



Report of the Enquiry Committee
National Human Rights Commission

12.07.2021

INDEX

Sl. No	Article	Annexure	Page No.
1.	Synopsis		4-5
2.	Report of the Enquiry Committee		
	<ul style="list-style-type: none"> • Constitution of Committee and field teams 		6
	<ul style="list-style-type: none"> • Modalities followed 		7
	<ul style="list-style-type: none"> • Complex and extensive nature of the Enquiry 		8
	<ul style="list-style-type: none"> • Quantum of complaints received from various sources 		9
	<ul style="list-style-type: none"> • Data sought from Chief Secretary and DGP West Bengal 		10
	<ul style="list-style-type: none"> • List of spot visits of NHRC Teams 		11
	<ul style="list-style-type: none"> • Analysis of master data of complaints received from all sources 		12
	<ul style="list-style-type: none"> • Analysis of data of received from DGP West Bengal. 		13
	<ul style="list-style-type: none"> • Complaints forwarded to DGP West Bengal and registration of FIRs 		15
	<ul style="list-style-type: none"> • Brief analysis of Spot Inspections done by enquiry Committee 		15
	<ul style="list-style-type: none"> • Spot visits by Member- National Commission for Women 		17
	<ul style="list-style-type: none"> • Spot visits by Vice-Chairperson-National Commission for Minorities 		18
	<ul style="list-style-type: none"> • Spot Visits by Other Members of the Committee 		20
	<ul style="list-style-type: none"> • Brief of Camp Sittings 		21
	<ul style="list-style-type: none"> • Brief of important cases in which spot visits are made 		22
	<ul style="list-style-type: none"> • Brief of important Rape Cases 		22

	• Criteria for identifying delinquent Police officials		22
	• Criteria for identifying notorious Criminals /goons		23
	• Present Situation		23
	• Recommendations		32
	• Compliance with Court order dated 2.7.2021		45
	• Final Thoughts!		49
3.	Office order of NHRC	'A'	51
4.	Revised Office order of NHRC	'B'	52
5.	Master data base of complaints received	'C'	53-155
6.	Information collected from Chief Secretary and DGP West Bengal.	'D'	156-190
7.	List of spot visits	'E'	191-195
8.	Visit of Member NCW	'F'	196-390
9.	List of cases covered during spot inspections	'G'	391-813
10.	Detail of cases covered during spot inspections.	'H'	
	<u>Volume 1</u>		814-1247
	<u>Volume 2</u>		1248-1696
	<u>Volume 3</u>		1697- 2092
	<u>Volume 4</u>		2093-2599
	<u>Volume 5</u>		2600-2987
11.	Detail of rape cases covered during spot inspections	'I'	2988-3420
12.	List of delinquent Police officers	'J'	3421-3422
13.	List of notorious criminals/goons	'K'	3423-3428

SYNOPSIS

The situation in the State of West Bengal is a manifestation of "Law of Ruler", instead of "Rule of Law."

The spatio-temporal expanse of violent incidents in the State of West Bengal reflect the appalling apathy of the State Government towards plight of victims. This was retributive violence by supporters of the ruling party against supporters of the main opposition party. It resulted in disruption of life and livelihood of thousands of people and their economic strangulation. The local Police has been grossly derelict, if not complicit, in this violence.

To compound the problem, violence and intimidation has continued. There is palpable fear among victims against Police and goons of ruling party. Many displaced persons have not yet been able to return to their homes and resume their normal life and livelihood. There have been several sexual offences but victims are scared to speak out. Loss of faith in State administration among victims is very evident.

An alarming aspect of this violence amply figuring in public domain was that it evoked no empathy in State Administration in any tangible manner. Neither senior officers nor political leaders condemned the violence, visited the spots, assuaged the victims or did anything substantive to ameliorate the problems. People were left on their own to protect the violation of their human and fundamental rights, including right to life, liberty, dignified living and health.

The spate of violence shows a pernicious politico-bureaucratic-criminal nexus. Moreover, this violence also attacked some pillars of democracy including Rule of Law, Political Pluralism and Free, fair and secure polling.

The Committee has recommended that grievous offences like murder, rape, etc., should be handed over to CBI for investigation and these cases should be tried outside the State. The other cases should be investigated by a court monitored SIT. For adjudication, there should be fast track courts, Special PP and Witness Protection Scheme. The recommendations also include ex-gratia payment, compensation for damages, measures for reinstatement and rehabilitation, static pickets of CAPF, protection to women, action against delinquent Government servants, etc.

It is important that a Monitoring Committee should be formed to monitor the implementation of orders of this Court. This Committee should be headed by a retired Judge and should have independent officers as Observers in each of the affected districts.

This Report of the Committee comprises all the work done since its inception. The contents of its Interim Report dated 29.6.2021 have been suitably incorporated in this report; hence, the Interim Report may be ignored. This report may be treated as the Final Report of this Committee because it will take several months to enquire into all the complaints which, in any case, relate to similar offences and delinquencies. The work of this Committee can now be taken up by the proposed Monitoring Committee.

The Committee humbly requests that an early decision on its recommendations may be taken by the Hon'ble High Court because delay would result in continuation of misery of victims, many of whom may compromise with the situation.

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REPORT OF THE NHRC ENQUIRY COMMITTEE

In pursuance of WPA (P) 142 of 2021 of Hon'ble High Court Calcutta dated 18/06/2021 and subsequent directions in hearing on the same petition, on 21/06/2021 and 02/07/2021, a Committee was constituted by Chairperson, NHRC vide order No.B-26/5/2021–Coord dated 21/06/2021 (**Annexure "A"**). The Committee examined into the complaints of incidents related to post-poll violence in the State of West Bengal and visited the affected areas and interacted with the victims and other aggrieved petitioners/complainants.

In this regard the following facts/information is submitted before the Hon'ble High Court, Calcutta.

1. Constitution of Committee and field teams

As per the directions of the Hon'ble Calcutta High Court, the Chairperson, NHRC, constituted an Enquiry Committee consisting of following members:-

1. Shri Rajiv Jain, Member, NHRC- to head the Committee
2. Shri Atif Rasheed, Vice Chairperson, National Commission for Minorities
3. Smt. (Dr.) Rajulben L. Desai, Member National Commission for Women
4. Shri Santosh Mehra, Director General (Investigation), NHRC
5. Shri Pradip Kumar Panja, Registrar, West Bengal State Human Rights Commission
6. Shri Raju Mukherjee, Member Secretary, West Bengal State Legal Services Authority
7. Smt. Manzil Saini, DIG (Investigation), NHRC.

The Enquiry Committee was initially assisted by two operational teams of investigation division of NHRC to visit various places/villages for inspection/enquiries into alleged incidents of post poll violence in West Bengal. Since the incidents were reported from the entire State of West Bengal and number of complaints was very high, teams were again revised and instead of two, the Chairperson-NHRC and Head of Enquiry Committee reconstituted the composition of teams and five teams were formed vide order No. B-26/5/2021-Coord dated 24/06/2021. (**Annexure "B"**). Later on two more teams were added to augment the strength of the Enquiry Committee. Thus apart from seven dedicated teams of personnel from NHRC, teams under the leadership of the Head of the Committee, the Vice Chairperson NCM, the Member NCW, and DG-NHRC were also formed in order to cover maximum areas of West Bengal from where complaints had been received.

