

WEST BENGAL HUMAN RIGHTS COMMISSION

File No.20/SMC/2022

Date : 11.07.2023

Present

- | | | |
|---------------------------------------|---|-------------|
| 1. Mr. Justice Jyotirmay Bhattacharya | - | Chairperson |
| 2. Mrs. Justice Madhumati Mitra | - | Member |
| 3. Mr. Naparajit Mukherjee | - | Member |

Reports in connection with the suo motu cognizance taken by the Commission on 11th November, 2022 on a news item appearing in Ananda Bazar Patrika dated 11th November, 2022

The West Bengal Human Rights Commission took suo motu cognizance (11/11/2022) on a news item appearing in Ananda Bazar Patrika dt.11/11/2022 captioned "ফের অভিযোগে বিদ্র পলিশ। মারা গেলে দায়িত্ব নেব" A report was called for from Commissioner of Police, Kolkata Police over this issue.

2. The allegation leveled in the news item was that a group of lady job aspirants were demonstrating at Camac Street, Kolkata when the police arrested them. There was an allegation that one of

the police personnel allegedly bit one of the demonstrators. A photograph was given in Ananda Bazar Patrika over this issue. It further alleged that police made no efforts to treat the injured demonstrators, on the contrary one of the officers at Hare Street Police Station allegedly remarked "*in case somebody died in police custody the police will take responsibility.*"

3. Shri Ujjal Ray, Assistant Commissioner of Police-I, Central Division, Kolkata submitted the enquiry report which was forwarded to the Commission by Commissioner of Police, Kolkata vide his Memo No.18112/RPT+Enclo dt.06/12/2022. In the said report it was stated that on 09/11/2022 around 1300 hrs. Hare Street Police Station received information from Lalbazar Police Headquarters Control Room, Kolkata that several demonstrators, who were job aspirants, both male and female, were arrested from Shakespeare Sarani Police Station area under South Division and would have to be lodged for safe custody at different places including Hare Street Police Station. Accordingly, 56 male and 18 female, total 74 demonstrators were brought to Hare Street Police Station and kept in one A.C. room since there was no female lockup (in respect of female demonstrators). They were provided refreshment as well as arrangements for first aid was made. A huge crowd gathered near the Police Station and the lady arrestees started making video clippings at the Police Station itself. They delayed depositing their personal belonging including their mobile phones which became quite chaotic. Two male arrestees complained of bodily pain and were taken to Medical College and Hospital for treatment accordingly. The lady arrestees started demanding immediate release on grounds of medical issues though, nothing significant came to notice of police. They

were advised medical checkup, under police escort, which they refused. A quarrel ensued between police and the arrested person while some demonstrators commented that in case any fatality occurred police would be held responsible. The Addl. O.C. observed that in such case the responsibility always lies with the police. One demonstrator, namely, Arunima Paul was taken to Medical College and Hospital where she was treated and discharged. The report commented that Smt. Paul was more interested to be released from custody by making some comments before press then getting herself treated medically. Further, the report denied about any cruelty, inhuman behaviour on the part of police. The West Bengal Human Rights Commission was not satisfied with the report of Police Commissioner, Kolkata and raised certain issues for clarification, which are as follows :

- (a) It was admitted that Hare Street Police Station lacked female lockup facilities and support of lady police officer despite which Lalbazar Police Control Room directed the arrested persons to be lodged there.
- (b) Medical examination report of Arunima Paul and two arrested males were required by the Commission.
- (c) Period of detention at Police Station.
- (d) Under what Section of law these persons were detained / arrested.

4. A further enquiry report of Shri Indraneel Chaudhuri, Asstt. Commissioner of Police (VI), South Division, Kolkata dt.27/2/2023 was received from office of Commissioner of Police vide his Memo No.3964/RPT dt.15/3/2023. It was clarified that indeed Hare Street Police Station lacked female lockup facilities

