

Date: 23. 02. 2018.

A Radiogram Message vide Signal No. 979/RB dated 10.02.18 has been received from the Superintendent, Dum Dum Central Correctional Home, intimating custodial death of one female UTP, namely, Sima Das (Mondal), aged about 27 years, daughter of Sanatan Das of Vill. Dhakuria Chand Para, PS—Gaighata, North 24-Parganas at R.G. Kar Medical College & Hospital on 10. 02. 2018 at about 08:05 P.M.

Dy. Commissioner of Police, North Division is directed to make an enquiry and submit report to this Commission within four weeks from the date of communication of this direction. Also intimate whether Judicial enquiry under Section 176 (1A)(a) of Cr.P.C. has been held by Ld. Judicial Magistrate, if so a copy thereof be sent.

Ld. Registrar

DG Correctional Services, West Bengal is directed to submit a detailed report along with copy of Post Mortem and Magisterial Inquest report etc., to this Commission within four weeks from the date of communication of this direction.

This direction is to be communicated forthwith.

(Signature)
(Naparajit Mukherjee)
Member

*orders above.
Drafts with f/c is placed below
for approval.*

AP
03.04.18 *(Signature)*
4.4.18

SDB

AS

(Signature)

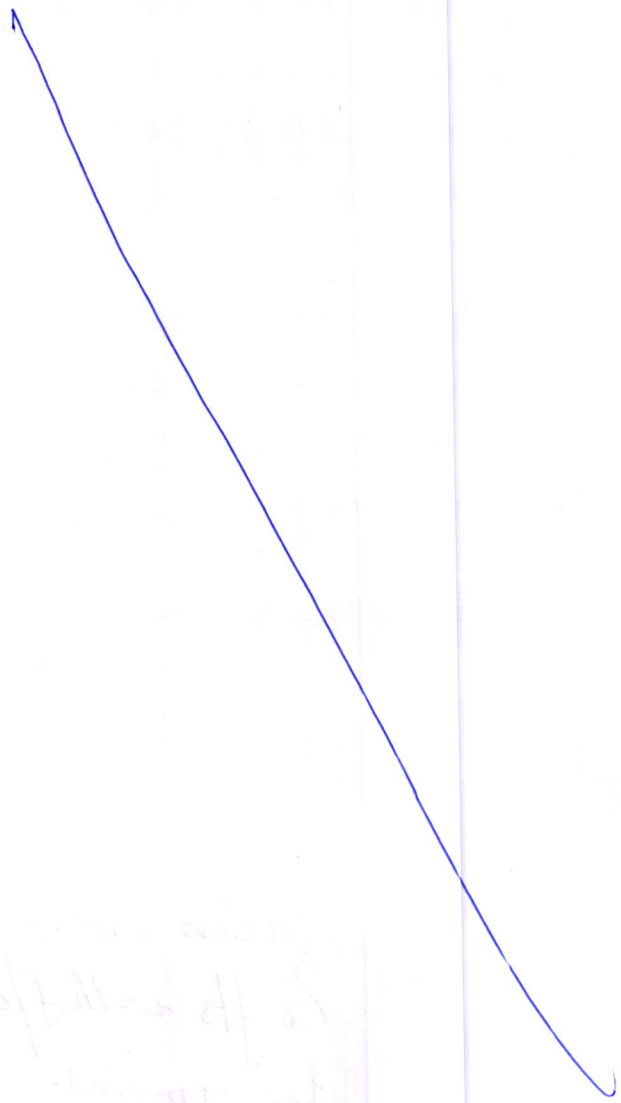
Memo No. 1823/HA Dated 27/6/18 from Deputy
Commissioner of Police, North & North Suburban
Division, Kolkata.

AS
16/7/18

Memo No. 4890/1(5) Dated 11/7/18 from
Superintendent Dan Den Central Correctional House

~~AS~~
Rgr
16/7/18

K. Sanyal
17.7.18



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NOTE SHEET

(3)

23/WBHR/CD/18

On 23.02.18, D.C.P (North Division). was directed to make an enquiry with regard to the custodial death of one ~~innocent~~ female UTP Sima Das (Mondal) and to submit a report and also to intimate whether judicial enquiry u/s 176(1A)(a) Cr.P.C. had been held by Ld. Judicial Magistrate and to send a copy of the enquiry report if such enquiry be held. The D. G. Correctional services was also directed to submit a detailed report along with P.M. report and Magisterial Inquiry report.

On 27.06.18 D.C.P (North ~~Division~~ ^{Suburban} Division), Kolkata forwarded a report along with attested copies of P.M report and Inquest report.

It appears from the copy of P.M report that the opinion of the doctor is as follows:

"Death was due to septic shock resulting from antemortem diseased condition of lungs, liver and kidney as noted above - ~~as~~ a natural cause".