2. Modalities followed

The operational teams of NHRC consisting of one SSP, two Assistant Registrar (Law), 09 DySPs, 13 Inspectors, 10 constables, 2 JRCs and other secretarial staff were sent immediately in different areas into the State to carry out field visits. The Head of the Enquiry Committee Shri Rajiv Jain, HM-NHRC, Vice-Chairperson Shri Atif Rasheed of NC for Minorities, HM of NC for Women Smt. Rajulben Desai, DG-NHRC Shri Santosh Mehra, Member Secretary SLSA-Shri Raju Mukherjee, Registrar SHRC Shri Pradip Kumar Panja and DIG NHRC Smt. Manzil Saini also carried out spot visits to several places, conducted discreet enquiries into important and grievous incidents without disclosing their locations and

tour programs. The Committee Members also organized camp sittings at various places such as Kolkata, Purba Medinipur, Howrah, East Burdhaman, Murshidabad etc. to give a personal hearing to the victims/complainants/petitioners and noting their grievances and complaints. In this connection, a press note was also released by the Enquiry Committee inviting all Victims/ Complainants irrespective of their backgrounds/affiliations to meet Committee members and submit their statements/petitions/ evidences etc. in any incident that they suffered from during post poll period. The Committee members also met the Police officers in various districts, visited Police stations to get the official figures of crime and enquire into specific cases to seek the Police version and action taken into the incident.

03. Complex and extensive nature of the Enquiry

It is also to be mentioned that the scale of these incidents is widespread and extensive across the entire State of West Bengal and this kind of enquiry and spot inspection is unprecedented and being handled by NHRC for the first time. Despite constraints of manpower and resources, these teams worked day and night and covered 311 spot visits in a brief period of 20 days. Moreover, the geographical distances of various districts/villages in West Bengal, demography of the State, language constraints etc. added complexities to the overall nature of the enquiry. Also very limited assistance was sought from Govt. of West Bengal as the nature of enquiry was discreet and the allegations were against State Police and administration. The NHRC team preferred to take cover of CRPF security and the local Police/LQ was taken only for route guidance etc.

04. Quantum of complaints received from various sources.

This is to submit that after 02/05/2021 and further after the judgment dated 18/06/2021, a large number of data of complaints related to post poll violence was received and duly collected by NHRC Enquiry Committee. This includes:-

- a) A long list of complaints received in NHRC which are approx 1650 in number consisting of 5000 victims approximately.
- b) A list of complaints received in WB-SLSA and ATR collected by SLSA from Govt. of West Bengal. Though these are 315 in numbers they cover approx 9949 victims.
- c) Few complaints were received from WB-SHRC through e-mail (only 18 in number). Rest of the complaints received in WB-SHRC has been disposed of by the SHRC.
- d) A list of 57 complaint cases related to women was received from the National Commission for Women.
- e) A large number of cases related to murders, rapes, molestation and vandalism received from local sources in West Bengal while the teams were camping there.
- f) Information regarding heinous and other offences/complaints as narrated in the various petitions before the Hon. Supreme Court and Hon. High Court, Calcutta.

- g) A large number of complaints were received during the camp sittings, through email and mobile numbers given through a press release at the time of visits.

Overall speaking the Committee received around 1979 complaints/petitions covering over 15000 victims from the above mentioned sources. The data received from all the above sources is placed as booklet Master data of complaints at (**Annexure-"C"**).

05. Data sought from Chief Secretary and DGP West Bengal.

In this connection it is submitted that following information in prescribed formats has also been sought from Chief Secretary and DGP of West Bengal to assess the volume of crime/incidents acknowledged/registered by the State Govt. and action taken/rehabilitation/compensation granted to victims/aggrieved etc.

- A) Details of cases reported under various heads of crime, district wise from 02/05/2021 to 20/06/2021 and details of PCR calls, P.S. wise DD entries, MLCs of injured, preventive detention action, details of losses/property damaged, orders under 144 CrPC, CCTV recordings, intelligence inputs etc. vide NHRC's letter No.PS/DIG/NHRC/2021-23 dated 23/06/2021.
- B) Details of number of people displaced, total monetary loss, details of relief camp, people reinstated, compensation provided, employment given on compassionate grounds, confidence building measures taken etc. vide letter of even no. dated 27/06/2021.

- C) Details of Police officers transferred in/out from their place of posting vide letter No. PS/DIG/NHRC/2021 dated 27/06/2021.
- D) Details of cross cases registered in various incidents in prescribed format vide letter No. PS/DIG/NHRC/2021 dated 06/07/2021.
- E) Details of FIRs registered after the Hon. High Court's order dated 02/07/2021 on the various complaints forwarded by NHRC to the DGP of West Bengal vide letter No. PS/DIG/DGWB-Comp/L-1/2021 dated 07/07/2021.

This is to state that after sending many reminders, the Government of West Bengal has finally responded in a piecemeal manner and different districts have given information through digital mode (E-mail and Google link). Still the information sent is not complete and many vital columns have been left blank. The information with regard to point B is not received from the Chief Secretary of West Bengal till date despite sending three reminders. **(Annexure "D")**

06. List of spot visits of NHRC Teams.

During the limited period of 16-17 days (24th June to 10th July), the NHRC teams tried to cover large number of affected places and interacted with a large number of Victims/Complainants/petitioners, though not all places of incidents could be covered. The districts and areas to be visited on priority were identified on the following basis:

- i) Gravity of offence like murder/rapes/large scale vandalism.
- ii) Intensity/volume of cases.
- iii) Complaints of Police collusion/inaction.

A date-wise list of spot visits and areas covered are placed as (Annexure-"E").

07. Analysis of master data of complaints received from all sources.

MASTER DATA DETAILS

S.NO.	INCIDENT DISTRICT	NUMBER OF COMPLAINTS
1	ALIPURDUAR	15
2	BANKURA	26
3	BIRBHUM	314
4	COOCH BEHAR	322
5	DARJEELING	1
6	HOOGHLY	86
7	HOWRAH	63
8	JALPAIGURI	31
9	JHARGRAM	8
10	KOLKATA	172
11	MALDA	24
12	MURSHIDABAD	9
13	NADIA	90
14	NORTH 24-PARGANA	196
15	NORTH DINAJPUR	93
16	PASHCHIM BARDHMAN	17
17	PASHCHIM MEDINIPUR	55
18	PURBA BARDHMAN	113
19	PURBA MEDINIPUR	27
20	PURULIA	2
21	SOUTH 24-PARGANA	203
22	SOUTH DINAJPUR	6
23	WEST BENGAL (ENTIRE STATE)	106
	TOTAL	1979

Analysis of data collected from all the sources was carried out to make a broad assessment of overall scenario in terms of intensity and frequency of cases. The following observations are made:- It shows that very large number of complaints have been received from districts Cooch Behar, Birbhum, Purba Bardhaman, North 24 Parganas, South 24 Parganas and Kolkata while within the administrative districts the most affected Police districts are Baruipur PD, Bashirhat PD, Barrackpore PC and Diamond Harbour PD.