but the police control room redirected the arrested accused to Hare Street Police Station considering the exigencies of the situation. However, all efforts were made to look after the arrested persons including ladies, who were placed in an A.C. Room in charge of one lady ASI and two lady Constables and offered refreshment. Certified copy of medical examination report of Arunima Paul, arrested on 09/11/2022 and produced before Ld. C.M.M, Kolkata in connection with Shakespeare Sarani Police Station Case No.225 dt.09/11/2022 u/s 143/147/149/283/341/323/357/332 IPC (later released on bail), was submitted. From the injury report it was ascertained by the West Bengal Human Rights Commission that there was bite marks over second web (teeth mark which was simple injury in nature). The medical examination was conducted by Dr. Prabir Pal on 09/11/2022. The arrest memo and inspection memo were also submitted which indicated external mark of injury near left wrist. The West Bengal Human Rights Commission observed that the report did not mention how the arrestee sustained such injury i.e. bite marks on the wrist and that the medical officer in his injury report did not mention as to how this bite marks appeared. A further report was, thus, called from Commissioner of Police, Kolkata. Shri Indraneel Chaudhuri, ACP-VI submitted a further report dt.03/4/2023 duly forwarded by Commissioner of Police, Kolkata vide his Memo No.5729/RPT dt.17/4/2023. The report stated that Smt. Arunima Paul sustained injury on her person during demonstration on 09/11/2022 near Senator Hotel at 15, CamacStreet. It was further ascertained that Smt. Arunima Paul alleged that one lady Constable, namely, Iva Thapa bit her at the time of her arrest. Lady Constable Iva Thapa denied this allegation. On the contrary she alleged that Smt. Arunima Paul

had bitten her hand during arrest which was denied by Arunima Paul. Iva Thapa was treated at Bellevue Clinic immediately after the incident and that she had given a statement to this effect to the treating medical practitioner. Smt. Arunima Paul was subsequently treated at Medical College and Hospital on 09/11/2022 and at SagarDutta Hospital on 11/11/2022. The report commented that as there was too much of confusion going on at Police Station there was no scope of forensic examination being conducted on Smt. Arunima Paul as well as lady Constable, Iva Thapa. Investigation of Shakespeare Sarani P.S. Case No.225 dt.09/11/2022 is going on.

5. Not being satisfied with the report of the Asstt. Commissioner of Police (VI), South Division, Kolkata the West Bengal Human Rights Commission ordered Addl. Supdt. of Police, Investigating Wing of West Bengal Human Rights Commission to examine both Arunima Paul and lady Constable Iva Thapa as well as the medical officers who treated both of them in order to ascertain whether Arunima Paul was actually bitten by lady constable Iva Thapa or not. The Investigating Wing submitted a detailed report to the West Bengal Human Rights Commission on 04/5/2023 in which it concluded that Smt. Arunima Paul was bitten by lady constable Iva Thapa on 09/11/2022 while the former was participating in a demonstration of TET job aspirants at Camac Street. She stated to the Investigating Wing of W.B.H.R.C. that she was treated by Dr. PrabirPatra and that the bite was simple in nature and originated from a human being. Lady Constable, Iva Thapa was examined when she stated that Smt. Arunima Paul had bitten her initially and when for the second time she was trying to bite, the latter bit her. However, Iva

Thapa did not register any specific case over this particular incident but she was treated at Bellevue Clinic where the doctor opined that the injury received on her hand was resultant to a human bite. The police had conducted a departmental enquiry and vide order no.2294 dt.17/12/2023 lady Constable Iva Thapa was censured for her unprofessional conduct and was sent for 15 days endurance training with counseling at Calcutta Police Training Academy. Dr. Saswata Biswas, Medical Officer of Bellevue Clinic was examined as he had treated and issued medical certificate to lady constable Iva Thapa on 09/11/2022 evening. He confirmed that the injury on lady constable Iva Thapa's hand was due to human bite. Dr. Prabir Patra, Senior Medical Officer (presently posted at Kakdwip Sub Divisional Hospital) who had earlier examined Smt. Arunima Paul on 09/11/2022 at Medical College and Hospital confirmed that bruise marks seen on left forearm with two teeth marks probably incisor teeth, were simple in nature. He informed that the victim stated that the injury was caused by human bite and to the medical officer it appeared not have been caused by self (not self inflicted).

