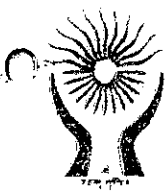


4/12/2014 - PKPAP

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राष्ट्रीय मानव अधिकार आयोग  
National Human Rights Commission  
Manav Adhikar Bhawan, GPO Complex, 'C' Block, INA,  
NEW DELHI - 110 023.  
Phone (O) : +91-9444552154  
Mobile : +91-7708026150

Dr. K.R. SHYAMSUNDAR, IPS (Retd.)  
Special Rapporteur  
(SZ-I - TN., Kerala, Pondicherry & Lakshadweep)

Registry

Place this before the Committee meetings  
on sp1 Rapporteurs to be held on 21.12.2014

NHRC/SZ-I/1712/Dt 17.12.2014

DM  
23/12

Hon'ble Member,

DS(A) for  
na  
24.12.14

Sub: Official Visit to All Woman Police Station in Madurai 8<sup>th</sup> Dec, 2014 –  
Refusal to furnish statistics by South Zone IGP & Refusal to give Xerox of  
records/documents of All Woman Police Station by COP-Madurai – Reg:-

I would like to bring to the kind notice of Hon'ble member, National  
Human Rights Commission the refusal not only on the part of South Zone IGP  
Shri. Abhaykumar Singh (1992 IPS) to furnish statistics on violation of women  
rights sought for by NHRC but also by an equivalent rank officer, Commissioner  
of Police, Madurai Shri. Sanjay Mathur (1994 IPS) to give Xerox of some records  
on my inspection of an All Woman Police Station in his jurisdiction.

209/Memb (JDM)  
24/12/14  
578/R  
24/12/14

N.H.R.C.  
PRP&P DIVISION  
REGISTRY UNIT  
24 DEC 2014  
D. 0.440

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2) I am to inform that my tour programme to accompany Hon'ble Member on 6<sup>th</sup> December, 2014 to Government School for Severely Orthopaedically Impaired in Madurai and for my discussion on 6<sup>th</sup> AN with Adi Dravida Officers on Atrocity Cases against the SC and the ST community and to visit one All Woman Police Station each in Madurai (Rural) district and in Madurai city under Commissioner of Police, Madurai on 8<sup>th</sup> December, 2014 was duly approved by Hon'ble Chairman, NHRC.

**3) REFUSAL TO PROVIDE STATISTICS TO NHRC BY ZONAL IGP, MADURAI:**

In pursuance of the approval of the above tour programme, on 3<sup>rd</sup> December, 2014 at 11:54 am I did make a courtesy cell call to Shri. Abhaykumar Singh, IGP, South Zone at 11:44 am in his cell 94421 81128 to keep him posted about the visit of Hon'ble Member Justice Shri. D. Murugesan and also about my visit to All Woman Police Station scheduled on 8<sup>th</sup> December, 2014 in Madurai (Rural) district and the requirement of some statistics pertaining to women rights as per the proforma sent along with my tour programme by the protocol department of NHRC to Chief Secretary, Tamil Nadu. Shri. Abhaykumar spontaneously without wasting time refused to furnish any statistics unless

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there was direction from his boss, Director General of Police. I did explain to him that my visit was approved by Hon'ble Chairman, National Human Rights Commission who is none other than the former Chief Justice of India and that the protocol department of NHRC has communicated by tour programme to Chief Secretary along with a proforma seeking statistics. Notwithstanding my pet talk, IGP, South Zone was unrelenting, which necessitated me to bring it to the notice of Shri. Ashok Kumar, Director General of Police by sms at 12:49. I also sent sms regarding the duties and powers of NHRC to undertake even surprise checks at 12:59 on the same day. On 7<sup>th</sup> December Director General of Police, Tamil Nadu by sms 10:53 informed that he had advised Zonal IGP Shri. Abhaykumar Singh to provide necessary statistics and to extend all assistance. In my reply, I did sms requesting DGP to issue a circular to field officers to prevent any such recurrence that would hamper the functioning of NHRC.