08. Analysis of data of received from DGP West Bengal.

The crime data under major heads as received from DGP Head Quarters from 02/05/2021 to 20/06/2021 is analysed as below:-

Sl. No.	Type of crime	No. of complaints lodged in all Police stations of West Bengal	No. of FIRs registered on these complaints	No. of accused cited in FIRs	No. of accused arrested so far	No. of accused arrested but now on bail	Percentage of accused arrested out of cited (approx)	Percentage of accused who are still in custody
1.	Murder/Homicide	29	29	379	134	2	35 %	35 %
2.	Attempt to rape /Sexual assault Molestation	12	12	53	11	9	21 %	4 %
3.	Grievous hurt/incapacitation	391	388	3780	590	492	16 %	2.5 %
4.	Arson/Vandalism /loot/damage to public or private property	940	609	4324	540	460	12 %	1.8 %
5.	Threats /criminal intimidation	562	130	768	79	123	10 %	123 are on bail whereas only 79 arrested which is contradictory
	Grand Total	1934	1168	9304	1345	1086	2.88 %	

From above data, it is evident that the percentage of accused arrested out of those cited and the percentage of accused who are still in custody is abysmally low, which shows inept performance of local Police and there is no deterrence for criminal elements as seen from the above crime data.

In the cases which were officially registered by Police, the number of arrests made are very few, in contrast to the large scale violence and huge number of accused in most cases. Cases have not been investigated on priority and, in many cases, sections invoked are not commensurate to the gravity of offences that occurred. The statement given in the above table reflects that, out of 9,304 accused cited in the FIRs, only 1,354 (14 %) have been arrested and, out of these arrested, 1,086 (80 %) are already on bail. Thus, overall speaking, less than 3% of the accused are in jail, while 97 % are out in the open, making a mockery of the whole system. It is quite evident that Police is working under influence and in a biased manner and do not have the courage to take action against looming goons belonging to the ruling dispensation. The I/Cs of Police Stations have not even visited the places of many of the violent incidents, nor collected any evidence or recorded statements, let alone registering FIRs.

09. Complaints forwarded to DGP and registration of FIRs

The Hon. High Court vide its orders of 2nd July 2021, in para 9 (a) has given the directions to Police of West Bengal to register cases in all matter which have been placed before the NHRC or any other authority/Commission and take steps to get the statements of the victims recorded under Sec-164 CrPC immediately, as per law. This is to submit that initially also as per the judgment of High Court Calcutta dated 10/05/2021 in WPA(A) 143 of 2021 around 582 complaints received by NHRC were sent to DGP West Bengal, for taking action as per law. Later after the Hon. High Court's judgment dated 2nd July 2021, around 1893 complaints (which includes initial 582 complaints sent earlier) received through various means in the NHRC and before the Enquiry Committee were sent to DGP West Bengal to take necessary action as per the directions of the Hon. High Court. A compliance was also sought from the DG HQs on the same, i.e. date wise and district wise registration of FIRs from 02/07/2021 onwards. A reply to the same from DGP West Bengal reveals that till date only 137 FIRs are registered which includes one FIR on Attempt to rape, four FIRs on grievous injury, 104 FIRs on arson/vandalism, 24 FIRs on criminal intimidation and 4 FIRs on other heads.

10. Brief analysis of Spot Inspections done by enquiry Committee

The attention of the Hon'ble High Court is now invited to the following table which pertains to the 311 spot enquiries conducted by seven operational teams of NHRC, spread over ten days.

Sl. No	TEAM	Total no. of places visited	Places where FIR not registered	Places where FIR Not registered (in %)	Places where minimization / dilution of crime	Places where minimization / dilution of crime (in %)	No. of victims/complainants who approached the teams but their statement could not be recorded by our team due to paucity of time /prior commitment
1.	A	95	61	64%	15	44%	73
2.	B	42	26	62%	4	25%	--
3.	C	51	40	78%	-	-	158
4.	D	35	18	51%	10	58%	1665
5.	E	36	17	47%	2	11%	900
6.	F	32	25	78%	2	29%	23
7.	G	20	01	5%	-	-	50
	Total	311	188	60%	33	27%	2869

As seen from the above, out of the 311 spot enquiries conducted by the teams, in as many as 188 instances (60%), FIRs have not been registered by the Police at all. Even in the 123 cases where FIRs have been registered, in as many as 33 cases (27 %), Police have resorted to dilution by using milder sections of law. It is further seen from the table that when the NHRC operational teams visited these 311 places/spots, additionally, 2869 people/victims approached them with petitions requesting for enquiry and registration of cases, which is (900%) or nine times of the victims covered by the teams. To summarize, for 123 cases

registered by the Police, there were another 3057 (2869+188) number of complainants/petitioners/victims, whose cases were either not registered by Police or cases were diluted or Police was not accessible to them and therefore, they wanted NHRC teams to enquire into their issues. If this is considered as a sample of the state of affairs in West Bengal, the extent of burking and minimization of crime across the state can be well imagined.

11. Spot visits by Member- National Commission for Women

The summary sheet, as submitted by the Hon'ble Member of the National Commission for Women, who is also the Member of the Committee constituted by the Chairperson of NHRC, is given below. The Hon'ble Member visited seven districts and met around 425 complainants and victims and got their statements recorded herself and through her team members. The details of the statements recorded and other supporting documents, collected by Hon'ble Member and her team, are given at **Annexure-'F'**. Due to paucity of time, it was not possible for the Committee to go into details of all the enquiries conducted by the Hon'ble Member. Recommendations of the Hon'ble Member have been duly incorporated in the comprehensive recommendations given in the Main Report.

The Hon'ble Member, NCW Dr. Rajulben L Desai visited 4 districts during the visit from 24th to 28th and 3 districts from 7th to 8th July, 2021 wherein the interaction with Police, state authorities and complainants was done. She travelled extensively to the districts of Birbhum, South 24 Parganas, Purba Bardhaman, Purba Medinipur, Paschim Medinipur and

Howrah Rural. The Hon'ble member also visited the villages which are affected by post poll violence and observed that there is fear in the eyes of victims and their family members, they do not want to come out to say anything against the state authorities/Police authorities. The Hon'ble Member during her visit to villages observed that people are not coming out of their houses because of the reason that if they make a complaint then the goons of TMC will further victimize their family members. The complainants also stated that there is no support or security provided by the Police officials and they even got pressurized by Police to withdraw the complaint or else they refused to take the complaints.

The Hon'ble Member observed that in this situation there is no rule of law in the state and violations of constitutional ideals like democracy, republic, social justice, equity and liberty etc. There is need of good governance in the state of West Bengal for implementing the rights provided by Indian Constitution i.e, Right to live with dignity (Article.21) which includes right to residence and right to food, right to medical, legal aid and freedom of expression.

