

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

Dated 01/01/2015

Case No. 9/8/9/2013-AFE/FC

21 JAN 2015

✓ SHRI TEJANG CHAKMA, COMPLAINTS COORDINATOR
ASIAN CENTRE FOR HUMAN RIGHTS,
C-3/441-C, (2nd FLOOR),
JANAKPURI,
DELHI.

Sir/Madam,

With reference to your complaint dated 17/01/2013, I am directed to say that the matter was considered by the Commission on 20/10/2014. The Commission has made the following directions.

LINKED WITH CASE NO.8/8/9/2013-AFE/FC

"DGP, Himachal Pradesh vide communication dated 13.8.2014 has informed that the amount of Rs. five lakhs as recommended by the Commission has been paid to the parents of deceased Udayvir Singh. The proof of payment has also been sent to the Commission.

In view of compliance of recommendation, the case is closed."

This is for your information.

Yours faithfully,


DEPUTY REGISTRAR(LAW)

National Human Rights Commission

New Delhi, India

Case Details of File Number: 8/8/9/2013-AFE

Diary Number 644/CR/2013
Name of the Complainant AMITRA SUDAN CHAKRABORTTY, FOUNDER
Address MANAB, VILLAGE & PO KAPISTA, SUB-DIVISION-ASAONSOL, BURDWAN, WEST BENGAL
Name of the Victim UDAYVIR SINGH & OTHERS
Address N.A.
Place of Incident SIMLA, HIMACHAL PRADESH
 TARADEVI
 SIMLA, HIMACHAL PRADESH
Date of Incident 1/9/2013

Direction issued by the Commission

Amrita Sudan Chakrabortty, Founder, Manab Human - an NGO based in District Burdwan, West Bengal, by his email dated 16.01.2013 has forwarded a copy of press report captioned "One Youth killed in police firing in Shimla" that appeared in 'The Times of India' on 11.1.2013. According to the press report, a 26 year old Udayveer Singh was killed and another person named Harsh Sharma was injured after the cops fired at them at Taradevi in the outskirts of Shimla on 9.1.2013. The Commission took cognizance of the matter and issued notice to DGP, Himachal Pradesh, DM and SSP, Shimla and called for an explanation/requisite reports Pursuant to the notice, the Commission received MER from Enquiry Officer-cum-ADM (L&O), Shimla. After considering the various reports, the Commission issued a notice to the Government of Himachal Pradesh to show-cause why suitable monetary relief should not be recommended to be paid to the NOK of deceased Udayveer Singh and to the injured Harsh Sharma. DGP, Government of HP was directed to send the Post-mortem report of Udayveer Singh and the Injury certificate of Harsh Sharma to the Commission at the earliest and also to explain why the death of Udayveer Singh in police action was not reported to the Commission and what action has been taken against the delinquent police officers for negligence of their duties. Pursuant to the directions of the Commission, DGP, Himachal Pradesh vide communication dated 20.9.2013 has informed that as per the magisterial inquiry conducted by ADM (Law & Order), Shimla, Constable Ranbir Singh had exceeded the power vested in him under the law and not acted in a prudent and reasonable manner. If the police officials had acted diligently, the firing could have been avoided. Instead of resorting to any other form of force, they resorted to firing and it resulted in the death of Uday Singh. Having regard to these things, the Commission is of the view that it is a fit case wherein the NOK of the deceased Uday Singh has to be compensated. Therefore, a recommendation is made to the Government of Himachal Pradesh to pay a sum of Rs.5.00 lakhs as monetary relief to the NOK of the deceased Uday Singh. Chief Secretary, Government of Himachal Pradesh is required to submit compliance report along with proof of payment to the Commission within a period of eight weeks. It is reported that a departmental enquiry has been initiated against Constable Ranbir Singh and a criminal case u/s 304 IPC has also been registered against police officials. In this regard, DGP, Government of Himachal Pradesh to submit a status report to the Commission within eight weeks.

Action Taken Relief granted [Compensation, Disciplinary & Prosecution] (Dated 4/7/2014)

Status on 5/21/2014 Compliance of the Commission's recommendation by the concerned authority is awaited.

Note: For further details kindly contact National Human Rights Commission, Manav Adhikar Bhawan Block-C, GPO Complex, INA, New Delhi - 110023

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नोट: अन्य जानकारी हेतु कृपया संपर्क करे राष्ट्रीय मानव अधिकार आयोग, मानव अधिकार भवन, ब्लॉक-सी, जी.पी.ओ. कम्प्लेक्स, आई.एन.ए., नई दिल्ली - 110023,

फोन नं. 24651330 फैक्स नं. 24651329 ई-मेल : covdnhrc[at]nic[dot]in, ionhrc[at]nic[dot]in

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