



Sitapur victim could have been saved, says NHRC

Notices to U.P. govt., DGP over woman set ablaze

STAFF REPORTER

NEW DELHI

The molestation victim in Sitapur who was set on fire by her attackers when she was going to lodge a complaint on December 1 could have been saved had the police acted in time, the National Human Rights Commission said on Monday while issuing a notice to the Uttar Pradesh government.

Taking suo motu cognisance of media reports, the NHRC said the woman was on her way to the police station as suggested by a police control room van when she was set ablaze, leading to her sustaining 60% burn injuries. The victim reportedly named two accused and spoke about the inaction of the local police.

Observing that the media reports, if true, amounted to gross violation of human rights, the NHRC said: "She appears to have fallen prey to police personnel's apathy

and sheer negligence. The police personnel who, instead of doing their duty to register an FIR and take legal action against the named accused, apparently turned her away in a casual manner."

The NHRC added that had "timely action" been taken by the police, the victim could have been saved from the brutal attack. Issuing notices to the Uttar Pradesh Chief Secretary and the Director-General of police, the NHRC asked for detailed reports within four weeks.

According to reports, two accused have been arrested for sexual assault and attempt to murder. They had passed lewd comments and tried to molest her on November 29, however, she managed to escape and went to a police station. The police personnel reportedly sent her away without taking action. The next day her family members called the

PCR number 100, after which she was asked to give a written complaint to the local police station. While on her way to the police station, the two accused intercepted her and set her ablaze after throwing kerosene on her.

NCW notice

The National Commission for Women has also directed U.P. police chief to apprise it of action taken in the case.

It termed the incident and the alleged police apathy "deeply disturbing" and sent a notice to the DGP directing him that the matter be fairly investigated and appropriate action be taken to avoid occurrence of similar incidents in future. "The UP DGP has also been directed to apprise the Commission about condition of the victim and the detailed action taken in the matter," the NCW said in a tweet.

(With PTI inputs)



WOMAN TORCHED BY MOLESTERS

NHRC notice to Chief Secy, DGP

PNS ■ LUCKNOW

The National Human Rights Commission (NHRC) has taken suo motu cognisance of media reports that a woman, who was a victim of molestation, was torched by her tormentors after she tried to lodge a complaint but was turned away from a police station in Sitapur last Saturday.

In her recorded statement before a magistrate at the hospital, the victim with 60 per cent burns named two accused and narrated the inaction of the local police personnel.

The commission observed that the contents of media reports, if true, amounted to gross violation of human rights

of the victim as the public servants appeared to have failed in executing their duty in safeguarding the victim from rowdy elements.

The NHRC felt that the victim appeared to have fallen prey to police personnel's apathy and sheer negligence. The police personnel who, instead of doing their duty to register an FIR and take legal action against the named accused, apparently turned her away in a flippant manner. Had timely action been taken, the woman could be saved from the brutal attack by miscreants, who seemingly gathered more courage to attack her due to inaction by the police personnel.

Accordingly, the commis-

sion issued notices to the Chief Secretary and DGP calling for a detailed report including action taken against delinquent police officials. The Commission also asked the officers to apprise it of the present condition of the victim and the status of medical treatment being provided to her. The response was expected within four weeks.

On December 1, a 26-year-old woman was set ablaze by two men in order to prevent her from lodging an FIR against them over an incident of molestation in Sitapur. The victim was admitted to the district hospital with 55-60 per cent burns. A day before, on November 29, the woman, who is married, was molested by

two brothers — Ramu (32) and Rajesh (28). When the victim went to lodge a complaint with the local police station, she was shooed away by cops. While she was on her way home, the molesters caught her, sprinkled kerosene on her and torched her to prevent her from pursuing the case.

The victim's family charged that for two days, her complaint was not accepted by the police at the outpost and also at Tambore police station. Later, three cops, including Tambore station house officer (SHO) Om Prakash Saroj and outpost incharge Manoj Kumar were suspended by SP Prabhakar Chaudhary. The named accused were later arrested.



ASSAM FAKE ENCOUNTER

Union Home Secretary gets final opportunity to produce records

OUR CORRESPONDENT

NEW DELHI: The CIC has given a "final opportunity" to Union home secretary Rajiv Gauba to produce records related to alleged fake encounter in Assam last year, reported by then CRPF IG Rajnish Rai, before initiating penal proceedings against him for "obstructing" the flow of information.

Irrked by the stance of the Home Ministry to not present records for the Central Information Commission's perusal, the statutory body said since the decision in the matter has "undoubtedly" been taken at the highest level, the Secretary of the Ministry of Home Affairs is designated as deemed Public Information Officer (PIO).

"A final opportunity is granted to the MHA to produce relevant records of the case. The Union Home Secretary shall produce the relevant records

before the Commission in person or through his authorised representative on December 19, 2018 failing which, ex parte decision shall be announced," the order said.

The Commission also said that in case records are not produced penal proceedings can be initiated against him for obstructing the process of "adjudication of the Commission and causing obstruction to the flow of information.

"Under the RTI Act, no records can be withheld from this Commission under any pretext," the order said.

It said the CIC has statutory power and the same has also been acknowledged by the Supreme Court.

"The unusual resistance exhibited by the MHA in producing the records before the Commission cannot be countenanced and the Commission perceives the same to be

a direct onslaught on the RTI regime," it said.

It said contention of the MHA on the applicability of relevant clauses under Section 8(1) of the RTI, which exempts certain information from being made public under certain conditions, is still not concluded and the Commission has not yet decided on the same.

