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**THE POLICE ACCOUNTABILITY COMMISSION
TRIPURA: AGARTALA**

COMPLAINT NO. 31 OF 2022

Sri Ajit Kumar Chowdhury
Vill.-Joykatpur
P.S. Belonia P.S.
Dist. South Tripura
&
Smt. Kajal Malakar
W/o Shri Ajit Kumar Chowdhury
Vill. Joykatpur
P.S.-Belonia P.S.
Dist.-South Tripura

.....Complainants

-vs.-

Yet to be decided

...

Opposite party

ORDER

Dt.28.10.2022

The Commission had received complaint dated 21.06.2022 from Shri Ajit Kumar Chowdhury (on behalf of his wife Smt. Kajal Malakar) in connection with the incident which took place in the jurisdiction of P.R. Bari police station.

2. It transpired from the complaint that wife of Sri Ajit Kumar Chowdhury, namely, Smt. Kajal Malakar was reportedly sexually assaulted by some people on 20.06.2022. From the complaint, it was not clear whether they had approached before Police Station in connection with the incident as mentioned in their petition.

3. After taking into consideration the complaint of Sri Ajit Kumar Chowdhury and Smt. Kajal Malakar, by order dated 29.01.2022, the Commission felt that the complainants may be asked to inform whether he or his wife have taken up the matter with concerned police station and if so, what is their grievance.

4. The Commission also highlighted the provisions under Section-66 of Tripura Police Act, 2007 which states the followings:

"Explanation. "Serious misconduct" for the purpose of this chapter shall mean any act or omission of a police officer, that leads to or amounts to:

(a) death in police custody;

(b) grievous hurt, as defined in Section 320 of the Indian Penal code, 1860;

(c) rape or attempt to commit rape;

(d) arrest or detention without due process of law; or

(e) violation of human rights;

(f) allegation of corruption.

5. Accordingly, vide order dt. 29.07.2022, a communication was sent to the complainants asking them to specifically mention the following:


(i) Whether he or his wife have filed any complaint before the concerned police station in connection with the incidents/crime as alleged by them.


(ii) If any complaint has been filed with the police station, is there any allegation regarding the lack of response by the concerned police station or any other allegations of serious misconduct of police which got covered under Section-66 of Tripura Police Act as mentioned above.


6. As no response was received from the complainants, further opportunity was provided to the complainants vide order dt. 29.08.2022 and 26.09.2022, but no response has been received by the Commission and no further input has been provided by the complainants in reference to their complaint and in reference to the observations made by the Commission in its order dt. 29.07.2022 as reflected in Para-5 above.

7. In view of above, we are of the view that no case is made out for taking up the matter under provisions of Section-66 of Tripura Police Act and, therefore, the matter stands disposed without making any recommendation.

8. Copy of the order may be supplied to the complainants, DGP and Secretary Home Deptt., Govt. of Tripura.


(Y. Kumar)
Member, PAC


(G. K. Rao)
Member, PAC


(Justice S.C. Das)
Chairperson, PAC