

National Human Rights Commission

Diary No	1088	Case / File No	1480/24/51/2013-AD
Victim Name	SANJAY	Registration Date	15/01/2013

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

Action No.	Action	Authority	Action Date	Due Date	Completion Date
11	Relief granted [Compensation, Disciplinary & Prosecution]	THE CHIEF SECRETARY GOVERNMENT OF UTTAR PRADESH 1ST FLOOR, ROOM NO. 110 LALBAHADUR SASTRI BHAWAN UTTAR PRADESH SECRETARIAT, LUCKNOW -	31/07/2020	28/09/2020	
10	Additional Information Called for	THE DIRECTOR GENERAL OF POLICE POLICE HEADQUARTERS, GOVT. OF UTTAR PRADESH, LUCKNOW	22/05/2020	20/07/2020	
9	Show Cause - CD Cases	THE CHIEF SECRETARY GOVERNMENT OF UTTAR PRADESH, LUCKNOW.	22/05/2020	20/07/2020	
8	Sent to DG(I), NHRC	MAINPURI, UTTAR PRADESH	18/12/2019	06/03/2020	
7	Additional Information Called for	THE DISTRICT MAGISTRATE MAINPURI,UTTAR PRADESH	10/04/2019	04/06/2019	
6	Additional Information Called for	THE DISTRICT MAGISTRATE MAINPURI,UTTAR PRADESH	01/02/2019	29/03/2019	27/03/2019
5	Additional Information Called for	THE DISTRICT MAGISTRATE MAINPURI,UTTAR PRADESH	10/07/2018	01/09/2018	14/12/2018
4	Additional Information Called for	THE DISTRICT MAGISTRATE MAINPURI,UTTAR PRADESH	23/04/2018	01/06/2018	
3	Additional Information Called for	THE DISTRICT MAGISTRATE MAINPURI,UTTAR PRADESH	16/01/2018	24/02/2018	05/04/2018
2	Additional Information Called for	THE DISTRICT MAGISTRATE MAINPURI,UTTAR PRADESH	17/11/2017	28/12/2017	01/01/2018

1 2

Expand All Action List

[Action](#)

Action : Relief granted [Compensation, Disciplinary & Prosecution](Action No 11)

Action Date	31/07/2020	Due Date	28/09/2020	Completion Date	
Authority	THE CHIEF SECRETARY, GOVERNMENT OF UTTAR PRADESH 1ST FLOOR, ROOM NO. 110 LALBAHADUR SASTRI BHAWAN UTTAR PRADESH SECRETARIAT, LUCKNOW -				
Proceeding	The complaint pertains to alleged death of an under trial prisoner Sanjay aged 25 years in police custody on 14.12.12. While considering the matter on 22.05.2020, the Commission inter-alia, observed and directed as under:- “The Commission has considered the matter carefully. Prima facie, it appears from the findings on the basis of MER that there has been negligence on the part of the treating doctor. Had the doctor examined the deceased properly and sent him to the district hospital without wasting any time, the life of the deceased could have been saved. It is the				

vicarious liability of the State to compensate the family of the deceased. Hence, the Commission directs to issue notice under section 18 of the Protection of Human Rights Act, 1993 to the Chief Secretary, Ministry of Home Affairs, Government of Uttar Pradesh to show cause within six weeks as to why monetary compensation of Rs. 3,00,000/- (Rupees Three Lakhs only) be not recommended to be paid to the next of kin of the deceased. DGP, UP is also directed to take action against erring police officials who failed to obtain final cause of death of the deceased based on viscera examination report and also failed to identify the accused and investigate properly the case FIR No. 530/12, PS Bhogaon.”

In response to Show Cause Notice, Dy. Secretary, Govt. of Uttar Pradesh had endorsed to the Commission a copy of the communication dated 29.06.2020 addressed to the Addl. DGP, (HR) Uttar Pradesh requesting him to send requisite reports to the Commission within the stipulated time. However, reply to the show cause notice has not been received so far.

In the circumstances, recommendation is made to Govt. of Uttar Pradesh through Chief Secretary to pay compensation of Rs. Three lacs to next of kin of the deceased (Sanjay), and proof of payment be sent within six weeks.

Secondary Action List

Secondary Action No	Secondary Action	Secondary Action Date	Secondary Action Due Date	Secondary Completion Date
1	Grant of Compensation	31/07/2020	28/09/2020	

Complaint

Diary No	1088	Section	FC
Language	ENGLISH	Mode	FAX
Received Date	02/01/2013	Complaint Date	19/12/2012

Victim

Victim Name	SANJAY	Gender	Male
Religion	Hindu	Cast	Unknown
Address	CHHIBRAMAU		
District	KANNOJ	State	UTTAR PRADESH

Complainant

Name	TEJANG CHAKMA, COMPLAINTS CO-ORDINATOR		
Address	ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, 2ND FLOOR, JANAKPURI,		
District	UTTAR PRADESH	State	UTTAR PRADESH (0)

Incident

Incident Place	PS. BHOGAON	Incident Date	13/12/2012
Incident Category	ALLEGED CUSTODIAL DEATHS IN POLICE CUSTODY		
Incident District	MAINPURI	Incident State	UTTAR PRADESH
Incident Details			

Cause List

List No	Case / File No	Listing Date	Category
6	1480/24/51/2013-AD	03/04/2019	APPEARANCE
5	1480/24/51/2013-AD	24/01/2019	APPEARANCE
4	1480/24/51/2013-AD	18/04/2018	APPEARANCE
3	1480/24/51/2013-AD	04/01/2018	APPEARANCE
2	1480/24/51/2013-AD	04/01/2018	APPEARANCE
1	1480/24/51/2013-AD	14/11/2017	APPEARANCE

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1 2

[Expand All Action List](#)[Action](#)

Action : Additional Information Called for(Action No 10)

Action Date	22/05/2020	Due Date	20/07/2020	Completion Date	
Authority	THE DIRECTOR GENERAL OF POLICE, POLICE HEADQUARTERS, GOVT. OF UTTAR PRADESH, LUCKNOW				
Proceeding	<p>The complaint pertains to alleged death of an under trial Sanjay aged 25 years in police custody on 14.12.12.</p> <p>Pursuant to the directions of the Commission, its Investigation Division collected requisite reports from the concerned authorities and examined them. Investigation Division in its report has submitted that the enquiry magistrate has concluded that the persons who beaten up the deceased could not be identified. Also the doctor who examined and treated the deceased at CHC Bongaon failed to judge actual/serious condition of the deceased and because of his failure the deceased could not be sent to the district hospital in time.</p> <p>The Commission has considered the matter carefully. Prima facie, it appears from the findings on the basis of MER that there has been negligence on the part of the treating doctor. Had the doctor examined the deceased properly and sent him to the district hospital without wasting any time, the life of the deceased could have been saved. It is the vicarious liability of the State to compensate the family of the deceased. Hence, the Commission directs to issue notice under section 18 of the Protection of Human Rights Act, 1993 to the Chief Secretary, Ministry of Home Affairs, Government of Uttar Pradesh to show cause within six weeks as to why monetary compensation of Rs. 3,00,000/- (Rupees Three Lakhs only) be not recommended to be paid to the next of kin of the deceased.</p> <p>DGP, UP is also directed to take action against erring police officials who failed to obtain final cause of death of the deceased based on viscera examination report and also failed to identify the accused and investigate properly the case FIR No. 530/12, PS Bhogaon.</p> <p>Put up after eight weeks.</p>				

Secondary Action List**Complaint**

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Victim

Victim Name	SANJAY	Gender	Male

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