

Date: 31 . 05. 2018

A Telecom Message vide No. 5167/1(20)/CD dated 22.05.18 has been received from the Superintendent, Alipore Central Correctional Home, intimating custodial death of an UTP, namely, Sudhir Chandra Sarkar, aged about 65 years, son of Late Labin @ Nabin Sarkar of Vill. Settari, PS-English Bazar, Dist. Malda at Calcutta National Medical College & Hospital, Kolkata on 22.05. 2018 at about 11:30 A.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.

Naparajit Mukherjee
(Naparajit Mukherjee)
Member

Orders as above.

F/CS put up for approval.

SDB

AI
25.06.18
V. Vasu
4.7.18

AS

Memo no. SED/1829/HA Dated 23/8/18 from
Deputy Commissioner of Police, South East Division
Kolkata.

Memo no. 6851/1(2)/CD Dated 11/7/18 from
Superintendent Alipore Central Correctional Home.

~~AS. S~~
~~Rgr~~
2/1/19

V. S. S. S.
31.1.19

NOTE SHEET

(3)

54/WBHRU/CD/18

(mentioned in NSP-2)

The aforesaid communication, made by the Superintendent
Biligore Central Correctional Home is nothing but the copy of
his letter addressed to the S.S.P, NHRC but the D.C.P. (S.E.D),
Kolkata has forwarded the report pursuant to the order of the
Honble Commission dated 31.05.18 with regard to the untimely death
of UTP Sushir Chandra Sarkar.

It appears from the said report that Viscera Report
and Magisterial enquiry report ~~have~~ ^{have} not yet been
made available but certified ^{photo-} copies of Magisterial Inquest
report and F.M. report ^{certified photograph of the} have been forwarded.

It appears from the ^{certified photograph of the} Magisterial Inquest report
that no external mark of injury was noticed at the time of
inquest.

It appears from the certified photograph of the
F.M. report that the cause of death has not ~~been~~ ^{been} properly
reflected in the said ~~report~~ ^{report}.

PKR
01.03.19

by
5/3/19

Pls check up with NHRC
whether they have taken
Cognisance in the matter?

6/3/19

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

PKR
06.03.19

~~Prisay/Hulle
member (A)~~

Ld. Registrar

AS

Order preface.

The NHRC has taken cognizance
in the matter on 01-06-2018 and
WBHRC has taken cognizance
on 31-05-2018.

The opinion of Do. B. N. Katak
is placed in the file.

Aggr

V. S. S. S.
4.4.18

~~Handwritten text, mostly illegible due to blurring and crossing out.~~

~~Handwritten text, mostly illegible due to blurring and crossing out.~~

~~Handwritten text, mostly illegible due to blurring and crossing out.~~

(5)

It appears from the report of the Asstt. Secretary(L&R Wing) that WBHRC had taken cognizance in this matter prior to taking cognizance by NHRC.

In this matter the opinion of Dr. B. M. Kahali was not called for but the same has been submitted by Dr. B. M. Kahali. It is ^{explained} explanation by the Asstt. Secretary(L&R Wing) that ^{the} file was sent by mistake to Dr. B. M. Kahali along with other ^{similar} same matters and for that reason Dr. B. M. Kahali was under impression that his opinion was sought for in this case also and accordingly he has submitted his report.

However, this report, though not called for but the same is to some extent useful since the cause of death had not been ^{properly} reflected in the photocopy of the P.M. report submitted in this present case.

Though the cause of death could not be ascertained from the copy of the P.M. report, but it has been made clear by Dr. B. M. Kahali that as per P.M. report the opinion of the Autopsy Surgeon is that "Death was due to effect of diseased condition as noted above (P.M. report) – a natural cause." It has been opined by Dr. B. M. Kahali that he is of the opinion that there is nothing to add or delete to ^{the} opinion of the Autopsy Surgeon as stated above. However, it has also been opined by Dr. B. M. 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 may be mentioned that the FSL report is not available till now.

Submitted.

Prof. Secy / Hon'ble
Member (A)

S.B.

Registrar

09.04.19

Curr
9/4.