

Date: 24.07.2018

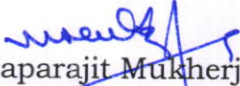
A message bearing Signal No. 5244/RB dated 23.07.18 has been received from the Superintendent, DumDum Central Correctional Home intimating the custodial death of **UTP PRATAP KAYAL** (36 YEARS), S/O Sudhir Kayal, Vill- Rafiadi, P.O. - Mirgunj, Dist - Basirhat, Bangladesh.

It is reported that he expired at R.G. Kar Medical College & Hospital on 23.07.2018.

The Dy Commissioner of Police, North & North Suburban Division is directed to cause an enquiry and submit a report within four weeks from the date of communication of this direction. Also intimate whether inquest by Judicial Magistrate done u/s 176(1A)(a) of Cr. P.C.

The Director General of Correctional Service, West Bengal is directed to submit a detailed report alongwith copy of P.M. report and Magisterial inquest report etc. within four weeks from the date of communication of this direction.

This direction is to be communicated forthwith.

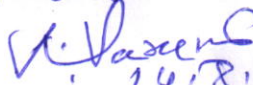

(Napanarajit Mukherjee)
Member

Orders as above.

F/cs put up for approval.

A1

14.08.18


14.8.18



AS' Memo No. 2550/HA Dated 24/9/18 from
Deputy Commissioner of Police, North & North Suburban
Division, Kolkata.

~~S~~
21/1/19

Memo No. 6680/1(7)RB Dated 12/9/18 from
Superintendent Dam Dam Central Correctional Home.

AS' ~~S~~
21/1/19

Memo No. 6827/1(7)RB Dated 18/9/18 from
Superintendent Dam Dam Central Correctional Home.

Memo No. 5873/1(7)RB Dated 14/5/18 from
Superintendent Dam Dam Central Correctional Home.

~~S~~
Rgv
~~S~~
21/1/19

V. Sankar
31.1.19

(mentioned in NSP-2)

The three communications, other than the communication, dated 24.09.18 are the correspondences, ^{made} ~~made~~ between the ~~the~~ Superintendent Dum Dum Central Correctional Home and the O.C. Tala P.S., but the ~~2~~ communication dated 24.09.18 has been made by the D.C.P. (North & North Suburban Division) Kolkata pursuant to the order dated 24.07.18 with regard to the custodial death of UTP Pratap Haigal.

~~2~~ Copies of Magisterial Inquest report and the P.M. report ~~are~~ are enclosed with the said reports.

It appears from the copy of Magisterial Inquest report that only tattoo mark was found in the right hand and there was no other visible injury found in the body of the deceased.

It appears from the P.M. report that death was due to the effects of antemortem diseased condition of heart and lungs.

Pr. Secy / Hm. Secy
Member (B)

Pr. Secy
01.03.19

Secy
9/3/19

- 1) where is the Judicial Enquiry report of Ld JM? Pls ask for it
- 2) Opinion of our in house expert Dr Kahali be obtained quickly

Secy

GMB

Ld. Secy

O.I. No. 187/WBHR/C/D/73/18 Dt. 6/3/19

The aforesaid letter addressed to the Ld. 3rd J.M. Sealder was ~~received~~ sent by fax and also served by hand on 06.03.19. The copy of the letter ~~showing~~ ^{showing} service by hand and the sending report by fax are tagged with the file. Service

contd to Page 2

NOTE SHEET

(4)

Contd. from page 3

by hand ~~letter~~ is substantiated from the ~~enclaves~~
endorsement, initial and receiving seal of the
court of the Ld. J. M. Sealadah ~~copy~~ of the
~~copy of the letter~~ itself (tagged with the file).

PKP
08.03.19

st. S

Now ~~st. S~~ (Ld. J. M. Sealadah) is to take necessary
steps as per indication in Sl. No. 2 (~~marked with red ink~~)
(marked with red ink).

PKP
08.03.19

orders prepage.

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

V. Saxeas
4.4.19

~~PKP~~

It appears that ^{as per} ~~the~~ order dated 06.03.19, the Ld. J. M.
3rd Court Sealadah was requested to send the copy of the
judicial enquiry report. The letter of the undersigned
was duly communicated by fax as well as by hand
service but till now no ^{reply} ~~report~~ is available.

It appears from the report of Dr. B. M. Kahali
that the opinion about cause of death can be given in a
confirmatory and full ^{proof} ~~proof~~ manner only on the basis of
the P.S.L report. But the P.S.L report is not available
till now.

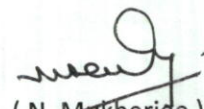
PKP
08.04.19
Lent
ok.

~~PKP~~ / ~~Member~~

File No.73/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

(i) It appears from the downloaded copy of information that ~~reference~~ an order was passed by N.H.R.C. on 2018 but no further action ~~was~~ was taken thereafter. On the other hand the authority concerned being the D.C. P (North & North Suburban Division) forwarded the report ^{directly} to the WBHRC and not copy of the report addressed to N.H.R.C. like other matters. The downloaded copy of information is tagged with the file, ~~xxx~~

16.04.19

16/4

Pro Secy / Hable
Member (A)

File No.73/WBHRC/CD/18

WBHRC took cognizance of the matter on 24/7/2018 and informed the same to S.S.P., NHRC. The status report of NHRC indicates that NHRC reportedly contacted WBHRC but there is no response from the State Commission. Therefore, NHRC is continuing with their cognizance. This is factually incorrect as the WBHRC already communicated the matter to NHRC on 24/7/18 vide memo no.187/15/18-19-CD/UC/73/WBHRC/CD/18. In view of above I am of the opinion that matter be filed.

(Signature)
(N. Mukherjee)
Member
17/4/19

Hon'ble Chairman

It appears that on 10th Sept 2018
enquiry by the WBHRC was already pending.
Therefore the opinion requires reconsideration.
Not for discussion at an early date.

(Signature)
18/4/19

Matter was discussed in Full Bench
of Commission. It was decided to deal
with the matter in WBHRC.
Further, in view of PM report inquest
report & opinion of our in house to
report it appear death was due to
natural cause. As such, it was decided
to file the matter.

(Signature)
26/6/19

(Signature)
26/6/2019.

~~*(Signature)*~~

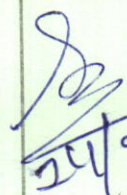
A.S.S.O

The file was kept by the then Asstt. Secy.
Shri N.C. Sarkar without any knowledge of anybody
and same have been traced out after Regional
Secy.


Now the file is to be placed with records.

Memo No. 7586/RB dated 16/10/18 from
Superintendent, Dum Dum Central Correctional
Home.

Memo No. 7587/1(5) dated 16/10/18 from
Superintendent - Dum Dum Central Correctional Home.

AS - 
24/9/2020

Memo No. 6072/1(7)/RB dated 21/8/18
from Superintendent - Dum Dum Central Correctional Home.

AS - 
28/9/2020