

TRIPURA HUMAN RIGHTS COMMISSION  
KUNJABAN: AGARTALA

**Complaint No. 31 of 2024**  
**(Complaint by Sri Sandipan Debnath regarding termination from service).**

**ORDER SHEET**

<b>SL. No.</b>	<b>Date</b>	<b>Order</b>	<b>Note</b>
02	16/05/2024	<p>The complaint filed by Sri Sandipan Debnath, S/o Lt. Surendra Debnath of Ashram Chowmuhani, Dhaleshwar, Agartala, West Tripura is taken up. He is present in person today in response to the Commission's order dated 23/04/2024. Accordingly, he is examined on oath and his statement is recorded, read over and explained to him to which he admitted to have been correctly recorded.</p> <p>The grievances of the complainant Sandipan Debnath so far alleged in his complaint received on 23/04/2024 was that he was appointed by Alankit Assignments Ltd. which was an implementing Agency of a project namely National Helpline for Senior citizens in Tripura on 15/11/2021. The project was administered by National Institute of Social Defence (NISD) and the state Nodal Agency was the Directorate of Social Welfare &amp; Social Education, Govt. of Tripura. He was serving in the company with all sincerity and devotion and the company paid his monthly salary. Since April-2023, the company stopped paying his salary but he continued to serve the company inspite of nonpayment. The company generated pay slip but no pay slip was given to him and no amount was credited to his account. On 28/07/2023 in the evening he received an e-mail from the company stating that his service was terminated. He tried to approach the company for such unusual termination and nonpayment of his salary till July-2023, but received no response. He approached the Labour Department and the Social Welfare Department, Govt. of Tripura for redressal of his grievances but received no relief. Therefore, he approached the Commission for justice.</p>	

Right to livelihood is no doubt a human right and if such right is infringed, one can approach the Commission for protection of his human right.

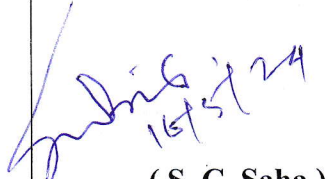
On receipt of the complaint, the Commission could not take cognizance since the alleged violation of human rights was not committed by any public servant or public authority as defined in section 2(m) of the Protection of Human Rights Act-1993 read with section 21 of the Indian Penal Code. The complainant Sandipan Debnath in his written complaint as well as in his oral statement, recorded by the Commission, clearly stated that the Agency by which he was appointed is a private limited company. As prescribed under section 12(a) of the Protection of Human rights Act, the Commission's jurisdiction extends only in respect violation of human rights by public servant and not otherwise.


We are constrained to observe that in such cases, a deprived person cannot be held remedy less. According to the complainant he has approached the Labour Department of the Govt. of Tripura against the Agency but he alleged that the Labour Department did not take any positive action for redressal of his grievances.

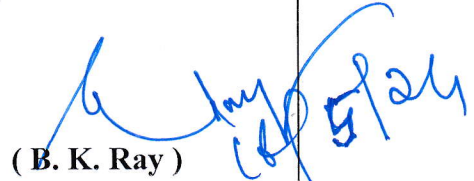
Prima facie we find that the matter comes under the purview of the jurisdiction of the Labour Department which may look into the allegations made by the complainant and give proper redressal of his grievances. The complainant may also approach appropriate other legal forum in accordance with law for relief against his summary termination as well as nonpayment of his salary as alleged.

Since the Commission has no jurisdiction to entertain the case of the complainant, it stands disposed at this stage itself.

A copy of this order may be made available to the complainant through his e-mail address.

  
( S. C. Saha )  
Member

  
( Justice S. C. Das )  
Chairperson

  
( B. K. Ray )  
Member