12. Spot visits by Vice-Chairperson-National Commission for Minorities

Visit was led by Shri Atif Rasheed, Vice Chairman, National Commission for Minorities Sh. Atif Rasheed, Vice Chairman, NCM along with Sh. A. Sengupta, Under Secretary, Mohd. Yousuf, P.A and Sh. Naresh Das, JTO to Malda and Murshidabad districts from 6-8 July, 2021. On 6th July, 2021 the team reached Dibrugarh Airport and proceeded towards Malda by road. On 7th July, 2021 the team visited village Kenbona, Police Station Gazole where certain complaints of post poll violence were

received. The women in the village reported that Police along with TMC goons broke into their houses at midnight of 23rd May, 2021. The women were physically harassed and were taken into custody in semi nude condition. Even one handicapped girl was physically assaulted. All the affected villagers complained against the O.C of Gazole Police station namely; Sh. Purnendu Mukherjee. Thereafter the team visited the Gazole Police station and enquired about numbers of cases registered in the Police station. It was informed that Sh. Purnendu Mukherjee had been transferred five days back. There was no registered complaint of post poll violence. The present O.C was instructed by Sh. Atif Rasheed so that no further violence shall take place after their visit. In the afternoon the team met the other post poll violence victims at Circuit House, Malda where around 10 complainants were present. There is general feeling of insecurity among the villagers. There were two serious cases of rape of minor girls. The Superintendent of Police, Malda was asked the details of worst affected Police stations in the district, number of calls received on 100 number and cases registered out of them. However, information was not provided. On 7th July, 2021 evening the team proceeded towards Behrampore Murshidabad. In the morning of 8th July, 2021, victims of post poll violence were called at Circuit House Behrampore to submit their representations to the team. Around 33 complainants were present. There were general complaints against Police atrocities, fear of insecurity, non-cooperation by Pradhans of villages run by TMC like denial of death certificates, vaccination, MNREGA jobs and other certificates. Even there was a complaint about threat by Police to withdraw the original complaint of the victim and not to attend NHRC

hearing. The S.P and D.M of Murshidabad District were directed to take necessary action against the Police officers who were named in the complaints as well as provide security and all facilities to the villagers. The team left for Kolkata in the evening of 8th July, 2021.

13. Spot Visits by Other Members of the Committee

The head of the Committee Shri Rajiv Jain, Member NHRC, Shri Raju Mukherjee, Member Secretary SLSA, Shri Pradip Kumar Panja, Registrar WB-SLSA, Shri Santosh Mehra, DG NHRC also carried out many field visits covering the districts and areas in Kolkata, Howrah, Hooghly, Purba Medinipur, North 24 Parganas, South 24 Parganas.

The team visited various settlements/villages under PS Udaynaaryanpur of Howrah Rural District, PS Bhupatinagar of Purba Medinipur, PS Bishnupur and PS Falta of 24 South Parganas, PS Jadavpur and PS Chitpur in Kolkata. The Committee members met some of the victims. Most of the victims were terrorized to the extent that they were not ready to speak anything and some of them who narrated incident happened with them did not name the accused. Destruction, looting, assaults etc., were noticed. Cases of alleged murder, cases of vandalism, looting and displacement of people was recorded. Informally, incidents of sexual assault, rape and molestation were also reported but no one was ready to depose or give any statement to the Committee members out of fear and backlash.

The down trodden people were found living miserable life, everything from the house was looted including food, stove, utensils, etc.

The people were visibly under fear and many of them did not want to narrate their stories and if some narrated their horrible experiences did not want to name the culprits. However, some of them named a few accused. In most of the cases the Police was informed but they did not take any action rather the reporting of the case was intimated to the Ruling party local leaders by the Police that was causing more distress and misery to the lives of victims.

14. Brief of Camp Settings

Camp settings were organized by the member of the enquiry committee on 27th and 28th of June in which an opportunity was given to all complainants/victims/petitioners to meet the members of the committee in person and apprise them of the incidents and sufferings faced by them after the post poll violence. In these camp settings, a total of 1036 victims submitted around 201 applications in which common complaints of vandalism, assaults, threats and displacement were reported. Few cases of molestation with women and murder/death during violence were also reported. The member of the committee gave a patient hearing and assured them of full support for protection of their human rights.

Another camp sitting was organized on 29/06/2021 at the West Bengal State Human Right Commission. It was presided by Registrar, West Bengal Human Rights Commission and Member Secretary, West Bengal SLSA. In this camp sitting, total of 70 cases were received on instances of post poll violence.

More camp sittings were organized by the various members of the Committee at Purba Bardhaman, Murshidabad, Howrah and Purba Medinipur.

15. Brief of important cases in which spot visits are made

The Enquiry Committee took a conscious decision to prioritize the cases of grievous nature such as alleged murders/rapes and large scale vandalism and sent the operational teams on the ground to verify the fact at the ground level. The consolidated report of important cases and reports of all the teams alongwith gist of statements recorded, other evidences and pictures is placed in booklets Volume 1,2,3,4 and 5 placed at **Annexure 'H'**.

16. Brief of important Rape Cases

As a matter of caution and as per the directions of Law, a few cases in which the victims have given statements and narrated the incident of rape/sexual assault on them, a separate booklet of these cases and related documents is placed at **Annexure 'I'**

17. Criteria for identifying delinquent Police officials

Prevention and reduction of crime and maintaining law and order are the two primary duties of Police. It is clear from the para nos 8 and 10, above that across the length and breadth of West Bengal, the Police miserably failed to perform its duties. It is important that strong deterrent action is taken at least against a few Police officers District Heads and SHOs of Police Stations for their acts of omissions and commissions. In this regard, a list of a few Police officers, whose

performance was found to be absolutely dismal on different parameters, is enclosed at **Annexure-J**. The list is only illustrative and not exhaustive. Paucity of time prevented a thorough analysis.

18. Criteria for identifying Notorious Criminals /goons

Analysis of statements recorded of the victims/complainants, supporting documents, data and other related information collected from the spot enquiries, including camp sittings, registered cases, etc., revealed that a large number of criminals, who enjoy State patronage and support, were responsible for abetting, planning, organizing and even committing offences in a systematic and widespread manner. A list of such notorious criminals/goons, which is just illustrative and not comprehensive, is enclosed as **Annexure-K**. Their exact culpability will be established through greater scrutiny of records, analysis of telephonic records and cross verification of statements recorded and police station records. This will require some additional efforts.

19. Present Situation

- 1) The situation in the State of West Bengal is a manifestation of "Law of Ruler", instead of "Rule of Law".
- 2) **Nature of Violence:** The spatio - temporal expanse of violent incidents in the state of West Bengal with little efforts of State machinery to prevent or control or rectify the same is actually a larger picture of organized violence by supporters of the ruling party in retribution against persons who dared to support the

other major party which lost the recent Assembly elections in the State. While some organs or personnel of the State Government remained mute spectators, some others were apparently complicit.

