

## BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

File No. BHRC/Comp.933/13

**Subject: Death of a school boy due to slapping by school director on a trivial issue.**

**Case of Smt. Chanda Devi, Distt. E.Champaran**

Smt. Chanda Devi, Vill. Alisherpur, PS-Patahi, Distt. E. Champaran had complained to the Commission that her son, Shekhar Kumar (11 yrs), studying in class 5<sup>th</sup> in residential **Modern Public School Pakridayal**, Motihari was badly assaulted by the Director of the school Sh. Pappu Jaiswal on 2.2.2013 with the result he instantly died in the school. Her son was playing ball in the field which hit the window screen of the Director's vehicle. Enraged by this he assaulted her son.

2. According to police **Charge-Sheet** (copy enclosed by the petitioner) she had gone to meet her son who insisted on going home. She told that she will take him after the exams. She left the school. The boy kept crying. The Director of school, Sh. Pappu Jaiswal, dragged the boy inside the hostel and slapped him. The boy fell and hit a Chowki causing brain haemorrhage which resulted in his death. The Director first tried to project his death as a case of hanging. When he failed to do so, carried his body to the hospital, dropped him and fled away. The Director's vehicle seized by the police bore signs of damage to windows.

3. The case was registered as Pakridayal PS Case No. 09/13 dt. 02.02.2013, u/s 302/201/120-B/34/IPC. Charge-Sheet was filed in this case on 29.4.2013 against Director Sh. Rajesh Jaiswal @ Pappu Jaiswal and Kashi Jaiswal u/s 302/201-B/34/IPC while both were in custody. Pappu Jaiswal surrendered in Court on 02.03.2013 and Kashi Jaiswal was arrested on 03.02.2013. (Ref: Commission's letter no. 5433 dt. 30.4.2013 & 4710 dt. 21.4.2014).

4. Reportedly, District Education Officer, Motihari had issued a notice bearing no. 367 dt. 9.4.2013 to the Director, Modern Public School, Pakridayal, Motihari that the school was running without any Trust/Society/ Management Committee and Registration, against the rules, besides other deficiencies. He was asked to explain failing which the school will be declared illegal and its operations stopped .

5. **SP, Motihari will inform the Commission about the present status of trial of this case so that a decision is taken regarding recommending Speedy Trial by the Court of First Additional District & Sessions Judge, Motihari notified as Human Rights Court u/s 30 of the Protection of Human Rights Act.**

6. **District Education Officer, Motihari will inform the Commission as to what administrative action has been taken against the school management so far.**

7. **Nodal ASP/Dy. SP, Motihari and the District Education Officer, Motihari will appear before the Commission on 07<sup>th</sup> September 2015 (Monday) at 12:00 hrs along with reports on the points indicated above.**

8. The petitioner shall also remain present on the said date and time in the Commission.

9. Copy of the order be **faxed** to (i) **SP, Motihari & (ii) District Education Officer , Motihari for necessary action** and to the (iii) **Petitioner for information.**

Sd/...

Date: 06.08.2015

(Neelmani)  
**Member**

**S.P/DS**