



Campaign Against Torture &lt;campaignagainsttorture.india@gmail.com&gt;

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**Concluded and No Further Action Required(CLD) - 489/6/19/2019**

1 message

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

Thu, Sep 16, 2021 at 3:59 PM

**Case No.- 489/6/19/2019**

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](http://www.nhrc.nic.in)

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Date : 16/09/2021

To,

Complainant Email \* :  
PATAN GUJARAT  
Email- [campaignagainsttorture.india@gmail.com](mailto:campaignagainsttorture.india@gmail.com)

DHANA KUMAR  
C-3/441, THIRD FLOOR, JANAKPURI,  
WEST DELHI , DELHI  
110058  
Email- [campaignagainsttorture.india@gmail.com](mailto:campaignagainsttorture.india@gmail.com) , Mob No- 9870564190

**Subject:** Concluded and No Further Action Required(CLD) -489/6/19/2019.

Sir/Madam,

With reference to your complaint/intimation dated 22/03/2019. I am directed to say that the matter was considered by the Commission on 16/09/2021. The Commission has made the following directions:

***The Commission received a complaint on 22.03.2019 from Dhana Kumar, Coordinator, Campaign Against Torture (CAT) seeking intervention of Commission against torture of a 17-year-old Dalit youth identified as Mitkumar Nareshbhai Chavda by upper caste persons led by Ramesh Patel who is a bus conductor of the state transport at Gorad village of Patan district in Gujarat on 18 March 2019. On 18 March 2019, the victim, a resident of Mehsana district of Gujarat, went to Sarvajanic Vidya Mandir High School at Dhinoj village of Patan district to write his Class XII board examination. When he was taken to a nearby farm in Gorad village by Ramesh Patel and another person where he was tied to a tree and brutally tortured by them. The victim was tied to a tree and beaten with a stick without any reason. The accused asked him to work in the field instead of studying. The victim suffered injuries and had to be admitted to Mehsana civil hospital. The complainant prayed for Commission's intervention in the matter to direct the State Govt. of Gujarat to order a judicial enquiry into the torture of Dalit Mitkumar Nareshbhai Chavda by upper caste persons led by Ramesh Patel at Gorad village of Patan district, and take appropriate legal actions against the accused, Submit the detail reports of the victim. Pay interim compensation of Rs 5 lakhs to the torture victim, and Take any other means as the NHRC deems fit and proper.***

**The matter rest when in response, the Commission received a communication dated 16.07.2019 from Superintendent of Police, Patan. Perusal of the same reveals that legal actions in this case have been taken u/s 365 of IPC and u/s 135 of Gujarat Police Act have been added in the FIR during the investigation, the accused persons namely Mahindra Manilal Shankardas Patel, Harshbhai Rambhai Hargovandas Patel involved in the crime have been arrested on 22.03.2019. The motor bike and the stick used in the crime have been seized by Police. Charge sheet was filed on 24.04.2019 in Court.**

**Vide proceedings dated 03.01.2020 the Commission directed as under:**

**"..the report is silent about (i) the status of investigation FIR no. I-23/2019 U/s 323/341/504/506(2)/144 IPC and U/s 3(1)(r)(s), 3(2)(v)(a) of Atrocities Act (ii) Sections under which chargesheet has been filed (iii) accused against whom chargesheet has been filed (iv) status of statutory monetary compensation to the victim under Atrocities Act. The Superintendent of Police, Patan may report on the above four points within eight weeks."**

**Pursuant to the issuance of final reminder, SP Patan vide report dated 09.11.2020 has informed the Commission that in FIR 23/2019, the charge sheet has been filed against the 2 accused people namely Patel Mahenderbhai & Harshbhai on 24.04.2019. Further monetary relief of Rs. 1,50,000/- has been paid to victim by SC Welfare officer.**

**Vide proceedings dated 21.01.2021 the Commission considered the material placed on record. The copy of report was sent to the complainant for comments, if any within 4 weeks.**

**In response, Complainant vide email dated 11.02.2021 has informed that he has not received the report dated 16.07.2019 so he is unable to submit the comments.**

**Vide proceedings dated 29.06.2021 the Commission considered the Commission considered response of the complainant and directed as under:**

**"...Let report dated 16.07.2019 vide diary no. 105963 and report dated 09.11.2020 vide diary no. 140914 be sent to the complainant calling upon him to submit his comments, if any, to the Commission within four weeks."**

**The Commission has considered the material placed on record and enquiry report which reveals that chargesheet has been filed in the court on 24.04.2019 u/s 265/341/323/504/506 IPC GP Act 135 r/w 3(1)(r)/3(2) (4) (A) and case is pending before court. Further monetary relief of Rs. 1,50,000/- has been paid to victim by SC Welfare officer. Pursuant to the direction of the Commission, a copy of enquiry report was sent to the complainant for comments, however, the Commission has not received any response from the complainant till date which leads the Commission that the complainant has nothing more to urge in the matter. 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](mailto:ar5.nhrc@nic.in)

CC to

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1. This is a system generated email sent using email-id [nhrc.india@nic.in](mailto:nhrc.india@nic.in). However, this email-id cannot be used to send any communication to the Commission. If needed, the email-id