

FORM. II**TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN, AGARTALA****Complaint No. 26 of 2023****ORDER SHEET**

Sl.No.	DATE	ORDER	NOTE
07	26.09.23	One under trial prisoner namely: Md. Niyamul Mullah, aged about 55 years S/O Lt. Intaj Mulla, resident of village Kanchanpur, PS Laliya, District Naryal, Bangladesh was in custody in connection with West Agartala PS case no. 2022WAG144, U/S 3 of IPP Act. While in custody he fell ill and was under treatment at AGMC & GBP Hospital, Agartala, died on 24.03.2023 at about 12:10 AM. Since Md. Niyamul died while in custody, it was reported by the Superintendent of Kendriya Sansodhanagar, Bishalgarh to the State Human Rights Commission and the Commission by order dated 24.03.2023 directed I.G Prisons to submit required different reports including the <u>final postmortem report of the deceased.</u> After the death of Md. Niyamul Mullah, U/D case no. 2023/BLG/010 dated 24.03.2023 U/S 174 Cr.PC was registered and ASI Usha Ranjan Debbarma was appointed as I/O of the case. He collected preliminary postmortem report and also collected the sample of viscera of the deceased for sending it to SFSL for examination and report and he was supposed to send the SFSL report to AGMC &	

GBP Hospital for preparation of final postmortem report.

Though all other reports were received by the Commission in the meantime, even after repeated letters /reminders sent by the I.G. Prisons, the final PM report not yet received only because of SFSL report which has not been collected by the I/O of U/D case and therefore the final PM report could not be prepared and sent by the concerned Medical Officer.

The disposal of the case is pending only for the receipt of final PM report.

The Commission has passed repeated orders to expedite the submission of SFSL report to the Medical Officer of AGMC & GBP Hospital and copy of the order were sent to O/C Bishalgarh PS as well as SP, Sepahijala.

We are quite surprised and shocked to observe that SP, Sepahijala, even after repeated reminders has not taken any action, atleast did not inform the Commission about any action taken on the issue.

Officer- In-Charge of Bishalgarh PS vide letter dated 27.07.2023 informed the Commission by writing a letter that ASI Usha Ranjan Debbarma collected the viscera along with preliminary PM report from AGMC & GBP Hospital. But due to unavoidable circumstances, the viscera was not sent to SFSL, Tripura for forensic analysis. He further informed that within a very short period viscera will be sent for chemical analysis by the SFSL Tripura.

On receipt of the above communication from O/C Bishalgarh PS, the Commission passed order and was under

the expectation that the final PM report will be collected and will be sent to the Commission for disposal of the matter.

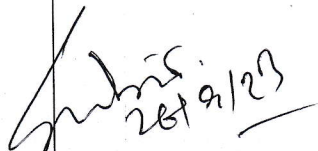
Pursuant to our last order dated 28.08.2023 Superintendent of Kendriya Sansodhanagar approached O/C Bishalgarh PS vide letter dated 08.09.2023 to send the final PM report but till today no action is taken.

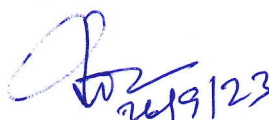
The Commission is at a loss to appreciate the delay and /or negligence in the matter of taking appropriate action on such a simple issue. This is a case of a foreign national who died while in custody and therefore it has to be disposed of in accordance with law at the earliest. We therefore consider that the matter be taken to the notice of DGP, Tripura to look into the matter and so that the SFSL report is collected immediately and it is submitted to the AGMC & GBP Hospital for final PM report.

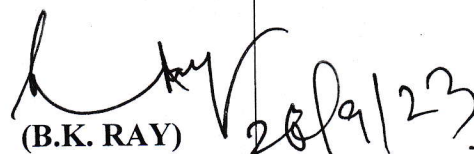
The U/D case which has been registered after the death of the deceased also requires to be disposed of at the earliest and report may be sent to the Commission.

Send a copy of this order to DGP, Tripura with a request to look into the matter.

List it on 30/10/2023.....


(S.C. SAHA)
MEMBER


(JUSTICE S.C. DAS)
CHAIRPERSON


(B.K. RAY)
MEMBER