

## UPDATED LIST OF HUMAN RIGHTS DEFENDER CASES

### **1. Case Nos. 634/22/13/2010 & 635/22/13/2010**

The Commission took cognizance of two complaints received from Shri Sarvanan Karuppasamy, and Ms. Sakthi Prabhavati, CEO and the Secretary respectively of the organization known as 'World Human Rights Commission & Rescue Centre' complainant in case No. 635/22/13/2010 complainant in case No. 634/22/13/2010 are the. They have allegedly been implicated in false cases and harassed and tortured while in police custody because they refused to withdraw their complaint made to the NHRC against the police officials in respect of the violence that took place at Law College, Coimbatore. Both the cases being on the same subject were clubbed together for disposal.

The Commission after considering all the reports on 9-9-13 recommended the Government of Tamil Nadu, through its Chief Secretary, to pay compensation of Rs.15,000/- (Rupees Fifteen Thousand only) to the complainant Shri Saravanan Karuppassamy.

A review application dated 21-10-2013 has been submitted by the victim in which he has requested to review the order dated 9-9-2013 & recommend the State authorities to bring to book all the police officers consisting of DSP, Inspectors, Sub-Inspector, Head Constables & Constable. The Commission directed the Chief Secretary, Govt. of Tamil Nadu to take appropriate action against the delinquent police officials alongwith compliance report (proof of payment).

### **2. Case No.198/3/12/2012**

The Commission received a complaint dated 19.05.2012 from Sh. Waliullah Ahmed Laskar (Wali), Director, Law and Legal Affairs, Barak Human Rights Protection Committee, Guwahati, Assam. It was alleged that the members of the Krishank Mukti Sangram Samiti and other organizations who were protesting peacefully against on-going construction a hydro-electric power project were subjected to high handedness by the police. In another incident of police atrocity, 27 activists of the same organization were detained by the police and their makeshift camps were dismantled by the police and CRPF personnel. The complaint was registered vide case number 198/3/12/2012 and the Commission vide its proceedings dated 12.07.2011, directed to transmit the copy of the complaint to the Secretary, Ministry of Home Affairs, Government of India, New Delhi and the Chief Secretary and the DGP of the State of Assam calling for an action taken report within four weeks.

Pursuant to the directions of the Commission, the reports dated 08.08.2012 and 28.08.2012 have been received from the SP, Lakhimpur, and the DIG (Operations-II), Dte respectively. As per these reports, the protestors turned violent several times during December, 2011, to May, 2012, and they indulged in rioting, causing injuries to government personnel and causing damage to public and private vehicles. Several cases have been

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registered on these incidents. The report further says that the protestors established a makeshift camp at Ghagar, Tinali, and this camp became a hub of anti-social / anti-national elements, who started creating nuisance and obstructing vehicles on the highway in the name of checking to ensure that no store relating to construction of Dam was carried by the vehicles. They obstructed even the vehicles carrying day-to-day essential commodities for the NHPC Campus at Gerukamukh. On 11.05.2012 a diesel tanker was set on fire by the anti-Dam agitators. In order to maintain law and order, one platoon of CRPF was requisitioned and deployed in the area by the Civil Force.

The Commission has considered the two reports. The report of the SP is silent on the allegation that 27 activists were detained by the police on 11.05.2012. Hence, the Commission Vide proceedings dated 2.7.13 has directed the SP to submit a further report on this point. In the meantime, copies of the two reports have also been sent to the complainant seeking his comments. As no response has been received from the state authority as well as from the complainant, the matter was placed before the Commission on 9.7.2014 when it directed to issue reminder to the SP, Lakhimpur, Assam to submit the report within four weeks.

The requisite report has been received from the SP, Lakhimpur, Assam. The No comments have been received from the complainant.

The matter is under consideration of the Commission.

**3. Case No.20596/24/72/2012 LF 29463/24/72/2012**

The Commission received a complaint dated 26.06.2012 from Peoples Vigilance Committee on Human Rights, Varanasi, U.P. It has been alleged that Shri Anil Kumar Maurya, an RTI activist who applied for information under RTI Act regarding irregularities in issuing gas cylinders by the Indian Oil Corporation is being threatened by the gas agencies. The victim was allegedly detained by the police for about 30 hours to harass him. Senior Superintendent of Police, Varanasi, U.P.

The Commission vide its proceedings dated 06.07.2012, directed to issue notice to the SSP, Varanasi calling for a report within four weeks. Another complaint was received from the victim himself and the same was registered vide case number 29463/24/72/2012. Both the cases have been clubbed together. Since response was not received within the stipulated time, Summons were issued to the Senior Superintendent of Police, Varanasi, U.P. and DM, Varanasi, U.P. to submit report. The requisite report has been received from the Senior Superintendent of Police, Varanasi, U.P..

The matter is under consideration of the Commission.

**4. Case No. 4864/7/9/2013**

The complainant Shri Radhey Shyam has forwarded an e-mail alleging that one Human Rights Defender Shri Baljeet Singh Nayak was severely injured when few persons attacked in the premises of Kalayat Nagar Palika, Kaithal Distt., Haryana.

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The Commission took cognizance in the matter on 05.7.2013 and directed to transmit the complaint to the Director General of Police, Govt. of Haryana calling for a report in the matter within four weeks.

On 06.01.2014 after consideration of report received from the DGP, Haryana the Commission directed to send the same to the complainant for his comments, if any, within eight weeks.

**5. Case No. 1053/7/6/2014**

The complainant, Shri Manoj Kumar Karwasra r/o Distt. Hissar, Haryana alleged that he is being targeted for his RTI activation and the Deputy Commissioner, Hissar has not taken any action on his complaints.

The Commission took cognizance in the matter on 04.02.2014 and directed to transmit the complaint to the Chief Secretary, Govt. of Haryana calling for a report in the matter within four weeks.

**6. Case No. 866/20/10/2013**

Shri G. D'Souza, Human Rights Activist, vide, his letter dated 5.4.2013 has brought to the notice of the Commission a news report that appeared at <http://www.ndtv.com>. He has requested for appropriate action in the matter.

Upon consideration of the matter the Commission observed and directed that the news report alleges that 6 boys were electrocuted and 22 others received burn injuries when a bus, in which they were traveling, came in contact with a live wire in Churu District. The victims, being members of a marriage party, were going to a village in Sardarshahar town for a marriage when the incident occurred near Lodsar village.

The contents of the press report, if true, raise a serious issue of violation of human rights of the victims due to negligence of the Electricity Department in not properly maintaining electrical wires.

Issue notice to the District Magistrate and SP, Churu District, Rajasthan and Chairman, Rajasthan State Electricity Board, Vidyut Bhawan, R.C. Dave Marg, Jaipur, Rajasthan to submit a report in the matter within four weeks.

Accordingly, notices have been issued to the above on 25.4.2013.

Further upon consideration of the matter on 27.6.2013 the Commission observed and directed as under :-

*"The matter relates to the death of six boys due to electrocution and injuries to 22 others.*

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The Commission vide its proceedings dated 23.4.2013 issued notice to the District Magistrate and Superintendent of Police, Churu, Rajasthan and Chairman, Rajasthan State Electricity Board, Vidyut Bhawan, Jaipur, Rajasthan to submit their respective reports within four weeks.

In response, a copy of letter dated 4.6.2013 addressed by Joint Director (Personnel), Rajasthan Rajya Vidyut Prasaran Nigam Limited to the Secretary, Administration, Jaipur Vidyut Vitran Nigam Limited has been received, informing him that the case pertains to Jaipur Vidyut Vitran Nigam Limited has been received, informing him that the case pertains to Jaipur Vidyut Vitran Nigam Limited. Hence, he should take appropriate action at his end. However, no response has been received from the Secretary, Administration, Jaipur Vidyut Vitran Nigam Limited till date.

Superintendent of Police, Churu, Rajasthan vide his interim report dated 29.5.2013 has informed that a criminal case has been registered against the driver of the bus and certain officials of the Electricity Department and the case under Sections 279, 337, 338, 304A IPC has been found true.

The Commission has considered the matter. Superintendent of Police, Churu, Rajasthan is directed to submit the status of criminal case within four weeks.

The Secretary, Administration, Jaipur Vidyut Vitran Nigam Limited, Jaipur, Rajasthan is directed to submit the report within four weeks positively, failing which the Commission shall be constrained to issue a coercive process in the matter. He is also directed to inform the Commission as to what steps have been taken by the Electricity Department for providing medical care to the 22 persons, who received burn injuries in the incident".

Upon consideration of the matter on 13.9.2013 the Commission observed and directed as under:-

*"The reports from the State Authorities have since been received. Let a copy of the reports received from the State authorities in this case be transmitted to the petitioner for comments if any within four weeks."*

The comments from the petitioner are awaited. The matter is under consideration by the Commission.

**7. Case No. 1036/18/2/2013**

The Commission received a complaint from one Chandranath Dani, Advocate, resident of Bhubaneswar, Odisha, alleging police atrocities on human rights defenders and peaceful demonstrators on 29.4.2013 in Bolangir District, Odisha and has prayed for intervention by the Commission in the matter. A similar complaint registered on the complaint of Radhakanta Tripathy has also been clubbed with this matter.

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In response to Notice, the Addl. Superintendent of Police, Bolangir, Odisha, vide his communication dated 25.5.2013, has submitted the report. Perusal of the same reveals that Amitabh Patra and Lelin Kumar Rai were camping in Dunguripali area from dated 27.4.2013 and were instigating the locals to be violent against the officials and workers of Lower Suktel Project. On the very day of incident, they were all along with other agitators, had been to the construction site at about 3 A.M. in the night and had conspired the agitation against the Government officials. Besides the instant case, the said Lelin Rai was previously involved in Sahid Nagar (Bhubaneswar) PS Case No.396 dated 7.12.2008 u/s 153-A(a)(b)/285/34 IPC and the case learnt to have nexus with Maoist leader Sabya Sachi Panda. It is also learnt that Amitabh Patra of Baragarh had been to village Dunguripali and the spot on the aid and instigation of Lelin Kumar Rai. The allegation against Police personnel to have chased other journalists to eject them from the place has a hypothetical base and there is no reasoning behind for no such allegation has been projected by any individual journalists. On the other hand, the local journalists condemned the high handed and militant activities of the said Amitabh Patra who is an alien to the place and a stranger giving his identity as a Media photographer carrying a video camera in hand.

Pursuant to the directions of the Commission, a copy of the police report was transmitted to both the petitioner for comments. In response, the petitioner Radhakanta Tripathy, vide his communication dated 18.7.2013, has submitted his comments. It has been stated that public hearing on the execution of the project has not been conducted leading to resentment in public. He has reiterated the allegation of assault on Journalists and protestors by the police. The petitioner has prayed for an independent enquiry either by the NHRC Team or by the Special Rapporteur of the Commission.

The Commission has considered the matter. Let a copy of the report together with response received from the petitioner be transmitted to Shri Damodar Sarangi, Special Rapporteur of the Commission for enquiry into this matter. He is requested to submit the report in three months.

The report is awaited. The matter is under consideration of the Commission

**8. Case No. 463/13/30/2012 LF 489/13/30/2012 & 495/13/30/2012**

The complainant in his email complaint dated 29.02.2012 alleged that a RTI activist & human rights defender Prem Kumar Jha was shot dead on 25.02.2012 at Gurudutt Nagar, Thane, Mumbai because he had sought information through RTI on illegal construction in Vasai Virar belt near Mumbai and had exposed few cases of corruption.

The Commission considered the matter on 2.3.12 and directed to issue notice to the Commissioner of Police, Thane, Maharashtra calling for a report in the matter within four weeks.

Pursuant to the directions dated 2/3/2012, a report dated 5/7/2012 has been received from the Supdt. of Police, Thane Rural, Maharashtra. The report reveals that a case

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FIR No. I50/12 u/s 302 IPC r/w 3,25 (a) Arms Act has been registered at Virar police station and investigation is still in progress.

The Commission on 26.10.2012 observed that “the complaint raises serious allegations of murder of an RTI activist who was working for exposing corruption in Municipal Corporation and activities of builders engaged in illegal constructions. DGP, Maharashtra is directed to entrust the investigation of the case to the State CBCID, for a detailed probe. Response within eight weeks.”

The Commission on 4.2.13 considered the matter and directed to send final reminder the Director General of Police, Maharashtra impressing upon him to submit outcome of the CBCID investigation within six weeks, failing which the Commission shall be constrained to invoke the provisions of Section-13 of the Protection of Human Rights Act, 1993.

The SP, Thane Rural, Maharashtra vide communication dated 2/3/13 has submitted that with reference to the Criminal writ petition No. 3052/12 pending in the High Court, Mumbai and in compliance with the Commission's directions, the investigation of crime No. 150/12 u/s 302 IPC r/w section 3/25(A) Arms Act has been transferred to State CID, CBD, Belapur on 16/3/13.

The Commission on 18.6.13 directed DGP, Maharashtra to submit a further report as to the outcome of investigation by State CID, CBD in crime No. 150/12 u/s 302 IPC r/w section 3/25(A) Arms Act within four weeks.

The Commission on 14.11.13 observed that “the Commission received communication dated 07.10.2013 sent by Superintendent of Police, State CID, Kokanbhavan, Belapur, Navi Mumbai informing that during investigation of the case they have recorded statements of the complainant, 17 witnesses and 12 suspects, and the investigation is in progress.

Let the Superintendent of Police, State CID, Kokanbhavan, Belapur, Navi Mumbai be asked to submit further progress report and outcome of the investigation in crime case No. 150/12 u/s 302 IPC r/w section 3/25(A) Arms Act within eight weeks”.

In response, SP, State CID has submitted a report dated 11-2-14 which mentioned that statement of 22 witnesses were recorded and, 2 other suspect were interrogated. CDR and SDR of mobiles of suspects and witnesses are being verified. Antecedents of 19 suspect are being verified. The investigation of the case is pending.

The Commission considered the matter on 4.4.2014 when it directed SP, State CID, Konkanbhavan, Belapur, Navi Mumbai to submit the final outcome of the investigation in case No.150/12 u/s 302 IPC r/w section 3/25 (A) Arms Act within four weeks.

As no response has been received from the Superintendent of Police, State CID, Kokanbhavan, Belapur, Navi Mumbai, the matter was placed before the Commission on 11.8.2014 when it observed and directed as under:

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The Commission takes serious view of the non responsive attitude of the Superintendent of Police, State CID, Konkan Bhavan, Belapur, Navi Mumbai, Maharashtra. Let a final reminder be sent to Superintendent of Police, State CID, Konkan Bhavan, Belapur, Navi Mumbai, Maharashtra calling upon him to submit outcome of the aforesaid case within four weeks, failing which the Commission shall be constrained to issue coercive process u/s 13 of Protection of Human Rights Act, 1993'. Accordingly, a final reminder has been sent to the Superintendent of Police, State CID, Konkan Bhavan, Belapur, Navi Mumbai, Maharashtra on 29.8.2014.

The requisite report has been received from the Suptd. Of Police State CID. The matter is under consideration of the Commission.

**9. Case No. 1005/25/22/2013**

The complainant has alleged that a teacher, Chhaya Samanta of Amragohal Paschim Free Primary School, Purba Medinipur district of West Bengal was kept in illegal confinement and assaulted by some members of the Gram Shiksha Committee whom she had stopped from misappropriating the money allotted for the construction of latrine in the school.

The Commission on 21.8.2013 directed to issue a notice to District Magistrate, and Superintendent of Police, Purva Medinipur, West Bengal calling for a report in the matter within four weeks.

The Commission on 2.1.2014 observed that "pursuant to the direction of the Commission, requisite reports have been received from the concerned authorities. The Commission has considered the reports and finds it necessary to obtain complainant's comments on the reports.

The reports along with the documents, if any, be sent to the complainants through registered post for his/her comments, if any, which should be received in the Commission within eight weeks."

**10. Case No. 891/25/13/2013 ( Main File 646/25/13/2013-WC)**

The Commission received a SMS complaint alleging that Mr. Swarup Biswas, Sub Inspector of Raninagar Police Station along with around 15-16 notorious hooligans having bombs and pipe guns reached in front of the house of Mr. Ajimuddin Sarkar, an office bearer of MASUM at 10.45 PM on 16.07.2013 and threatened to take out him from his house as he had made a complaint against the police. The complainant has apprehended threat to life of the human rights activist and requested immediate action in the matter.

The Commission on 17.7.2013 requested Director General (Investigation) to look into the matter and have the facts collected over telephone from the Superintendent of Police, Murshidabad and Officer-in-charge of the Police Station Raninagar at the earliest.

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**11. Case No. 500/22/35/2013**

The complainant has alleged harassment and detention of Mr. Kingston, a human rights defender, by police of B 1 Town Police Station, Ootacamund, Tamil Nadu on 08.03.2013 on false and fabricated charges.

The Commission on 25.3.2013 directed to issue notice to the Director General of Police, Tamil Nadu calling for a report in the matter within four weeks.

As the requisite report has not been received within the stipulated period, the Commission on 20.6.13 directed to issue final reminder to the concerned authority calling for the report within four weeks, failing which the Commission shall be constrained to invoke the provisions of Section-13 of the Protection of Human Rights Act, 1993.

The Commission on 31.10.2013 observed that "S.P., Nilgiris District vide report dated 9.7.2013 denied the allegations of false implication of Shri Kingston. He further submitted that Shri Kingston was arrested on a complaint lodged by Shri Jaykumar, son of Shri Ramakrishnan. As per report, Shri Kingston had slapped Shri Jaykumar and intimidated him. The report further says that the guidelines of the Supreme Court in regard to arrest of the accused as laid down in D.K. Basu vs State of West Bengal were duly followed by the police.

The SP, Nilgiris District, Tamil Nadu is directed to submit the status of case crime No.104/2013 within four weeks.

The copy of report dated 9.7.2013 be forwarded to the complainant for his comments, which should be received within six weeks."

The Commission on 6.1.2014 directed to issue final reminder to the concerned authority calling for the requisite report within four weeks, failing which the Commission shall be constrained to invoke to provisions of Section-13 of the Protection of Human Rights Act, 1993.

**12. Case No. 9/23/5/2012 (Main File 8/23/5/2012)**

The Commission received complaint dated the 9th February 2012 from the Asian Centre for Human Rights alleging three serious charges:

- i) an attempt had been made to murder Shri Sanjit Debbarma near the Manu Forest Division in the Dhalai district of Tripura on the 29th January, 2012; the complainant and the victim suspected that he had been targeted because he was an RTI activist who had been fighting for the rights of the Reang tribals;
- ii) 44 Reang families, of the Primitive Tribal Group, were being denied their land rights despite the order of the Revenue Court in Dhalai; and

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iii) Rs. 17,31,500/- allocated for these families had been misappropriated.

On this, an enquiry was got conducted by a team of the Investigation Division of the Commission.

