

## National Human Rights Commission

<b>Diary No</b>	6643/IN/2019	<b>Case / File No</b>	1317/7/7/2019-AD
<b>Victim Name</b>	SATBIR S/O SHIVANARAYAN	<b>Registration Date</b>	12/06/2019

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

Action No.	Action	Authority	Action Date	Due Date	Completion Date
3	<a href="#">Closure of case with direction to the authority</a>	THE CHIEF SECRETARY 4th Floor, Haryana Civil Secretariat, Sector-1, Chandigarh.	07/01/2021	17/01/2021	
2	<a href="#">Show Cause Notice Issued (Comments)</a>	THE CHIEF SECRETARY GOVERNMENT OF HARYANA, 4TH FLOOR, HARYANA CIVIL SECRETARIAT, SECTOR-1, CHANDIGARH	07/02/2020	03/04/2020	
1	<a href="#">Sent to DG(I), NHRC</a>	JHAJJAR, HARYANA	17/06/2019	22/08/2019	04/12/2019

**Expand All Action List****Action****Action : Closure of case with direction to the authority(Action No 3)**

<b>Action Date</b>	07/01/2021	<b>Due Date</b>	17/01/2021	<b>Completion Date</b>	
<b>Authority</b>	THE CHIEF SECRETARY, 4th Floor, Haryana Civil Secretariat, Sector-1, Chandigarh.				
<b>Proceeding</b>	<p>The Commission received a complaint from one Shri Dhana Kumar, Coordinator, Campaign Against Torture, New Delhi regarding the custodial death of an undertrial prisoner Satbir s/o Shiv Narayan aged about 35 years on 08.06.2019 in the custody of District Jail, Jhajjar. Taking cognizance of the matter, the Commission called for an Action Taken Report in the matter from the concerned authorities. Pursuant to the directions given by this Commission, requisite reports were received from the concerned state authorities which have been analysed by the Investigation Division of this Commission. The Investigation Division of this Commission perused the reports of the concerned authorities and submitted that: "As per the health screening report, the health of UTP Satbir was normal at the time of admission in the jail. The medical report of the Medical Officer, District Jail, Jhajjar, and medical treatment record reveals that the deceased only had routine/seasonal complaints like pain in the abdomen, cough and cold, skin disease, eye infection, and was treated accordingly. There was no other sign of any psychiatric illness while his stay in the District Jail Jhajjar. The Post-Mortem Examination Report, reveals ligating material in the form of three shoelaces tied tightly all around the neck. Besides the ligature mark, a contusion of size 4x2 cm on the left</p>				

cheek and a brownish abrasion of size 4x3 cm were present on the right frontal region of the scalp. The cause of death, in this case, was opined as asphyxia due to hanging, which is sufficient to cause death in the ordinary course of nature. After considering the Histopathological report, the autopsy doctors opined the final cause of death as 'asphyxia due to hanging'. As per the viscera examination report, no common poison was detected in the samples. The magisterial enquiry in this matter was conducted by the Judicial Magistrate First Class, Jhajjar. During enquiry, the enquiry officer examined jail inmates, relatives of the deceased, and jail officials. The statement of the witnesses reveals that UTP Satbir as usual came out of the barrack at about 6-6:15 a.m. and slipped out from the yoga class. The inmates saw his dead body for the first time between 6:15 to 6:30 a.m. in the bathroom of the barrack hanging with string, which indicates that UTP Satbir committed suicide. The witnesses including the relative of the deceased have not disclosed any previous incident of his harassment or rivalry in jail premises with any other person or inmate. The version of witnesses is duly corroborated by the evidence of the opinion of FSL and post mortem examination report. Enquiry officer concluded that the death of UTP Satbir occurred due to suicide by hanging himself." After examination of all the material placed on record, this Commission vide proceedings dated 7.02.2020 observed that it is evident that the deceased committed suicide in broad daylight and no one noticed when he skipped the Yoga Class, which means the jail staff failed to exercise due care and caution as required in the ordinary course of nature. Had the jail staff been vigilant, the incident of untimely loss of human life could have been prevented. The Commission therefore issued a show-cause notice u/s 18 PHR Act, 1993, to the Chief Secretary, Government of Haryana as to why monetary compensation to the NOK of the deceased should not be awarded for violation of their human rights. Pursuant to show cause notice, a letter dated 21.09.2020 was received from the Additional Chief Secretary, Jail Department, Govt. of Haryana intimating that the state govt has no objection to grant monetary compensation and the Governor of Haryana has approved the monetary compensation of Rs. 3,00,000/- (Rupees Three Lacs only) to the NoK of the deceased under-trial prisoner Jatbir s/o Sh. Shiv Narayan. It is also intimated that the expenditure involved will be debitible under Head "2056-Jail-101(i) Central and District Jails including Borstal Jail, Hisar-Other Charges" for the financial year 2020-21. The Commission has considered the response of the state authority. It is construed that the state authority has no objection to paying the compensation amount and the same to be paid out of the budget for the financial year 2020-21. In these circumstances, the Chief Secretary, Govt. of Haryana is directed to submit the proof of payment of compensation of Rs. 3 Lakhs to the NoK of the deceased under trial prisoner Satbir to the Commission for its record. With this direction, the case is closed.

## Complaint

Diary No	6643/IN/2019	Section	M-3
Language	ENGLISH	Mode	HRCNET/ONLINE
Received Date	11/06/2019	Complaint Date	10/06/2019

## Victim