Findings : Recorded by the Administrative Member of WBHRC

6. The West Bengal Human Rights Commission after examining the three reports of A.C.P. forwarded by Commissioner of Police, Kolkata as well as enquiry report of Investigating Wing of W.B.H.R.C. concluded that a demonstration was going on near Senator Hotel at Camac Street on 09/11/2022. The demonstrators were arrested and Shakespeare Sarani P.S. Case No.225 dt.09/11/2022 was registered against 30 accused persons No.1 being Achinta Samanta and No.30 being Arunima Paul, age

41 years, wife of Sadhan Kumar Paul, 12 No.Umesh Mukherjee Road, P.O. & P.S. Belghoria, North 24 Parganas (as reported by Shri M.K. Pal, S.I. of Police, Shakespeare Sarani P.S. vide G.D.E. No.692 dt.09/11/2022). It was also found that the lady arrestees were sent to Hare Street P.S. under instruction of Control Room, Lalbazar despite the fact that there was no female lockup facility at Hare Street P.S. However, it has been claimed by police authorities that necessary comfort was extended to 18 female arrestees at Hare Street P.S. and the allegation of misbehaviour by Addl. O.C, Hare Street, as alleged in the news item, was denied. However, from the facts and circumstances as emerging from the enquiry report as well as medical report it is crystal clear that Smt. Arunima Paul, who was arrested at Camac Street during demonstration on 09/11/2022, was bitten by lady constable, Iva Thapa, which is confirmed by the medical reports as well as subsequent action taken by Kolkata Police authorities against the lady constable in awarding "censure" as punishment and sending her to 15 days refresher course. It may be true that Iva Thapa was initially bitten by Arunima Paul and that she was attempting to bite for the second time when, in a fit of rage, lady constable Iva Thapa bit Arunima Paul. The fact that both persons were bitten by each other are clear from the respective medical reports and statements of the doctors.

Findings:- Recorded by the Judicial Member of W.B.H.R.C.

From the materials on record it is an admitted fact that Smt. Arunima Paul who was one of the job aspirants had been arrested in connection with Shakespeare Sarani P.S. Case No. 225 dated 09/11/2022 u/s 143/147/149/283/341/232/358/332 of the IPC on 9th November, 2022 at about 15.45 hrs. in front of the

Senator Hotel located at 15, Camac Street, Kolkata along with other job aspirants. The materials on record revealed that there was an allegation that said Arunima Paul was bitten by one lady constable namely Smt. Iva Thapa. In the present case three separate reports were submitted by Assistant Commissioner of Police (ACP), Central Division, Kolkata which were duly forwarded by Commissioner of Police (K.P.), Kolkata vide letters dated 06/12/2022, 15/03/2023 and 17/04/2023 respectively to clarify the points/queries as raised by the WBHRC from time to time.

In the present case the WBHRC took suomotu cognizance on 11/11/2022 on the basis of a news item appearing in Ananda Bazar Patrika dated 11/11/2022 and accordingly a report was called for from the Commissioner of Police, Kolkata over the issues as disclosed in the news item. In his report dated 19/11/2022 the ACP, Central Division, Kolkata forwarded by the C.P., Kolkata vide letter dated 06/12/2022 stated that several job aspirants were arrested by Shakespeare Sarani P.S. and other police stations of South Division area. The said report disclosed a lady ASI and two lady constables were deployed to detain 18 ladies. The said report also disclosed that when Smt. Arunima Paul was taken to hospital, she had exhibited violent and non-cooperation attitude towards police. The Commission after going through the said report raised certain queries and sought for clarifications from C.P., Kolkata as reflected in the **Note-Sheet dated 30/01/2023**. In response to those queries the Assistant Commissioner of Police, Kolkata (VI), South Division, Kolkata vide his report dated 22/02/2023 which was duly forwarded to the Commission by C.P., Kolkata vide letter dated 15/03/2023 dealt with the queries as raised by the Commission. From the said

report it transpired that Smt. Arunima Paul was examined at Medical College & Hospital, Kolkata. In the said report it was clearly stated that said Arunima Paul was arrested in connection with Shakespeare Sarani P.S. case no. 225 dated 09/11/2022 at about 15.45 hrs. and on the next date she was released on bail. The Commission examined the above mentioned report submitted by the ACP through C.P., Kolkata in compliance with the direction of the Commission and sought for further clarification as it reflected in the **Note-sheet dated 20/04/2023**. Again the ACP (VI), Kolkata submitted his report dated 03/04/2023 which was forwarded by the C.P., Kolkata vide letter dated 17/04/2023. In the said report the ACP specifically stated that Smt. Arunima Paul had alleged that one lady constable namely Smt. Iva Thapa had bitten her at the time of effecting arrest. It was also mentioned in the said report that the lady constable Smt. Iva Thapa had denied the allegation levelled against her and the lady constable stated that at the time of arrest Smt. Arunima Paul had bitten her. The said report also disclosed that the said lady constable made a statement before the doctor by whom she was treated at Bell Vue Clinic in this regard. From the abovementioned reports of the ACP, Kolkata it had been transpired that there was no scope for conducting forensic examination of the injuries as alleged by both Smt. Arunima Paul and Iva Thapa in course of time of their injuries were healed up.