Most of the violent incidents included murder, rape, molestation, assault, vandalism, looting, dispossession, arson, extortion, threat and intimidation. Pertinently, they were neither sporadic nor random; instead, they targeted specific persons (those associated with the main opposition party). There are large gaps in the cases registered by Police as compared to complaints received by this Committee, as mentioned earlier in this report.

Violence was retributive. It was in retaliation to those who "dared" to vote or support the major opposition party. Victims were helpless and hopeless due to the torture and trauma. To add to the indignity were reports of instances where heads were tonsured or public apologies were made for having "erred" in supporting the major opposition party.

- 3) **Disruption of Life / Livelihood:** A large number of houses, shops and vehicles, etc., of workers of the main opposition party were vandalized and looted and water and electricity connections severed, resulting in disruption of life and livelihood of these families. Many of the victims were also asked to cough up large sums of money as a precondition to their return to their homes. Many have not yet returned. Several victims complained about their identity cards, like Ration Cards, Aadhar Cards, Swastha

Sathi Cards, etc., being snatched or destroyed by goons of the ruling party, which prevented them from availing legitimate benefits from the government. Several victims also complained that they were being discriminated against in getting vaccination for Covid-19 because they were perceived to be supporters of the main opposition party. Owners of some private establishments reportedly showed the door to some of their employees yielding to pressure from goons of the ruling party. Thus, their right to life and to health was being violated.

- 4) **Continuing Trauma:** Violent incidents have not completely stopped, even while they have reduced after the intervention of Hon'ble Calcutta High Court's orders and NHRC's spot visits. Threat calls, extortion calls and atmosphere of revenge/reprisal still exists, particularly in rural pockets. The continuation of violent incidents and non-amelioration of related issues for nearly two months manifests the immensity of the problem and the abject failure of the State Govt.
- 5) **Prevalent Fear:** There is clear and perceptible fear in the eyes and minds of people of a particular affiliation that since they had voted or actively canvassed or done some poll/booth duty for the main opposition party, they are under the radar of the ruling party and are, therefore, being victimized and threatened to toe the line or else leave the State. There is fear of goons and of Police and fear of reprisals from the ruling party in tandem with the administration. While they are being attacked and looted, the goons are giving open threats that they will have to either join the

ruling party or leave the state of West Bengal. Law breakers became law unto themselves. The perpetrators of violence had no fear of law as they were confident of protection from an administration controlled by the ruling party.

The Committee's work was severely affected by this prevalent fear among victims. It precluded many victims from mentioning their plight or the name of the perpetrators of crime or abettors. Moreover, victims are afraid that, once the NHRC team leaves, they would again be targeted and victimized. Hence, many people either chose to meet the Committee in Kolkata or have been calling on phone and sending evidences on Whatsapp and email id of NHRC, instead of coming out in open. This fear of getting re-victimised was not entirely misplaced. In several instances, the Committee learnt that, after it had taken the statement of a victim, he received threats for having spoken to the Committee.

- 6) **Loss of Faith in Police:** Poor and common people have lost faith in Police. Almost all the victims informed the Inquiry Committee and their teams that Police either did not respond to their phone calls or came and stood as mere spectators while goons went on a rampage from one place to another. The Police was either negligent or complicit or under pressure not to take any action against the goons belonging to the ruling dispensation.
- 7) **Complicity of Police:** with goons of the ruling party was alleged by most of the victims. This was manifest in several ways: victims were implicated in false cases by the Police, or Police lodged

counter cases against the victims by the accused, or the Police pre-dated such counter cases (in order to provide credibility to version of the accused against the real victim), the Police registered the counter – case in graver sections of law than the primary case, Police arrested the victim in the counter case but dragged its feet on taking action on the victim's case, or Police did nothing on the complaint of victims, or Police looked the other way even when a victim was being assaulted in their presence, or Police tried to counsel victims to seek a compromise with the accused, murder case was registered as an Unnatural Death case, etc.

- 8) **FIRs:** The fundamental basis of Criminal Justice System as envisaged in CrPC provisions and interpreted in various judgements of Hon'ble Supreme Court, i.e., free and immediate registration of cognizable offences was absolutely missing. As in large number of incidents, there has been rampant burking of offences, including FIRs still not being registered, FIRs registered after many days and in many incidents the sections invoked are of lesser magnitude.

Because of the time lapse between date of incidents and enquiry or investigation in field, in many cases, especially of alleged rapes/assaults/injuries, collection of evidence may lose relevance as no Medical Reports were made in majority of the cases.

- 9) **Inadequating Policing:** The Suptd. of Police and I/Cs of Police Stations have not carried out adequate confidence building

measures among people. They have failed to reinstate the displaced people and bring them safely to their houses ensuring their security and livelihood. They have not been able to protect some victims who, after returning to their homes, were again subjected to violence or threats and intimidation. Most accused anti social elements and goons are still at large and continue to have the temerity to threaten displaced people to return to their homes and shops only after paying money to them. The Committee was informed by victims on telephonic complaints that they were unable to come back to their houses and shops as they did not have money to pay to the extortionists/goons. Many accused are still at large.

The traditional system of beat policing, intelligence gathering, patrolling and picketing, community and village committee policing appeared to be missing especially in rural Police Stations. Periodic visits by SHOs in their areas, credibility and image of Police in public, confidence building measures by Police to restore faith and hope in people is perceptibly found absent.

It appears that adequate preventive steps permissible under law had not been taken by most Police Stations to prevent the spate of violence. Such preventive actions against known goons could have included bounding down under preventive sections of law like section 107 CrPC, externment, preventive detention under NSA, patrolling, static deployment of armed Police in affected areas, etc. Data on these issues is awaited from DG Headquarters.

- 10) **Apathy of Senior Echelons:** An alarming aspect of this violence amply figuring in public domain was that it evoked no empathy in State administration in any tangible manner – either by way of its condemnation, provision of relief, confidence building measures, suitable Police action, etc., what to talk of compensation or relief or rehabilitation. Victims complained of apathy of the State administration and alleged that the Govt. and senior Police officers had not taken any strict action against any district SSPs/DCPs or I/Cs of Police stations where large no. of incidents had taken place and gruesome and ghastly incidents of murders and gang rapes occurred as reported in various petitions. State administration did not provide any relief or ex gratia, even though such measures are routinely adopted in this state when people suffer for other reasons.

Senior political leaders do not seem to have made any tour in the fields to gauge the violence/arson that occurred at ground level. Moreover, they do not seem to have given any direction to District Magistrates or given any notification to compensate the aggrieved and victims, make a monetary assessment of their property losses, provide employments to the next of kin of deceased.

People were left on their own to protect their human rights, including basic rights to life and food and livelihood.

- 11) **Police Manpower:** Both sanctioned and actual manpower in Police Stations is very low, given the large area and dense demography. It is not sufficient to cover large scale incidents and

carry out effective beat policing at beat/chowki level. For e.g. in PS Falta, there are only 12 male Constables and 4 female Constables. This shortage has been sought to be augmented by deployment of Civic Volunteers. This is largely the feedback of most of the rural Police Stations of West Bengal.