"Apart from a bald assertion made by PIO, MHA, there is nothing on record to substantiate the argument of NHRC/ Assam SHRC having ruled out violation of human rights. No records or findings from any court of Law are produced before the Commission," it said.

The Commission clarifies that genuineness of an encounter killing/extrajudicial killing and allegation of human rights violation are two distinct things, it said. "Lawful justification of extrajudicial killing

cannot be confused with the right of citizenry to know the truth," it said.

The matter pertains to an RTI application seeking to get a copy of the report filed by Rajnish Rai, the then CRPF IG.

Rai has alleged in the report that a joint team of the Army, the Assam Police, the CRPF, its jungle warfare unit CoBRA and the border guarding force Sashastra Seema Bal (SSB) conducted the encounter on March 29-30, 2017 in Simlaguri area of Chirang district and killed what they called were two insurgents of the banned group NDFB (S).

The copy was denied by the CRPF claiming that its an exempted organisation under the RTI Act.

The applicant had said even if it is an exempted organisation, the information held by it pertaining to allegations of human rights violation is not

covered under that exemption.

Agreeing with the view of the applicant, the Commission said the information will not come under blanket exemption to the CRPF from RTI Act and asked for the report to adjudicate whether it attracts Section 8 of the transparency act.

The CRPF then said the report was with the Home Ministry.

The Home Ministry in spite of repeated orders to produce the report did not comply and later claimed the information was not held by it.

"Denial of information to appellant cannot be a ground to deny a record to the CIC. Irrespective of the outcome of the present appeal, there is nothing to fetter power of the Commission to call for any record in process of adjudication of present appeal," the Commission said in its latest order.



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NHRC, NCW notices to UP Govt, DGP

NEW DELHI: The NHRC on Monday sent notices to the UP government and the state's police chief over a married woman being set ablaze allegedly by her tormentors, when she was going to lodge a police complaint against them.

The National Commission for Women has also directed the UP police chief to apprise it of action taken in the case.

On November 29, the 26-year-old woman was allegedly molested by two brothers and when she tried to approach the police to get an FIR lodged, the duo allegedly caught hold of her, sprinkled kerosene on her body and set her ablaze. "She appears to have fallen prey to police personnel's apathy and sheer neg-



ligence," the National Human Rights Commission observed in a statement on Monday.

"The NHRC has taken suo motu cognisance of media reports that a woman, victim of molestation, was set ablaze by her tormentors, when she was going to lodge a written complaint with the police station about them as suggested by the Police Control Room van personnel in Sitapur district, UP on December 1," it

said. "The Commission would also like to know about present condition of the victim and status of medical treatment being provided to her. The response is expected within four weeks," the rights panel said.

Meanwhile, the NCW termed the incident and the alleged police apathy "deeply disturbing" and sent a notice to the DGP directing him that the matter be fairly investigated and appropriate action be taken to avoid occurrence of similar incidents in future.

"The UP DGP has also been directed to apprise the Commission about condition of the victim and the detailed action taken in the matter," the NCW said in a tweet. **MPOST**



Woman set ablaze: NHRC, NCW notices to UP govt, DGP

PRESS TRUST OF INDIA

NEW DELHI, 3 DECEMBER

The NHRC on Monday sent notices to the Uttar Pradesh government and the state's police chief over a married woman being set ablaze allegedly by her tormentors, when she was going to lodge a police complaint against them.

The National Commission for Women (NCW) has also directed the Uttar Pradesh police chief to apprise it of action taken in the case.

On 29 November, the 26-year-old woman was allegedly molested by two brothers and when she tried to approach the police to get an FIR lodged, the duo allegedly caught hold of her, sprinkled kerosene on her body and set her ablaze.

The victim was admitted to the district hospital with 40-45 per cent burn injuries, Inspector General of Police (IG), Zone, Sujit Pandey said.

"She appears to have fallen prey to police personnel's apathy and sheer negligence," the National Human Rights Commission observed in a statement Monday.

"The NHRC has taken suo motu cognisance of media reports that a woman, victim

The National Commission for Women (NCW) has also directed the Uttar Pradesh police chief to apprise it of action taken in the case

of molestation, was set ablaze by her tormentors, when she was going to lodge a written complaint with the police station about them as suggested by the Police Control Room van personnel in Sitapur district, Uttar Pradesh on December 1," it said.

Reportedly, in her recorded statement before a magistrate at the hospital, the victim named the two accused and narrated the "inaction of the local police personnel," the NHRC statement said.

The Commission has observed that the content of the media reports, if true, amount to gross violation of human rights of the victim as the public servant appear to have "failed" to execute their duty to safeguard the victim woman from the rowdy elements.

Accordingly, the NHRC has issued notices to the Uttar Pradesh chief secretary and the director general of police,

seeking a detailed report, including action taken against the alleged delinquent police officials.

"The Commission would also like to know about present condition of the victim and status of medical treatment being provided to her.

The response is expected within four weeks," the rights panel said.

Meanwhile, the NCW termed the incident and the alleged police apathy "deeply disturbing" and sent a notice to the DGP directing him that the matter be fairly investigated and appropriate action be taken to avoid occurrence of similar incidents in future.

"The UP DGP has also been directed to apprise the Commission about condition of the victim and the detailed action taken in the matter," the NCW said in a tweet. On November 29, the woman, who is married, was allegedly molested by two brothers -- Ramu (32) and Rajesh (28), the police said.

They made lewd remarks and tried to molest the victim on November 29, but she somehow managed to escape and approached the police station, from where the police personnel sent her back without any action, the NHRC said.