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Case No. 205/13/34/2011

NATIONAL HUMAN RIGHTS COMMISSION
(L A W D I V I S I O N)

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MANAV ADHIKAR BHAWAN, BLOCK-C,
G.P.O. COMPLEX,
INDIA, NEW DELHI 110002

Dated 10/03/2014

To
THE CHIEF SECRETARY
GOVT. OF MAHARASHTRA, MUMBAI

13 MAR 2014

Sub : Complaint from

SUHAS CHAKMA, DIRECTOR
NATIONAL CAMPAIGN FOR PREVENTION OF
TORTURE, C-3/441-C, JANAKPURI,
WEST DELHI DELHI 110058

Sir/Madam,

I am directed to say that the matter was considered by the Commission on 07/03/2014 and the Commission has directed as follows.

These proceedings shall be read in continuation of the earlier proceedings of the Commission dated 14.02.2013, vide which a reminder was directed to be issued to the Chief Secretary, Govt. of Maharashtra to submit reply to the show-cause notice.

Pursuant to that, a reply dated 6.02.2013 has been submitted by the Principal Secretary (Forests), Govt. of Maharashtra, in which it is stated that the alleged victim Shri Potanlal Paile has confessed that he poached a wild boar through electrocution 10 years back, which revealed that he is a habitual offender. It is also admitted that the police department has filed charge-sheet against Shri V.C.V. Narsingh Rao, Beat Guard, Shri V.B. Yelme, Beat Guard, Shri J.M. Baghele, Beat Guard, Y.S. Lavhade, Round Officer, Shri S.K. Akare, Forester Shri G.H. Pathan, Forester and Radhesham Dhulicand Rahangadale, Daily Wage worker. It is also stated that departmental enquiry has also been initiated, which resulted into filing of charge-sheet, a list of which is given.

In the report dated 13.03.2013, The Chief Secretary, Govt. of Maharashtra has stated that the Logging Officer, Nawegaon Bandh had conducted an internal departmental enquiry. In his enquiry report, the Logging Officer has concluded that Shri V.C.V. Narsingh Rao, Forest Guard with the help of Shri Radhesham Duliram Rhangadale, Barmahi Vanmajoor indulged in inflicting inhuman treatment to Shri Potanlal Beniram Paile and two others.

The Commission has perused and considered the above report.

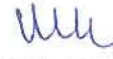
As per the enquiry conducted by the Department, it was found that inhuman treatment was given to the victim Shri Potanlal Beniram Paile. It is also clear that a charge-sheet has been submitted against the delinquent officials. A clear case of violation of human rights is made out. The victim deserves to be compensated.

Keeping in view the facts and circumstances of the case, the Commission recommends to the Government of Maharashtra, through its Chief Secretary, to pay compensation of Rs. 25,000/- (Rupees Twenty Five Thousand only) to the victim Shri Potanlal Beniram Paile. The Chief Secretary, Government of Maharashtra, is directed to submit compliance report alongwith proof of payment within

six weeks.

It is therefore, requested that the compliance report in the matter be sent to the Commission latest by 28/04/2014, so that the same could be placed before the Commission.

Yours faithfully,



ASSISTANT REGISTRAR (LAW)

CC To,

NNNN

NNNN

✓ **SUHAS CHAKMA, DIRECTOR**
NATIONAL CAMPAIGN FOR PREVENTION OF
TORTURE, C-3/441-C, JANAKPURI,
WEST DELHI, DELHI- 110058