

National Human Rights Commission

Diary No	8088/IN/2020	Case / File No	2521/30/0/2020-PCR
Victim Name	16-YRS-OLD-DOMESTIC HELP GIRL	Registration Date	18/06/2020

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

Action No.	Action	Authority	Action Date
4	Relief granted [Compensation, Disciplinary & Prosecution]	THE SECRETARY MINISTRY OF RAILWAYS	14/07/2022
3	Show Cause Notice Issued	THE CHAIRMAN MINISTRY OF RAILWAY, RAILWAY BOARD, 56-A, Raisina Road, Rajpath Area, Central Secretariat, New Delhi, Delhi 110001	20/12/2021
2	Additional Information Called for	THE CHAIRMAN Railway Board, Rail Bhawan, New Delhi	14/07/2021
1	Action Taken Report Called for	THE CHAIRMAN	19/06/2020

[Expand All Action List](#)[Action](#)**Action : Relief granted [Compensation, Disciplinary & Prosecution](Action No 4)**

Action Date	14/07/2022
Authority	THE SECRETARY, MINISTRY OF RAILWAYS
Proceeding	<p>The complainant is seeking Commission's intervention into the alleged gang-rape of a 16-year-old domestic helper at New Delhi Railway Station, Delhi, on 17/06/2020, by two Government Railway Police (GRP) constables. The victim went to the station to go back to her home in Ranchi when she was approached by the constables on the pretext of helping her board the train. The constables, however, took her to a secluded place and gang-raped her. The complainant is seeking Commission's intervention for inquiry into the matter and payment of compensation to the victim. In response to the directions of the Commission dated 20.12.2021, a report has been received from the Ministry of Railways(Railway Board), Government of India dated 04.02.2022 wherein it has been mentioned that the accused persons were not discharging their official duty at the time of occurrence and after completion of departmental proceedings. They have been dismissed by the Indian Railways and they are facing trial in the court for the offence u/s 376(D) of IPC and POCSO Act, 2012. Therefore, liability of railway administration does not arise and the notice u/s 18a(i) of the PHR Act, 1993 to the Secretary, Ministry of Railways(Railway Board) is not maintainable and liable to be dropped in limini. The Commission has considered the report and it is found that the accused persons being the public servants have been found involved in the offence of gangrape. Therefore, the State</p>

has to accept the vicarious liability of paying compensation to the victim. Moreover, the Commission is also not satisfied with the reply filed on behalf of the Indian Railways dated 04.02.2022. Therefore, the Government of India, Ministry of Railway, through its Chairman Railway Board, is directed to pay the compensation of Rs. 5 lakh to the victim within four weeks for violation of human rights of the victim by the accused persons who happen to be the Constables of Government Railway Protection Force being public servants. The Chairman Railway Board is further directed to submit proof of payment to the Commission within four weeks. Put up after four weeks

Complaint

Diary No	8088/IN/2020	Section	M-2
Language	ENGLISH	Mode	HRCNET/ONLINE
Received Date	18/06/2020	Complaint Date	18/06/2020

Victim

Victim Name	16-YRS-OLD-DOMESTIC HELP GIRL	Gender	Female
Religion	Unknown	Cast	Unknown
Address	PERMANENT RESIDENT OF RANCHI, JHARKHAND		
District	RANCHI	State	JHARKHAND

Complainant

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

Incident

Incident Place	NEW DELHI RAILWAY STATION	Incident Date	17/06/2020
Incident Category	CUSTODIAL RAPE (Police)		
Incident District	DELHI	Incident State	DELHI
Incident Details			