

**NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
FARIDKOT HOUSE
COPERNICUS MARG, NEW DELHI - 110001**

Dated 03/12/2012

Case No. 468/12/5/09-10-AR

To

11 DEC 2012

TEJANG CIAKMA, RESEARCHER
NATIONAL CAMPAIGN FOR PREVENTION OF
TORTURE, C-3/44-C
~~BETUL, MADHYA PRADESH.~~

SANAK PURI, N. DELHI-58

Sir/Madam,

With reference to your complaint dated 06/06/2009, I am directed to say that the matter was considered by the Commission on 21/11/2012. The Commission has made the following directions.

The Commission vide its proceedings dated 16.09.11 had recommended to the State Government of Madhya Pradesh to pay a sum of Rs. 3 lacs to the under trial prisoner Janki Bai, wife of Sumran, after adjustment of Rs.50,000/- already paid to her. By the said proceedings, the Superintendent of Police, Baitul, Madhya Pradesh was also directed to submit the status of legal and departmental proceedings instituted against the delinquent police officials.

In response, S.P., Baitul, vide his letter dated 15.09.12 has informed that an amount of Rs.2,50,000/- has been paid to the victim vide cheque No. 074333 dated 04.08.12. Proof of payment has also been forwarded.

The Under Secretary, Govt. of Madhya Pradesh (General Administration Department) vide his letter dated 04.02.12 has forwarded a report dated 25.06.2011 of the S.P, Baitul, MP. It reveals that a charge sheet has been filed against the delinquent police officials in the court and the same is under consideration.

The Commission has considered the matter. The Commission finds that the report of Superintendent of Police is silent about the disciplinary action being instituted against the delinquent police officials. The Commission expects the Chief Secretary, State of Madhya Pradesh that disciplinary proceedings shall be instituted against the concerned delinquent police officials and appropriate action taken against them.

Since the recommendations for compensation have been complied with, the case is closed with the above observations.

A copy of the proceedings be sent to the I.O. and recipient of the relief.

This is for your information.

Yours faithfully,

ASSISTANT REGISTRAR(LAW)



National Human Rights Commission, New Delhi, India

Case Details of File Number: 468/12/5/09-10-AR

Diary Number	60535
Name of the Complainant	TEJANG CHAKMA, RESEARCHER
Address	NATIONAL CAMPAIGN FOR PREVENTION OF TORTURE, BETUL , MADHYA PRADESH
Name of the Victim	DALIT WOMEN
Address	R/O VILL- JAMBADA, PS- AMLA, BETUL , MADHYA PRADESH
Place of Incident	AMLA POLICE STATION BETUL , MADHYA PRADESH
Date of Incident	6/2/2009
Direction issued by the Commission	"The Commission vide its proceedings dated 16.12.2009 directed the Superintendent of Police, Baitul, Madhya Pradesh to submit proof of payment of interim relief paid under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 to Smt. Janki Bai, a victim of custodial rape at Police Station Amla, Baitul, Madhya Pradesh. The Superintendent of Police was also directed to send a copy of the judicial inquiry report being conducted by Judicial Magistrate First Class, Amla. Pursuant to the aforesaid directions, the Collector and District Magistrate, Baitul vide his letter dated 27.1.2010 has forwarded a copy of the report of inquiry conducted by Judicial Magistrate First Class, Amla along with proof of payment of RS.50,000/- paid to the victim. The Judicial Magistrate First Class in his inquiry report dated 14.8.2009 has prima-facie held, that S/Shri Nand Krshore. Anil Singh Thakur and Suresh Kumar are guilty of committing the offence under Section 276/506 IPC r/w Section 3 (2) (5) SC/ ST Act. A criminal case has already been registered against the delinquent police officials. Superintendent of Police, Baitul is directed to inform the Commission (i) whether charge sheet has been filed in the criminal case; and (ii) whether disciplinary proceedings have been initiated against the delinquent police officials. A report on the status of charge sheet as well as disciplinary proceedings against the delinquent police officials be submitted to the Commission within 4 weeks."
Action Taken	Additional Information Called for (Dated 10/18/2010)
Status on 10/30/2010	Response from concerned authority is awaited.

Note: For further details kindly contact **National Human Rights Commission, Copernicus Marg, New Delhi, PIN 110001 Tel.No. 23385368 Fax No. 23384863 E-Mail: covdnhrc@hub.nic.in**

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