

NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
MANAV ADHIKAR BHAWAN, BLOCK-C, G.P.O. COMPLEX,
INA, NEW DELHI- 110023

Date: 07/04/2017

Case No. 2822/4/6/2013

To

16 MAY 2017

AMAL KANTI CHAKMA, COMPLAINTS COORDINATOR
ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, (2ND
FLOOR), JANAKPURI,
NEW DELHI, DELHI.

Sir/Madam,

With reference to your complaint dated 02/08/2013, I am directed to say that the matter was considered by the Commission on 06/04/2017. The Commission has made the following directions.

This complaint has been sent to the Commission by the NGO "Asian Centre for Human Rights". As per the complaint, a tribal student Master Mithun Kumar, a student of class VIII at Govt. Ambedkar Boys Residential School, Muala Bagh, District Bhojpur, Bihar, was electrocuted at the school hostel on 27.7.13. This incident happened allegedly due to the negligence of the school authorities.

Pursuant to the directions of the Commission, the SP, Bhojpur sent his report dated 25.11.2013. As per this report, one live electric wire had fallen on the floor of the bathroom of the hostel. The floor was wet. When Master Mithun entered into the bathroom he came in contact with the live wire and was electrocuted. FIR No. 258/13 u/s 304A/34 IPC and u/s 3(2)(vii) and 4 of the SC/ST (PoA) Act was registered at PS Nawada against the Principal, Supdt. of the Hostel and one clerk, Jitender Dubey. During investigation the charge of negligence was established against the 3 accused persons. All the accused surrendered before the court and were haled out. The report further says that after the post-mortem of the deceased 75% of the payable compensation of Rs. 3,00,000/- has been paid to the next of kin of the deceased. Further investigation in the case is pending.

Having considered the report, the Commission directed the District Welfare Office, Bhojpur to clarify us to under which law or rule the compensation has been paid to the next of kin of the deceased. It further directed S.P. Bhojpur, Bihar to submit a report on the status of investigation of the case.

Pursuant to the direction of the Commission, SP, Bhojpur, Ara has sent his report dated 25.8.2015. As per the report, during investigation the case was converted to offences u/s 304/34 read with Section 3(ii)(v) of SC/ST (POA) Act against accused Sitaram Jamadar, Principal, Rajendar Prasad, Superintendent and Jitender Dubey, Clerk. The investigating officer submitted charge sheet No 488/13 dated 27.12.2013. It

Further clarifies that the amount of relief was provided under the provisions of SC/ST (POA) Rules, 1995. Apart from Rs. 2,25,000/- paid as a relief, Rs. 25,000/- was paid to the family for ration. The investigation of the case has been completed.

The Commission has considered the report. Since investigating officer has investigated the case, submitted the charge sheet and the next of kin of the deceased has been paid adequate amount of relief, no further intervention of the Commission is required and the case is closed.

This is for your information.

Yours faithfully,


ASSISTANT REGISTRAR(LAW)