



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

Additional Information Called for(AIC) - 1199/12/55/2020

1 message

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

Wed, Dec 29, 2021 at 12:03 PM

To: dmashoknagar@nic.in, sp_ashoknagar@mppolice.gov.in, campaignagainsttorture.india@gmail.com

Cc: ar5.nhrc@nic.in

Case No.- 1199/12/55/2020NATIONAL 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 : 29/12/2021To,
THE DISTRICT MAGISTRATE
ASHOK NAGAR MADHYA PRADESH
Email- dmashoknagar@nic.inTHE SUPERINTENDENT OF POLICE
ASHOK NAGAR MADHYA PRADESH
Email- sp_ashoknagar@mppolice.gov.in

Sub : Complaint/Intimation from

DHANA KUMAR
C-3/441, THIRD FLOOR, JANAKPURI, NEW DELHI
WEST DELHI , DELHI
110058
Email- campaignagainsttorture.india@gmail.com , Mob No- 9870564190**Subject:** Additional Information Called for(AIC) -1199/12/55/2020.

Sir/Madam,

I am directed to say that the matter was considered by the Commission on 29/12/2021 and the Commission has directed as follows.:

The Complainant alleges that the victim Shri Khuman, 45 year and his family members who are tribals, were attacked by the named perpetrators, resulting in the victims death and grave injuries to 4 others. The culprits set fire to several houses during the attack, and also grabbed land belonging to the victim family.

The Commission vide Proceedings dated 25.06.2020 had transmitted a copy of the complaint to the Superintendent of Police, Ashok Nagar and District Collector, Ashok Nagar, Madhya Pradesh through online communication asking them to submit an action taken report in the matter to the Commission within 4 weeks.

SP, Ashok Nagar submitted its report dated 21.09.2020. The report revealed that on 26.05.2020, an FIR no. 108/20 u/s 147/148/294/307/436/302 IPC and 3(1)(rs),3(2)(4),3(2)(5) SC/ST Act at PS Bahadurpur was registered against Balram, Giriraj, Kalu, Rajan, Kartar,

Jeevan , Guddu and 3-5 person. During the investigation Guddu, Jeevan, Rajan, Pradeep, Balram, Shyam ,Chotu were arrested. Against the rest of the accused, proceedings u/s 82/83 Cr.P.C were initiated. The charge sheet no. 135/2- dated 26.08.2020 has been submitted before the court.

No report was received from the DM, Ashok Nagar.

The Commission vide Proceedings dated 01.12.2020 had considered the report and directed the SP, Ashok Nagar, Madhya Pradesh to submit updated status report in the FIR no. 108/20 u/s 147/148/294/307/436/302 IPC and 3(1)(rs),3(2)(4),3(2)(5) SC/ST Act and regarding payment of the mandatory monetary compensation to the victims as per SC/ST Act.

However, no response was received.

The Commission vide proceedings dated 23.6.2021 issued final reminder to the DM, Ashok Nagar and the SP, Asok Nagar to submit the present status of the FIR no. 108/20 u/s 147/148/294/307/436/302 IPC and 3(1)(rs),3(2)(4),3(2)(5) SC/ST Act PS Bahadurpur, as well as regarding payment of the mandatory monetary compensation to the victims as per SC/ST Act, within four weeks, failing which the Commission shall be constrained to issue a coercive process u/s 13 of the PHRA, 1993.

Pursuant to the directions issued by the Commission dated 23.6.2021, a letter was received from the Superintendent of Police, District Ashok Nagar dated 30.6.2021. The report revealed that in Crime No. 108/20 u/s 147/148/149/294/307/436/302 IPC and 3(1)(rs),3(2)(4),3(2)(5) SC/ST Act, after accused been arrested, Charge Sheet had been submitted against all accused. According to the report, in Crime No. 108/2020, Rs. 8,25,000/- had been granted to pay as compensation to Savitri Bai w/o deceased Khuman Singh and Rs. 1,00,000/- had been granted by the authority to each injured victim Khilan Singh, Phoolbai, Mohar Singh and Sher Singh but the proof of payment has not been submitted.

A direction was issued against DM, Ashok Nagar and SP, Ashok Nagar, Madhya Pradesh to submit the proof of payment within six weeks.

In response SP District Ashok Nagar vide dated 28.09.2021 submitted its report along with proof of payment of compensation amount. But the report reveals only Savirti Bai w/o deceased has received full amount of compensation i.e. Rs. 8,25,000/- in her account and rest of the injured victim Khilan Singh, Phoolbai, Mohar Singh and Sher Singh have only received Rs. 75,000/- each in their accounts in spite of the grant of compensation amount was Rs.1 Lakhs to each.

The report is taken on record . The Commission has considered the report and directs DM, Ashok Nagar and SP, Ashok Nagar, Madhya Pradesh to submit the clarification as to why the full compensation amount was not paid to the injured victims. Response within 6 weeks.

2. It is therefore, requested that the additional/complete report as directed by the Commission in the matter be sent latest by 05/02/2022, for futher consideration by the Commission.

3. Any communication by public authorities in this matter may please be sent to the Commission through the HRCNet Portal (<https://hrcnet.nic.in>) by using id and password already provided to the public authorities (click Authority Login), or through Speed Post/ at email-id cr.nhrc@nic.in. **Any Audio/ Video CDs/ pen drives etc. and bulky reports may be sent through Speed Post/ per bearer.**

Your's faithfully

Sd/-

K.K. Shrivastava

DEPUTY REGISTRAR (LAW)

M-5 Section

Ph. No. 011-24663291

Email. ar5.nhrc@nic.in

CC to

K.K. Shrivastava

DEPUTY REGISTRAR (LAW)

M-5 Section

Ph. No. 011-24663291

Email. ar5.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

 **7241-IN-2020.pdf**
152K

 **DiaryDetails.pdf**
75K