The copy of the Inquest report is not legible. It has been further reported that the video cassette of P.M. examination has already been sent to the ~~Sd~~ Superintendent ~~at~~ Dum Dum Central Correctional Home. It has also been informed that viscera has not been preserved. It has further been informed that the Magisterial Inquiry was done by the Ld. J.M. 5th Court, Sealdah and the report is lying at that Ld. Court.

The communication dated 11.07.18 is nothing but the copy of the letter sent ~~to~~ by Supdt. D.D.C.H. to the S.S.S.P NHRC.

Pr Secy / Honble
Member (A)

PKP
28.08.18

less
29/8

File No.23/WBHRC/CD/18

An intimation was received from Supdt., Dum Dum Central Correctional Home intimating custodial death of a female UTP, namely, Sima Das (27 years) at R.G. Kar Medical College & Hospital on 10/2/18. The UTP was detained at DumDum Central Correctional Home in connection with Bongaon P.S. Case No.1154 dt.04/12/17 u/s 379/411/413/414/34 IPC and II of P.C. to Animal Act, 1962 on orders of Ld. ACJM, Bongaon. She transferred from Bongaon Correctional Home on 07/1/18. The female UTP referred to R.G. Kar Medical College and Hospital on health ground for better treatment on 16/1/18. She expired on 10/2/18. Ld. Registrar is directed to take following actions :

- i. immediately obtain a copy of Judicial Magistrate enquiry conducted by Ld. J.M., 5th Court, Sealdah if required through Ld. Court.
- ii. Obtain a legible copy of inquest report.
- iii. Dr. Kahali, HOD, FSM, SSKM Hospital and our in-house expert to examine the P.M. report and give his comments.

Ld. Registrar

N. Mukherjee
(N. Mukherjee)
Member
30/8/18

O.I.No. 711/WBHRC/23/CD/18

DT. 04.09.18

Despatched under Regn. No. RW720593823 IN
Dated: 05/09/18

On compliance with the direction of the Honble Commission at point No (i) the letter of the undersigned has been sent to the Court of the Ld. J.M., 5th Court, Sealdah under registered post, copy of the letter is tagged with the file.

Add. Secy (L & R Wing) is to send letters to the concerned government to the authority/ies concerned pursuant to the directions of point nos. (ii) and (iii) of the aforesaid order.

AKP
05.09.18

NK

AS

Orders for page,
F/c signed.

W. Jaisankar
10.9.18

O.I. NO. 786/WBHR/C/D/23/18
Dt. 10.9.18

Memo no. 2909/HA Dated 26/7/18 from
Deputy Commissioner of Police, North & North
Suburban Division, Kolkata.

B. Jaisankar
27/11/19
Rgr

W. Jaisankar
31.1.19

On 30.08.18, an order was passed by the Honble Commission with
some directions and a letter was sent by the undersigned, ~~under registered~~
post to the Lt. S.M. J.M. Sealdah vide Regn. No. RW 720593893 IN on 05/09/18
but Magisterial Inquiry report u/s 176(1A) has not been sent from the
end of the said Lt. Court

Nothing transpires from this file about the availability
of the opinion of Dr. Kahali.

Though a certified copy of Magisterial Inquiry report
has been forwarded by D.C. 8 (North & North Suburban Division)
Kolkata but pursuant to the order dated 30.08.18 passed by
the Honble Commission but the said copy is also not sufficiently
legible.

Prof. Secy (Honble
Member (A))

W. Jaisankar
01-03-19

No decision can be taken here
without Lt. J.M.'s report. Pls write 6/3
reunder. Also Dr. Kahali to pls
submit his views by 25/3/19

W. Jaisankar

W. Jaisankar
6/3/19

Asst. Secy (L & R Wing)
Contact Dr. Kahali immediately
and then put
up before me for making reminder to
Lt. J.M. 5th Lt. Court Sealdah.

W. Jaisankar
06.03.19

A.S.

Orders preface.

Dr. B.N. Kahali has submitted his report which is placed below.

Rgr

Submitted.

18.3.19

O.I. NO. 516/WBHR/C/23/18

Dt. 18.03.19

As per order dated 06.03.19, the reminder is sent to the Lt. J.M. 5th Court Sealdah. The copy of the letter along with sending report by fax is tagged with the file.

The report of Dr. Kahali has also been submitted and the same is also tagged with the file for the perusal of the Amble Commission.

It may be mentioned that as per information available in NHR portal (tagged with this file) the murder of ^{UTP} Sime Das (Mondal) was also registered as a case before NHR vide File No. 197/25/5/2018 where the date of completion appears to be 26.12.2018. Thus it is clear that cognizance was taken by NHR in this case also. Adv. Secy (LHR wing) is directed to put up this file on the returnable date i.e. 25.03.2019 before the Amble Commission, as per direction dated:

06.03.19.

M.P.
18.03.19

A.S.