- 12) **Civic Volunteers (CV):** as found in large number of Police Stations are locally employed young boys who have neither been regularly recruited nor given any training like regular Constables and, hence, they are neither effective nor capable of handling crime or law and order situations. They have merely augmented the strength of Police Stations without any substantial contribution towards effective policing.

Civic Volunteers are present in large numbers (eg., 170 in PS Falta) in different Police Stations. However, they suffer from inherent limitations, including paltry pay (less than Rs. 10,000 pm), inadequate training, absence of career progression, etc., even while the scheme provides employment to a large number of people and affords people with local knowledge to Police Stations. They are generally perceived to be agents of the ruling party as they were recruited during the tenure of the AITC and maintain touch with the local party leaders.

- 13) **Logistics:** The Hon'ble Calcutta High Court, in Para 16 of its order dated 18.6.2021, had directed the Govt. of West Bengal to make all arrangements for this Committee. Subsequently, on 2.7.2021, the Court issued notice on the complaint of Sh. Atif

Rasheed, a member of this Committee, for obstruction etc by goons on 29.6.2021 in Jadavpur area. Since then, members of this Committee and their teams visited different districts of the State again. The State Government made accommodation arrangements for the members of this Committee in Bedi Bhavan, Kolkata. This place was absolutely unsuitable due to ill maintenance, bad odour, lack of cleanliness in rooms and kitchen, etc. It is learnt that the State Government has better accommodation in Kolkata but chose to not provide the same to the Committee. Similarly, the lodging arrangements for Sri Rasheed were very poor. Moreover, adequate transport was not provided to a team of the Inquiry Committee on 10.7.2021. This was in violation of the order dated 18.6.2021 of the Hon'ble High Court directing the state Government to make suitable arrangements for the Committee.

- 14) **Politico – Bureaucratic - Criminal nexus:** The spate of violence shows a pernicious politico – bureaucratic - criminal nexus. Criminals indulged in violence against political rivals while the bureaucratic edifice was complicit in various degrees. This is a deadly combination that has sinister implications for any State and will ultimately corrode the entire edifice. The presence of this nexus in a border State also has larger national security implications.

- 15) **Attack on Pillars of Democracy:** There had been brazen violation of several fundamental and human rights of people

including right to life and liberty, right to live with dignity, right to livelihood, right to food and water, right to feel secure and so forth. This was not a simple spate of violent incidents but a concerted attack on some fundamental features of our Democracy, including the following:-

- a. Rule of Law: This concept is "at the confluence of three important values – human dignity, democracy and justice". This violence was a manifestation of complete breakdown of Rule of Law, including equality of law, equality before law, equal access to justice, etc.
- b. Political pluralism: This violence served to convey the message that no one should dare to profess or support a party other than the ruling party.
- c. Free, fair and secure polling: These violent incidents will have an adverse impact on future polls in as much as people will be scared to vote or support any party other than the ruling party. If such a situation continues, subsequent elections will never be free and fair in the true sense of the word. It is not sufficient to say that there had been free and fair polling. Instead, one has to ensure free and fair and secure polling to ensure the health of our democracy.

20. Recommendations

- 1) **CBI Investigation**: In view of the present situation described above, there is need to provide justice to victims and restore their

confidence in the Criminal Justice System, which can be best rendered by a neutral agency. Hence, it is recommended that all heinous cases, including murder, Unnatural Deaths, rape and grievous hurt, and complaints carrying these allegations, should be transferred to the CBI for investigation. These cases should also include the following:-

- a. Complaints containing the above allegations as revealed during our spot enquiries as per Annexures G and H.
- b. Cases of rape mentioned in a separate sealed cover enclosed at Annexure I (because it contains identities of rape victims).
- c. Any other case falling in the above categories which may be duly referred to the CBI after this date by this Committee.
- d. PS Nandigram, Dist. Purba Midnapur, case no. 224/21 dated 13.5.2021, on the murder of one Shri Debobrata Maity.
- e. Cases, if any, foisted against Shri Shanu and Shri Suraj Mallick of Jadavpur PS area, who had facilitated the visit of Shri Atif Rasheed, Hon'ble Member of this Committee, and his team members to their area today (29.6.2021) to enquire into reports of vandalism and looting.

- 2) **Trial of CBI Cases:** Trial of all the above cases investigated by the CBI should be held outside the State.

- 3) **SIT:** A Court monitored SIT (Special Investigation Team) should be formed immediately consisting of senior supervisory IPS officers and others. This SIT should register cases (if not already done by local Police) and investigate all the cases and complaints mentioned in Annexures G and H which prima facie reveal commission of a cognizable offense, other than those being entrusted to the CBI as per the above recommendation. In addition, it may take up other cases also as deemed proper. These cases should be investigated expeditiously in a time-framed manner. In addition, the SIT should similarly register FIRs on other complaints that it receives through any other means and investigate the same. SIT should have an email ID and a phone number, which should be widely publicized, on which related complaints should be recorded and follow up action and related logs maintained.
- 4) **Court Monitoring:** All the cases investigated by the SIT should be monitored by the Court.
- 5) **Fast Track Courts:** should be notified to try these cases investigated by the SIT in a time – bound manner.
- 6) **Special PP:** A special team of Public Prosecutors should be attached to the SIT to monitor the quality of investigation, collection of evidence, placing of chargesheets in Courts and to follow up the prosecution / trial in Courts to ensure convictions.

- 7) **Witness Protection Scheme:** The State Govt. should immediately formalize its Witness Protection Scheme, as envisaged by the Hon'ble Supreme Court of India. Till then, it may extend protection to the victims / witnesses of various crimes who, due to fear and intimidation from the perpetrators of violence, could not even gather the courage to report the crime to Police Stations or even before this Committee. The scope of this protection should cover all the complainants, witnesses and victims who have suffered this organized violence irrespective of whether their FIRs have been registered or not.
- 8) **Medical Evidence:** Records of medical treatment in private hospitals and clinics should be treated as corroborative evidence and collected during the investigation of cases. This is required because many victims got their own medical aid and treatments as no FIRs had been registered on their complaints.
- 9) **Ex Gratia:** Victims are in need of immediate assistance to enable them to resume their normal lives. Hence, ex gratia amounts should be given to them, preferably from the Victim Compensation Fund. These should be given to victims mentioned in the complaints received by this Committee till date (as per Annexure C and other complaints received by this Committee till date which are being tabulated and will be shortly sent to the DGP). Since these are ex gratia amounts, they should not dis-

entitle victims from receiving compensation under any other scheme or for damage of their house, etc. All the complaints received by this Committee or FIRs till date should not warrant further application or enquiry and should be considered as a complaint eligible for payment of ex gratia. Complaints received after this date, either from the complainant or any authority, should be treated as an application for such ex gratia and modalities of verifying the same may be laid down by the proposed Monitoring Committee. These ex gratia grants should be as per following criteria:-

- a. Next of kin of deceased persons should be given Rs. 5 lakhs each.
- b. Survivors of sexual assault should be given Rs. 2 lakhs each.
- c. Victims who suffered vandalism/looting/destruction of their properties should be given Rs. 1 lakh each.
- d. Victims who suffered grievous injury should be given Rs. 1 lakh each.
- e. Victims who suffered simple injury should be given Rs. 50,000 each.