In its proceedings of the 4th May, 2012 the Commission had asked the Government of Tripura to take action on three points:

- i) to have the CBCID conduct an enquiry into the incident involving Shri Sanjit Debbarma, in which he was injured;
- ii) to withdraw the vexatious appeal lodged by Forest Department officials, in defiance of decisions taken at the highest levels of the State Government, against the order of the District Revenue Court, which ruled in favour of the Reang families; and
- iii) Not only to take very quick action to recover the money, amounting to Rs.17,31,500/- allocated to the 44 Reang families, but also to initiate criminal proceedings against the officials responsible.

Pursuant to the communications of the Commission, Secretary, Tribal Welfare Department, Government of Tripura, vide letter dated 20.10.2012 submitted a report on the above points. Regarding the denial of land rights, it has been stated in the report that the Forest Department has duly considered the judgment and orders passed by the Revenue Courts in consultation with the Law Department as well as Advocate General, Tripura and finally decided to allow extraction of trees from the allotted land of Shri Thaithak Reang and others in Mouja Shikaribari under Ambassa Forest Division. The District Forest Officer, Dhalai, Ambassa and the concerned Divisional Forest Officer have been advised vide letter dated 22nd September, 2012 of the Department to consider the applications of Shri Thaithak Reang and others for Tree Registration Certificates, etc. as per provisions of the Tree Felling Guidelines, etc. issued by the Department from time to time and issue orders accordingly.

Regarding misappropriation of funds allocated to the Reang families, it has been stated that charge-sheet under Rule-14 of CCS (CCA) Rules, 1965 had been framed against Shri Pariosh Biswas, TCS-II, Ex. Dy. Collector & Magistrate (Ex. Branch Officer of TW Section, Ambassa) now posted as Dy. Collector, O/O the DM & Collector, West Tripura District, Agartala and Shri Jacob Rokhum Ex. Supervisor, TW, SDM's Office, Ambassa (now posted as Extension Officer, O/O of the SDM, Gandacherra) by the GA(AR) Department vide Memorandum dated 02.07.2012. On receipt of the defence statement from the accused officers, an enquiry officer shall be appointed to enquire the charges under common proceedings.

Regarding incident involving Shri Sanjit Debbarma, it has been stated that considering the facts and circumstances with reference to the incident dated 29.01.2012, a case No. 13/12 u/s 279/337/427 IPC was registered at Manu Police Station on 27.03.2012

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and the IO of the case ended the investigation in final report dated 20.04.2012 as true but wanting evidence. However, in view of wide ramification of the case, Director General of Police, Tripura ensured further enquiry of the case through a team of officers from State CID. The investigation team has noticed that Shri Sanjit Debbarma, S/o Shri Manoranjan Debbarma of Chailengta, PS-Chailengta met an accident on 29.01.2012 at about 1800 hrs. near Manu Eco-Park on NH-44 road resulting in simple injury on his persons and caused damage to his motor bike bearing no. TR-01-E-7055. No dash mark was found on the back side of the motorcycle to suggest that it was hit by a Canter Truck from the back. No evidence has been found to indicate that miscreants attempted to commit murder of Shri Sanjit Debbarma by using Canter Truck.

The Commission on 18.2.2013 further directed (i) Secretary, Tribal Welfare Department, Government of Tripura to apprise the Commission regarding further status on the above matters including action to recover the money, amounting to Rs. 17,31,500/- allocated to the 44 Reang families and (2) A copy of the report received from the Secretary, Tribal Welfare Department, Government of Tripura be sent to the complainant for his comments within eight weeks. The comments of the complainant have been received and to be considered by the Commission.

The Commission on 28.5.13 observed that "It is evident that the Forest Department continues to be criminally insensitive to the needs of this particularly vulnerable group from a Scheduled Tribe listed as a Primitive Tribe. Nor have the District authorities acted quickly to ensure that the Reang tribals, who have been under great duress, were able to benefit from a scheme designed for their welfare, the fruits of which they have been denied far too long because of the machinations of the Forest Department.

The Commission shall therefore expect to receive by the 23rd July, 2013 a report from the District Magistrate Dhalai and the DFO, Ambassa, that:

- i) The land belonging to the 16 Reang families has been demarcated.
- ii) Tree-extraction permits have been issued to all the Reang families and they have been allowed to remove the trees.
- iii) The rubber stumps have been planted and the financial support sanctioned for this purpose extended to the beneficiaries.

If the Commission does not receive this report by the 23rd July, 2013, it shall invoke its powers under section 13 of the Protection of Human Rights Act, 1993. The District Magistrate Dhalai and the DFO Ambassa shall then appear before the Commission on the 30th July, 2013. The alleged attempt to murder Sanjit Debbarma

The Commission asks the DGP to send it the report of the enquiry carried out by the CID. This should be received by the 12th June, 2013.

The Commission also asks the State to ensure that both Shri Debbarma and other human rights defenders enjoy full security in their lives and work.

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The Commission had been informed that a departmental enquiry was under way and action would be taken on the basis of its findings against the delinquent officers for the recovery of Rs.17,31,500/-. The Commission asks the Chief Secretary to report on the outcome of that enquiry, on the deterrent punitive action, including criminal prosecution, that it expects the State Government would have taken, and on the steps being taken to recover the money embezzled. This should also be received by the 12th June, 2013.

A copy of the letter dated 26.04.2013 sent by the victims should be sent to the Chief Secretary with a copy of these proceedings.

A copy of these proceedings should also be sent to the complainant for his information.

The Commission on 12.2.14 observed that "the Commission vide its proceedings dated 20.08.2013 had observed and directed as under:-

*"The Commission also received communications dated 25.07.2013 and 06.08.2013 sent by Shri Thaithak Reang, Secretary, RPS, Shikaribari stating that demarcation of land of newly selected 16 Reang families has been completed by the SDM, Ambassa. However, it has been alleged that after re-verification on 26.06.2013, the trees extraction permits were not issued immediately which caused delay in plantation of rubber stumps, as July & August is peak season for such plantation. If the beneficiaries are allowed rubber stumps plantation during this year, it would be difficult to manage proper plantation because removal of timber logs might take 2-3 months in the heavy rainy season. He apprehended that in these circumstances, if any loss occurred, the office-bearers of the RPS might be held responsible by the administration, as has been done in the earlier cases. The complainant has requested their protection from the harassment by the authorities of revenue and forest department and to stop the DFO, Ambassa to conduct multiple time re-verifications of the land/trees which causes inconvenience, harassment, and discrimination to the Joteland owners.*

The Commission has not received the requisite report from the DGP regarding the alleged attempt to murder of Sanjit Debbarma.

Let the communications dated 25.07.2013, without enclosures, and 06.08.2013 received from Shri Thaithak Reang, Secretary, RPS, Shikaribari be sent to the District Forest Officer, Dhalai district, Ambassa and District Magistrate, Dhalai district, Jawaharnagar asking them to ensure rights and interests of the Reangs, Primitive Tribes, and to submit further progress report in the matter within eight weeks.

The Director General of Police, Tripura, be reminded to submit within eight weeks the report of the enquiry carried out by the CID in reference to the alleged attempt to murder of Sanjit Debbarma, failing which the Commission may initiate a coercive process.

The Chief Secretary, Government of Tripura be asked to submit further report on the outcome of the departmental enquiry against the delinquent officers, on the deterrent

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punitive action including criminal prosecution and regarding recovery of the embezzled money.

In response, Deputy Secretary, Home, Government of Tripura vide letter dated 25.09.2013 submitted a copy of CID enquiry report regarding alleged attack on Shri Sanjit Debbarma. The report concludes that while driving the Motor-Bike bearing No. TR-01-E-7055 on the day Shri Sanjit Debbarma was under the influence of alcohol. The Motor-Bike was mechanically examined and it was found that there was damage on the front side visor and the front right side of the indicator. Thus, the statement of Shri Sanjit Debbarma that his Motor-Bike was hit from the back by a Canter Truck could not be substantiated as there was no mark of damage on the back of the bike. There is no evidence that miscreants attempted to murder Shri Sanjit Debbarma. The report further concludes that there was procedural defect and delay of action by Inspector Hemanta Debbarma, the then O/C Manu Police Station, Sub-Inspector Subanker Debbarma and Sub-Inspector Gobinda Das of Manu Police Station.

No response has been received from the District Forest Officer, Dhalai district, Ambassa, District Magistrate, Dhalai district, Jawaharnagar and the Chief Secretary, Government of Tripura. These authorises be asked to submit their reports within six weeks failing which, the Commission may initiate a coercive process.

The Deputy Secretary, Home, Government of Tripura be asked to submit details of the action taken against the three police officials who have been found guilty during the CID enquiry.

**13. Case No. 4419/24/72/2013 LF 15443/24/72/2013, 15444/24/72/2013, 22763/24/72/2013, 23165/24/72/2013 & 39430/24/72/2013**

The complainant, an office bearer of an NGO named Human Rights Defenders Alert-India, has alleged threats to and intimidation of a human rights defender Dr. Lenin Raghuvanshi in connivance with the police. The complainant has requested physical and psychological integrity of the victim, as for all human rights defenders in India, immediate investigation into issue of death threats against Dr. Lenin Raghuvanshi and legal action against the accused persons.

The Commission on 2.4.2013 requested Director General (Investigation) to have the facts collected in the matter within four weeks.

The Commission on 26.9.13 observed that “these proceedings are on a complaint of Dr. Lenin, General Secretary to PVCHR, Varanasi, Uttar Pradesh in which it is alleged that Smt. Sapna Chaurasia, 23, daughter of late Ramnarayan Chaurasia was forcibly produced before a Notary Public for attestation of a so-called marriage with one Sunil Kumar Gupta. She has been subjected to sexual abuse and harassment by him. Her brother and parents are also intimidated with the help of local police. No action was taken on her complaint to the police. Her life as well as that of her son Ansh, 5 year, is in danger. The complainant has requested intervention of the Commission.

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Pursuant to the communications of the Commission, the Superintendent of Police, Rural/Nodal Officer, Varanasi has sent an enquiry report of the Superintendent of Police, City, Varanasi dated 14.03.2013. A perusal of the report revealed that there is a matrimonial dispute between Smt. Sapna Chaurasia and her husband Sunil Kumar Gupta. During enquiry, she gave an application alleging harassment by her husband. Consequently, on 13.03.2013, a case crime No 4/2013 u/s 328/511/498A/323/504/506 IPC against Sunil Kumar Gupta was registered in PS Bhelupur, Varanasi. The case is being investigated by Smt. Ambika Singh, S.O., Women's Police Station, Varanasi. She has been directed to expedite the investigation.

A copy of the report was sent to the complainant for his comments. In response, the complainant vide communication dated 26.07.2013 has submitted that Mr. Sunil Gupta, said husband of the victim lady Smt. Sapna Chaurasia had registered case No. 199/13 u/s 342, 384, 498 IPC in Bhelupur Police Station, Varanasi against the complainant Dr. Lenin and his wife Shruti on 21.01.2013 which could not be substantiated in the investigation conducted by Circle Officer Cantt, Varanasi. Thereafter, Mr. Sunil Gupta submitted habeas corpus writ petition No. 8753/2013 on 10.02.2013 in the High Court which was dismissed with the directions that Mr. Sunil Kumar Gupta is restrained from making any kind of interference in the peaceful life and liberty of the corpus. The complainant further stated that the police had registered case No. 4/13 u/s 328/511/498(A)/323/504 IPC on the complaint of Smt. Sapna Chaurasia against her husband Shri Sunil Kumar Gupta on 13.03.2013 only after the notice issued by the Commission as well as a reminder from the Ministry of Home Affairs, but Section 328 and 511 IPC have been removed at a later stage, which shows that the accused Shri Sunil Kumar Gupta, was being favoured, while false cases were registered against the complainant, who was trying to protect the rights of the victim, Smt. Sapna Chaurasia. The accused Shri Sunil Kumar Gupta also threatened them and forced them to reach a compromise, which was recorded and has been sent to the Commission in a CD. This matter is also under investigation by Circle Officer, Cantt, Varanasi. The complainant has alleged that the accused Shri Sunil Kumar Gupta, in collusion with the local police, is threatening the complainant and the victim with dire consequences, and their lives are under threat. The complainant has further alleged that he was threatened on 16.01.2013 and the matter was reported to the police but no action was taken. Thereafter, fake cases were registered against the complainant and his wife Shruti. The complainant was attacked to kill on 24.04.2013 for which Crime Case No. 359/13 under Section 307, 452, 341, 323 IPC in Daultpur Police Station was registered but no further investigation has been conducted in this matter and no accused has been arrested. Further, image of his wife and his cousin sister was damaged through Face Book for which Crime Case No. 418/13 under Section 66 (c), 66 (d) and 67 (b) IT Act was registered but no further action has been taken by the police despite various reminders to the police authorities. The complainant has also submitted an application to the police for action against Sunil Kumar Gupta under Section 182 IPC for his act of false implication to the complaint.

The Varanasi police officials have shown their anti-women attitude and are acting towards eliminating the human rights defenders. The complainant has requested that he

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along with his wife Shruti, the victim Sapna Chaurasia, the accused Sunil Gupta and the concerned police officials should be summoned by the Full Bench of the Commission to enquire into the matter in detail; the offenders should be punished and adequate compensation should be recommended to the victims. He has also requested a CBI enquiry of the entire matter and action against the delinquent police officials under Section 166 (A) IPC. The Commission has also received similar communication dated 13.09.2013 from the complainant Dr. Lenin in a printed booklet form.

The Commission has also received other complaints in the same subject, including complaint case No. 4419/24/72/2013 registered on the complaint of Henri Tiphagne. In this case, the Commission vide proceedings dated 11.02.2013 had asked the Director General (Investigation) of the Commission to collect facts. The Joint Registrar (Law), in his capacity as the focal point for human rights defenders, was also asked to keep in regular touch with the complainant Dr. Lenin Raghuvanshi. Another complaint No. 15443/24/72/2013 was registered in the Commission vide which the complainant Dr. Lenin Raghuvanshi had alleged that three unknown assailants fired on him on 24.04.2013 and attacked him by a knife. The Commission vide proceedings dated 13.05.2013 had asked the Director General (Investigation) to have the facts collected over telephone. In response, it was informed by the Varanasi Police officials that FIR 278 dated 25.04.2013 under Section 307, 452, 341, 323 IPC was registered and the matter was under investigation. Let the case Nos. 4419/24/72/2013, 4490/24/72/2013, 16022/24/72/2013, 15443/24/72/2013, 15444/24/72/2013, 22763/24/72/2013, 23165/24/72/2013 and 21574/24/72/2013 be linked with case file No. 42218/24/72/2012.

As the complainant, a human rights defender has alleged serious threat to his life and his false implication in connivance with police, let the Principal Secretary (Home) Government of Uttar Pradesh, Lucknow be asked to have all the cases registered in this regard by the complainant and his wife, investigated by CBCID and to submit an action taken report within eight weeks.

The Senior Superintendent of Police, Varanasi, Uttar Pradesh be asked to ensure safety and security of the complainant Dr. Lenin Raghuvanshi, his family and the victim Smt. Sapna Chaurasia."

The Commission on 24.1.2014 directed to issue a reminder to the Principal Secretary, Department of Home, Government of U.P. to expedite the matter and send within eight weeks the CBCID investigation report in the matter.

#### **14. Case No. 45349/24/19/2013**

In the matter the Commission on 30.12.2013 directed to issue Notice to the concerned authority calling for a report within four weeks.

The Commission on 28.2.2014 directed that copy of report be sent to the complainant through registered post for his/her comments, if any, within six weeks.

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**15. Case No. 2208/18/7/2013**

The complainant, an officer bearer of an NGO, has alleged that a team of the Special Operation Group of the Odisha Police trespassed into the house of a human rights defender Mr. Muralidhar Patra at 3.00 PM on 15.09.2013 in his absence, and threatened his mother and son that if he complained against the Superintendent of Police, District Keonjhar, his son would be killed in a fake encounter. The complainant has stated that Mr. Muralidhar Patra is being targeted by the police as he has referred two cases mentioned in the complaint against the police officials. The complainant has requested a high level enquiry in the matter, punitive action against the guilty police officials, guarantee of the physical and psychological integrity and security of Mr. Muralidhar Patra and his family in accordance with the international human rights standard and international instruments ratified by India.

The Commission on 26.9.13 directed that a notice be issued to the Principal Secretary (Home), Government of Odisha, Bhubneshwar calling for a detailed report in the matter within four weeks.

The Commission on 17.12.13 directed to send final reminder to the Principal Secretary (Home), Government of Odisha, Bhubneshwar impressing upon him to submit a detailed report in the matter within four weeks positively.

The Commission on 21.1.2014 observed that “pursuant to the directions of the Commission, requisite report has been received from the concerned authorities. The Commission has considered the report and finds it necessary to obtain complainant's comments on the report.

The report be sent to the complainant through registered post for his/her comments, if any, within six weeks.”

**16. Case No. 242/18/3/2014 (L.F.No.524/18/3/2014)**

The Commission on 21.1.2014 directed to issue notice to the concerned authority calling for a report on an incident of illegal arrest at Cuttack, Odisha on 14.1.2014 within four weeks.

Pursuant to the Commission's notice, a report dated 03.04.2014 has been submitted by the Deputy Commissioner of Police, Cuttack. It is mentioned that an enquiry was conducted by OPS-I, Addl. DCP Cuttack who has submitted a detailed enquiry report. As per the report, PS Case No. 6 dated 14.01.2014 was registered under section 153/295(A)/501 IPC and during the course of investigation, the IO had visited the spot and recorded statements of various witnesses. The accused Jitendra Prasad Das was arrested and forwarded to the court of SDJM Sadar Cuttack. It has been further stated in the report that he has admitted his guilt stating that he has given the photograph of Prophet Muhammad for publication in the newspaper Samaj. The report also mentions that the

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publication of the photograph caused communal tension in the area and that the investigation in the case is under progress.

The Commission has considered the report on 11.8.2014 when it directed that it will be appropriate to send a copy of the report to the complainant for his comments, if any, within two weeks. The Deputy Commissioner of Police, Cuttack is further directed to file a fresh status report as regards the investigation in the case within a period of four weeks. Accordingly, letters have been sent to the Deputy Commissioner of Police, Cuttack and to the complainant on 29.8.2014.

The requisite report and comments of the complainant are still awaited.

**17. Case No. 2347/4/22/2013**

Ms. Mukta Kumari has alleged that the police falsely implicated and brutally assaulted her uncle Shri Narendra Singh Kushwaha on 15.06.2013. It has been stated that the victim is a social and political worker, working for handicapped persons and has raised voice against hooliganism and corruption. On 15.06.2013, the policemen stopped the victim in the market, put live cartridges in his bag and took him to police station. He was tied with a tree and was tortured. When his condition deteriorated, the police sent him to Sadar Hospital, Munger, from where the doctors referred him to Jawahar Lal Nehru Medical College and Hospital, Bhagalpur. After two days, he was brought to Munger and presented before the Magistrate who sent him to Jail. The matter was reported to DIG of Police, who set up an enquiry under the Deputy SP, Tarapur & Kharagpur. However, the Superintendent of Police, Munger manipulated the enquiry to save his police officer. The complainant has claimed that they have video recordings of the investigation and records of the injuries of the victim Shri Narendra Singh Kushwaha, and has requested an impartial enquiry in the matter.

