause Notice Issued (Comments)	THE CHIEF SECRETARY GOVERNMENT OF ODISHA, GENERAL ADMINISTRATION DEPARTMENT, ODISHA SECRETARIAT, BHUBANESWAR	10/02/2020	19/03/2020	
3	Additional Information Called for	KEONJHAR, ODISHA	03/05/2019	27/06/2019	
2	Additional Information Called for	THE SECRETARY ODISHA STATE HUMAN RIGHTS COMMISSION, TOSHALI BHAWAN (2ND FLOOR), PO. SATYA NAGAR, BHUBNESWAR-751007	15/11/2018	24/12/2018	
1	Notice Issued	THE DIRECTOR GENERAL OF POLICE POLICE HEADQUARTERS, GOVERNMENT OF ODISHA, CUTTACK	15/11/2018	24/12/2018	

[Expand All Action List](#)[Action](#)**Action : Additional Information Called for(Action No 6)**

Action Date	10/07/2020	Due Date	05/09/2020	Completion Date	
Authority	THE DIRECTOR GENERAL OF POLICE, POLICE HEAD QTR, GOVT. OF ODISHA, BHUBANESWAR				
Proceeding	This is in continuation of the proceedings dated 10.02.2020, wherein the Commission had				

issued show cause notice to Chief Secretary, Government of Odisha as to why a monetary compensation of Rs. 2.0 lakhs be not granted to victim in this case. DG, Government of Odisha was also directed to initiate departmental enquiry against erring officials and submit action taken report within four weeks.

Pursuant to the directions given by this Commission in the last proceedings, the Commission had issued show cause notice to the Chief Secretary, Government of Odisha but till date there is reply to the show cause notice.

The Commission has carefully gone through the record. In view of the matter, since COVID-19 condition is prevailing in the country, therefore, one more opportunity is given to the Chief Secretary, Government of Odisha to submit reply to show cause as to why a compensation of Rs. 2.0 lakhs be not recommended to the victim in this case. The DGP, Government of Odisha is also given one more opportunity to initiate department enquiry action against the erring officials and submit action taken report in this case within six weeks.

Complaint

Diary No	186527/CR/2018	Section	M-3
Language	ENGLISH	Mode	BY HAND
Received Date	30/10/2018	Complaint Date	16/10/2018

Victim

Victim Name	RAJENDRA MAHAKUD	Gender	Male
Religion	Unknown	Cast	Unknown
Address	BELDA VILL. ANANDAPUR TOWN KEONJHAR DIST. ODISHA		
District	KEONJHAR	State	ODISHA

Complainant

Name	DHANA KUMAR		
Address	C-3/441 , THIRD FLOOR , JANAKPURI , NEW DELHI		
District	NEW DELHI	State	DELHI (110058)

Incident

Incident Place	BAMEBARI POLICE STATION, KEONJHAR	Incident Date	08/10/2018
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Incident Category	CUSTODIAL TORTURE		
Incident District	KEONJHAR	Incident State	ODISHA
Incident Details			

Cause List

List No	Case / File No	Listing Date	Category
3	4552/18/7/2018	20/03/2020	FOR DIRECTION
2	4552/18/7/2018	03/06/2019	FOR DIRECTION
1	4552/18/7/2018	13/02/2019	FOR DIRECTION

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5	Additional Information Called for	THE DIRECTOR GENERAL OF POLICE POLICE HEAD QTR, GOVT. OF ODISHA, BHUBANESWAR	10/02/2020	02/04/2020	
4	Show Cause Notice Issued (Comments)	THE CHIEF SECRETARY GOVERNMENT OF ODISHA, GENERAL ADMINISTRATION DEPARTMENT, ODISHA SECRETARIAT, BHUBANESWAR	10/02/2020	19/03/2020	
3	Additional Information Called for	KEONJHAR, ODISHA	03/05/2019	27/06/2019	
2	Additional Information Called for	THE SECRETARY ODISHA STATE HUMAN RIGHTS COMMISSION, TOSHALI BHAWAN (2ND FLOOR), PO. SATYA NAGAR, BHUBNESWAR-751007	15/11/2018	24/12/2018	
1	Notice Issued	THE DIRECTOR GENERAL OF POLICE POLICE HEADQUARTERS,	15/11/2018	24/12/2018	

GOVERNMENT OF
ODISHA, CUTTACK

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[Action](#)

Action : Additional Information Called for(Action No 5)

Action Date	10/02/2020	Due Date	02/04/2020	Completion Date	
Authority	THE DIRECTOR GENERAL OF POLICE, POLICE HEAD QTR, GOVT. OF ODISHA, BHUBANESWAR				
Proceeding	<p>The substance of the complaint dated 16.10.2018 was that on 08.10.2018 in the night a police team led by SI prathibaSahu, belonging to Bamebari PS, Keonjhar, Odisha picked up one RajendraMahakud from his house and illegally detained him in the police custody and subjected him to physical and mental torture. It was also alleged that the victim was not served any food during his detention. Thus the complainant sought for the intervention of the Commission.</p> <p>In response to the notice issued by the Commission, a report dated 28.03.2019 has been received from the Dy. Inspector General of Police, Keonjhar along with a reported 25.03.2019 by the in charge IIC, Bamebari PS. it was reported that due to similarity in the name and father's name, the victim was called to the police station for verification and after proper verification from the court as well as from the bailer, the suspected RajendraMahakud was let off through his elder brother. Further it was reported that during the course of enquiry no illegal detention and custodial torture has been occurred. Thus the allegations made by the complainant were denied.</p> <p>Vide proceedings dated03.05.2019, this Commission called for the comments from the complainant on the above said report. In response to the same, a reply dated 25.06.2019 has been received from the complainant, wherein it was suggested that as per the above said report, the police admitted illegal detention of the victim in a case of mistaken identity. Further it also point out the gross negligence by the concerned police officials in arresting the victim without first ascertaining his identity and antecedents.</p> <p>The Commission has carefully considered and perused the report and</p>				

the comments. The Commission is of the view that the acts of commission and omission on the part of police officials caused mental agony to the victim, the human rights of the victim have been violated. The documents on record reveals that the victim was kept under the police custody more than 24 hours. In this circumstances, this Commission direct to issue a show cause to the Chief Secretary, Government of Odisha as to why a monetary compensation of Rs 200000/- (Two lakhs only) under Section 18 of the Protection of the Human Rights Act, 1993 is not to be granted to the victim in this matter, within 4 weeks.

Let the DGP, Government of Odisha be directed to initiate the departmental action against the erring officials and submit action taken report within 4 weeks.



Complaint

Diary No	186527/CR/2018	Section	M-3
Language	ENGLISH	Mode	BY HAND
Received Date	30/10/2018	Complaint Date	16/10/2018
Gist	The Complainant alleges that victim was picked up by police officials in case of mistaken identity. Police officials arbitrarily detained him and perpetrated physical and mental torture on the victim.		

Victim

Victim Name	RAJENDRA MAHAKUD	Gender	Male
Religion	Unknown	Cast	Unknown
Address	BELDA VILL. ANANDAPUR TOWN KEONJHAR DIST. ODISHA		
District	KEONJHAR	State	ODISHA

Complainant

Name	DHANA KUMAR
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Address	C-3/441 , THIRD FLOOR , JANAKPURI , NEW DELHI		
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Incident

Incident Place	BAMEBARI POLICE STATION, KEONJHAR	Incident Date	08/10/2018
Incident Category	CUSTODIAL TORTURE		
Incident District	KEONJHAR	Incident State	ODISHA
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