10) **Compensation for Damages:** Since victims have suffered significant damage to their properties, all the District Magistrates should form one or more teams to assess the actual damage so

caused as a result of violence as a preparatory step towards granting them compensation for the damage suffered. To begin with, this process may be started in respect of properties mentioned in Annexure C, followed by those mentioned in complaints received by the DGP from different sources and further complaints that may be received by this Committee.

- 11) **Assistance for House Construction:** Cost of construction of a house, at standard government module for Rural Housing Scheme, should be provided to the victims whose properties had been damaged or vandalised or demolished, as figuring among the complaints at Annexure C and complaints received till date by the Committee.
- 12) **Reinstatement and Rehabilitation:** The State Govt. should take steps for immediate reinstatement and rehabilitation of people to their places of residences/villages, ensure resumption of their shops/businesses and livelihood in a safe and secure environment. Police may ensure patrolling of the affected areas, make static deployment at affected places, use preventive sections of law to bound over those who are believed to be involved in acts of violence and threats and intimidation, superior officers of Police and civil administration should hold camps in affected areas to instill confidence.
- 13) **Static Pickets:** of Central Armed Police Forces should be deployed in all the villages from where five or more complaints

have been received (relating to murder, rape, grievous hurt, vandalism of homes, etc). Even if 500 pickets of 1-10 strength are deployed, it will entail deployment of less than 10 Battalions. Their objective should be to create a safe environment so as to impart confidence among the victims and to enable a safer environment for them to return or live. They will work under the local Police as per law, and the State government will provide them requisite logistics. They will keep informing the proposed Observers / Monitoring Committee of relevant matters. Their deployment can be finalized in consultation with the local Police and the proposed Monitoring Committee.

- 14) **Water and Electricity:** The State Government should ensure that electric connection and water supply is restored within a week in all the cases mentioned in Annexure C. Such restoration will facilitate return of people and also ensure right to dignity and livelihood to the victims.
- 15) **Free Rations and Medicals:** The State Government should ensure distribution of free rations and extension of medical facilities, including vaccination for Covid-19, as per its schemes, to all needy people, without insisting on possession of Ration Cards or Aadhar Cards etc.
- 16) **Compassionate Appointment:** A family member / next of kin of all murder victims (in respect of the murder cases proposed to

be entrusted to the CBI) should be provided employment in a Govt. establishment on compassionate grounds.

- 17) **Rehabilitation:** Skill Development programmes should be introduced in violence affected areas to help youth. Government should encourage the victims to start small businesses by providing loans on soft terms. Special Care Homes should be opened for people who had to flee from their homes due to violence.
- 18) **Protection to women:** Protection should be provided to all the victims of sexual offences and also to witnesses of the cases. The National Commission for Women should start a Helpline to receive complaints from victims of sexual offences, because they are yet to have confidence in the local Police. The complaints can, then, be forwarded to the DGP and to this Committee for follow up. This Helpline can also render counselling to such women. Special Care Homes for women affected by violence should be made. They can be provided vocational training to ensure their livelihood.
- 19) **Proactive Policing:** The Police and other district administration officers should do extensive village visiting, actively seek information of occurrence of crime and accordingly visit the scenes of crime, register FIRs, enquire and collect evidence.

- 20) **Preventive Policing:** Police should identify the anti social elements and goons who have perpetrated violent attacks and to open history sheets, take preventive actions against them including externment proceedings, binding them down under Cr.P.C. provisions, consider their detention under Acts like NSA and cancellation of bail in deserving cases. A list of some notorious criminals / goons is enclosed at **Annexure K**. The list is illustrative, not exhaustive. Peace and Reconciliations Committees may be formed at different levels with representation of all sections of society.
- 21) **Intelligence gathering:** system should be improved and made more robust as the Police and administration was found unprepared to handle the spate of incidents of violence in the aftermath of poll results despite the State having a politically surcharged atmosphere.
- 22) **Police SOPs:** The State Police should revise its guidelines and Standard Operating Procedures, anti-riot drills etc. to handle such large scale incidents of violence and lawlessness.
- 23) **Police Manpower:** State Govt. should do a comprehensive study of manpower requirements of Police and reexamine its scheme of Civic Volunteers to make it more effective.
- 24) **Police Reforms:** The State Govt. should immediately take steps to implement Hon'ble Supreme Court's judgements on Police

Reforms (eg. Prakash Singh Vs Union of India of 2006 and other cases), particularly for composition of State Security Commission, Police Complaints Authority, Establishment Board, appointment of DGP and fixed tenures of officers concerned.

- 25) **Delinquent Govt. Servants:** Accountability of officials of state Government should be fixed and action should be taken against guilty personnel. A list of some delinquent Police officers is enclosed at Annexure J. This is illustrative, not exhaustive. The errant Police officers/staff who were found violating the human rights, complicit with anti – social elements and negligent in protecting the rights of poor victims should be identified and strict disciplinary and legal action should be taken against them. Likewise, there is need to identify and take disciplinary action against government servants from other Departments who failed to discharge their duties like providing food rations, health services including Covid-19 vaccination, relief and compensation to victims, etc.
- 26) **Reforms in Bureaucracy:** There is need for systemic changes and creation of an enabling ecosystem, where officers with rectitude and competence are given due recognition, and their commitment is to the public and not to the political master. Such reforms should insulate the bureaucratic machinery of West Bengal from being used by the party in power, as an instrument

of oppression and suppression of people and subversion of democratic functioning.

27) **Assistance to Committee:** Assistance should be afforded to this Committee in discharge of its functions by the State and Central agencies within legitimate bounds.

28) **Monitoring Committee:** A Monitoring Committee should be appointed to regularly and comprehensively monitor the implementation of directions of the Hon'ble Court, given the apathy of the State Govt. The Monitoring Committee should periodically submit a report to the Court. This mechanism should, inter alia, consist of the following elements:-

(a) It should be headed by a retired Judge of Supreme / High Court;

(b) Observers should be appointed in each of the affected districts. These officers should preferably be from outside West Bengal in order to ensure their independence. They will report to the Head of the Monitoring Committee. They could be retired or serving civil servants and / or Police officers. Should the Court so desire, this Inquiry Committee of NHRC can suggest a few names for this Monitoring Committee.

- (c) Each Observer should be given a separate phone, the number of which should be suitably publicised to enable people to lodge their complaint directly with them. They could, then, take it up with the district officials for suitable redressal.
- (d) These Observers should also monitor the implementation of directions of the Court in the district to which they have been assigned. They should also monitor the exercise of assessment of damages to moveable and immoveable properties, payment of compensation and ex gratia, etc.
- (e) These Observers should also submit particulars of those local officers who are not complying with the Court's directions.
- (f) These Observers should also conduct enquiry into the list of goons and of delinquent Police officers as enclosed in this report and others.
- (g) The Monitoring Committee should discharge all the functions and tasks assigned to this Committee.
- (h) These Observers should submit their reports to the Head of the Monitoring Committee on a defined periodicity, say, ten days, in the first instance.