The Commission on 10.7.13 directed to send notice to the Director General of Police, Bihar, Patna asking him to enquire into the matter from a senior police officer of a district other than Munger and to send a report within six weeks.

The Commission on 29.10.2013 directed to send final reminder to the Director General of Police, Bihar, Patna asking him to submit the requisite report within six weeks, failing which Commission may initiate a coercive process.

The S.P.(C), CID, Bihar, Patna has sent a report of the S.P.(D), CID dated 23.12.2013 who after an extensive enquiry has concluded that the implication of Narendra Singh, P.S., Kasim Bazar appears to be suspicious and it would be clear from further investigation whether the illegal cartridges shown to be recovered from him were dropped in his bag before arrest or were planted after arrest.

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The enquiry report reveals injuries on the body of Narendra Singh whereas according to the SHO, Kasim Bazar, they used reasonable force at the time of arrest. Other allegations were not substantiated.

The Commission on 10.1.2014 directed D.G.P., Government of Bihar, Patna to send a report within eight weeks on action that has been taken on the report dated 23.12.2013 of the S.P.(D), CID, Bihar, Patna.

As no response has been received from the Director General of Police, Bihar, the matter was placed before the Commission on 11.8.2014 when it directed as under:

‘Let a final reminder be sent to the Director General of Police, Bihar, Patna calling upon him to submit the requisite action taken reports within four weeks, failing which the commission shall resort to section 13 of the Protection of Human Rights Act, 1993. Copy of the earlier proceedings dated 10.01.2014 be also transmitted’.

Accordingly, a final reminder has been sent to the DGP, Bihar on 29.8.2014.

The requisite has been received from the Inspector General of Police(Provision), G/o Bihar.

The matter is under consideration of the Commission.

**18. Case No. 1418/6/25/2013 LF 1423/6/0/2013**

The complainant has alleged that human rights defenders namely Rohit Prajapati, Trupti Shah, Amrish Brahmhatta and Sudhir Binnawale have been harassed by the Gujarat Police when they were protesting construction of the statute of unity affecting environment and inhabitants of Gujarat.

The Commission on 7.11.2013 considered the matter and directed to issue Notice to the concerned authority calling for a report in the matter within four weeks. The Commission on 22.11.13 further directed to link case No. 1423/6/0/2013 with case No. 1418/6/25/2013.

**19. Case No.455/33/3/2011**

Ch. Narendra, Vice-President, PUCL, Andhra Pradesh, in an e-mail complaint dated 12.9.2011 stated that Kopa Kunjam, an adivasi activist from Dantewada, was arrested on 10.12.2009 and falsely implicated in the kidnapping and murder of Salwa Judum, Leader, Punem Hunga in June 2009. The complainant has further alleged that the Government of Chhatisgarh has labeled charges against him are politically motivated. He has prayed for immediate release of the victim, an independent inquiry into the incident and action against the persons who implicated the Human Right Defender in false case. Commission took cognizance in the matter on 05.10.11 & called for a report from DGP, Chattisgarh.

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Report received was considered by the Commission on 21.02.2012 when it directed to call for comments of the complainant.

Complainant comments are awaited. Matter has been placed before the Commission.

**20. Case No.362/18/24/2012, 412/18/24/2012, 413/18/24/2012**

Sh. Baghambar Pattanaik, Human Rights Activist, Adviser, Odisha Goti Mukti Andolan, Bhubaneswar in an e-mail complaint dated 10.03.2012 alleged that Deepak Kumar, SP, Jajpur, Odisha extended threat on life and liberty of Biswanath Patra, a human right defender. The complainant had requested the Commission to intervene and conduct an inquiry on the abetment of human rights by Deepak Kumar, SP, Jajpur.

The Commission took cognizance in the matter on 15.03.2012 & directed DG(I) to collect requisite reports within eight weeks. Report of Investigation Division was placed before the Commission on 31.05.2012 when it directed to issue a notice to DGP, Odisha calling for a detailed report. The report received in the matter was considered by the Commission on 6.3.2012 when it directed to call for comments of the complainant. Complainant comments has been received. The matter was considered by the Commission on 28/10/2013, when it directed to DG(P), Odisha the enquiry officer to record the statement of the complainant and after associating him in the enquiry, submit a detailed report.

A Complaint has also been received from Sh. Biswanath Patra, Human Right Defender & Manoj Jena Convenor, Human Rights Front(HRF), Odisha, on the same incident which has been registered as Case No.412/18/24/2012 & 413/18/24/2012 respectively. Commission on 4.4.12 directed to club these cases with Case No. 362/18/24/2012.

**21. Case No. 16023/24/52/2013**

The Commission received a complaint filed by Sh. R.H. Bansal, HR defender alleging that he has been threatened by the Police to withdraw a complaint in which he had accused SP City, Mathura of hitting his own Constable with a lathi & breaking his hand. He has requested to save his life.

The Commission took cognizance in the matter on 8.5.13 & directed DG(I) to collect facts over telephone. Report is awaited.

**22. Case No. 17732/24/47/2013 & 18029/24/47/2013**

The Commission received a complaint from Ms. Reetika Khera of Sahjani Shiksha Kendra(SSK), Lalitpur, OP an NGO alleging that on 12.5.2013, five women human right defenders of SSK were physically & verbally assaulted by a powerful person, while they were inaugurating an adult lieteracy centre for Dalit women in the Digwara village of

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Madawara Block of Lalitpur, UP. The complaint was registered as Case No. 17732/24/47/2013. The complainant further alleged that the human right defenders of SSK were hit by lathis and sustained serious head and body injuries. Two of the injured were from Dalit community and two from the OBC community. She further alleged that culprits abused them in filthy and caste based language. An FIR has been registered in the matter u/s 323/504/506-IPC and provision of SC/ST Act. However, no further action has been taken by the police. The NGO met the Commission during its visit to Lucknow on 17.5.2013 and narrated the incident. The Commission took cognizance in the matter on 20.05.2013 & directed to issue notice to DGP, UP calling for a report within 15 days. In the meanwhile DG(I) was also requested to depute a team to conduct a spot enquiry into the matter and submit a report within 15 days. Report is awaited.

The Commission received a complaint from Ms. Shalini Joshi of Nirantar Trust, Lucknow another NGO alleging the same incident as mentioned in complaint No.17732/24/47/2013. This complaint was registered as Case No. 18029/24/47/2013 & as per Commission's direction dated 23.05.2013 the complaint was linked with file No.17732/24/47/2013.

Pursuant to the directions of the Commission dated 20.05.2013, a team consisting of Dy. Superintendent of Police, S.N. Pandey, Inspr. Rajvir Singh and Inspr. Lal Bahar visited village Digwara in District Lalitpur and recorded statements of various witnesses. The team also met with the victims namely Smt. Meena, Smt. Kusum and Smt. Gyasi and recorded their statements. The team also obtained a detailed report in this matter from Sh. Sanjay Kumar, Circle Officer/Narahat, District Lalitpur, Uttar Pradesh. The NHRC Team submitted that police had taken proper and impartial action in the matter. Victims also expressed their satisfaction on the action taken by the police. The report of Investigation team was considered by the Commission on 30.07.2013 when it directed, District Magistrate, Lalitpur to submit details about grant of financial assistance to the victims under SC/ST Rules. A reminder dated 13.10.2014 has also been sent to District Magistrate, Lalitpur, UP.

**23. Case No.595/25/5/2012, 689/25/5/2012, 691/25/5/2012, 596/25/5/2012, 960/25/5/2012, 1530/25/5/2012 & 1600/25/5/2012**

The Commission received an e-mail complaint dated 12.04.2012 stated that the "Times of India", Kolkata edition dated 10.04.2012 & 11.04.2012 carried out a report of arrest of several human rights defenders for raising their voice against eviction of slum dwellers at Nonadanga, West Bengal. He further alleged that a 9 years old child Monika was also arrested by the police and she had to spend several hours in the lock up. He has also enclosed newspaper clipping in support of his claim. The Commission took cognizance in the matter on 31/5/2012 & directed to issue notice to DGP, West Bengal calling for a report within four week. Report is awaited. The Commission also received six more e-mail from Asian Human Rights Commission, Hongkong, Shri Ajay C, Kolcutta, Henri Tiphagne, an NGO, Aniket Roy, Balla Ravindra Nath, Hyderabad and David Albuquerque, Brisbane, Australia on the same incident. These complaints were registered as Case No.

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689/25/5/2012, 691/25/5/2012, 596/25/5/2012, 960/25/5/2012, 1530/25/5/2012 and 1600/25/5/2012 respectively and as per Commission's directions all cases were linked with the current case.

The report from Commissioner of Police, Kolkatta has been received. The matter was considered by the Commission on 30/11/2013 when it directed to call for the comments of the complainant.

#### **24. Case No.441/10/28/2013**

The Commission received a complaint dated 29/7/2013 from Secretary General, Human Rights Federation of India(HRFI), Karnataka stated that Human Rights Defenders are getting life threat and false complaints against them in Mangalore and Mysore areas. It is further alleged that they have already booked several cases against corrupt official through Lokayuktha in Hassan District. The Commission took cognizance in the matter on 14/8/2013 & directed the Chief Secretary, Karnataka and DGP Karnataka to submit an action taken report.

In response, Commissioner of Police, Mysore City stating that suitable instructions have been given to the police officer/staff to provide protection and co-operation to the directors of HRFI, Mangalore when they visit the police stations to file complaints against erring bureaucrats. The DGP had also submitted that reported that no human rights defenders are tortured in the district nor has any of them approached the police for protection. He had further stated in the report that if any of them asks for police protection, the same shall be provided to them. On the directions of the Commission, the reports were sent to the complainant for his comments.

The comments have been received from the complainant and sent for English translation.

The matter is under consideration of the Commission.

#### **25. Case No.2147/18/17/2013 & 2207/18/17/2013**

The Commission received a e-mail dated 4/9/2013 from Shri Chandranath Dani, Advocate, Secretary, Center for Legal Awareness and Human Rights(CLAR), Bhubaneswar, Odisha stated that Human Rights Defender(Journalist) assaulted and his camera was broken by the Superintendent of Police, Bargarh Odisha. The Commission took cognizance in the matter on 18/9/2013 & directed the DGP Odisha to submit report.

In response, the DIG of Police, NR, Odisha reported that the allegations levelled by the complainant are false and the incident has been unnecessarily sensationalized by the local newspapers so as to gain political milage. Since the enquiry report negated the allegations levelled by the complainant, the Commission, vide its proceedings dated 26.03.2014, directed to seek the comments of the complainant on the enquiry report.

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On the directions of the Commission, the report was sent to the complainant for his comments.

The complainant comments are still awaited.

**26. Case No.7436/7/3/2013**

The Commission received a complaint dated 20/9/2013 from Shri Nand Kishora, Human Rights Activist, Member of Peoples Union for Civil Liberties(PUCL), Faridabad, Haryana stated that false implication against him in a case FIR NO. 367 dated 4/7/2013 u/s 147/149/341/283/186 IPC at PS Saran, Faridabad. He further alleged that the opponents and local Police, who are in collusion and having grudge as he is doing human rights violation issue on regular basis. The Commission took cognizance in the matter on 22/10/2013 & directed the Commissioner of Police, Faridabad, Haryana to submit an action taken report. Report is awaited.

**27. Case No.896/22/37/2010**

Shri Devika Prasad, Secretary, Working Group on Human Rights, New Delhi vide his e-mail letter dated 17.8.2010 forwarded a copy of complaint dated 17.8.2010 from Sh. Miloon Kothari, Convenor, Working Group on Human Rights. Sh. Miloon Kothari alleged that Mr. Gnana Diraviam, Mr. Anandan, Ms. Bharathi Pillai, Ms. Niharga Priya and Ms. Sudha - members of a Fact Finding Team - were arrested illegally on the night of 15 August, 2010 by Veeravanallur Police Station, Tirunelveli district, Tamil Nadu, where they had gone to conduct an enquiry in a torture case against a police officer. It was further alleged that the arrest was carried out in violation of the law, criminal procedure, and the DK Basu guidelines.

The five human rights defenders were taking part in a training programme on Dalit human rights monitoring organized by the Institute of Human Rights Education of People's Watch, for the Dalit Foundation (an organization whose mission is to eradicate caste-based discrimination and atrocities). This was registered as Case No.896/22/37/2010.

Pursuant to the Commission's directions dated 17.8.2010, Investigation Team of the Commission submitted its Enquiry Report. The report concluded that the trainees were implicated in a false case by the police due to some reason connected to their enquiry into the allegations of torture of accused Suresh. The allegations of torture of Suresh was found to be true.

The Commission considered the above report on 25.06.2012 when it inter-alia directed to send a gist of the report prepared by the NHRC Team to DGP, Tamil Nadu with a request to place it before the Public Prosecutor appearing in MP(MD) No.1 of 2010 in CrI. OP(MD) No.10130 of 2010 before the High Court of Judicature Madras at Madurai Bench.

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The Commission also directed the NHRC to engage a Counsel in CrI. O.P.(MD) No.11303 of 2010 filed u/s 482 of the Cr.P.C. in Crime No.161/2010 by Gnanadiraviyam & others Vs. State of Tamil Nadu through its Inspector Police and Directorate Counsel to place the matter before the High Court in these proceedings.

Pursuant to the approval by the Commission, the report along with intervention application has been sent to the Advocate, Madras High Court, Madurai Bench, Tamil Nadu, for taking further action.

The Commission while considering the matter on 21.01.2013 directed to await the orders, if any, passed by the High Court, as the report at the instance of the NHRC has already been placed before the Hon'ble Madras High Court, Madurai Bench, Tamil Nadu.

It has been ascertained from Sh. V.K. Vijayaragavan, Advocate, Madras High Court, Madurai Bench, Tamil Nadu that the matter has not been listed for hearing before the High Court so far.

While considering the matter, the Commission on 27.01.2014 directed to await the orders of the High Court and adjourned the matter by three months.

**28. Case No.11939/24/73/2010-DB-II**

The Commission received a complaint dated 1.4.2010 from Shri Nand Lal Shukla, President, Manavadhikar Emergency Helpline Association, Sant Ravidas Nagar, Bhadohi, UP and a human rights defender, alleging that the then Addl. Supdt. of Police, Sant Ravidas Nagar, Uttar Pradeshy - Ms. Ruchita Choudhary called him and asked him to withdraw his statement in a complaint case no. 224/24/73/09-10 earlier submitted by him before the Commission pertaining to one victim Vinod Kumar Dixit. He further alleged that when he showed reluctance, the Addl. Supdt. of Police, Sant Ravidas Nagar threatened him and stated that the investigation is being done against him and after lodging FIR, his limbs will be broken. In the light of the apprehension of false implication and threat to life, a prayer was made before the Commission for intervention and justice.

The Commission considered the matter from to time and while considering the matter on 21.02.2013 inter alia observed and directed as under:

*“The Commission vide proceedings dated 10.1.2013 summoned Shri Gyneshwar Tiwari, posted at Banda as SP to appear before the Commission today, instead of appearing, he has sent a fax message indicating that he sustained a fracture in his left leg and hence, unable to appear before the Commission as the doctor has advised him complete rest. He has not taken the courtesy to inform the period of rest as advised by the doctor. Under these circumstances, the Commission asks the Registry to issue summons again to Shri Gyneshwar Tiwari to appear before the Commission on 8<sup>th</sup> May, 2013 at 11.00 A.M.*

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*It is required to be noted that Shri Gyneshwar Tiwari has not bothered to inform the Commission about his condition well in advance and sent a fax message only one day before the date of his appearance. He should be more careful and vigilant. If he had informed the Commission about his present condition, well in advance, the Commission would not have asked the lady officer, Ms. Ruchita Chaudhary to remain present before the Commission today. For his lapses, appropriate action will be taken after his appearance before the Commission.*

*Registry is also directed to issue summons to Ms. Ruchita Chaudhary, Addl. S.P. (Intelligence), Kanpur to be present before the Commission on 8<sup>th</sup> May, 2013 at 11.00 A.M., as she has stated that without summons, she won't be permitted to appear before the Commission."*

Pursuant to the above directions, Summons dated 14.3.2013 were issued to Shri Gyneshwar Tiwari, the then Supdt. of Police, Banda, UP and Ms. Ruchita Chaudhary, the then Addl. SP, Kanpur Nagar for their appearance before the Commission on 08.05.2013 along with the entire record of the case. Meanwhile, the hearing of the case had been postponed for 15<sup>th</sup> January, 2014 at the Camp Sitting of the Commission in Lucknow. Accordingly, the above officers have been directed to appear in person before the Camp Sitting of the Commission at Lucknow on 15.01.2014.

The Commission during its Camp Sitting at Lucknow on 15.01.2014 observed and directed as under:

*"The Commission has heard the police officer's report. It urges the police establishment in UP to look on human right defenders as partners in the common effort to bring good governance to the State. They should not be subjected to harassment.*

*However, in the present circumstances, the Commission will not proceed further with this case. The file is closed."*

Accordingly, the complainant has been informed of the closure of the case.

**29. Case No. 565/25/13/2014**

The Commission has received a complaint dated 6.5.2014 from Ms. Kirty Roy, Secretary, Banglar Manabadhikar Suraksha Mancha (MASUM), Hooghly, West Bengal alleging illegal arrest false implication into criminal charges and custodial torture of Mr. Ropin Sheikh, nephew of Mr. Ajimuddin Sarkar, the District Human Rights Monitor of her organization in Murshidabad District by the police. A prayer was made before the Commission for urgent intervention and investigation in the matter.

The Commission took cognizance in the matter on 08/05/2014 and directed to transmit the petition to the SP, Murshidabad, West Bengal calling for a report within four weeks.

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The requisite report has been received from the SP, Murshidabad, West Bengal .

The matter is under consideration of the Commission.

**30. Case No.3021/18/12/2014**

The Commission has received a complaint dated 28.7.2014 from Dr. Subash Mohapatra, executive Director, Global Human Rights Communications, Puri, Odisha alleging that the postmaster or Raigurupur Post Office having conspiracy with local anit-social and vested group is not giving him letters addressed to him including letters from National Human Rights Commission. A prayer was made before the Commission for intervening the matter.

The Commission took cognizance in the matter on 01/08/2014 and called for an action taken report from the Secretary, Department of Posts, Government of India within four weeks .

The requisite report has been received from the Asstt. Director(PG), O/o the CPMG, Odisha Circle, Bhubaneswar.

