

Date: 04 . 06. 2018

A Telecom Message vide No. 4350/1(21)/CD dated 26.04.18 has been received from the Superintendent, Alipore Central Correctional Home, intimating custodial death of an UTP, namely, Swapan Kumar Sircar, aged about 70 years, son of Sushil Chandra Sircar of 1984 S.P. Mukherjee Road, PS- Tollygunge, Kolkata at Calcutta National Medical College & Hospital, Kolkata on 26.04. 2018 at about 12:50 P.M.

Ld. Registrar

The Dy. Commissioner of Police, Eastern Suburban Division is directed to make an enquiry and submit a report 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.

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

This direction is to be communicated forthwith.

Naparaajit Mukherjee
(Naparajit Mukherjee)
Member

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

AL

*25.06.18
V. Vasudevan
26.6.18*

SDB

AS

Memo No. 7097/1(2)/CD Dated 15/7/18 from
Supt Superintendent, Alipore Central Correctional Home.

[Signature]
31/8/18

[Signature]

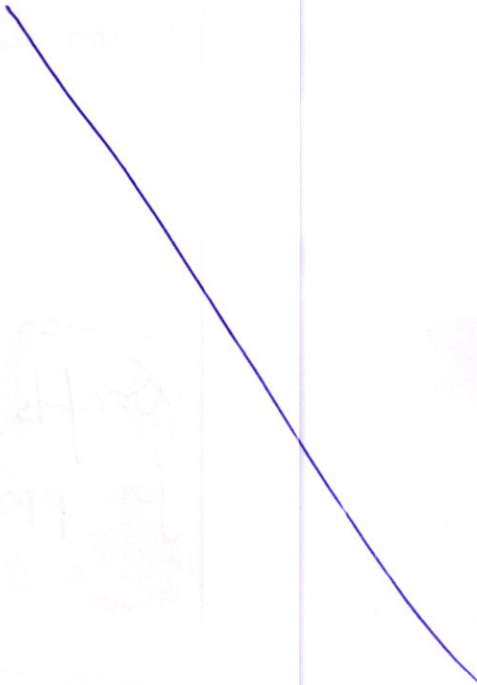
Memo No. SEDJ 1828/HA Dated 23/8/18 from
Deputy Commissioner of Police, South East Division, Kolkata.

[Signature]
29/12/18

Memo No. 8205/1(2) CD Dated 19/8/18 from Superintendent
of Alipore Central Correctional Home.

[Signature]
20/12/18
Rgr

[Signature]
31.1.19



NOTE SHEET

(3)

49/WBHR/C/18

On 04.06.18 D.C.P (E.S.D), Kolkata and D.G, Correctional Services were directed to submit their respective reports with regard to the custodial death of UTP Swapain Kumar Sarkar along with specific information and/or documents.

It appears from the communications made by the Supdt, Alipore Central Correctional Home and D.C.P (S.E.D), Kolkata ^(noted in NRP-2) that ^{certified} 1 copy of Magisterial Inquest report and PM report ² have been forwarded. But the certified copy of the Magisterial Inquest report is not legible.

It appears from the certified copy of the PM report that the death was caused due to the effects of the diseased condition of the organs, as noted therein, — a natural cause.

It further appears that the FSL report and Magisterial inquiry report are still awaited.

~~Pr. Secy / Handle
Member (A)~~

PKR
06.03.19

has
9/3.

Dr. Kahali to submit his
views on PM report by
25/03/19

~~_____~~
6/3/2019

Asstt. Secy. (L & R Wing) / S.O.
is to take immediate action

PKR
06.03.19

Orders above,
The opinion of Dr. Kahali is placed
in the file for kind perusal.

With effect
4.4.19

hd. Registrar

AS

~~Rgr~~

NOTE SHEET

- 4 -

It appears from the report of Dr. B. N. Kahali that the opinion about the cause of death can be given in a confirmatory and full-proof manner only on the basis of the FSL report,

It further appears that the FSL report is not available till now.

Submitted.

Prasenjit Ghosh
Member (A)

Prasenjit
Registrar

08.04.19

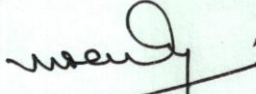
Prasenjit

- 5 -

File No.49/WBHRC/CD/18

(i) Ld. Registrar to please verify whether N.H.R.C. has already been taken cognizance in the matter.

(ii) Assistant Secretary to issue reminder for F.S.L. report


(N. Mukherjee)
Member
9/4/19

Ld. Registrar



(6)

CUSTODIAL DEATH OF UTP SWAPAN KUMAR SIRCAR

On 09.04.2019 the Hon'ble Commission directed the undersigned to verify whether NHRC has already taken cognizance in this matter.

It appears from the downloaded copy of the information that DG-I of NHRC was directed on 09.05.18 to enquire from SHRC concerned as to whether cognizance had been taken by the said SHRC. No further order appears in the downloaded copy of information.

The downloaded copy of information is tagged with the file for the kind perusal of the Commission.

Submitted.

*Pr. Secy/ Hon'ble
Member (A)*
S.B.

Pr. Secy
Registrar
11.04.19

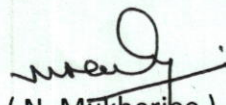
Ld. Repr.
Justice P.C. Ghose has asked his
Office to ascertain if SHRC the
Status. what have we done and?
after that what NHRC has done?
needed
12/4/19

It appears from the office copy of the notice issued by
Asst. Secy (L&R Wing) that a communication was made to the
~~Superintendent~~ Superintendent Alipore Central Correctional Home
and D.C.P. (ESD), Kolkata calling for ^{their} respective reports. It further
appears that copy of the said notice ~~was~~ under case No. 214/S/18-19/
-CD/OC/49/CD/18 dated 25.06.18 was also issued to the S.S.P.,
NHRC. Nothing appears from this file ² that any further action
has been taken by NHRC.

*Pr. Secy/ Hon'ble
Member (A)*

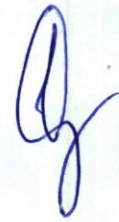
Pr. Secy
16/4
16.04.19

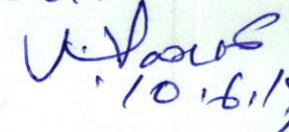
WBHRC took cognizance in the matter on 04/6/18 and the same was intimated to S.S.P., N.H.R.C. The NHRC vide its letter dtd.09/5/18 appears to have taken cognizance in the matter and wanted to know the position from SHRC. By this time the SHRC has already communicated to ^{NHRC}WBHRC. However, nearly a year has passed but there is no further communication from NHRC and all further correspondence from Correctional Homes etc. are being addressed to SSP, NHRC. This gives an impression that NHRC has not dropped the matter. The F.S.L. report is also awaited since long despite reminders. In view of above, as NHRC is seized with the matter we may file the same.


(N. Mukherjee)
Member
17/4/19

Hon'ble Chairman

It appears that on 4/6/18 evening by the NHRC was already pending. Accordingly the matter is filed. Copy of the order let communicated to NHRC for information.

 18/4/19

orders above,
F/c Signed,

10.6.19

O.I. NO. 926/WBHRC/CD/49/18
Dt. 11.6.19

NOTE SHEET

Memo No. 3987/1 (CP) Dated 29/6/2020 from
Bareilly Central Correctional Home.

S:
5/10/2020