After considering all the aspects, the Commission was pleased to instruct the Investigation Wing of the Commission to cause a specific enquiry by examining the doctors by whom both Smt. Arunima Paul and Lady Constable Iva Thapa were treated and to ascertain the nature of the injuries sustained by them and

also to record the statements of both Smt. Arunima Paul and Smt. Iva Thapa, the lady constable.

As per the direction of the Commission the Investigation Wing of the Commission recorded the statement of Smt. Iva Thapa, lady constable no. 333 on 22nd April, 2023. On the date of her examination said Iva Thapa submitted a Xerox copy of her injury report bearing her original signature with date.

While making her statement before the Investigation Wing of the Commission Smt. Thapa specifically stated that on 09/11/2022 she was allotted duty at Camac Street under Shakespeare Sarani P.S. In her said statement she stated that on that date at about 1.30-2.00 p.m. some of the TET qualified candidates were demonstrating at Camac Street near the office of M.P. Abhishek Banerjee. She stated that as per the instruction of D.C.P., South they arrested about 100 persons from that place. At the time of arresting, one lady had bitten on her wrist with force and as a result she sustained pain injury but she did not leave that lady and when the lady tried to bite her again, then in order to save herself she bit on her hand. In her statement Smt. Thapa clarified that she did not bite that lady intentionally and she told that lady that she was sorry for her conduct but that lady did not show any kind of such gesture to her. From her statement it also appeared that she was treated at Belle Vue Clinic for her injuries.

On 02.05.2023 the investigation wing of the Commission also recorded the statement of Dr. Swaswata Biswas, the Medical Officer in the Department of ITU and Emergency at Belle Vue Clinic, Kolkata. At the time of recording his statement, Dr. Swaswata Biswas handed over the injury report of Smt. Iva Thapa

addressed to the O.C., Shakespeare Sarani P.S. bearing his signature with stamp and registration number. While making his statement before the Investigation Wing of the Commission, the doctor stated that Smt. Thapa herself complained about the human bite on her right forearm. From the statement of the doctor it came out that the copy of the statement made by Smt. Thapa before the doctor was also given to her.

While making his statement before the Investigation Wing of the Commission the doctor submitted a copy of the injury report of Smt. Thapa. The doctor also stated that as per the declaration of Smt. Thapa, while she was performing her duty in Camac Street in front of Senator Hotel suddenly at about 16 hours, one unknown lady TET candidate attacked and bit on her right hand and tried to run away. The doctor submitted a copy of said declaration for police intimation bearing his signature, seal and date to the Investigation Wing of the Commission.

The Investigation Wing also recorded the statement of Smt. Arunima Paul. In her statement she stated that while they were demonstrating at Exide More, all on a sudden police started to arrest them and started to assault them by fist and blows. She also stated that while she was detained under another police personnel one lady had bitten her causing bleeding injury. In her statement she complained that in spite of several requests she was not provided with medical treatment. From her statement it came out that while she was suffering from continuous pain and was shedding blood, at about 9 p.m. she was taken to Calcutta Medical College & Hospital. In her statement she said that the doctor who treated her administered injection to her and prescribed for her further treatment but the said prescription was

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not handed over to her by the police. While denying the allegation of causing bite injury to Smt. Thapa, Smt. Paul in her statement said that the lady who had bitten her was not with uniform. In the said statement Smt. Paul stated that the lady who had bitten her was fair complexion, having brown hair and subsequently he came to know her identify from the print media that the name of the said lady was Iva Thapa and was an employee of South Division of Kolkata Police.

