

NATIONAL HUMAN RIGHTS COMMISSION
(L A W D I V I S I O N)
MANAV ADHIKAR BHAWAN, BLOCK-C, G.P.O. COMPLEX,
INA, NEW DELHI- 110023

Dated 11/03/2017

Case No. 868/13/33/2011-AD

To

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

19 APR 2017

Sir/Madam,

With reference to your complaint dated 12/05/2011, I am directed to say that the matter was considered by the Commission on 11/03/2017. The Commission has made the following directions.

By its proceedings dated 01.06.2016, this Commission had recommended to the Govt. of Maharashtra through its Chief Secretary to pay a sum of Rs. 4.5 lakhs as additional monetary relief to the next of kin of the deceased Baigya Nainu Pawar.

Pursuant to the directions of the Commission, Section Officer, Home Department, Govt. of Maharashtra vide communication dated 30.11.2016 has forwarded a copy of the order regarding the sanction accorded by the State Govt. for payment of additional monetary relief of Rs. 4.5 lakhs as per recommendation of the Commission has been sent but proof of payment has not been forwarded.

Issue reminder to the Chief Secretary, Govt. of Maharashtra impressing upon him to ensure that proof payment is furnished to the Commission within four weeks positively.

Since the Commission has already recommended monetary relief in this case, case Nos. 1047/13/33/2011- AD, 868/13/33/2011- AD & 619/13/33/2011- AD linked with this case are closed. Complainants of these cases be informed accordingly.

This is for your information.

Yours faithfully,



ASSISTANT REGISTRAR(LAW)

National Human Rights Commission

New Delhi, India

Case Details of File Number: 820/13/33/2011-PCD

Diary Number	72510
Name of the Complainant	DEPUTY SUPERINTENDENT OF POLICE
Address	CID UNIT, WASHIM CAMP AKOLA, WASHIM , MAHARASHTRA
Name of the Victim	BAIGYA NANU @ JAGAN PAWAR
Address	R/O WADHONA, WASHIM , MAHARASHTRA
Place of Incident	WASHIM MAIN HOSPITAL WASHIM , MAHARASHTRA
Date of Incident	5/10/2011
Direction issued by the Commission	The Commission received an intimation dated 11/5/2011 from Deputy Superintendent of Police (CID Unit), District Washim, Maharashtra about the death of one Baigya Nalnu Pawar @ Jagan, aged 28 years on 10/5/11 in police custody. He was brought to Risod PS by the police in connection with Cr. No. 88/11 u/s 399/353/332/336, 307 IPC r/w on 4/25 Arms Act. Vide its proceeding dated 23/9/2011, the Commission considered the various reports received and observed that the deceased was brutally beaten by the police officials due to which he sustained serious Injures resulting to his death. This was a serious violation of human rights of the deceased for which the State is vicariously liable. The Commission therefore directed to issue notice u/s 18 (a) (i) of Protection of Human Rights Act, 1993 to the State of Maharashtra through its Chief Secretary to show cause as to why recommendation for payment of compensation to be paid to the next of kin of deceased Baigya Nalnu Pawar, be not made. The Chief Secretary, Govt. of Maharashtra was also directed to transmit a copy of magisterial enquiry report in the matter and to inform regarding payment of monetary relief under the provisions of SC/ST Prevention of Atrocities Act, 1989 to the next kin of the deceased. Special Inspector General of Police (Crime-East), Crime Investigation Department, Pune, Maharashtra was also directed to inform regarding present status of case No. 108/11 u/s 302/330/331/ 341/342/201/34 IPC r/w 3(2) SC/ST Protection Act registered in Risod Police Station. In response, the magisterial enquiry report has been received. It has also been informed vide communications dated 10/1/2013 and 26/3/2013 that the State Government has sanctioned an amount of Rs.50,000/- for the family of the deceased and the same had been deposited in bank account of the deceased' wife. As the case pertains to death in police custody, the matter be now placed before a Division Bench of the Commission for further consideration.
Action Taken	Additional Information Called for (Dated 9/16/2013)
Status on 9/19/2013	Response from concerned authority is awaited

Note: For further details kindly contact National Human Rights Commission, Faridkot House, Copernicus Marg, New Delhi, PIN 110001
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