

TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN : AGARTALA

Complaint No. 02 of 2023

ORDER SHEET

Sl No	Date	Order	Note
08	10.08.2023	This inquiry about the custodial death of Md. Muslim Shiek, a foreign national was initiated by the State Human Rights Commission on 10.01.2023. The person in incarnation died on 09.01.2023 while under treatment at AGMC & GBP Hospital, Agartala. After his death, Bishalgarh PS U.D. Case No. 2023 / BLG / 004 dated 29.01.2023 u/s 174 of Cr.P.C. was registered. One ASI Pradip Natta was entrusted the charge of investigation. While post-mortem examination was done over the dead body, viscerae were collected and those were supposed to be sent to the State Forensic Science Laboratory (SFSL) for examination and the report was supposed to be collected by the Police officer and sent it Contd...P/2...	

to the Medical Superintendent, AGMC & GBP Hospital for final post-mortem report. But that has not been done even after repeated reminders and requisition sent by the IG, Prisons.

We have passed a detailed order on 18.07.2023 in this respect. A copy of the order was sent to SP, Sepahijala District, SP, West Tripura District, OC, Bishalgarh PS, OC, NCC PS as well as Inspector General of Prisons.

It is quite surprising to know that neither SP, West Tripura District nor SP, Sepahijala District felt it necessary even to give a response to the Commission as to what happened to visceras of the foreign national and why the report has not been sent to the Medical Superintendent, AGMC & GBP Hospital.

To our utter dismay and surprise, we got a letter dated 27.07.2023, written by OC, Bishalgarh PS, directly addressed to the Chairperson, THRC stating that the visceras were collected by the I.O. of the case

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ASI Pradip Natta of Bishalgarh PS but due to some unavoidable circumstances, the viscera were not sent to the SFSL for analysis and report.

At the outset, we would like to note that any communication pursuant to any order of the Commission must be addressed to the Secretary of the Commission and the Chairperson as well as Members cannot be directly addressed about any such communication which should be noted by the senior officers and should be followed in future.

From the letter OC, Bishalgarh PS, it is quite evident that ASI Pradip Natta was sitting over the U.D. case and did not perform his duty, but no action has been initiated against him. OC, Bishalgarh PS was supposed to have supervision over this sort of matters and he has also failed to discharge his duty, even did not state in the letter as to under what unavoidable circumstances viscera were not sent to the SFSL.

Therefore, OC, Bishalgarh PS as well as ASI Pradip Natta of Bishalgarh PS should submit their

communicated to

① S.P. Sepahigala
District, vide
THRC/1732, dt.
10.08.2023

② O.C.
Bishalgarh PS
vide, THRC/1733
dt. 10.08.2023

③ Sni Pradip
Natta, ASI
Bishalgarh PS
vide, THRC/1734
dt. 10.08.2023

④ I.G. Prisons
Tripura, vide,
THRC/1735
dt. 10.08.2023

⑤ Medical
Superintendent
AGMC & GBP
Hospital, Agt.
vide, THRC/1736
dt. 10.08.2023

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response in writing as to why action should not be proposed against them for negligence in their duty in connection with such an important issue of inquiry about a foreign national, within 15 (fifteen) days from the date of issue of this order.

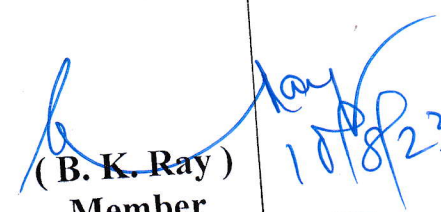
We further direct that OC, Bishalgarh PS should take immediate step to have the viscera examined by SFSL and to send the report to the Medical Superintendent, AGMC & GBP Hospital for final post-mortem report and shall arrange submission of the final PM report to the Commission which shall be his personal responsibility.

Copy of this order may be sent to SP, Sepahijala District, OC, Bishalgarh PS, ASI Pradip Natta of Bishalgarh PS, IG, Prisons and Medical Superintendent, AGMC & GBP Hospital.

List it after 15 (fifteen) days. **Fix 29/08/2023**


(Justice S.C. Das)
Chairperson


(S. C. Saha)
Member


(B. K. Ray)
Member