The matter is under consideration of the Commission.

**31. Case No.1822/30/3/2014**

The Commission has received a complaint dated 18.2.2014 from Mr.Zulfiqar Ali Shah, Sindh Refugee Journalist, Human Rights Activist, Writer and Stateless persons. He alongwith wife entered India on valid medical visa for medical treatment. The heavy metal toxins/poison were given to him by the Pakistani Intelligence Agencies , ISI and Military Intelligence through local Nepalis facilitation in Kathmandu in the month of December, 2012. The complainant is protesting in India since October 14, 2013 against human rights violation and harassment of him by the Pakistan High Commission. A prayer was made for the intervention of the Commission in the matter.

The Commission took cognizance in the matter on 15/04/2014 and called for a report from the Secretary, Ministry of Home Affairs, Government of India within four weeks. Report is awaited.

**32. Case No.740/33/13/2014**

The Commission has received a complaint dated 22.7.2014 from Shri Henri Tiphagne, Hony.National Working Secretary, Human Rights Defenders Alert-India, Madurai, Tamil Nadu alleging lodging of false complaint against Mr. S. Sajal Kumar, a human rights defender based in Dharmjaigarh, Chhattisgarh by the DB Power Company. The Commission took cognizance of the matter on 13.8.2014 and called for a report from

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the Superintendent of Police, Raigarh, Chhattisgarh within four weeks. Accordingly, a letter has been sent to the SP, Raigarh, Chhattisgarh on 21.8.2014.

The requisite report has been received from the Superintendent of Police, Raigarh, Chhattisgarh.

The matter is under consideration of the Commission.

**33. Case No.141/13/30/2014**

The Commission has received a complaint dated 14.01.2014 from Mr. D. Dsouza, Human Rights Activist Network, Mumbai, Maharashtra has alleged that the Railway Protection Force (RPF) constables illegally detained a journalist, Rajil Menon, at Kalyan railway station on 08.01.2014 and assaulted him when he was taking photos of the police officials who were dragging some accused involved in petty offences handcuffed and tied with ropes. It has been stated that Mr. Menon was victimized as he has filed many complaints against hawkers and other miscreants who were misusing the railway station premises in connivance with the security personnel.

The Commission has considered the matter on 27.1.2014 and directed to issue a notice to the Director General, Railway Protection Force (RPF), Railway Board, Rail Bhawan, New Delhi calling for a report in the matter within four weeks.

The Deputy Director/Security (Crime), Railway Board has sent a report dated 7.4.2014. As per the report, an enquiry was got conducted into the matter by Senior Divisional Security Commissioner and IVG of the Central Railway; who recorded the statements of the RPF personnel related to the incident as well as of the victim alongwith other independent persons. The alleged victim was taking photographs unauthorizdly within the railway court premises and was creating nuisance and obstruction to on-duty RPF personnel. So the victim was arrested and for offences u/s 145 and 146 of the Railways Act on 08.0.2014 and was produced before the Id. Magistrate on the same day but he did not mention anything about manhandling and assault. The Id. Magistrate released him on cash bail of Rs. 1000/- and directed only the release of Rs. 125 alongwith three keys out of the seized articles as well as refused the release of the mobile handset; which has been seized under a panchnama and is an piece of evidence . On the same day, complaint CC No. 782/14 was filed which is currently pending trial. As regards manhandling, the report states that the victim has already filed a complaint with the Police Commissioner, Government Railway Police, Mumbai on 10.01.2014 which is pending investigation. An enquiry was also made with the on-duty medical officer who could not conclusively establish manhandling.

The Commission has considered the report on 11.8.2014 when it observed and directed as under:

As per the report, the case of mandhandling is pending investigation whereas the case as regards the arrest of the alleged victim is sub-judice before the Railway Court. In

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view of the aforesaid fact, the Commissioner of Police is directed to intimate the Commission of the status of investigation in the case of manhandling within four weeks. It is also deemed appropriate that a copy of the report be sent to the complainant for his comments, if any, within two weeks'.

Accordingly, letters have been sent to the Commissioner of Police, Thane, Maharashtra and to complainant on 01.09.2014.

The requisite report has been received from the Sr. DSC(RPF)'s Office, CST Mumbai, Central Railway,. The complainant comments are awaited.

The matter is under consideration of the Commission.

**34. Case No.637/10/15/2014**

The Commission has received a complaint dated 12.07.2014 from Mr. Henri Tiphagne, Hony. National Working Secretary, Human rights Defenders Alert, Madurai, Tamil Nadu alleging that one Parashuram , a human rights defender was arrested on charges of caste abuse and intimidation based on a false complaint by a woman in an act of vendetta. A prayer has been made to investigate the matter.

The Commission has considered the matter on 24.7.2014 and issued a notice to the Director General of Police, Karnataka on 13.8.2014 calling for a report in the matter within four weeks.

The requisite report is still awaited.

**35. Case No.55/14/15/2014**

The Commission has received a complaint dated 12.07.2014 from Mr. Henri Tiphagne, Hony. National Working Secretary, Human rights Defenders Alert, Madurai, Tamil Nadu alleging assault on Mr. Laimayum Sevananada Sharma, a Law Officer associated with Human Rights Law Networks Imphal center has been assaulted by Manipur police. A prayer has been made for registration of FIR and to provide security to the victim.

The Commission has considered the matter on 28.7.2014 and directed to issue a notice to the Director General of Police, Manipur calling for a report in the matter within four weeks. Accordingly, a notice has been issued to the Director General of Police, Manipur on 13.8.2014.

The requisite report is still awaited.

**36. Case No.1631/4/23/2014**

The Commission has received a complaint dated 2.05.2014 from Shri N. Paul Divakar, General Secretary, Dalit Arthik Adhikar Andolan, South Patel Nagar, New Delhi

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alleging that Ram Kumar Thakur, a Lawyer and RTI activist was murdered on 23.3.2013. The police has not arrested the accused and family members of the victim have been given threats and they have left the village due to fear. A prayer has been made for the arrest of the accused and protection of the family members of the victim.

The Commission has considered the matter on 6.5.2014 and directed to transmit a copy of the complaint to the concerned authority calling for an action taken report within four weeks. Accordingly, a letter has been issued to the DGP, Bihar on 5.6.2014.

The requisite report is still awaited.

**37. Case No.896/25/21/2014**

The Commission has received a complaint dated 22.6.2014 from a human rights defender alleging assault on a Editor of a monthly Newspaper cum Human Rights Defender at Siliguri . A prayer has been made for intervention of the Commission in the matter.

The Commission has considered the matter on 16.7.2014 and directed to transmit the petition to the concerned authorities calling for a report within four weeks. Accordingly, a letter has been issued to the DGP, West Bengal on 21.7.2014

The requisite report has been received from the Addl. DG & IGP(Hqrs.), Govt. of West Bengal.

The matter is under consideration of the Commission.

**38. Case No.2568/4/23/2014**

The Commission has received a complaint dated 28.6.2014 from Mr. Amrita Sudan Chakraborty, MANAB, Burdwan, West Bengal alleging that the Civil Hospital staff at Muzaffarpur assaulted two researchers who were collecting health related statistics. The perpetrators also implicated the victims falsely alleging sexual assault and the victims were detained. A prayer has been made for action against the accused , withdrawal of false case and payment of compensation to the victims.

The Commission has considered the matter on 2.7.2014 and directed to transmit the petition to the concerned authorities calling for a report within four weeks. Accordingly, a letters have been issued to the Principal Secretary, Department of Health & Family Welfare, Government of Bihar, Patna and to the SSP, Muzaffarpur, Bihar on 2.7.2014.

The requisite report has been received from the Sr. Supdt. Of Police, Muzaffarnagar, Uttar Pradesh.

The matter is under consideration of the Commission.

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**39. Case No. 4397/18/4/2014-WC**

The complainant, Shri Bhajaman Biswal, Human Rights Defender, Founder President & Chairperson, Shanti (National), New Delhi alleged that a police officer of PS Kamakhya Nagar, District Dhenkanal, Odisha entered into the room of a lady (a social worker) in night and beat her. He has requested the Commission for action against the guilty police officer for beating the victim.

The Commission took cognizance of the complaint on 31.10.2014 and directed the Senior Superintendent of Police, District Dhenkanal, Odisha to submit an Action Taken Report in the matter.

The requisite report is awaited.

**40. Case No. 816/13/23/2014 LF 1275/13/23/2014**

The Commission took suo moto cognizance on 31-3-14 of the suicide of an RTI activist Vilas Dattatrey Barvakar in Pune, Maharashtra on 25-3-14. The victim hung himself. His suicide note named several current/retired IPS Officers, politicians and citizens.

The Commission took cognizance of the matter on 7-4-14 and directed the Chief Secretary Maharashtra Government and the DGP Maharashtra to file report within 2 weeks.

In response, report dt. 14-5-14 was filed which stated that investigation was being carried out into the matter. It stated that the body has been sent for post-mortem and the viscera was preserved. Documents seized were sent for examination to the State CID. It further suggested to hand over the investigation to a separate agency for speedy disposal. Commission last considered the matter on 1-10-14 and directed the DGP, Maharashtra to file a fresh report within 4 weeks.

**42. Case No. 1643/22/53/2014 LF 1653/22/53/2014**

The Commission received an HRD harassment complaint on 8-10-14 from Henri Tiphange, Vellore, Tamil Nadu, regarding illegal arrest, custodial torture, threatening and filing false cases against Poovarasana, a Dalit Human Rights activist on 23-9-14.

The Commission took cognizance of the matter on 21-10-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks.

**43. Case No. 4325/18/0/2014**

The Commission received an HRD harassment complaint on 8-10-14 from Bhajaman Biswal, Kamakhyanagar, Odisha, stating that there were atrocities, corrupt practices and

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attempt to murder him in Kamakhyanagar sub-jail by its Superintendent. The ADG & DIG prison took no action.

The Commission took cognizance of the matter on 21-10-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks.

**44. Case No. 1286/6/25/2014**

The Commission received an HRD harassment complaint on 9-10-14 from Teesta Setalvad regarding burning of several houses in Baroda on 27-9-14. BJP Baroda Ward Chief Manish Wagh was arrested. A few muslim rioters were also arrested, leading to doubts over modus operandi of riots.

The Commission took cognizance of the matter on 14-10-14 and directed notice to the concerned authorities. Report to be filed within 4 weeks.

**45. Case No. 2638/13/23/2014**

The Commission received an HRD harassment complaint on 27-10-14 from Henri Tiphange regarding harassment of a social activist in Deonar and Pune, Maharashtra and filing false charges against him by the ATS on 1-9-14.

The Commission took cognizance of the matter on 18-11-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks.

**46. Case No. 1723/18/16/2014**

The Commission received an HRD harassment complaint on 4-4-14 from Subhash Mohapatra, in Anugul, Odisha, regarding illegal detention for close to 4 hours and not providing food, water and medicines to victims during vehicle check on 28-3-14.

The Commission took cognizance of the matter on 11-4-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks. A reminder was directed to be sent on 23-6-14.

The Commission on 29-9-14 considered the report dt. 8-7-14 stating that no vehicle check was conducted on that date and time and as complaints phone no. wasn't available, he couldn't be questioned.

The matter is under consideration of the Commission.

**47. Case No. 1649/25/13/2014**

The Commission received an HRD harassment complaint on 5-11-14 from Kirity Roy regarding harassment and torture of Azimuddin Sarkar, an activist in Murshidabad, West Bengal, by the Police and filing of false cases against him on 21-11-14.

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The Commission took cognizance of the matter on 3-12-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks.

**48. Case No. 436/6/21/2014**

The Commission received an HRD harassment complaint on 28-3-14 from Vipul S. Dave, Rajkot Gujarat, regarding pressure and threats to withdraw FIR & RTI application on 3-5-11 and against subsequent Govt. inaction.

The Commission took cognizance of the matter on 11-4-14 and directed transmission of the complaint to the S.P., Rajkot, Gujarat and file action taken report within 6 weeks. Reminder was directed to be sent on 12-8-14 giving 4 weeks time or else resort would be taken to section 13 of the Protection of Human Rights Act.

**49. Case No. 304/9/13/2013**

The Commission received an HRD harassment complaint on 1-8-13 from Henri Tiphange regarding unlawful detention, threatening of RTI activist Parvez Imroz and filing of false charges against him in Srinagar, Jammu and Kashmir on 2-7-13.

The Commission took cognizance of the matter on 29-8-13 and directed transmission of the complaint to the concerned authorities. Accordingly, an Action taken report has been called for from the Director General of Police, G/o J & K within 4 weeks. The requisite report has been received. The matter is under consideration of the Commission.

**50. Case No. 1999/20/19/2014 LF 2010/20/19/2014.**

The Commission received an HRD harassment complaint on 27-8-14 from P.L. Mimroth regarding attack on Dalit Human Rights activist and his family, in Jodhpur, Rajasthan on 9-8-14, by mob of dominant caste people. Police didn't reach even after 3 hours and in the FIR lodged didn't mention section 3(1)(X1) of the SC/ST Prevention of Atrocities Act to prevent benefit of monetary compensation.

The Commission took cognizance of the matter on 5-9-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks.

**51. Case No. 299/25/5/2014**

The Commission received an HRD harassment complaint on 11-3-14 from Amita Sudan Chakraborty, regarding death of Chandan Ghosh and assault of 2 protesters against noise pollution and indecent representation of women.

The Commission took cognizance of the matter on 5-9-14 and directed transmission of the petition to the Commissioner of Police, West Bengal. Action taken report to be filed within 6 weeks. Reminder was directed on 6-8-14, giving 4 weeks, failing which resort would be taken to section 13 of the Protection of Human Rights Act.

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**52. Case No. 888/10/15/2014**

The Commission received an HRD harassment complaint on 6-9-14 from Nagaraja M.R. from Mysore, Karnataka, regarding harassment by Police officials and revenue officials on 26-08-2014.

The Commission took cognizance of the matter on 8-10-14 and directed issuance of notice to the concerned authorities. Report to be filed within 2 weeks.

**53. Case No. 1785/34/6/2014**

The Commission received an HRD harassment complaint on 5-11-14 from Harpal Singh Thapar regarding atrocities committed against him and his family (they are ST's) by locals on 26-10-14 and subsequent inaction by the Police.

The Commission took cognizance of the matter on 19-11-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks.

**54. Case No. 1865/22/53/2014**

The Commission received an HRD harassment complaint on 25-11-14 from Mohammed Nouman, regarding false charges filed against him by Police on 21-10-14.

The Commission took cognizance of the matter on 3-12-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks.

**55. Case No. 3497/18/0/2014**

The Commission received an HRD harassment complaint on 20-8-14 from Bhajman Biswal, regarding use of abusive language and lowering his dignity by Odisha DGP in Bhubaneswar, Odisha on 17-1-14.

The Commission took cognizance of the matter on 5-9-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks.

**56. Case No. 8083/30/4/2014**

The Commission received an HRD harassment complaint on 3-11-14 from Deepak Kapur regarding his torture by Police in custody on 29-8-14.

The Commission took cognizance of the matter on 19-11-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks.

**57. Case No. 4758/18/4/2014**

The Commission received an HRD harassment complaint on 28-11-14 from Bhajman Biswal regarding an attempt to kill him while he was in prison (on the basis of a false case) by Jail Superintendent.

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The Commission took cognizance of the matter on 8-12-14 and directed transmission of the petition to the concerned authorities. Report to be filed within 4 weeks.

**58. Case No. 1225/12/56/2014**

The Commission on 12-5-14 received a HRD Harassment complaint dated 8-5-14 from Kirity Roy, Singrouli, Madhya Pradesh, averring that on 8-5-14, 10 policemen entered their guest house in Waidhan, Mahan and arrested the activists. They came to know that the victims had been taken to the Mada Police Station. On reaching the Police Station they found out that the arrested had been charged u/s 353, 186, 392 and 186. When they tried to illicit more information, the Police Officials threatened them with similar consequences. They later found out that 2 of the activists were beaten up as they refused to sign a document.

The Commission took cognizance of the complaint on 2-6-14 and directed a copy be sent to the concerned authorities calling for an action taken report within 4 weeks. Accordingly the DGP, Madhya Pradesh was intimated on 21-6-14 and a reminder was further served on 20-8-14.

The DGP replied on 16-10-14 that as per the investigation carried out by the Police, the charges were substantiated and a challan was prepared accordingly and the case transferred to the Court on 21-5-14.

**59. Case No.51/15/2/2013 LF 57/15/2/2013, 55/15/2/2013, 54/15/2/2013, 59/15/2/2013, 7/15/2/2014**

The Commission on 22-11-13 received a HRD Harassment complaint dated 20-11-13, from Asian Human Rights Commission, regarding the harassment of Human Rights Defender Ms. Agnes Kharshing. The victim was arrested on 16-11-13 by the Police while she was protesting against illegal demolition by the Meghalaya Urban Development Authority. They did not inform her of the charges against her as there was no definite FIR. After sometime police officials received through the phone the charges against her u/s 109/186/ 188/ 353/ 332/ 506/ 34. She was taken for a medical test and then produced before the Chief Judicial Magistrate, Shillong, who denied her bail. She was released on bail only on 16-11-13.

The Commission took cognizance of the complaint on 26-11-13 and directed issuance of notice to the concerned authorities calling for a report in the matter within 4 weeks.

The Commission last took cognizance of the matter on 11-8-14. It observed that no report has been filed by the Secretary, Govt. of Meghalaya in the matter so far. The Commission directed issuance of a final reminder to the concerned authority calling for a report within 4 weeks failing which the Commission would be constrained to invoke the provisions of section 13 of the PHRA, 1993.

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The Under Secretary to the Govt. of Meghalaya replied via letter dated 24 October 2014 and enclosed letter no. 51/15/2/2013 dt. 10-10-14 along with its enclosures in original received from NHRC, which it claims is self-explanatory for favor of information and prompt necessary action from the Commissions end.

**60. Case No. 1739/25/13/2012 LF 1762/25/13/2012**

The Commission received an HRD Harassment complaint on 12-11-12, dated 9-11-12, from Henri Tiphagne, regarding the harassment of a Human Rights activist Azhimuddin Sarkar by local miscreants and subsequent inaction by the concerned Police Officials (non-registration of FIR). The local miscreants of the area raided his house with lethal weapons and firearms and looted gold ornaments and other household items and made verbal intimidation for Mr. Azimuddin Sarkar. Police refused to file the FIR. On 17<sup>th</sup> October, the local miscreants assembled at the adjoining area of Mr. Azimuddins residence with lethal weapons and made intimidating remarks that they would kill him.

The Commission took cognizance of the complaint on 21-11-12 and directed issuance of notice to the concerned authorities calling for a report in the matter within 4 weeks. A reminder was issued on 19-2-13 calling for the report within 4 weeks failing which the Commission would invoke the provisions of section 13 of Protection of Human Rights Act, 1993 (PHRA).

