

**NATIONAL HUMAN RIGHTS COMMISSION**  
**(LAW DIVISION)**  
MANAV ADHIKAR BHAWAN, BLOCK-C, G.P.O. COMPLEX,  
INA, NEW DELHI- 110023

Dated 17/07/2015

Case No. 20/9/11/2010-PF

- 6 AUG 2015

To

SUHAS CHAKMA, DIRECTOR  
NATIONAL CAMPAIGN FOR PREVENTION OF  
TORTURE, C-3/441-C, JANAKPURI,  
WEST DELHI, DELHI.

Sir/Madam,

With reference to your complaint dated 29/01/2010, I am directed to say that the matter was considered by the Commission on 16/07/2015. The Commission has made the following directions.

*This case pertains to death of one Mushtaq Ahmad, son of Ghulam Mohd. Mir of Kalampora Village of J&K, in a fake encounter, as alleged by Sh. Suhas Chakma of National Campaign for Prevention of Torture, New Delhi.*

*The Commission vide proceedings dated 09.11.2011 directed the Chief Secretary, Govt. of J&K, to submit report about the payment of ex-gratia amount of Rs. Two lakhs to the next-of-kin of the deceased.*

*The Addl. Secretary to Govt., General Administration Department, J&K vide report dated 12.03.2012 has stated that the payment of additional amount of Rs. Two lakhs as ex-gratia to the next-of-kin of the deceased namely Mushtaq Ahmad Mir, S/o Gh. Mohd Mir, resident of Kalampora, Tehsil and District Pulwama, was not agreed to because of the fact that relaxation in qualification bar was granted to the widow of the deceased for making her eligible for appointment on Class-IV post, hence further financial assistance was not warranted. However, the widow namely Smt. Shafia Banoo subsequently died due to breast cancer. A cash compensation of Rs. 4 Lakhs in lieu of Government service has been sanctioned in favour of the dependent of the deceased as per policy.*

*The Dy. Secretary to Govt., Home Dept., submitted a report dated 20.04.2015 and stated that as per report submitted by Manager, J&K Bank, Branch (Main), Pulwama the amount has been credited into the account of next-of-kin of the deceased i.e. Rayees Ahmad Mir, S/o Mushtaq Ahmad, (Account No. 0168050300001103, Rs. 1.60 Lakhs); Inayat Ullaha, S/o Mushtaq Ahmad, (Account No. 0168050300001104, Rs. 1.60 Lakhs); and Jasia Mushtaq, daughter of Mushtaq Ahmad, (Account No. 0168050300001105, Rs. 80,000/-).*

*The Commission perused the report and observed that the compensation of Rs. Four Lakhs has been paid to the next of kin of the deceased Mushtaq Ahmad. Therefore, the Commission is not inclined to proceed further in the matter. The report is taken on record and the Case is closed.*

*A copy of these proceedings be sent to the next-of-kin namely Rayees Ahmad Mir, son of Mushtaq Ahmad, Inayat Ullaha, son of Mushtaq Ahmad, Jasia Mushtaq, daughter of*

*Mushtaq Ahmad, at their address available in the record for information.*

This is for your information.

Yours faithfully,

A handwritten signature in blue ink, appearing to be 'Gm', written over the typed name.

ASSISTANT REGISTRAR(LAW)