At the time of making her statement Smt. Paul submitted the original injury report issued by College of Medicine of SagarDutta Hospital, Kamarhati, Kolkata bearing her original signature with date. The Investigation Wing of the Commission also recorded the statement of Dr. Prabir Patra. In his statement he stated that on 9/11/22 while he was on emergency duty at Casualty Block of Medical College & Hospital at 9.40 p.m. he examined Smt. Arunima Paul. From his statement it appears that said Arunima Paul stated that she was bitten by one constable while she was involved in a demonstration. The doctor at the time of making his statement opined that as per his experience it was found that the injury was caused by human bite as there was mark of two incisors teeth.

There are allegation and counter allegation made by two ladies against each other. From the materials on record it appears that on the relevant date a demonstration was going on. It is an admitted fact that Smt. Paul was one of the demonstrators and she was arrested in connection with Shakespeare Sarani P.S. Case no. 225 of 2022. It was alleged that Smt. Paul was bitten by a lady. In her statement made before the Investigation Wing of the Commission Smt. Paul gave a description of the lady who had

bitten her and she stated that she came to know the name and identification of that lady from the print media. On the other hand in her statement Smt. Thapa, constable no. 333 stated that she was first bitten by Smt. Paul and while Smt. Paul was trying to bite her for the second time then she bit her to save herself. From the statement of both ladies, it appears that lady constable Smt. Thapa admitted that she had bitten Smt. Paul and was trying to justify her action by stating that she was first bitten by Smt. Arunima Paul. In her statement Smt. Paul totally denied the allegation of biting Smt. Thapa by her. More so Smt. Paul in her statement stated that at the time of occurrence of the alleged incident Smt. Thapa was not with uniform. The list of the police personnel who were deployed on 9/11/22 did not include the name of lady constable no. 333 Smt. Iva Thapa. This fact has been admitted by Srabanti Ghosh, Addl. O.C., Shakespeare Sarani P.S., South Division, Kolkata vide communication dated 26/4/2023 and informed that no Command Certificate was issued in the name of Iva Thapa as she moved under the order of DCP, South Division.

The G.D. Extract from the General Diary of the Shakespeare Sarani P.S. G .D. No. 692/20.30 hrs.dated 9/11/22 (certified to be true copy of the same) was submitted before the Commission wherefrom it appears that on the date of the incident dated 9/11/22, 30 demonstrators were arrested. In Sl. No. 30 the name of Smt. Paul was included. In the same document, nowhere it was mentioned that Smt. Thapa, the lady constable was deployed as Addl. Force at place of occurrence on that day. This GDE does not disclose the name of police personnel who sustained injuries and by whom.

Interestingly the injury report supplied by Smt. Thapa, Constable No. 333 and the injury report and declaration submitted before the Commission by Dr. Swaswata Biswas are not the same. From the injury report as submitted by Smt. Thapa it appears that there was human bite on her forearm and such bite was taken place while she was arresting a person. On the other hand, from the declaration for the police intimation as submitted by Dr. Swaswata Biswas before the Commission it appears that one unknown lady attacked her and had bitten on her right hand and tried to run away.

From the statements of Smt. Arunima Paul, Smt. Iva Thapa and the doctors who treated them as well as the reports of the A.C.P. submitted through C.P., Kolkata it appears that both Smt. Paul and Smt. Thapa sustained human bite injuries. The allegation of causing of bite injury to the lady constable was totally denied by Smt. Paul, on the other hand the lady constable Smt. Thapa admitted that she had bitten Smt. Paul and tried to justify her conduct by stating that she was bitten by Smt. Paul first and she bit Smt. Paul when she tried to bite her again. If for the sake of argument, it is accepted that the lady constable was bitten by Smt. Paul, in spite of that justification as given by her cannot be accepted. Though there are various irregularities as it appeared from the documents as well as the materials placed on record but it can be safely observed that Smt. Thapa was present at the place of occurrence and she was deployed to maintain law and order. Smt. Thapa had higher responsibility than an ordinary person. Her duty was to maintain law and order not to bite any one. The justification as given by Smt. Thapa cannot be accepted. At the same time I am of the view that the conduct of Smt. Thapa being a

police personnel was not at all desirable, particularly while she was engaged to maintain law and order situation.

Findings of the Chairman, W.B.H.R.C.

The sensational incident which had taken place on 9th November, 2022, while a group of job aspirants were demonstrating at Camac Street, Kolkata, has been taken note of very seriously by the West Bengal Human Rights Commission as it was reported that one of the police personnel allegedly had bitten one of the lady demonstrators.