The Commission received a report that an FIR no. 50/13 u/s 448/427/325/34 IPC had been registered at P.S. Raninagar regarding the incident and investigation is pending. The Commission on 24-6-13 considered the report and directed the S.P. Murshidabad to submit a further report as to: 1.) Status of investigation in the FIR. 2.) Reasons for delay in registration of FIR along with details of action against the erring police officials; to be replied within 4 weeks.

On 21-10-13, the Commission directed a reminder and gave another 4 weeks time and failing which the Commission would take action under section 13 PHRA, 1993.

The S.P. Murshidabad submitted a report which stated that the accused had surrendered in the Court and charge sheet had been submitted on 14-3-13. The Commission considered the said report on 12-2-14 and held that the report is silent on the issue of delay in registration of FIR. A reminder was directed to be issued to the S.P. Murshidabad giving 4 weeks to file the report.

The Commission last considered the matter on 11-8-14. It viewed that no report had been filed by the S.P. till that date. It therefore directed issuance of summons for personal appearance of the S.P. before the Commission on 30-9-14 along with the requisite report. In case the said report was submitted on or before 23-9-14, his personal appearance shall stand dispensed with.

The S.P. replied on 8-9-14 that the case had ended in u/s 448/323/427/506/34 IPC. Further stated that on 15-10-12, Mr. Najibar made a verbal complaint. This was diarised as

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GDE no. 910 dt. 15-10-12. At that time no written formal complaint was lodged at the P.S. Subsequently Azimuddin Sarkar lodged a written complaint after which FIR was registered.

**61. Case No. 1297/20/30/2014**

The Commission received a HRD Harassment complaint on 18-6-14 dt. 17-6-14, from PL Mimroth, regarding violation of Human Rights of a Dalit Human Rights Defender Shri Bajrang Lal Meghaval and Shri Prabhu Dayal Balmiki. The local Police in connivance with the local mafia were trying to eliminate Bajrang Lal. On 13-6-14, he was attacked by his opponents. Though Shri Bajrang Lal survived Shri Prabhu Dayal died.

The Commission took cognizance of the complaint on 8-7-14 and directed issuance of a copy of the complaint to the concerned authorities calling for an action taken report within 4 weeks.

**62. Case No. 1047/22/5/2013 LF 1105/22/5/2013**

The Commission received an HRD harassment complaint on 25-6-13 dated the same date, from Henri Tiphange, Working Secretary, Human Rights Defenders Alert-India, regarding the violations of Human Rights of 51 Periyar Dravida Kazhagam activists. The incident took place on 23-6-13 at Coimbatore and Pollachi when the activists were protesting against the training of Sri Lankan military officers Defence Services Staff College (DSSC). They protested in front of Union Minister of Commerce E M Sudarshan Nachiappan's car and waived black flags and raised slogans. They were then arrested by the Police.

The Commission took cognizance of the complaint on 1-7-13. It directed issuance of notice to the DGP, Tamil Nadu calling for a report on the matter within 4 weeks.

The Commission on 29-10-13 directed issuance of a final reminder to the DGP, on his non-compliance as of that date. As despite issuance of a reminder, the DGP had not filed the requisite report, the Commission on 10-1-14 directed issuance of a conditional summons u/s 13 of Protection of Human Rights Act, 1993 to appear before the Commission on 14-3-14 along with the requisite report. The personal presence would be dispensed with on his filing the requisite report on or before 7-3-14.

The Commission last considered the matter on 11-8-14. It considered the report of the DGP received on 28-1-14, stating that the persons were arrested as a preventive measure u/s 151 CrPC and were released on the same day. As per the report, no Human Rights violations were reported during the arrest. The Commission directed a copy of the report be sent to the complainant for his comments, if any, within 2 weeks.

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**63. Case No. 308/18/2015**

The Commission received a complaint on 13-1-15 from Jayanta Kumar Das regarding grievous hurt caused to HRD activist Trailokya Panda and inaction by Police before and after incident (dt.6-1-15) in Balasore, Odisha.

The Commission took cognizance of the matter on 2-2-15. It directed transmission of petition to concerned authorities. Report within 4 weeks.

**64. Case No. 43574/24/2013**

The Commission received an HRD harassment complaint on 2-12-13 from Ashu Kumar, Bareilly, U.P. regarding handcuffing, thrashing, manhandling and parading of Professor Israr Khan (HRD activist) on 23-10-13 by Police officials.

The Commission took cognizance of the matter on 16-12-13. It directed issuance of notice to SSP. Report within 4 weeks. A reminder was sent on 19-2-14 giving further 4 weeks. As no report was submitted, Commission on 11-8-14 ordered issuance of conditional summons to appear before the Commission on 30-9-14 with the report. The requisite report has been received. The matter is under consideration of the Commission.

**65. Case No. 2161/12/56/2014**

The Commission received a complaint on 2-8-14 from Priya Pillai regarding illegal arrest and detention of GreenPeace (HRD) activists, in Singrauli, M.P. Also their communication equipment and solar panels were seized. Fake letters were issued in their name on 29-7-14.

The Commission on 8-8-14 took cognizance of the matter directing transmission of petitions to the concerned authorities. Report within 4 weeks.

**66. Case No. 1282/12/11/2014**

The Commission received a complaint on 29-5-2014 received a complaint from Krishan Kumar regarding his harassment in Chindwara, M.P., at the hands of police by filing false cases against him on 12-8-13.

The Commission took cognizance of the matter on 12-6-14 and directed transmission of a copy of the complaint to the DGP, M.P. Action taken report within 4 weeks. Reminder giving 4 weeks sent on 29-9-14.

**67. Case No. 6711/30/8/2014**

The Commission received a complaint from Amitra Sudan Chakraborty on 17-9-14 regarding the illegal detention of Dr. S.P. Uday Kumar (HRD), at New Delhi by immigration officials thus preventing him from going abroad.

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The Commission took cognizance of the matter on 26-9-14 and directed transmission of petition to the concerned authorities. Report within 4 weeks.

**68. Case No. 1349/6/25/2014**

The Commission received complaint from Teesta Setalvad on 13-10-14, regarding police atrocities on the minority communities (including several women) and despite registration of FIR not giving a copy of the same to the complainant (incident dt. 27-9-14).

The Commission took cognizance of the same on 22-10-14 and directed transmission of the petitions to the concerned authorities. Report within 4 weeks.

**69. Case No. 806/6/1/2014**

The Commission received a complaint from Teesta Setalvad on 20-5-14, regarding continuous harassment of her and her husband by Gujarat Police (Crime Branch) by filing of false charges against her since 2004.

The Commission took cognizance of the matter on 16-6-14. It directed transmission of petition to the Chief Secretary, Govt. of Gujarat. Comments within 4 weeks. Also directed to ensure that the trustees of Citizens for Justice and Peace were not persecuted in any manner. Requisite report received from Under Secretary, Home Dept., Govt of Gujarat, on 20-9-14. The matter is under consideration of the Commission.

**70. Case No. 125/22/44/2015**

The Commission on 15-1-15 received a complaint from Henri Tiphange regarding the victimization of Tamil writer Perumal Murugan by the hands of the members of the Sangh Parivar on 19-12-14, over matter in his book and apprehension that police may file FIR against him.

The Commission took cognizance of the matter on 21-1-15 and directed transmission of the petition to the concerned authorities. Report within 4 weeks.

**71. Case No. 528/18/3/2015**

The Commission received a complaint from Manoj Jena, Salepur, Odisha, on 2-2-15, regarding the death of RTI activist Krupasindu Sahoo, on 31-1-15. Alleged that when he went missing a few days back, Police took no action on a missing report.

The Commission took cognizance of the matter on 2-2-15 and directed transmission of the petitions to the concerned authorities. Report within 4 weeks.

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**72. Case No.877/25/15/2013**

The complainant drawn attention of the Commission towards a news report from West Bengal that one student of IIT, Guwahati cum human rights defender namely Ricky Biswas was assaulted by the eve teasers to take revenge of his protest against the eve teasing of a school girls returning home. The incident happened in Icchapur area of North 24 Paragana, District of West Bengal. The victim, HRD went to the concerned Police Station to lodge a FIR but police forced him to sit in the Police Station for a long time and then recorded his complaint only in general diary. It was further alleged that police was trying to implicate Ricky Biswas in false case.

The Commission vide its proceedings dated 18.07.2013 directed to issue notice to Superintendent of Police, North 24 Paragana calling for a report within four weeks. A communication has been received from the Superintendent of Police, North 24-Parganas, Barasat stating that the place of incident falls under jurisdiction of Noapara Police Station which is under jurisdiction of Commissioner of Police, Barrackpore. The report had been called for from the Commissioner of Police, Barrackpore.

Vide communication dt. 17-7-14, Commissioner of Police, Barrackpore conveyed that case no. 262/2013 has been registered at PS Naapara on 3-7-13 u/s 341/323/325/506/354/34 IPC against 2 accused persons. Further states that chargesheet under those sections has been filed.

The Commission on 16-9-14 considered the report and directed the Commissioner of Police, Barrackpore to send a copy of the chargesheet to the Commission within 4 weeks. Copy of report also directed to be sent to complainant for comments.

**73. Case No.961/25/14/2014**

The Commission has received a complaint dated 7.7.2014 from Mr. Amrita Sudan Chakraborty, MANAB, Burdwan, West Bengal drawing attention of the Commission towards a news report about the murder of one your human rights defender viz. Ajoy Ghosh, aged 17 years for raising his voice against eve teasing. The victim was allegedly murdered in the school premises due to negligence on the part of the school to provide security or protection to the students. Police is also allegedly on a denial mood to take appropriate action. A prayer was made before the Commission to investigate the matter and to provide the security and protection to the family members of the deceased.

The Commission took cognizance in the matter on 30/07/2014 and called for an action taken report from the Superintendent of Police, Nadia, West Bengal within four weeks.

The requisite report has been received from the Superintendent of Police, Nadia, West Bengal on 10-9-14. It stated that PS Case no. 126/14 was registered u/s 447/326/307/34 IPC and u/s25/27 Arms Act. Section 302 IPC was also added. 4 persons

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had been arrested and after investigation was completed, chargesheet was filed on 12-6-14. It further stated that securing compensation was beyond the scope of police function.

The Commission considered the report on 27-10-14 and held that for entitlement of compensation it must be known that incident was due to State authorities negligence. It directed transmission of copy of chargesheet to Commission within 4 weeks. Copy of report be sent to complainant for comments.

**74. Case No.965/18/3/2014**

The Commission has received a complaint dated 24.02.2014 from Pradip Pradhan, State Convener, Odisha Soochana Adhikar Abhijan, Bhubaneswar, Odisha alleging that the RTI Activist Ram Chandra Mallik had filed an RTI application seeking information about construction of ponds under NREGA in Kotasahi Gram Panchayat Odisha. However apprehending trouble due to the disclosure of information, Ram Chandra Mallik has been abused and threatened with life by the opposite party by forcefully entering into his house. It has been alleged in the complaint that he was offered a bribe to withdraw his RTI application. Though an FIR has been lodged in this concern, no action has been taken till date.

The Commission has considered the matter on 7.3.2014 and directed to issue notice to Director General of Police, Odisha for a response in six weeks. Accordingly, a notice has been issued to the DGP, Odisha on 20.3.2014. The Superintendent of Police, Cuttack has sent a report dated 11.05.2014 stating that an enquiry was got conducted by SDPO, Choudwar. As per the enquiry report, Ram Chandra Mallik has received all the information from the G.P office in response to his RTI application. It has been stated in the report that the allegations leveled are false and have been made only because Ram Chandra Mallik was annoyed due to the non-processing of his application for old age pension. Now his application has been sanctioned and is under process; and that he would get his pension after the lifting of the election code of conduct.

The Commission has considered the report on 11.8.2014 and directed to sent a copy of the report to the complainant for his comments, if any, within two weeks. Accordingly, a letter has been sent to the complainant on 22.8.2014. The complainant comments are still awaited.

**75. Case No. 15826/24/73/2014**

The Commission has received a complaint dated 13.05.2014 from Shri Nand Lal Shukla, State Secretary, Rashtriya Manavadhikar Sangathan, Jangiganj, U.P. alleging that police unnecessary harassing and creating problem for him. A prayer has been made to take action against the guilty police officials.

The Commission has considered the matter on 23.5.2014 and directed to issue notice to the concerned authorities calling for a report within four weeks. Accordingly, a notice has been issued to the SSP, Sant Ravidas Nagar, U.P. on 26.6.2014 and a reminder on 20-8-14.

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The requisite report is still awaited.

**76. Case No.441/10/28/2013**

The Commission received a complaint dated 29/7/2013 from Secretary General, Human Rights Federation of India(HRFI), Karnataka stated that Human Rights Defenders are getting life threat and false complaints against them in Mangalore and Mysore areas. It is further alleged that they have already booked several cases against corrupt official through Lokayuktha in Hassan District.

The Commission took cognizance in the matter on 14/8/2013 & directed the Chief Secretary, Karnataka and DGP Karnataka to submit a report.

In response, Commissioner of Police, Mysore City stating that suitable instructions have been given to the police officer/staff to provide protection and co-operation to the directors of HRFI, Mangalore when they visit the police stations to file complaints against erring bureaucrats. The DGP had also submitted that reported that no human rights defenders are tortured in the district nor has any of them approached the police for protection. He had further stated in the report that if any of them asks for police protection, the same shall be provided to them. On the directions of the Commission, the reports were sent to the complainant for his comments.

The comments have been received from the complainant and sent for English translation. The matter is under consideration of the Commission.

**77. Case No. 2391/13/16/2013**

The complainant has alleged that Ankita Sah a Nagpur based RTI activist has been booked at Marine Drive Police Station, Mumbai under various several charges after she allegedly protested her ouster from appeal proceedings in Urban Development Department.

The Commission on 29.8.13 directed to issue notice to the Commissioner of Police, Mumbai calling for a report in the matter within four weeks.

Pursuant to the directions of the Commission, the DCP, Zone-1, Mumbai reported that on 15.06.2013, CR No.90/2013 u/s 441, 353 and 506 IPC was registered in P.S. Marine Drive, Mumbai against Ms. Ankita Shah on complaint of Mr. Subhash Baban Ingale, OSD to the Chief Secretary, Urban Development Department of the State of Maharashtra, Mumbai. At the time of hearing of an appeal by the Chief Secretary, Urban Development Department, Ankita Shah entered his cabin without permission and started creating ruckus and on asking her to go out from the chamber as the hearing of appeal was in progress, she refused to leave, saying it is a public office and all can come here. She was obstructing a public servant from execution of his duty. She was not arrested on 15.06.2013.

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On the directions of the Commission, comments have been called for from the complainant. The comments of the complainant have been received. The matter is under consideration of the Commission.

**78. Case No. 57/14/4/2014**

The Commission has received a complaint dated 26.7.2014 from Mr. Rob Wesley Smith, Australia alleging harassment and threat against members of two human rights organizations viz. Centre for Social Development (CSD) and Women Action for Development (WAD), Imphal by the local MLA and others. No FIR has been registered by the police. A prayer was made for the registration of FIR and protection to the staff members of these organizations.

The Commission considered the matter on 08.8.2014 and called for a report from the Senior Superintendent of Police, Imphal, Manipur within four weeks vide letter dated 14.8.2014. The requisite report is still awaited.

**79. Case No. 39477/24/72/2013**

The complainant Shri Lenin Raghunshi, who is a human rights defender alleged beating of himself and his wife by some peoples in a Hotel on 19-10-13 and no medico-legal-report of his wife, was made by the police.

Upon consideration the matter on 12.11.2013, the Commission directed to issue notice to Sr. Suptd. of Police, Distt. Varanasi, UP to submit a report in the matter within two weeks. The requisite report is awaited despite reminder.

**80. Case No. 122/12/2/2011**

Ms. Joshodhara Das Gupta & Y.K. Sandhya on behalf of National Alliance for Maternal Health & Human Rights (NAMHHR), New Delhi have alleged that frequent maternal deaths have been occurring in the hospital of Barwani, M.P. They also alleged that the District Administration has harassed many of Jagrit Adivasi Dalit Sangathan(JADS) activist who were on peaceful protest to get the situation corrected. They have prayed for action against the culprits and stopping harassment of the JADS activist.

The Commission directed to issue notice to DM, SSP, Barwani & CMO, District Hospital, Barwani. Reminder has been issued in the matter. Since complete report has not been received the Commission directed to issue another reminder.

In response to the Commission directions, the Supdt. Of Police, District Barwani informed that on 7.12.2010, Smt. Vepari Bai was admitted for delivery in District Hospital, Barwani and she died on the same day. In this regard, a case at Cr. No. 105/10 u/s 174 Cr. P.C. was registered. Aggrieved by the death of Vepari Bai, Ms. Madhuriben of Dalit Social Organisation alleged medical negligence in her death. The organization has also organized dharna and did not allow hospital staff to function. The Medical Superintendent, District

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Hospital, Barwani lodged an FIR No. 280/10 u/s 147/186 IPC. The matter is under investigation. According to SP, Barwani, due to the police action, this complaint has been submitted.

The District Magistrate, Barwani reported that Jagrit Adivasi Dalit Sanghathan (JADS) harassed the hospital staff and obstructed them while performing duties. This caused inconvenience to the patients in the Family Ward of the hospital. In the report, it was submitted that ANC cases were admitted in the hospital in spite of their poor general condition and some of them were complicated by anaemia with very low haemoglobin. Some of them were also Malaria positive. At primary level, they were given treatment. When their condition deteriorated, they were admitted to the District Hospital, Barwani. These cases resulted in multi-organ failure and death. The allegations of medical negligence and lack of care in the District Hospital were denied.

On consideration of reports, the Commission vide directions dated 14.8.2011 directed (i) Transmit report dated 11.3.2011 forwarded by Chief Medical & Health Officer, District Barwani to the Secretary, Department of Health, Government of Madhya Pradesh for necessary action; (ii) SP Barwani to submit status of investigation in Cr. No. 105/10 and FIR No. 380/10. Pursuant to the directions of the Commission, letters were issued to the Secretary, Department of Health, Government of MP and Superintendent of Police, Barwani.

A report of Under Secretary, Madhya Pradesh Administration, D/o Public Health and Family Welfare, intimated the Commission about the various measures and the action plan proposed to be taken by the Government so as to address the problem of maternal deaths in the district Barwani, Madhya Pradesh.

On consideration of reports, the Commission vide proceedings dated 25.9.2014 directed to send the copies of the reports to the complainant for his comments. Accordingly, a letter has been sent to the complainant on 13.10.2014.

The complainant comments are still awaited.

