



Campaign Against Torture <campaignagainsttorture.india@gmail.com>

Show Cause Notice Issued (SCN) - 738/34/6/2019-AD

1 message

nhrc.india@nic.in <nhrc.india@nic.in>

Mon, Aug 1, 2022 at 4:20 PM

To: cs-jharkhand@nic.in, ig-prison@jharkhandmail.gov.in, campaignagainsttorture.india@gmail.com

Cc: dr1.nhrc@nic.in

Case No.- 738/34/6/2019-ADNATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)

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MANAV ADHIKAR BHAWAN, BLOCK-C,
G.P.O. COMPLEX, INA, NEW DELHI- 110023
Fax No.: 011-24651332 Website: www.nhrc.nic.in

Date : 01/08/2022

To,

THE CHIEF SECRETARY
GOVERNMENT OF JHARKHAND 1st Floor, Project Building, Dhurwa, Ranchi
RANCHI JHARKHAND
834004
Email- cs-jharkhand@nic.inTHE DIRECTOR GENERAL OF PRISONS
Jail Inspectorate, TA Division Building, Near Dhurwa Golchakkar, P.O + P.S - Dhurwa, Ranchi,
Jharkhand
RANCHI JHARKHAND
834004
Email- ig-prison@jharkhandmail.gov.in

Sir/Madam,

The case No. 738/34/6/2019-AD in respect of DHANA KUMAR, was placed before the Commission on 01/08/2022. Upon perusing the same, the Commission directed as follows:

This is regarding a complaint received from a HRD, making allegation of torture and death of a Convict, 34 years on 25/06/2019 in custody of Ghaghidih Central Jail, Jamshedpur, Jharkhand. The intimation was also received from concerned Jail Supdt. The prisoner was admitted in jail on 14/09/2013 with normal health. On 25/06/2019, there was a scuffle took place between two groups of prisoners, which included the deceased. Due to injuries sustained by him, he was sent to MGM Medical College Hospital, Jamshedpur where he was declared brought dead. A case vide Cr. No. 139/19 U/S 147, 148, 149, 341, 323, 324, 325, 307, 302, 120 (B) IPC was registered in this incident, against 4 jail warder (constable) and 25 prisoners followed by suspension of five warders (constable) and dismissal from Service of two of them.

The matter was sent to the Investigation Division for further analysis of the reports and it has been analyzed by the Investigation Division that as per the PMR, multiple injuries over head, chest, abdomen, both arms and both legs etc. were found on the body of the deceased. The cause of death was "haemorrhage and shock as a result of noted injuries combined effect of which was fatal in nature." The Enquiry was conducted by a Judicial Magistrate. Based on the available oral & documentary/ CCTV footage evidence, the Enquiry Magistrate concluded that death of the deceased was caused by excess use of force upon him by jail inmates (convicts) and prison guards during custody. However, no responsibility has been fixed at the supervisory level of the prison, regarding smuggling of

Lathis inside the jail, intergroup rivalry between prisoners and escalation of a volatile situation in the jail.

In view of the above findings and reports of the Investigation Division, issue Show Cause Notice u/s 18a(i) of PHR Act, 1993 to the Chief Secretary, Government of Jharkhand directing him to show cause within four weeks as to why the compensation should not recommend suitable payment of compensation of Rs. 7.5 Lac (Rupees Seven Lac Fifty Thousand only) to the NOK of the deceased prisoner.

It is further directed that DG, Prison Govt. of Jharkhand to take appropriate action against the erring jail officials within four weeks.

Put up after four weeks.

2. This is for your information and further necessary action.

Your's faithfully

Sd/-

Indrajeet Kumar

DEPUTY REGISTRAR (LAW)


M-2 Section

Ph. No. 011-24663276

Email. dr1.nhrc@nic.in

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1. This is a system generated email sent using email-id nhrc.india@nic.in. However, this email-id cannot be used to send any communication to the Commission. If needed, the email-id cr.nhrc@nic.in may be used to send communications to the Commission, mentioning the case number mentioned above.
 2. For latest information about the Commission, visit our website at <https://nhrc.nic.in> .
 3. For lodging/ tracking of complaints and uploading of action taken reports by Public Authorities, HRCNet Portal at <https://hrcnet.nic.in> may be visited.
 4. For general information, follow us at twitter handle (https://twitter.com/India_NHRC) and subscribe YouTube channel of the Commission at <https://www.youtube.com/NationalHumanRightsCommission> .

2 attachments

 **7343-IN-2019.pdf**
118K

 **DiaryDetails.pdf**
75K