

NOTE SHEET

It has come to my notice, very recently, that Mr. Justice Girish Chandra Gupta, Hon'ble Chairman has made following recommendations from files as mentioned against each of them in his capacity as Hon'ble Chairman as this has not been approved by the full Commission :

1. File No.1204/25/5/2019,
2. File No.1317/25/15/2019
3. File No.937/25/3/2019
4. File No.581/25/25/2020
5. File No.1761/25/8/2019

Herein, I, Naparajit Mukherjee, Member of West Bengal Human Rights Commission, would like to bring on record that during taking of cognizance in regard to complaints with reference to above mentioned recommendations of Justice G.C. Gupta, Hon'ble Chairman, at the stage of enquiry, hearing and subsequent recommendations, I was kept completely in the dark. This is a clear violation of Section 12 read with Section 21 of the Human Rights Act which mentions the procedure for taking cognizance by the Commission. It is also a violation of Section 18 (e) of the PHR Act which mentions procedure for making recommendation by Commission. Traditionally, for the last 25 years the Commission (as a whole) has been making recommendation to the Government and not Hon'ble Chairman in his individual capacity.

In view of above, I direct the Additional Secretary to take following action immediately :

- i. Upload this note in the W.B.H.R.C. website.
- ii. In case these recommendations have been sent by the Addl. Secretary and C.E.O. to Government my note should also be sent as follow up to the Government.
- iii. In case copies of such recommendations have been forwarded to the complainants by the Addl. Secretary