- (i) The Head of the Monitoring Committee will compile all these reports and submit to the Hon'ble Court.
- (j) The Head of the Monitoring Committee and these Observers should be empowered to issue suitable directions to local officials, based on this Court's orders.
- (k) The State Govt. should provide requisite logistics, secretarial assistance, security and telephone etc., to the Chairperson and Members of this Monitoring Committee.
- (l) Members of this Monitoring Committee should also be free to use the infrastructure of the State Legal Services Authority in different districts in discharge of this work.

29) **Final Report:** The Committee is privileged to have been assigned this task by the Hon'ble High Court. It is humbly recommended that this report may be taken as the final report of this Committee and decisions may be taken on the above recommendations or as the Hon'ble Court may otherwise deem fit. Delay in decisions may compel helpless victims to compromise with the situation. The Committee has already visited several districts and met victims of different kinds of offences. Examination of all the 2,000+ complaints that it has received will entail several months. The nature of offences and grievances in these complaints are similar in nature to the ones that the Committee has already examined.

What is required is quick amelioration of the situation by implementation of Court directives. The proposed Monitoring Committee may succeed this Committee to monitor implementation of orders of this Hon'ble Court and also discharge other tasks assigned to this Committee.

21. Compliance with Court order dated 2.7.2021

- 1) In Para 9a, Hon'ble Court directed that "Police should register cases in all matters which have either been reported to it or have been placed before the NHRC or any other authority / Commission. Steps be taken to get the statements of victims recorded under section 164 CrPC immediately, as per law". In compliance thereof, total about 1,900 complaints had been forwarded by the NHRC to the DGP. As per report of the DGP dated 10.7.2021, only 137 additional cases have been registered. Dismal registration of cases is evident in the fact that, for instance, no case of rape was registered even though 12 complaints alleging rape had been forwarded to the DGP on 4.7.2021 (refer Annexure D).
- 2) In Para 9b and c, Hon'ble Court directed about medical treatment and rations to affected persons – State government may respond. During field visits of this Committee to some places, however, we did not hear of such services being provided to the victims.

- 3) In Para 9d, Hon'ble Court directed that the State should "place before the Committee complete details of the cases in which the accused were arrested and have been enlarged on bail by the courts". No such statement has been received from the DGP since this court order. However, the last statement on this subject was received by the NHRC in the last week of June for the period 2.5.2021 to 20.6.2021. The Committee has received a statement from the DGP containing aggregate figures of arrests and bail, instead of complete details. (Refer Annexure D).

- 4) In Para 9e, Hon'ble Court directed that "Whatever information has been asked for by the Committee from different authorities in the State, be supplied immediately...". Some information sought by the Committee is yet to be provided, as mentioned earlier in the report. This Committee is pursuing the authorities to obtain the said information.

- 5) In Para 9f, Hon'ble Court directed about second autopsy of Abhijit Sarkar. Accordingly, second autopsy was conducted by the Command Hospital, Kolkata, on 5.7.2021. A member of the Committee supervised the related logistics. The post mortem report is awaited. The brother of the deceased could not identify the body due to its decomposition. He did not take its possession after the post mortem and verbally demanded DNA test to fix identity. Hence, the body is still lying in the Command Hospital. A decision needs to be taken in the matter.

- 6) In Para 9g, Hon'ble Court issued a notice to Rashid Munir Khan, Deputy Commissioner of Police, South Suburban Division, Kolkata. No comments.
- 7) In Para 9h, Hon'ble Court directed all central agencies and service providers to assist the Committee. The Committee had no problems in obtaining logistical help from some central forces, including accommodation (because the one provided by the State government was not fit).
- 8) In Para 9i, Hon'ble Court directed the State to ensure preservation of correspondence of Special Branch and logs of Control Rooms, etc., from May 2 onwards, in a sealed cover duly signed by members of the Committee. The Committee has not yet been intimated by the State government about preservation of records. Preoccupation of the Committee with field visits and compilation of the report precluded any verification of the same. It is humbly submitted that the State may be directed to adopt the following procedure:-
- a. Preservation of the correspondence of the Special Branch / Intelligence Branch of the State Police from May 2 till date:- these records should be preserved and placed in sealed cover by the Police in Kolkata and the Member Secretary,

State Legal Services Authority, may countersign the sealed cover and keep the same.

- b. Logs of the Control Room of Police Headquarters and of Commissioner of Police, Kolkata, from May 2 till date.

- c. Logs of the Control Rooms of all the Districts and Commissionerates from May 2 till date:- should be similarly preserved and placed in sealed cover by the local Police and the Secretary of the concerned District Legal Services Authority may countersign the sealed cover and keep the same.

Final Thoughts!

It is indeed ironical that, in the land of Rabindra Nath Tagore, "***Where the mind is without fear and the head is held high; where the world has not been broken up into fragments by narrow domestic walls***", thousands of its citizens have been subjected to murder, rape, displacement and intimidation, etc. in the last couple of months.

If the above mentioned worrisome trend is not arrested, where the entire might of the governmental machinery has been used (through innumerable acts of omission and commission) for furthering the political objectives of the party in power, the disease may spread to other states also. This may well be death knell for democracy in this great nation. It is high time that the rot is stemmed and this trend is reversed in the interest of having a vibrant democracy in this nation.

The nation of 1.35 billion people watches us with bated breath.

*** ____ ***

All the members of this Committee have gone through this Report, particularly the analysis of Present Situation and Recommendations, and are in agreement with the same. The signatures of all the members of this Committee present in New Delhi are appended below.

Place : New Delhi

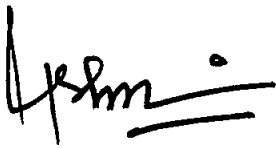
Date : 12/07/2021



Shri Rajiv Jain

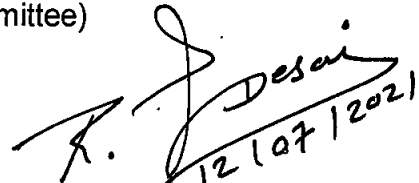
Member, NHRC

(Head of the Committee)



Shri Atif Rasheed

Vice Chairperson, National Commission
for Minorities



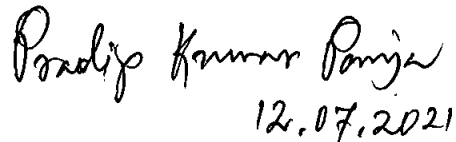
Smt. (Dr.) Rajulben L. Desai

Member, National Commission for Women



Shri Santosh Mehra

Director General (Investigation), NHRC



Shri Pradip Kumar Panja

Registrar, West Bengal State Human Rights
Commission



Shri Raju Mukherjee

Member Secretary, West Bengal State
Legal Service Authority



Smt. Manzil Saini

DIG (Investigation), NHRC