



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

Concluded and No Further Action Required(CLD) - 506/19/1/2020

1 message

nhrc.india@nic.in <nhrc.india@nic.in>
To: campaignagainsttorture.india@gmail.com
Cc: ar5.nhrc@nic.in

Fri, Nov 12, 2021 at 10:42 AM

Case No.- 506/19/1/2020
NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
* * *
MANAV ADHIKAR BHAWAN, BLOCK-C,
G.P.O. COMPLEX, INA, NEW DELHI- 110023
Fax No.: 011-24651332 Website: www.nhrc.nic.in

Date : 12/11/2021

To,

Complainant Email * :
AMRITSAR PUNJAB
Email- campaignagainsttorture.india@gmail.com

DHANA KUMAR
C-3/441, THIRD FLOOR, JANAKPURI, NEW DELHI
WEST DELHI , DELHI
110058
Email- campaignagainsttorture.india@gmail.com , Mob No- 9870564190

Subject: Concluded and No Further Action Required(CLD) -506/19/1/2020.

Sir/Madam,

With reference to your complaint/intimation dated 19/06/2020. I am directed to say that the matter was considered by the Commission on 12/11/2021. The Commission has made the following directions:

The Complainant in the complaint alleged suicide by an 18-year-old boy due to harassment by two police personnel. It was stated that on 14th June 2020 evening, the deceased was stopped by two police personnel for not wearing a helmet. Thereafter, he was taken to police post and harassed in custody. Later, the deceased was released after his father was forced to pay a bribe. The deceased's father claimed that his son was mentally tortured and humiliated due to all this committed suicide at his home. The complainant urged for compensation to the next kin and the action as deemed fit.

Vide proceedings dated 14.12.2020 the Commission considered the material placed on record, issued show cause notice and directed as under:

"The Commission has considered the report and observes that since police officials who are public servants have been found guilty in maligning the image of the victim boy and unnecessary threat in front of his father which resulted into his untimely suicidal death, the State is vicariously liable to compensate the NOK of the deceased Ankit. Therefore, Commission directs to issue show cause to the Commissioner of Police, Amritsar through its Chief Secretary, Govt. of Punjab as to why suitable compensation of Rs. 3,00,000/-

(rupees three lakhs only) should not be paid to the nok of the deceased boy. The reply should reach within 8 weeks of the date of issue of this notice."

Vide proceedings dated 17.05.2020 the Commission considered the report dated 02.04.2021 of the Commissioner of Police, Amritsar City and directed as under:

"The Commission has considered the report which reveals that the magisterial enquiry official also concluded that erring police officials should have exercised their authority in accordance of law rather than imposing their super thoughts under the façade of moral policing and same amounts to misconduct on their part for which they should be proceeded departmentally. From the perusal of report, it reveals that departmental action has been taken against the erring police officials. These facts strengthen the conclusion reached by the Commission while issuing show cause notice. Therefore, the Commission confirms its show cause notice and directs to the Chief Secretary, Govt. of Punjab to release payment of Rs. 3,00,000/- (rupees three lakhs only) to NoK of deceased boy within four weeks and submit compliance report alongwith proof of payment to the Commission within six weeks."

In response, the Superintendent, Dept. of Home Affairs and Justice (Press-2 Branch), Govt. of Punjab vide communication dated 22.06.2021 informed the Commission that necessary action with respect to the Commission's order dated 17.05.2021 is under way, and requested to grant more time to submit the requisite action taken report in the matter.

Vide proceedings dated 27.08.2021 the Commission directed as under:

"The Commission has considered the material placed on record. A request has been received by the Commission, as discussed above, seeking some more time to submit the requisite action taken report in the matter, therefore, six more weeks are granted. Let reminder be issued to the Chief Secretary, Govt. of Punjab to release payment of Rs. 3,00,000/- (rupees three lakhs only) to NoK of deceased boy within six weeks and submit compliance report alongwith proof of payment to the Commission within eight weeks."

In response, the Addl. DGP, Human Rights, Punjab vide communication dated 14.09.2021 forwarded the compliance report of payment of Commissioner of Police, Amritsar City. It is submitted in the report that the payment of Rs. 3,00,000/- has been transferred to the bank account no. 671702010002858 dated 18.08.2021 to the parents of the deceased victim.

The Commission has considered the materials placed on record. As per the above report compensation of Rs. 3,00,000/- has been paid to the NoK of the victim in compliance of the direction given by this Commission. In view of such facts, no further intervention of the Commission is required. The case is closed. Inform the complainant accordingly.

This is for your information.

Your's faithfully

Sd/-

K.K. Shrivastava
ASSISTANT REGISTRAR (LAW)
M-5 Section
Ph. No. 011-24663291
Email. ar5.nhrc@nic.in

CC to

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 2. For latest information about the Commission, visit our website at <https://nhrc.nic.in> .