4) INACCESSIBLE COMMISSIONER OF POLICE, MADURAI: With regard to my visit to All Woman Police Stations in Madurai district and in Madurai city, it is informed that I did bring it to the notice of SP Madurai (Rural) Shri. Vijayendra Bidari (2005 IPS) and Commissioner of Police Shri. Sanjay Mathur three days

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prior to the visit of Hon'ble Member Justice Shri D. Murugesan. As far as Commissioner of Police is concerned, I tried in vain to contact him by cell at 11:44 am and 11:53 am on 3<sup>rd</sup> December, 2014, which was followed by four sms at 12:59; 14:33; 14:38 and at 17:31 and also email to him in which the approved programme by NHRC was attached. Only when I brought to his notice by sms the efforts taken by me to reach him (seven times) by sms at 18:48, he responded by sms at 18:50 requesting to request SP Madurai to forward email to him instead of contacting SP who is stationed at Madurai itself to get email forwarded to him. Despite the above, I did send email attaching the approved programme and also the proforma in which the statistics were sought for by NHRC.

**5) FAILURE TO INFORM THE UNIT TO BE VISITED BY COP, MADURAI:**

Moreover, I am to inform that on my request, SP Madurai Shri. Vijayendra Bidari suggested one All Woman Police Station located at Thiruparankundram in his district for my visit. However, Commissioner of Police, Madurai did not indicate any All Woman Police Station for my visit despite humpty number of requests. As per the suggestion made by SP Madurai indicating South Gate All

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Woman Police Station in Madurai Commissionarate, I informed COP by sms on 8<sup>th</sup> December, 2014 at 10:56 am regarding the choice of All Woman Police Station.

6) REFUSAL TO FURNISH XEROX OF RECORDS BY COP, MADURAI: Further,

I am to inform that I did pay a visit to one All Woman Police Station each in Madurai (Rural) district and in City Commissionarate on 8<sup>th</sup> December, 2014.

Due to paucity of time, I had requested All Woman Police Station in-charge Woman SI Smt. Vasanthi in Tiruparankundrum and Assistant Commissioner of Police (Anti-Dowry Cell) Shri. K.R.Radhakrishnan to send Xerox of certain records viz. FIR index abstract for the month of November, 2014 to study the pendency and disposal; two senior officers Visiting / Inspection notes on those Police Stations to understand the history of the respective Police Stations and one CD file each in which unwarranted arrests were found to be made to my office address. Since no letter was received from the above two officers, I reminded SP Madurai Shri. Vijayendra Bidari who promised to check it for forwarding the same. The Assistant Commissioner of Police Shri. Radhakrishnan has informed that Commissioner of Police, Madurai City Shri. Sanjay Mathur

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instructed him not to furnish any records! When the AC contacted me on 16<sup>th</sup> December, 2014 at 13:53 pm to brief about COP's instructions directing him not to give copies of records sought for, I did brief him of the duties and powers of the National Human Rights Commission with a request again to bring it to the notice of COP, Madurai. I learnt through my sources that a strategy was taken by senior officers comprising South Zone IGP and Commissioner of Police regarding the response to the requests of NHRC, which was rather shocking.

7) UNHEALTHY STRATEGY BY SOUTH ZONE IGP & COMMISSIONER OF

POLICE: It is reliably learnt that South Zone IGP Shri. Abhaykumar Singh and Shri. Sanjay Mathur after working out a strategy have communicated to their Superintendents of Police and Deputy Commissioners of Police in City not to provide any statistics to NHRC and that they (IGP & COP) in turn if approached would state that direction from Director General of Police is awaited! Moreover, they have decided that even if DGP directs them to furnish information as sought for by NHRC they would ask their subordinated not to deliver unless NHRC officials give a written request for delivery of the information. My source, the "whistle blower" is one of the officers attended the briefing session

convened by South Zone IGP and COP, Madurai. Further, it is reliably learnt that as a damage control it has been decided to send statistics to District Collector, Madurai. Of course, there is no decision yet on furnishing records that have been sought for by NHRC.