**81. Case No.20903/24/72/2011 LFs 21069/24/72/2011 & 22280/24/72/2011**

Dr. Lenin, Secretary General, PVCHR, an NGO, has alleged that one of the activist Sh. Mangala Rajbhar is being threatened by police because he raised the issue of inaction by the police in a gang rape case. Shri Balgovind Mishra, Incharge of Police Outpost Kathiraw under Phulpur Police Station, Varanasi, allegedly called Mr. Mangala Rajbhar on his mobile phone on 2nd June, 2011, at about 1.00 a.m. to threaten him because he had advocated the case of a rape victim Kumari Neelam. He again called Mr. Mangala in the afternoon of 2nd June, 2011. Shri Mangala is a member of Governing Board, PVCHR. The Managing Trustee of the PVCHR called Shri Balgovind Mishra on his mobile phone No. +91-9415533736 at 19.38 hours. However, Shri Mishra talked to her rudely and threatened that he was going to file a case against Mr. Mangala. Shri Lenin, Secretary General,

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PVCHR, has protested against this conduct of the police officer against Human Rights Defenders.

Two more complaints were received from Sh. Henri Tiphagne and they were registered as case Nos. 21069/24/72/2011 & 22280/24/72/2011. Since the subject matter of all the complaints was similar they were clubbed together.

Pursuant to the directions of the Commission, the SP, Rural, Varanasi, has sent his report dated 17.11.2011 alongwith the report of the Circle Officer. The whole report is in respect of FIR No. 243/10 U/S 354/323 IPC registered against one Ravinder Patel @ Chotu in respect of Kumari Neelam. A chargesheet in this case has already been filed in the Court. The Commission vide its proceedings dated 08.7.2012 directed that SSP, Varanasi to submit a proper report touching upon the allegations made in the complaint within four weeks.

On consideration of report received from SP (Rural), Varanasi, the Commission observed that the report is not in accordance with the repeated directions of the Commission. The Commission takes a serious view while considering the matter on 25.8.2014 and directed DGP, Govt. of Uttar Pradesh to submit a report in the matter.

**82. Case No.283/1/7/2014**

The Commission received a complaint dated 28.02.2014 from Moullim Mohsin Bin Hussain Kasary, Hyderabad, Andhra Pradesh. The complainant himself an RTI Activist as well as a Wakf properties protection activist has been alleged that various political persons, named in the complaint, are involved in Wakf properties scam and since the complainant is actively working against corruption as regards the wakf properties, the said persons accused in the complaint want to kill the complainant.

The Commission has considered the matter on 06.03.2014 and directed that the complaint be transmitted to the Chief Secretary, Andhra Pradesh and DGP, Andhra Pradesh calling for an action taken report within four weeks. Accordingly a letter has been issued on 20.3.2014.

The Director-General of Police, Andhra Pradesh has sent a report dated 22.4.2014 stating that an enquiry was conducted into the matter by the Deputy Commissioner of Police, Central Zone, Hyderabad. The enquiry had revealed that the complainant is an advocate and journalist working with a monthly magazine and had contributed some important news items as regards the illegalities committed in Wakf properties by leaders and officials. During the course of the enquiry, the complainant was being contacted however his whereabouts are not known. It has been found that the complainant has not attended his office since last one month and had gone to Delhi for some personal work. Thus, it has been requested that the Commission may grant some more time for the completion of enquiry and submission of a detailed report.

The Commission has considered the report on 11.8.2014 when it observed and directed as under:

<p><b><i>NOTE → "THE STATUS OF CASE MAY BE CHECKED BY ENTERING CASE NUMBER ON THE HOME PAGE IN 'SEARCH' OPTION"</i></b></p>
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*'As per the report, the enquiry could not be completed since the whereabouts of the complainant are not known and the concerned authority seeks further time to complete the enquiry. In the said circumstance, the Commission deems it appropriate that a further period of four weeks is granted for the completion of enquiry and the Director-General, Andhra Pradesh is directed to file a detailed enquiry report within four weeks'*

Accordingly, a letter has been sent to the DGP, Andhra Pradesh on 22.8.2014.

The requisite report is still awaited.

**83. Case No.1068/25/5/2014**

The Commission has received a complaint dated 7.7.2014 from Shri Amrita Sudan Chakraborty, Founder, MANAB, Burdwan, West Bengal drawing the attention of the Commission towards a news report about the murder of Sourav Chaudhury , a human rights defender , at Bamnangachi area, Kolkata and negligence of the police to arrest the accused. A prayer was made for investigating the matter and directing the concerned authority to provide protection to the family of the deceased and compensation to the legal heirs of the deceased.

The Commission considered the matter on 13.8.2014 and called for a report from the Commissioner of Police, Kolkata, West Bengal within four weeks.

The requisite report is still awaited.

**84. Case No. 42041/24/30/2012**

The Commission has received a complaint from one Shabbir Khan alleging physical assault by one Dinesh Kumar on 2.11.2012 and atrocities/harassment by the police of PS : Phase-II NOIDA, District Gautam Budh Nagar, U.P. He has prayed for intervention by the Commission in the matter.

In response to the Notice, the Sr. Superintendent of Police, Gautam Budh Nagar, vide his communication dated 28.4.2012, has submitted the report. Perusal of the same reveals that there was a scuffle between petitioner Shabbir Khan and Dinesh Kumar on 2.11.2012. They were brought to the police station and two cases vide NCR Nos.142/2012 and 143/2012 were registered against them. During the course of investigation, both submitted that they have reached a compromise and that no further action be taken. The allegations of petitioner were denied in the police report.

Pursuant to the directions of the Commission, a copy of the police report was transmitted to the petitioner for comments. The petitioner vide his comments dated 28.5.2013, has contradicted the police report. He has reiterated his allegations that he was physically assaulted and harassed by the police personnel. The petitioner fears that he may be implicated in the false case by the police personnel. He has prayed for an independent enquiry into this matter.

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Upon consideration of the matter on 29.8.2013 the Commission observed and directed as under :-

*“The Commission has considered the matter. The petitioner has contradicted the police report. In these circumstances, let a Notice be sent to the Inspector General of Police Meerut Zone, Meerut, U.P., calling upon him to get this matter independently enquired into and submit the report within eight weeks. A copy of the police report together with complaint and comments received from the petitioner be also transmitted”.*

A report received from the Dy. Inspector General of Police, Meerut, stating that the complainant was a former union leader of a company TS Taxson. Independent witnesses, who are workers of the company, have stated that the complainant has been involved in harassing and assaulting the employees of the company regarding the union elections. A FIR No.651/13 dated 19.06.2013 has been filed against the complainant under section 386/323/504/506 IPC; in which a chargesheet has also been filed after the completion of investigation. As per the report, the allegations of the complainant have been found unsubstantiated and that the complaint has been filed only with the intention to pressurize the police.

On the directions of the Commission, comments has been called for from the complainant.

The complainant comments are awaited.

**85. Case No.399/18/28/2013 LF 400/18/28/2013, 401/18/28/2013 & 1053/18/2/2013**

A complaint dated 24.1.2013 was received from Shri Chandranath Dani, Secretary, Center for Legal Awareness and Human Rights, Bhubaneswar, Odisha regarding illegal arrest of Members of the Parents & Guardian Association, DAV School, Bhubaneswar. The Commission took cognizance on 24.1.2013 and issued notice to Commissioner of Police, Bhubaneswar, Odisha calling for a report.

Upon consideration of the matter on 9.9.13 the Commission observed and directed as under :-

*“In response, the petitioner, vide his communication dated 27.8.2013, has submitted his comments. The petitioner has contradicted the police report and has stated that the human rights defenders and peaceful protestors were subjected to illegal detention and custodial violence. He has prayed for an independent and impartial enquiry in the matter.”*

The Commission has considered the matter. Let a copy of the response received from the complainant be transmitted to the Commissioner of Police, Bhubaneswar, Odisha for his comments within six weeks.

Upon consideration of the matter on 24.12.2013 the Commission directed as under :-

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*“The reports from the State Authorities have since been received. Let a copy of the reports received from the State authorities in this case be transmitted to the complainant for comments if any within four weeks”.*

The Commission considered the matter on 11.8.2014 and inter-alia directed as under:

*“As per the report, the allegations leveled by the complainant are false and baseless. Thus it would be appropriate that a copy be sent to the complainant for his comments, if any, within four weeks”.*

The complainant comments have been received.

**86. Case No. 37731/24/40/2014**

The complainant, Shri Amitra Sudan Chakraborty r/o District Burdwan, West Bengal alleged about the atrocities on a dalit woman (Human Rights Defender) by certain influential persons who took her captive, tortured and forced the victim to consume human faeces and urine. The press clipping enclosed states that the accused persons inserted a stick wrapped with cloth and dosed in petrol into rectum of a male victim. The Complainant requested the Commission for appropriate action and compensation to the victims.

The Commission took cognizance of the complaint on 31.10.2014 and directed the Senior Superintendent of Police, District Jhansi, Uttar Pradesh to submit an Action Taken Report in the matter.

The requisite report is awaited.

**87. Case No. 12122/24/24/2013**

The complainant alleged that Sh. Muharam Ali, a human right defender was tortured and threatened by the SHO Aliganj at the instance of rioters who ransacked his house at Village Ahladpur, Post Tanda, Police Station Aliganj, District Ambedkar Nagar on 3.3.2013. It is also alleged that police also pressurized him to withdraw the case against the accused.

The Commission on 5.4.2013 directed to issue Notice to the concerned authorities calling for a report in the matter within four weeks.

The Commission on 25.7.2013 directed to send a copy of the report to the complainant through registered post for his/her comments, if any, within six weeks.

The Commission on 7.1.2014 observed that “in response to the directions dated 5/4/13, the Commission has received a report dated 27/5/13 from SP, district Ambedkar Nagar enclosing a report dated 23/5/13 from the Circle Officer, Tanda, Ambedkar Nagar. During inquiry the victim was associated and he stated that on 3/3/13 after the death of

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Ram Babu, riots broke out in the area and section 144 Cr.P.C. was imposed. In these riots, his house was also burnt. On 25/3/13, while he was going to his brother's house 7-8 persons surrounded him. At the same time, the station officer, Aliganj reached there, scolded them and asked them to disperse. Thereafter, he took him in a Jeep for the identification of the accused who had burnt his house. The report mentions that regarding the riots an FIR No. 35/13 u/s 147/148/435 IPC was registered against 50-60 unknown persons. During investigation, 14 persons had been identified and investigating officer had been instructed to expedite and conclude the investigation. As regards the compensation / financial assistance to the victim, the decision is to be taken by the District Administration. The Commission vide proceedings dated 25/7/13, transmitted the report received from the police authorities to the complainant for his comments. The complainant has not submitted his comments. The Commission has considered the material placed on record which reveals that regarding the complainant's allegations of damage to his house by rioters an FIR had been registered and investigation is pending. In the interest of justice, let a copy of the report be sent to the victim Muharam Ali r/o village Ahladadepur, post Tanda, Aliganj, district Ambedkar Nagar, Uttar Pradesh for his comments, if any, within eight weeks."

The victim Moharram Ali vide his communication dated 01.02.2014 has submitted his comments. He has contradicted the police report and has reiterated his allegations. According to the victim the police report is all together false. He was indeed abused, beaten up and was threatened by the Station House Officer, Aliganj and has prayed for an impartial inquiry in the matter.

The Commission has considered the matter on 11.8.2014 when it observed and directed as under:

*'The victim Moharram Ali, a human right defender has contradicted the report of Superintendent of Police, Ambedkar Nagar and has reiterated the allegations made in the complaint against the police. In these circumstances the Director General of Police, Government of U.P. is directed to get this matter independently enquired into by a Gazetted Officer from other than district Ambedkar Nagar and submit the report within eight weeks. A copy of the complaint, police report and comments thereof of the victim be also transmitted for ready reference.'*

Accordingly, a letter has been sent to the DGP, Uttar Pradesh on 29.8.2014.

The requisite report is still awaited.

**88. Case No. 3133/22/2/2012**

The Commission received a complaint on 13.12.2012 from Shri Henri Tiphange alleging violent threats issued to activities of Makkal Mandram for protesting the caste violence instigated by PMK.

The Commission took cognizance on 17.12.2012 and issued notice to DGP, Tamil Nadu calling for action taken report.

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The report received from the concerned authorities was sent to the complainant calling for comments.

Upon consideration of the matter on 21.1.2014, the Commission observed and directed as under:-

*“The complainant has sought appropriate action against the activists of PMK and Vanniyar Sangam who indulged in arson causing destruction of about 400 Dalit houses in Dharmapuri in November, 2012 and disturbed the peace and tranquility of the members of Dalits in Makkal Mandram by causing annoyance and intimidation to them and also against the known gangster Sridhar.”*

In response to the notice issued by the Commission, the DGP, Tamil Nadu, Chennai has forwarded vide his letter dated 7.5.2013 a report of SP, Kancheepuram dated 6.5.2013 which shows that crime no. 1458/12 u/s 147/148/341/120(B)/202 IPC r/w Section 3 (i) (x) of SC/ST (PA) Act, 1989 was registered on the complaint of one Indira W/o the deceased Narainan against the accused. After investigation, a charge sheet was submitted to the court on 17.4.2013 against Sridhar and 12 other accused. Ther report does not mention if any monetary compensation has been paid to the widow/dependents of the deceased under SC/ST (PA) Rules.

The report further mentioned that no FIR was lodged and no information was given by the people of Makkal Mandram to police against roaming of shirtless youths in bikes in their area. Further, no untoward incident has taken place in Kancheepuram or Mangalpadi Village till now. The allegations of Makkal Mandram were found baseless. Further, the SHO of Baluchettychatram has been directed to keep vigil and ensure safety of Makkal Mandram people.

It was further intimated that a crime no. 801/12 u/s 143/188 IPC was registered against office bearers of VCK Party for condemned meeting organized on 20.12.2012. Since their speeches were creating communal clash, a crime no. 804/12 u/s 294 (1) and Section 153A IPC was also registered against them.

It was also mentioned that a number of criminal cases were registered against the people of Vanniar Sangam and PMK Party who organized the Chithiral Muzhu Nilavoo festival on 25.4.2012 for violation of the conditions laid down by the District Police. It is also stated that stringent and proper legal action was taken against the notorious gangster Sridhar and his group by the police.

Copy of the above report was sent to the complainant by Registered Post vide communication dated 29.5.2013 calling for his comments, if any, by 12.6.2013.

The complainant though sought further time to send his comments vide his letter dated 19.6.2013 but he has not sent any comments to challenge the correctness of the facts stated in the report of SP, Kancheepuram dated 6.5.2013.

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The Commission has considered the above report.

The DM and SP, Kancheepuram are directed to intimate within six weeks if monetary compensation/relief and any other help has been provided to the widow/dependents of deceased Narainan in crime no. 1458/12 of PS Shivakanchi as per the provisions of SC/ST (PA) Rules, 1995 as amended up-to-date.

Report has been received from the DM, Kancheepuram, stating that the SP had sent proposals to the District Collector for sanction of payment of 75% of the compensation amount to the family of the deceased. Upon the consideration of proposal, the District Collector sanctioned compensation relief of Rs.3,75,000/- i.e, 75% of Rs.5,00,000. The balance amount of Rs.1,25,000/- will be pursued only after the disposal of the criminal case no.1456/2012. The report further states that proposals for financial assistance have also been sent to the Director, Dr. Ambedkar Foundation, New Delhi. The Commission has perused and considered the report. As per the report, 75% of the compensation amount has already been released to the family of the victim. It is thus directed that a copy of the report be sent to the complainant for comments, if any, and also to intimate the Commission if the mentioned amount has been duly received by them within four weeks. The DM and SP are further direction to intimate the Commission of the status of Crime case No.1456/2012 as well of the proposals sent to Dr. Ambedkar Foundation, New Delhi.

A copy of the report was sent to the complainant for comments and District Magistrate & Supdt. Of Police, Distt. Kanchipuram were also directed to send the requisite report.

The complainant has requested the Commission for extension of time for another one month to file comments in the matter.

The requisite report is received the Supdt. Of Police, Distt. Kanchipuram.

The matter is under consideration of the Commission.

**89. Case No. 313/18/6/2014**

The complainant has alleged arbitrary and illegal detention of human rights defenders namely Digamber Duria, Srikant Bharatia, Mansingh Bharatia, Tirath Nag and few others by Kokasara Police in Kalahandi District of Odisha on 31.12.2013 when they were protesting and demanding proper implementation of laws that ban bonded labour, steps to curb acute poverty and starvation deaths etc. It has been alleged that the victims have been falsely charged for waging war against the State & sedition u/s 147, 148, 149, 358, 120 (b), 121 (a), 124 (a) IPC. The complainant has requested an immediate appropriate action in the matter.

The Commission on 21.1.2014 directed that a notice be issued to the Director General of Police, Odisha calling for a report in the matter within four weeks.

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The Superintendent of Police, Kalahandi has sent a report dated 03.03.2014 stating that on 31.12.2013, the CM of Odisha was to visit Tendapali, P.S Koksara to lay the foundation stone over Behera Nala; in connection to which temporary helipad was made and officers were deployed to maintain law and order. When the CM arrived in the helicopter, the opposite party entered the helipad armed with broken pieces of bricks, manhandled the officers and were raising anti-government slogans. Since the accused persons threatened law and order situation, they were apprehended by the police and forwarded to custody in Kokasara PS Case No. 209 dated 31.12.2013 under section 147/148/121-A/124-A/506/353/120-B/149 IPC. As per the report, the investigation is under process.

The Commission has considered the report on 11.8.2014 when it directed that a copy of the report be sent to the complainant for comments, if any, within two weeks.

Accordingly, a letter has been sent to the complainant on 19.8.2014. The complainant comments are awaited.

**90. Case No. 312/13/16/2014**

The complainant has alleged that a RTI activist Abrar Ahmed Zamil Ahmed, who had sought information under RTI Act from Mumbai Municipal Corporation regarding construction of unauthorised buildings in Bhiwandi area, has been killed in Mumbai on 17.12.2013.

The Commission on 14.2.2014 directed to issue notice the Commissioner of Police, Mumbai calling for a report in the matter within four weeks.

The Deputy Commissioner of Police, Zone- II, Bhiwandi, Mumbai has submitted a report dated 10.04.2014 stating that an inquiry was got conducted into the matter by Sr. PI, Shantinagar. As per the report, FIR dated 16.13.2013 under section 302/506/143/147/148/149 IPC as regards the murder of the victim Abrar Ahmad Jamil Ahmad Ansari. It has been stated that a proper investigation has been carried out and evidence was collected against the accused persons. Accused Gufran has been granted anticipatory bail whereas accused Ashif Sher Khan is in judicial custody. Upon completion of investigation, chargesheet dated 08.03.2014 has been filed against five accused persons under section 302/325/506/143/147/148/149 IPC read with section 37(1)/135 BP Act. The search for wanted accused persons is also being conducted.

The Commission on 11.8.2014 has considered the report and directed that a copy of the report be sent to the complainant for his comments, if any, within two weeks. Further the Commissioner of Police is also directed to file a fresh status report as regards the wanted accused persons within a period of four weeks.

