ODISHA HUMAN RIGHTS COMMISSION
ORDER SHEET

Case No. 4841 of 20 2026

Name of the Complainant Biswapriya Kanungo & others

Sl. No.	Date	Order passed by the Commission	Office action taken with date
	26.11.26	The present complaint has been filed by Shri Biswapriya Kanungo & others. The have raised human rights concerns affecting the life, liberty, privacy and dignity of persons arrested or detained in police custody across the State of Odisha. Specifically, the complaint highlights recurring instances of arbitrary arrest, illegal detention, custodial violence and non-compliance with mandatory arrest procedures, and failure to inform family members or nominated persons regarding the arrest and place of detention which is infringement of fundamental rights guaranteed under Articles 14, 20(3), 21, and 22 of the Constitution of India, statutory safeguards prescribed under Sections 36, 37, 38, 47, 48, 53, 56, 57, 58, and 187 of the BNSS,2023 and binding judicial guidelines laid down by the Hon'ble Supreme Court of India in D.K. Basu v. State of West Bengal, (1997) 1 SCC 416, Paramvir Singh Saini v. Baljit Singh, (2021) 1 SCC 184, Sunil Batra, Francis Coralie Mullin, and Sheela Barse, substandard and unhygienic conditions in police lock-ups (Hajats), including overcrowding, lack of ventilation and sanitation, and absence of	

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OGP—MP—DTP-U1—(Law) 3—50,000—4-9-2025

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	26.11.26 Contd.	proper doors or partitions on toilets compromising the privacy and dignity of detainees, non-functionality of more than 800 CCTV cameras across police stations in Odisha as reported in the media, alongside non-preservation of CCTV footage and absence of a uniform Charter of Rights of Arrested and Detained Persons displayed prominently in Odia and English at police stations and Hajats. The complainant raising the above issues, seeks the intervention of the Commission. The complainants have sought broad and compilation of directions against the State Government and the Director General of Police, Odisha regarding general adherence to constitutional and statutory safeguards under the BNSS, 2023 and the guidelines of Hon'ble Supreme Court in D.K. Basu and Paramvir Singh Saini, improvement of physical infrastructure in police lock-ups, audit of CCTV cameras across police stations based on general media reports and display of a uniform Charter of Rights of Arrested and Detained Persons. On scrutiny of the averments made in the petition, it	

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	26.11.26 Contd.	is observed that the petition is wholly general, omnibus, and sweeping in nature. It does not disclose any specific incident, identifiable victim, particular police station, date and time or specific act of commission or omission by any identifiable public servant constituting a specific violation of human rights or negligence in the prevention thereof. Moreover, the statutory provisions of the BNSS, 2023 as well as the directions of the Hon'ble Supreme Court of India in D.K. Basu v. State of West Bengal and Paramvir Singh Saini v. Baljit Singh constitute the binding law of the land for the enforcement of which the State administration and jurisdictional Magistrates already exercise statutory oversight and accountability. However, the allegation having a bearing on the protection of human rights, notice be issued to the Secretary to Government, Home Department, Odisha and the Director General of Police, Odisha, Cuttack, the Director General of Prisons & Correctional Services, Odisha, Bhubaneswar seeking their opinions on such allegations by the next date. Put up on 15.02.2027. Communicate the order by e-mail/speed post. **JUSTICE S.PUJAHARI** **CHAIRPERSON**	

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