7.1) Incidentally, I am to inform that I contacted Shri. Abhaykumar Singh for the first time in the current year on 3<sup>rd</sup> December, 2014. Likewise, I am to add that the last occasion I met and interacted with COP, Madurai was when he called on Hon'ble Member at circuit house in August, 2014 and that his calling on itself along with SP Madurai (Rural) district was prompted by self. It is evident from the above that I had no occasion to rub them on wrong side at all. Moreover, neither transport nor accommodation nor liaison officers for reception was ever demanded by me not only during private but also during official visits. Therefore, the attitude of both the officers was quite baffling to say the least.

8) CASES ARE BEING REGISTERED ONLY ON THE DIRECTION OF COURT: It is not out of place to mention that a perusal of FIR Index of South Gate All Woman Police Station reveals that quite a few cases pertaining to marital dispute have

been registered by the police only on Court direction. On inquiry, Assistant Commissioner of Police (Anti-dowry Cell) Shri. K.R.Radhakrishnan has stated that registration of professional crime cases is an exception rather than the rule in all the Cities and Madurai City is no exception and that all cognizable complaints are being treated as petition inquiry only by the police.

8.1) Though there is a provision in Cr.P.C vide Section 154 (3) for the aggrieved complainant by refusal on the part of Station House Officer to approach the District SP to take cognizance of a cognizable case, it is of no use as far as Tamil Nadu is concerned as non-registration of cases is out and out encouraged by senior officers themselves from the rank of SP to Additional Director General of Police in Tamil Nadu to keep the "crime rate" under check! There is a tendency to register only located / detected cases in Tamil Nadu.

Unfortunately, even house breaking crime cases are not being registered though experts from other department viz. Finger Print Expert / Forensic Science Expert visit the scene of crime. A cross-check with the visit of experts to the scene of crime and a perusal of the log book of forensic science vehicles would expose the police either for non-registration of cases or registration of cases with inordinate delay.



8.2) Commissioner of Police, Greater Chennai has given a statement to press stating that his officers are instructed to acknowledge the receipt of all complaints by registering them in Community Service Register (earlier referred as Petition Register). I am to inform that in this context, public interest litigation has been filed requesting the Madras High Court to direct the police to do away with the practice of making entry in Community Service Register and direct immediate registration of all cognizable cases.

8.3) It is informed that while in social welfare issues Tamil Nadu may rank in the top five States in India in police issues related to human rights – non-registration of FIR, wrongful registration of cases, custodial deaths, and encounter killings contrary to the general belief Tamil Nadu may rank in the bottom ten States if not five along with UP & Bihar. Unfortunately, the days are not far off when Tamil Nadu would out-stage other States to be at the rock bottom in non-registration of cases as the top brass in the police department not tacitly but explicitly endorse it and as a result it is done with impunity.

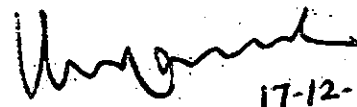
8.4) Owing to the above, the only reason that I can think of regarding the behavior of the two senior officers is their apprehension that burking of cases will be brought to the notice of NHRC by me.

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bottom ten States if not five along with UP & Bihar. Unfortunately, the days are not far off when Tamil Nadu would out stage other States to be at the rock bottom in non-registration of cases as the top brass in the police department not tacitly but explicitly endorse it and as a result it is done with impunity.

9) Due to the foregoing, I appeal to Hon'ble Member that since denial of copies of records and statistics to NHRC are serious matters, which would hamper the effective functioning of NHRC to urgently take necessary action as deemed fit by the Commission.

Yours Sincerely,

  
17-12-14  
(Dr K.R. Shyamsundar)

To  
Hon'ble Member Justice Shri. D. Murugesan.,  
National Human Rights Commission,  
New Delhi.

*I*  
Shyamsundar, 125 (Retd)  
Rapporteur  
Chennai & Lakshadweep)  
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