Accordingly, letters have been sent to the complainant and to the Commissioner of Police, Mumbai, Maharashtra on 29.8.2014.

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The comments of the complainant and requisite report are still awaited.

**91. Case No.362/18/24/2012, 412/18/24/2012, 413/18/24/2012, . 362/18/24/2012**

Sh. Baghambar Pattanaik, Human Rights Activist, Adviser, Odisha Goti Mukti Andolan, Bhubaneswar in an e-mail complaint dated 10.03.2012 alleged that Deepak Kumar, SP, Jajpur, Odisha extended threat on life and liberty of Biswanath Patra, a human right defender. The complainant had requested the Commission to intervene and conduct an inquiry on the abetment of human rights by Deepak Kumar, SP, Jajpur.

The Commission took cognizance in the matter on 15.03.2012 & directed DG(I) to collect requisite reports within eight weeks.

Report of Investigation Division was placed before the Commission on 31.05.2012 when it directed to issue a notice to DGP, Odisha calling for a detailed report.

The report received in the matter was considered by the Commission on 6.3.2012 when it directed to call for comments of the complainant.

Complainant comments have been received. The matter was considered by the Commission on 28/10/2013, when it directed to DG(P), Odisha the enquiry officer to record the statement of the complainant and after associating him in the enquiry, submit a detailed report. Report received on 16-8-14.

A Complaint has also been received from Sh. Biswanath Patra, Human Right Defender & Manoj Jena Convenor, Human Rights Front(HRF), Odisha, on the same incident which has been registered as Case No.412/18/24/2012 & 413/18/24/2012 respectively.

**92. Case No. 2297/18/24/2013**

A complaint dated 26.9.2013 was received from Henri Tiphagne, wherein he alleged that police arbitrarily arrested a human rights defender and detained in the police station. No complaint has been lodged in his name.

Upon consideration the matter on 17.10.2013, the Commission directed Suptd. of Police, Distt. Jajpur, Odisha to submit Action Taken Report in the matter within four weeks.

The requisite report has been received from Superintendent of Police, Jaipur and the Commission considered the report on 02.5.2014 when it directed that a copy of the report received from the authorities be transmitted to the complainant under registered post for comments, if any, within four weeks.

The comments of the complainant is awaited.

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**93. Case No.338/11/13/2012**

The Commission received a complaint dated 12.10.2012 from the Asian Human rights Commission (AHRC) alleging that one Shri Prashant, a Human Rights Defender was physically tortured by one Sub Inspector of Kerala Police posted at Mathilakam Police Station in the Thrissur district.

Pursuant to the directions of the Commission , the State Police Chief, Police Hqrs., Kerala reported that on 07.10.2012 a case Crime No. 2171/12 was got registered U/S 143/147/148/341/323/324/506 (ii)/308/145 IPC against Vipin Raj, relative of the complainant, who was also involved in crime Nos. 388/11, 1404/11 and 485/11. After the incident the police patrolling was strengthened at the place of occurrence and nearby places for preventing further untoward incidents and conducted enquiries at the house of the accused to arrest them. On 07.10.2012 at 17.10 hours the complainant came to the Police Station and shouted on the Sub-Inspector of Police and asked him why he had gone to the house of Vipin Raj. When it was found that there is no other way than arresting the accused person, arrested him and registered a case Crime No. 2172/12 U/S 151 Cr.P.C. He was subjected to medical examination and was released on proper bail and no Sub-Inspector of police, Mathilakam Police Station or any other police personnel man-handled the complainant at the Police Station or made any illegal action.

The Commission considered the report on 21.7.2014 and directed that a copy of the report be sent to the victim Prashant seeking his comments within six weeks.

No comments have been received from the complainant.

**94. Case No. 1063/18/12/2013**

The complainant alleged that her husband Bikash Kumati Pati, a human rights activist, has been falsely implicated and his life is under threat in District Jail, Puri. It has also been alleged that some anti-socials sexually harassed his wife Mrs. Jyotsna i.e. the complainant, and threatened to kill her. She reported the matter to the Kumharpada Police Station, Puri but the police officials did not take action on her complaint and misbehaved with her.

The Commission on 13.5.2013 directed to issue notice to the Director General of Prisons, Government of Odisha and Superintendent of Police, Puri, Odisha calling for a report within four weeks.

As the requisite report has not been received within the stipulated period, the Commission on 6.8.2013 directed to issue final reminder to the concerned authority calling for the report within four weeks, failing which the Commission shall be constrained to invoke the provisions of Section-13 of the Protection of Human Rights Act, 1993.

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The Commission on 30.12.13 observed that requisite reports have been received from the concerned authorities. The Commission has considered the reports and finds it necessary to obtain complainant's comments on the reports.

The reports along with the documents, if any, be sent to the complainants through registered post for his/her comments, if any, which should be received in the Commission within eight weeks.

As no comments has been received from the complainant, the matter was placed before the Commission on 11.8.2014 when it directed that it seems appropriate that a reminder be sent to the complainant for sending her comments to the Commission within four weeks. Accordingly, an email has been sent to the complainant on 30.8.2014 seeking her comments.

The complainant comments are still awaited.

**95. Case No.1907/13/16/2014**

The Commission has received a complaint dated 01.8.2014 from Shri Kashyap Mansukhlal Vyas, a human rights activist and resident of Borivali (West), Mumbai alleging harassment to him and his family by the local hooligans and alleged accused persons and inaction by the police.

The Commission has considered the matter on 13.8.2014 and called for a report within four weeks from the Commissioner of Police, Mumbai, Maharashtra vide letter dated 21.8.2014

The requisite report is still awaited.

**96. Case No. 61/22/13/2014**

The complainant has alleged that one Human Right Defender named Mr. V Gouthaman along with five students named Paravai Dasan, Raymond, Gautham, Vasanthan and Jothilingam were illegally detained and one person named Tamil Inniyan was abused and physically tortured by the police on 20.12.2013 in Chennai, Tamil Nadu. It is stated in the complaint that Mr. V Gouthaman and the five students were illegally detained by the police without following the provisions of law and the guidelines laid down by the Supreme Court in the case of D.K. Basu vs. State of West Bengal. One person named Tamil Inniyan was also brought to the Guest House where the six persons were kept. When all of them were being taken to some undisclosed location from the Guest House the Assistant Commissioner of Police named Gnanasekaran arrived on the spot. He abused and brutally tortured Tamil Inniyan on the pretext that he had sent SMS messages to the media about the arrests. He was also hit on his private parts. All the alleged detainees were made to starve and no record about their detention was provided to them. Mr. Tamil Inniyan underwent treatment for two days at the Rajiv Gandhi Government

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Hospital. The complainant has prayed for action against the erring police officials and relief to the victims. These are serious allegations.

The Commission on 8.1.2014 directed DG (I) to depute a team along with an officer from the Law Division to carry out a detailed on the spot inquiry in the matter and submit a report to the Commission within two weeks.

Accordingly the Commission's Investigation team conducted an enquiry and submitted a report in the matter.

The Commission has considered the material placed on record 4.4.2014 and asked the Director General of Police, Tamil Nadu to initiate appropriate action against the police officials i.e. Shri Gnanasegeran, ACP, Nungambakkam and his team of police officials, including Inspectors S/Shri Shibu Kumar and Srikanth for arresting seven persons in FIR No. 2281 dated 20.12.2013 of Nungambakkam Police Station, without following guidelines of the Supreme Court of India and procedure prescribed under Cr.PC and submit a report in the matter within eight weeks. A copy of the Commission's team enquiry report dated 21.03.2014 also be sent to the Director General of Police, Tamil Nadu for ready reference. Accordingly, letters have been sent to the DGP, Tamil Nadu and to the complainant on 24.04.2014. Reminders dated 22.8.2014 were also sent to the DGP, Tamil Nadu and to the complainant on 22.8.2014.

The comments from the complainant have been received. Report from DGP, G/o Tamil nadu is still awaited.

The matter is under consideration of the Commission.

**97. Case No. 25102/24/72/2011 21867/24/72/2011 LF 31971/24/72/2011**

The complainant, a human rights activist, has brought to the notice of the Commission that he was approached by the labourers alleging their exploitation as bonded labourer. He raised the issue with the district authorities who deputed Tehsildar and officers of Labour Department to raid the brick kiln where the labourers were allegedly kept as bonded labourers. The complainant has alleged irregularities in the action taken by the authorities who threatened the labourers.

The Commission vide proceedings dated 18.07.11 called for a report from the D.M. Varanasi, Uttar Pradesh in this case.

The District Magistrate, Varanasi, has informed the Commission vide his letter dated 17.12.2012 that all except one labourer have been provided with financial package of Rs.20,000/- each. The remaining released labourer Shri Sita Ram is also likely to be given this financial package soon. As to the alleged misbehaviour of the SDM, the District Magistrate says that inquiry report dated 07.03.2012 was forwarded to the Commission. The Commission has not received the inquiry report dated 07.03.2012, mentioned in the communication of the District Magistrate.

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The Commission vide proceedings dated 31.03.2013 directed the District Magistrate, Varanasi, to send a copy of the inquiry report to the Commission. He has been further asked to inform the Commission of the status of the remaining released labourer Shri Sita Ram. The District Magistrate has also been asked to take further steps as the released bonded labourers are also required to be given benefits under the various State and Central Welfare Schemes, so that they are rehabilitated permanently. Since response was not received within the stipulated time, Summons were issued to the DM, Varanasi, U.P. to submit report.

The report has been received.

**98. Case No. 39326/24/6/2014**

The complainant, Shri Shankar Prasad Yogacharya,(an RTI activist and an ST person) alleged that he was attacked and police refused to registered his FIR against the named assailants. The Complainant requested the Commission for appropriate action against the accused and protection from them.

The Commission took cognizance of the complaint on 31.10.2014 and directed the Superintendent of Police, District Azamgarh, Uttar Pradesh to submit an Action Taken Report in the matter.

The requisite report is awaited.

**99. Case No. 49995/24/34/2011, 50016/24/34/2011 and 52195/24/34/2011**

Dr. Lenin Raghuvanshi, Secretary General/Executive Director, PVCHR in an e-mail complaint stated that on 29.11.2011 he received a threat on his mobile number +91-9935599333 from Mobile Number +94757251733, the caller later on told that his name was J.P.Mishra, resident of Gorakhpur. The Complainant alleged that the above named caller threatened him that he will shoot him dead and can do anything. The Complainant further alleged that the threat had come because the PVCHR had made a complaint in Shobrab killing case, Gorakhpur, in which name of Shri Aditya Yogi Nath, (Member of Parliament) had appeared. The complainant had requested to conduct a high level inquiry against the culprits and provide security to Dr. Lenin Raghuvanshi and witness in Shobrab killing case, Gorakhpur.

A Complaint has also been received from Mr. Amrita Sudan Chakarborthy, Manab Human - Ensuring respect for Human Rights, A Human Rights organization, on the same incident which has been registered as Case No. 50016/24/34/2011. Commission directed to club the case with Case No. 49995/24/34/2011.

The Commission directed to issue notice to DGP, Uttar Pradesh calling for a detailed report within 7 days and take steps to protect the life of Dr. Lenin Raghuvanshi and the witness in Shobrab case. It also directed DG(I) to collect facts over telephone. The report of

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Investigation Division has been received. The matter was considered by the Commission on 30.05.2013 when it directed to call for the comments of the complainant. The comments of the complainant have also been received.

On consideration of report as well as comments of the complainant on 29.9.2014, the Commission directed Inspector General of Police, Gorakhpur to depute an officer not below the rank of Supdt. Of Police to investigate the matter and submit a report with eight weeks. Accordingly, a letter dated 13.10.2014 has been sent to the Inspector General of Police, Gorakhpur, UP.

The requisite report is still awaited.

**100. Case No. 63/14/4/2013 L.Fs 82/14/4/2013, 86/14/4/2013**

The Commission received a complaint on 17.10.2013 from the Asian Human Rights Commission, Hong Kong regarding abuse of power in Imphal (West), Manipur.

The Commission took cognizance on 24.10.2013 and transmitted the compliant to the Director General of Police, Manipur calling for action taken report within six weeks.

Pursuant to the Commission directions, the Addl. DGP, Manipur reported that in the backdrop of observation of the Black Day by proscribed UG outfit UNLF, on 2/10/2013, the police had visited the house of Jetin Yumnam with the objective of verifying the intelligence input that AMUCO, apex body of the NGOs was mobilizing the local clubs to observe the Black Day. The police had not issued any summons and Jetin Yumnam came to the office of Imphal West Commandos on 3/10/2013. He was never assaulted or tortured or subjected to mental pressure or harassment by the police. Since Jetin Yumnam was found involved in the activities of UNLF during 2009, whatever the police did was with good intention in order to make sure that he is no longer involved in such activities.

On consideration of the report, the Commission directed to obtain the comments of the complainant on the report received from the Addl. DGP, Govt. of Manipur.

The complainant comments are awaited.

**101. Case No.595/25/5/2012, 689/25/5/2012, 691/25/5/2012, 596/25/5/2012, 960/25/5/2012, 1530/25/5/2012 & 1600/25/5/2012**

The Commission received an e-mail complaint dated 12.04.2012 stated that the "Times of India", Kolkata edition dated 10.04.2012 & 11.04.2012 carried out a report of arrest of several human rights defenders for raising their voice against eviction of slum dwellers at Nonadanga, West Bengal. He further alleged that a 9 years old child Monika was also arrested by the police and she had to spend several hours in the lock up. He has also enclosed newspaper clipping in support of his claim.

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The Commission took cognizance of the matter on 31/5/2012 & directed to issue notice to DGP, West Bengal calling for a report within four week. Report is awaited. The Commission also received six more e-mail from Asian Human Rights Commission, Hongkong, Shri Ajay C, Kolcutta, Henri Tiphagne, an NGO, Aniket Roy, Balla Ravindra Nath, Hyderabad and David Albuquerque, Brisbane, Australia on the same incident. These complaints were registered as Case No. 689/25/5/2012, 691/25/5/2012, 596/25/5/2012, 960/25/5/2012, 1530/25/5/2012 and 1600/25/5/2012 respectively and as per Commission's directions all cases were linked with the current case.

The report from Commissioner of Police, Kolkata has been received. The matter was considered by the Commission on 30/11/2013 when it directed to call for the comments of the complainant.

The complainant comments are awaited.

**102. Case No. 448/13/23/2013**

The Commission received a complaint from Dr. Sirivella Prasad, General Secretary, National Dalit Movement for Justice, New Delhi regarding murder of a Dalit Human Rights Defender Shri Chandrakant Gaikward in Pune on 12.2.2013.

The Commission took cognizance on 18.2.2013 and transmitted the compliant to the Commissioner of Police, Pune calling for action taken report.

Pursuant to the directions of the Commission, the SP, Pune (Rural), Maharashtra has sent vide his letter dated 22.6.2013 a report of SDPO, Baramati Division as per which the accused Satpal Mahadev Rupnavar, Santosh, Kalu and Santosh shot dead the deceased. A crime no. 46/2013 with Section 3 (2) (5) of SC/ST (PA) Act, Section 7 (1) (d) of the Protection of Civil Rights Act r/w Section 302/307/143/147/148/149/120B (1)/201 IPC and Section 25 (3) of Arms Act and Section 135 of Mumbai Police Act was registered against the above named accused. The investigation was being conducted by SDPO, Baramati. Further, enquiry was being done against incharge of PS Walchander Nagar by SDPO, Daund and report submitted to Addl. SP.

The DIG, PCR has forwarded vide his letter dated 9.10.2013 a report of SDPO, Baramati dated 21.9.2013 intimating that a cheque of Rs. 1,60,000/- has been given to the relatives of the deceased on 15.2.2013 by the Commissioner of Social Welfare Department, Pune. The accused Satpal Mahadev Rupnavar and three others named in the complaint were arrested. After investigation, a charge sheet has been filed against the above named accused persons. The necessary guards have been posted at the house of the deceased and also provided to the complainant Dada Shivaji Jadhav. Further, preventive action u/s 110 Cr.P.C. has been taken against the accused Vaibhav alias Annaso Bhiva alias Balaso Pandhare who released on bail.

The Commission considered the above reports on 24-10-13 and viewed that as per the provisions of SC/ST (PA) rules, the compensation should have been Rs 5 lakhs, out of

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which 75% had to be paid after post mortem. It therefore directed the DM and SDM, Pune (Rural), Maharashtra to pay the remaining amount of interim monetary relief/compensation and send a report along with proof of payment within six weeks. A copy of the report of SDPO, Baramati dated 21.9.2013 be sent to the complainant for comments, if any, within six weeks.

The SP, Pune (Rural) was also directed to enquire and report if prior to the above incident, any complaint was made to the, Assistant Police Inspector of PS Walchander Nagar regarding threat to life of deceased and if so, what action was taken there on by the concerned police officers. Further, a report of the enquiry conducted by the SDPO, Daund against the incharge of PS Walchander Nagar be also sent to the Commission.

Upon consideration of the matter on 11.2.2014, the Commission observed that the enquiry report of SDPO, Daund dated 13.2.2013 regarding enquiry against Incharge of PS Walchand Nagar has not been enclosed. No comments have been received from the complainant as yet.

The Commission viewed that the SP, Pune (Rural) has not sent a report in the matter as asked for by the Commission vide its communication dated 12.11.2013. The DM, Pune (Rural), Maharashtra has also not sent the desired report. It directed issuance of reminders to DM and SP, Pune (Rural), Maharashtra to send their complete report within six weeks positively.

Due to non-receipt of reports, Summons were issued to District Magistrate, Pune, Maharashtra and Supdt. Of Police, Distt. Pune (Rural), Maharashtra.

The reports are received and under consideration of the Commission.

**103. Case No. 1823/25/13/2012**

Sh. Kurity Roy, Secretary, Masum a NGO has alleged false implication of a human rights defender Mr. Gopen Chandra Sharma by police officials of District Murshidabad, West Bengal as Mr. Gopen Chandra Sharma fought for the justice of the victim family in murder of a house wife in village Dayarampur under Jalangi Police Station during 2009 and also exposed several incidents of custodial torture including an incident of custodian sexual offence committed by Mr. Sandeep Sen, the then officer in-charge of Hariharpara Police Station. As per complainant Mr. Gopen Chandra Sharma has been implicated by the nexus of these police and antisocial elements on the basis of a false complaint made by a lady drug peddler.

The Commission on 10.12.2012 directed that a Notice be issued to the Director General of Police, West Bengal calling for a report in the matter with in four weeks.

The Commission on 25.2.13 directed to send a final reminder the Director General of Police, West Bengal calling for a report within six weeks failing which the Commission

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shall be constrained to invoke its powers u/s 13 of the Protection of Human Rights Act, 1993.

