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110/WBHRC/CD/2019

Date : 23.12.2019

A Radiogram Message vide no.9446(16)/RB(CD) Dated :25.11.2019 has been received from the Superintendent, Presidency Correctional Home intimating custodial death of one convict namely Babar Ali age about 43 yrs. S/O Lt. Julmat Sk, of village Bilashpur, P.S. Murarai, Dist. Birbhum, who ~~was~~ expired at Calcutta National Medical College & Hospital on 25.11.2019 at 04.10 p.m.

The Deputy Police Commissioner, Eastern Suburban Division is directed to cause an enquiry and to submit a report within four weeks from the date of communication of this order and to intimate whether enquiry by Judicial Magistrate has been done under section 176(1-A)(a) of Cr.P.C. In case it has been done a legible copy be sent. In case it has not been done, the reason therefor should be informed.

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

This direction is to be communicated forthwith.

(Justice G.C. Gupta)
Chairperson
WBHRC

orders above -

f/c's part up for approval -

10/02/2020

AS

Done
31/12

NOTE SHEET

110/WBHR/CO/2019
2876/25/5/2019-JCO

Memo No. 1281/(12)RB Dated 4/2/2020 from
Superintendent, Presidency Correctional Home.

Case No. 1748/25/19/2019-JCO. Dated 11/12/19
from Assistant Registrar (Law) NHRC.

AS
7/8/2020

AS
13/8/2020

Ld. Reg.

Memo No. 2299/RB Dated 4/3/2020 from
Superintendent, Presidency Correctional Home.

Memo No. 2299/1/RB Dated 4/3/2020 from
Superintendent - Presidency Correctional Home.

AS
28/9/2020

Memo No. SEDT 911/HA Dated 10/6/2020
from Deputy Commissioner of Police, South East
Division, Kolkata.

Memo No. EDI/979/20 Dated 16/3/2020
from Deputy Commissioner of Police, Eastern
Suburban Division, Kolkata.

AS
28/9/2020

hw
28.9.2020

The reply to the letter dated 11.12.2019^{was} sent to W/HRC on 23.11.2020 through mail vide Ref No. 70/WBHR/2876/25/5/2019 - JCD. The letter and the sending report for service through mail are attached with the file.

It appears that on line transfer of this file has not been done till now and thus it is not possible to forward the matter to the amble chairperson ~~with~~² so long the on line transfer is not done by Asst. Secy (L & R Wing).

PKP
23.11.2020

It appears that online transfer has been done today and thus the file may be taken up for ~~forwarding~~² preparing summary of the reports tagged with the file.

PKP
01.12.2020

A.S

On 23.12.2019 the Hon'ble Commission took cognizance with regard to custodial death of one convict namely Babar Ali and DCP, Eastern Suburban Division was directed to cause an enquiry and to submit a report and he was further directed to send the Judicial enquiry report if any. The D.D., Correctional Services was also directed to submit a detailed report along with copy of P.M. report and magisterial enquiry report. It further appears that the DCP, Eastern Suburban Division transferred the matter to DCP, South Eastern Division, Kolkata since the matter relates to Baniapukur P.S. which is under the administrative control of DCP, South East Division, Kolkata.

It further appears that several other correspondences have been tagged with this file but the same are addressed to NHRC and only the copies thereof have been sent to WBHRC.

However, the DCP, South East Division, Kolkata has directly sent ~~to~~ WBHRC the copies of P.M. report and Magisterial Inquest report ~~to WBHRC,~~ to WBHRC,

It appears from the copy of the Magisterial Inquest report that no external mark of injury was found at the time of inquest. It appears from the copy of the P.M. report that the remarks of the concerned civil surgeon are as follows:

"Death was due to effects of diseased condition of organs as noted above ----- a natural cause"

It appears that the diseased conditions of different organs are specifically noted in the ~~same~~ ^{said} P.M. report.

Submitted,

Hon'ble Chairperson

Ascertain the steps, if any, taken by NHRC and report back.

2/12/20

Registrar
01.12.2020
WBHRC

It appears from the downloaded copy of case details that NHRC has already disposed the case after considering

contd.

Contd. from page-4


the P.M report and the enquiry report of the
judicial Magistrate.

The copy of case details is attached with
min file for perusal of the Amle Commission,

~~Amle Chairman~~

PRPHT

17.12.2000

In the facts aforesaid the matter
is filed. 

R