In response, the Sub-Divisional Police Officer, Domkal, Maurshidabad has sent a report that at Jalangi PS, a case No. 02/13 dated 01.01.13 u/s 370/506 IPC (Court complaint) was registered against Gopen Sharma, s/o late Gopal Sharma of Dayarampur PS in connection with the complaint of Fulsura Bibi, w/o Rabiul Sk of PS Islampur in which the complainant has alleged that the Gopen Sharma committed rape on her when she visited at his residence for help in a murder case of her first husband. The report further mentions that Gopen Sharma has a shady past with criminal antecedents. It is further reported that S.I. Sandip Sen has never been posted in Jalangi PS in any capacity. The above note case No. 02/13 is still under investigation.

The Commission on 21.5.13 directed to send a copy of report to the complainant for his comments, if any, which should be sent within eight weeks.

The complainant has alleged that the incident in question occurred within the jurisdiction of PS Jolangi which was not within the jurisdiction of ACJM, Lalbagh but the application u/s 156 (3) Cr.P.C. was filed by the petitioner in that court for registration of FIR. It is also alleged that the above report is silent on the point if any medical examination of the petitioner has been got done by the police.

The Commission on 23.8.13 observed that “the question if ACJM, Lalbagh had jurisdiction to entertain and pass order u/s 156 (3) Cr.P.C. on the application of the petitioner, cannot be examined by the Commission. The alleged victim/accused affected by the order in question could have challenged the same before the higher court in appropriate proceedings.

The question whether any medical test/examination of the alleged victim/petitioner was got done by the police or not, can be ascertained only after calling for a report of investigation of the crime no. 02/13 u/s 376/506 IPC of PS Jolangi. The apprehension of the complainant that the police would not make a fair investigation in the crime can also be examined only after receiving the report of investigation” and directed Supdt. of Police, DEB, Murshidabad, West Bengal to send a report of the investigation, including final outcome of crime No. 02/13 of PS Jolangi, within six weeks.

The requisite report has been received from the Supdt. Of Police, District Murshidabad, West Bengal.

The matter is under consideration of the Commission.

**104. Case No.2147/18/17/2013 & 2207/18/17/2013**

The Commission received an e-mail dated 4/9/2013 from Shri Chandranath Dani, Advocate, Secretary, Center for Legal Awareness and Human Rights(CLAR),

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Bhubaneswar, Odisha stated that Human Rights Defender(Journalist) assaulted and his camera was broken by the Superintendent of Police, Bargarh Odisha.

The Commission took cognizance in the matter on 18/9/2013 & directed the DGP Odisha to submit report.

In response, the DIG of Police, NR, Odisha reported that the allegations levelled by the complainant are false and the incident has been unnecessarily sensationalized by the local newspapers so as to gain political milage.

Since the enquiry report negated the allegations levelled by the complainant, the Commission, vide its proceedings dated 26.03.2014, directed to seek the comments of the complainant on the enquiry report.

On the directions of the Commission, the report was sent to the complainant for his comments.

The complainant comments are still awaited.

**105. Case No. 2233/13/16/2014**

The Commission received a complaint on 25-8-14 from Henri Tiphagne regarding the arbitrary deportation of an HRD activist Mary Aileen Diez Bacalso to Manilla on 17-8-14.

The Commission took cognizance of the matter on 26-9-14 and directed transmission of the petition to the concerned authorities. Report within 4 weeks.

On 4-11-14, the Under-Secy. Govt. of India forwarded the representation to the State Govt. of Maharashtra to take apt. action as the subject pertained to the State Govt. of Maharashtra.

**106. Case No. 1062/12/2/2013 LF 1064/12/2/2013, 1065/12/2/2013, 1066/12/2/2013**

The complainant, an office-bearer of Front Line Defenders, an Ireland based NGO, has alleged that a human rights defender Ms Madhuri Ramakrishnasway has been arrested by police in Badwani district of Madhya Pradesh on 16.05.2013 as she was protesting for the rights of a woman Baniya Bai who was victim of medical dishonesty in Public Health Centre, Menimata, District Badwani, Madhya Pradesh.

The Commission on 31.5.2013 directed to send notice to Secretary, Health, Government of Madhya Pradesh, Bhopal and to the Director General of Police, Madhya Pradesh, Bhopal calling for a report in the matter within four weeks.

The Addl. DGP, Police Headquarters, Bhopal vide letter dated 24.7.2013 forwarded a report of SP, Badwani (M.P.) dated 15.7.2013 which revealed that one Madhuri Ben, a lady

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office bearer of Dalit Adivasi Organization was arrested by the police in connection with crime No. 93/2008 u/s 353/332/147/427 IPC and Section 3/4 of the M.P. Hospitals Act, 2008 as per orders of the court. She was remanded to judicial custody till 30.5.2013 by the court. The FIR was registered on the report of an official of the Government Hospital Menimata. She was released from custody on 30.5.2013.

The Commission on 14.8.2013 observed that “the report which does not address the substance of the complaint, or grievance of Smt. Madhuri, for which she had to make a protest against the hospital authorities, whose FIR the police then acted upon.

The complaint was that Smt. Baniya Bai was admitted by her father-in-law at Menimata PHC for delivery. The next day, she was asked to pay Rs. 100/- as bribe. Since she could not, she was forced to leave the hospital, and gave birth in public view on the road outside. The human rights defender took Baniya Bai to another hospital, where she received treatment. Thereupon, Madhuri Ramakrishnasway launched a protest against the incident.

The Commission views that the above allegations show gross violation of human rights, including the right to life and the right to health. The report of SP is silent on the above points. It does not show that any enquiry was made to ascertain if the allegations were true or not. No statement of Smt. Madhuri Ramakrishnasway, the victim Smt. Baniya Bai, her father-in-law or any other witnesses were recorded during the alleged inquiry to ascertain the truth. No report has been received from the Secretary, Department of Health, Government of M.P., Bhopal on the allegations made in the complaint” and directed to issue reminder to the Secretary, Department of Health, Government of M.P., Bhopal to send a complete report within six weeks on the allegations made in the complaint of Mary Lawlor dated 21.5.2013 after making a thorough enquiry thereon. The DGP, M.P., Bhopal is also directed to get a thorough enquiry done into the allegations made in the complaint and send a report within six weeks positively.

The Commission on 31.12.13 considered report dated 9/10/13 of Addl. DGP, Police Head Quarter, Madhya Pradesh, Bhopal revealing that Madhuri Ram Krishna Swami was not arrested by the police. However, for non appearance in the court inspite of service of notice, the court had sent her to judicial custody. The report further encloses the documents that departmental action was initiated against the erring public servant, Government hospital staff, for dereliction of duties by Compounder, Vijay Kumar who was placed under suspension and after conclusion of the inquiry, he had been penalized by way of censure of one annual increment without cumulative effect.

The Commission observed that there had been gross violation of human rights, including the right to life and the right to health. In view of this issue a Show Cause Notice to the Government of Madhya Pradesh through its Chief Secretary as to why monetary relief u/s 18 of the Protection of Human Rights Act, 1993, be not recommended to be paid to the victim Baniya Bai. Response within six weeks.

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The response from the Chief Secretary, Govt. of Madhya Pradesh has been received. The matter is under consideration of the Commission.

**107. Case No.670/25/13/2011-PF**

Dr. Mohan Lal Panda, Advisor, PVCHR, New Delhi has forwarded a complaint of Sh. Kirity Roy, Secretary, Banglar Manabadhikar Suraksha Mancha (MASUM), Howrah who has alleged that some BSF personnel threatened one Kanai Mondal for displaying posters relating to Human Right awareness.

The Commission directed to issue notice to DGP, West Bengal & DG, BSF calling for a report within one week. Report has not been received from BSF. Report of DGP, WB is awaited.

The Commission considered the matter on 28.11.2011 when it considered the report of DIG (Ops.) C, BSF which stated that BSF personnel removed posters (against the BSF) from the houses after permission of the owners. It also negated the allegations that they issued threats and that MASUM was trying to malign the BSF. The Commission directed to call for complainant comments. Comments of the complainant are awaited.

On consideration of the matter on 29.9.2014, the Commission directed to closed the case no comments were received from the complainant and to send a copy of the proceedings to all the complainants for their information.

**108. Case No. 31/14/12/2013 L.F.No.36/14/12/2013**

The complainant has alleged illegal arrest, false implication and humiliation of S/Sh. Mandir Laishram and Ningthoujam Hemo in Thoubal Police Station.

The Commission on 23.5.13 directed to send a notice to Director General of Police, Manipur calling for a report in the matter within four weeks.

The IGP, Manipur vide letter dated 26.6.2013 informed that on 12.5.2013, SI Ibomcha Singh, IO called Mr. Mandir Laisaram and Ningthoujan Hamo to the police station for enquiry in connection with FIR No. 84(5)/2013 u/s 148/149/427/447/353 IPC r/w Section 342 IPC and Section 3 PDPP Act and Section 7 of Criminal Law Amendment Act. The IO found prima facie involvement of both these persons in the above crime and arrested both of them. He produced them before the court the next day for remand to police custody. Thereafter on 17.5.2013, both these accused were sent by the court to judicial custody. So far as the arrest of the musician is concerned, the enquiry revealed that the vehicle in which he was travelling was asked by the police officer to stop for checking but did not. After it was stopped, the occupants resisted frisking and checking by the police. Therefore, they were given minor punishment for obstructing police personnel on duty. After that, the minor injured musicians were taken to nearby hospital and were discharged after giving first-aid.

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When the matter came to the notice of SP, Thoubal, he got the matter enquired and took necessary action, transferring the police officer involved to another police station. The Joint Action Committee of the people was also assured of any further medical help, if and when required.

It was further reported that on 11.4.2013, some villagers of Heirok, led by a Joint Action Committee against the alleged torture of the musicians, marched towards the Heirok PS. The crowd became unruly and pelted stones at the police station and tried to break the main gate of the PS. Due to timely action by the police, the situation was brought under control.

The Commission on 3.9.13 directed to send a copy of the report to the complainant for his information and comments, if any, within six weeks.

The Commission on 10.12.2013 observed that the complainants have not submitted their comments. The report from the IGP, Manipur mentions that Mr. Mandir Laishram and Mr. Ninghtoujan Hemo are in judicial custody in FIR No. 84(5)/2013. The report from SP, Thoubal, mentions that one of the accused did not stop his vehicle when asked by the police and also resisted checking. In this regard he was given minor punishment by the police personnel for this act, necessary action was taken against the police officer involved in the aforesaid incident.

The Commission has considered the material placed on record. The reports admit that the police personnel had used sufficient force on the victim to cause injuries for which he needed medical aid. This was an abuse of power by the public servant, resulting in violations of human rights of the victims. Issue a Show Cause Notice to the Government of Manipur through its Chief Secretary as to why monetary relief u/s 18 of the Protection of Human Rights Act, 1993, be not recommended to be paid to the victim.

In response, the Under Secretary (Home), Government of Manipur, vide his communication dated 18.01.2014 has forwarded a copy of her earlier report dated 26.08.2013, which has already been considered by the Commission. It has however been added that the security forces acted while performing their duty of normal checking and frisking as part of routine law and order duty and a request has therefore been made to drop the Show Cause Notice issued to the State Government.

The Commission has considered the matter on 11.8.2014 when it directed and observed as under:

*'No reply on merit has been received. It has been admitted in the report that based on the enquiry conducted by SDPO, Thoubal, the Superintendent of Police, Thoubal has transferred the erring police personnel to other police stations. It has also been mentioned that the police personnel are required to be polite and not to take the law in their hands while conducting frisking/checking of the public and instructions are being given in this regard. It is therefore evident that both the personnel namely Laishram Mandir Singh and Ningthoujam Hemosingh were ill treated and beaten up by police personnel of P.S Heirok and thus human*

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*rights of the victims has been violated. In these circumstances a sum of Rs. 25,000/- each is recommended to be paid to both the victims. The Chief Secretary, Government of Manipur is asked to submit the proof of payment made to the victims within six weeks'.*

Accordingly, a letter has been sent to the Chief Secretary, Government of Manipur on 25.8.2014 requesting to send the compliance report in the matter within six weeks.

The requisite report is still awaited.

**109. Case No. 364/1/18/2013 LF 418/1/18/2013**

The Commission received email complaint dated 19.03.2013 forwarded by Shri K.S. Chalam, Special Rapporteur of the Commission, in which it has been stated that a team of University of Hyderabad consisting by Mr. A. Krishna and others visited Thukkuguda village of District Ranga Reddy to verify information regarding bonded labours. It has been alleged that the brick kiln owner along with his goons brutally assaulted and threatened the team members. The matter was reported to the police of Shamshabad (Cyberbad) police station, but in spite of taking action on the complaint the ACP humiliated the team members.

The Commission on 25.3.2013 observed that “the Director General (Investigation) may kindly have the matter, including allegation of bonded labour system referred in the complaint, investigated by a team of the Commission within six weeks.”

The Commission's team has come to the following findings:-

- a) There are about 265 brick kilns in the District, concentrated in Maheshwaram, Ibrahimpatnam, Mechal and Rajender Nagar Taluks. According to the Labour Department, 2897 families work there, with a total number of 4945 workers. Most of them are migrants from Orissa and Maharashtra.
- b) It was established that there were bonded labourers in the Sai brick kiln owned by Venkateshwarlu and the VC brick kiln owned by Krishna Gowda at Thukkuguda village, Maheshwaram Mandalam.
- c) Besides using bonded labour, the owners had violated the Inter-State Migrant Workmen Act, the Minimum Wages Act, the Payment of Wages Act and other labour laws. There was a rampant violation of basic labour laws, including working hours, working and living conditions and payment of wages.
- d) Brick kiln owners did not maintain the records mandatory under the Minimum Wages Act, 1948. The Register of Wages, Wages Slip (mandated under form X and XI of Section 26(1) and 26(2) respectively of The Minimum Wages (Central) Rules, 1950) and muster roll etc were also not maintained. The absence of records showing payment of wages, and the advance given to the labourers, prima facie bring them

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within the ambit of bonded labourers under section 2(g) of the Bonded Labour System (Abolition) Act, 1976.

e) The owners do not have any license/registration to run the kilns except a Registration Certificate under the Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act to engage labour from other States.

f) The owners have confirmed that the workers are made to work on the average from 5 to 11 AM or 12 noon and thereafter again from 4 or 5 PM to midnight. This is well above the working hours laid down under Rule 24 of the Minimum Wages Act. The workers are neither paid overtime nor do they appear to get the weekly day of rest which is also mandatory.

g) The basic civil amenities to the labourers are not being provided such as toilet, electricity and medical facility.

h) The Vigilance Committees are not functional. The District authorities could not provide any details about their work or the proceedings of the last meeting.

i) Shri Krishna of Prayas did visit the Sai brick kiln along with 6 University professors/scholars on the 16th March, 2013. It is a fact that about 30/35 brick kiln owners assembled and did not allow them to go till the arrival of the local police. The allegation that they were manhandled appeared to be true. However, none of them had received a serious injury.

j) The allegation that the local police had not taken action on their complaint was also found true. The ACP/Samshabad did not treat them well. The complaint lodged by the complainant dated the 17th March, 2013 is still under enquiry by the local police.

The Commission on 5.6.2013 considered the matter and asks Deputy Commissioner, Ranga Reddy to immediately take the following action:-

a) Release and rehabilitate the labourers of Sai Brick Kiln and VC Brick Kiln, Thukkuguda as per the Bonded Labour System (Abolition) Act.

b) Take legal action against the owners of Sai brick kiln and VC brick kiln under appropriate provisions of the Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, the Minimum Wages Act and the Bonded Labour System (Abolition) Act.

c) Ensure that the District Vigilance Committees function effectively. The Commission asks the Deputy Labour Commissioner, Ranga Reddy, to conduct a survey of all the brick kilns in the district and ensure that they are functioning in accordance with the law. The Commission also asks the Commissioner of Police, Ranga Reddy, to register an FIR on the complaint that was lodged by the academics

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of the University of Hyderabad on the incident that occurred on the 16th March, 2013 and to have it thoroughly investigated. Responses on all points will be expected from the Deputy Commissioner, the Deputy Labour Commissioner and the Commissioner of Police, Ranga Reddy, by the 14th August, 2013.

The Commission on 17.10.2013 observed that "Commissioner of Police, Cyberabad vide report dated 12.08.2013 informed that on the complaint of the academics of the University of Hyderabad, the Inspector of Police, P.S., Pahadishareef was instructed by the ACP, Shamshabad to make GD Entry and keep a watch at the kilns. They were rescued by the police personnel and had asked the police that they do not want any case registered, but wanted to bring the incident to the notice of the police in the interest of safety and security of the labourers. They also refused to go to hospital for treatment and MLC. On the basis of GD Entry, the Investigating Officer filed a charge sheet dated 03.07.2013 by the MM Special Court, Cyberabad, who convicted the ten accused persons and sentenced them to fine of Rs.1,200/- to each of them. No reply has been received from the Deputy Commissioner and the Deputy Labour Commissioner.

Issue reminders to the Deputy Commissioner and Deputy Labour Commissioner, Ranga Reddy for their reports vide proceedings dated 05.06.2013, within eight weeks."

The Commission on 21.1.14 directed to issue final reminder to the concerned authority calling for the requisite report within four weeks, failing which the Commission shall be constrained to invoke to provisions of Section-13 of the Protection of Human Rights Act, 1993.

Despite a final reminder, no report has been received, the matter was placed before the Commission on 11.8.2014 when it directed and observed as under:

*'The Commission has taken a very serious view of the conduct of the Deputy Commissioner and Deputy Labour Commissioner, Ranga Reddy and thus directs the Registry to issue conditional summons under section 13 of the Protection of Human Rights Act, 1993 to appear before the Commission on 30.9.2014 at 11.00. A.M. alongwith with the requisite report in the matter. Should however the requisite report be received by the Commission on or before 23.9.2014, the personal appearance of the concerned authority shall stand dispensed with.'*

Accordingly, a Summons has been issued on 29.8.2014 to the Deputy Commissioner, District Ranga Reddy, Telangana. The requisite report has been received from the Secretary, D/o Labour Employment Training and Factories, Hyderabad, Telangana.

The matter is under consideration of the Commission.

**110. Case No.1226/12/20/2014**

The Commission has received a complaint dated 29.05.2014 from Shri R.H. Bansal, Rohini, Delhi alleging an attack on Shri Rajeev Mishra, an RTI activist by the opponents on 28.5.2014. A prayer has been made for taking action against the opponents.

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The Commission has considered the matter on 23.5.2014 and directed to transmit a copy of the complaint to the concerned authorities calling for an action taken report within four weeks. Accordingly, a letter has been issued to the SP, Hoshangabad, Madhya Pradesh on 21.6.2014.

The requisite report has been received from the Supdt. Of Police, Distt. Hosangabad, Madhya Pradesh. The matter is under consideration of the Commission.

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