Repeatedly, reports were called for at least on three occasions from the Police Authority regarding the said incident as the reports submitted by the Police Authority on two occasions were not very much convincing. Even, the Commission was not very much satisfied with the ultimate report submitted by the Police Authority; as such an enquiry / investigation, was caused to have been held by the Commission, by its own Investigating Team. The affected lady agitator namely, Arunima Paul, the charged lady Police Constable namely, Iva Thapa, doctors namely, Dr. Prabir Patra, who treated Smt. Arunima Paul and Dr. Saswata Biswas, who treated Iva Thapa, were examined, by the Investigating Team of West Bengal Human Rights Commission.

Materials on record were thoroughly examined by both the Members of the Commission namely, the Administrative Member and the Judicial Member and both of them came to their own conclusion on the basis of the independent findings recorded by them.

The undersigned has meticulously perused the findings recorded by both the Members of the Commission and finds that

the incident which occurred on 9th November, 2022 leading to holding of the enquiry by the Commission, have been correctly assessed and recorded in their respective findings. As such, in order to avoid repetition, the incident which occurred on that day leading to holding of such enquiry, is not narrated further. Suffice it to say, that the scope of enquiry was very limited before the Commission. The main and only issue before the Commission was to find out the correctness of the allegation that Smt. Arunima Paul, one of the lady agitators was bitten by Smt. Iva Thapa, a lady constable or not.

Smt. Iva Thapa, while recording her statement before the Investigating Team of the Commission, stated that Smt. Arunima Paul had bitten her once and while Smt. Paul again made another attempt to bite Smt. Iva Thapa, Smt. Iva Thapa bite Smt. Arunima Paul. Thus, there was clear admission on the part of Smt. Iva Thapa that she bit Smt. Arunima Paul. Smt. Arunima Paul was treated in a Government hospital. In the injury report, it was recorded that there was bite marks over second Web (teeth mark which was simple injury in nature). The Arrest Memo and Inspection Memo which were submitted, indicate that Smt. Arunima Paul had external mark of injury near left wrist.

Thus, if, the admission of Smt. Iva Thapa is taken into consideration along with the Medical Examination Report, Arrest Memo and Inspection Memo, there cannot be any hesitation to conclude that Smt. Arunima Paul was bitten by Smt. Iva Thapa. Such exercise which was so done by a Police Constable, while controlling agitation is highly deplorable and should be deprecated in all possible manner.

Smt. Iva Thapa tried to justify her conduct by contending that Smt. Arunima Paul had bitten her first and when Smt. Paul was again making an attempt to bite Smt. Iva Thapa, Smt. Iva Thapa bite her. The allegation of biting of Smt. Iva Thapa by Smt. Arunima was denied by Smt. Arunima Paul. Though, the doctor who treated Smt. Iva Thapa came and made statement to support the alleged incident of biting of Smt. Thapa by Smt. Arunima Paul, but the evidence of the said doctor hardly can be believed and/or relied upon as two Medical Reports; one issued by the said doctor on the date of examination of Smt. Iva Thapa, which was handed over to her and also produced before the Commission, does not match with the exaggerated Medical Examination Report submitted by the doctor before the Commission.

That apart, the incident of biting of Smt. Iva Thapa by Smt. Arunima Paul was not recorded in the General Dairy. No case was initiated by the Police Authority on the said concocted allegation of biting of Smt. Iva Thapa by Smt. Arunima Paul.

If all the above facts are taken together, coupled with the fact that there was no reliable and corroborative clinching evidence of such allegation of biting on Smt. Thapa by Smt. Arunima Paul, it can hardly be believed that the justification which was sought to be advanced by Smt. Thapa in support of her self-defence, has any leg to stand.

In these particular sets of facts, the undersigned has no hesitation to concur with the findings of both the Administrative Member and the Judicial Member that Smt. Iva Thapa bit Smt. Arunima Paul, on 9th November, 2022.

Recommendation made by the West Bengal Human Rights Commission

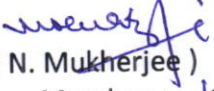
In view of above, the West Bengal Human Rights Commission makes following recommendations:


- i. Compensation to the tune of Rs.30,000/- (Rupees thirty thousand) only be paid to Smt. Arunima Paul, wife of Shri Sadhan Kumar Paul, No.12, Umesh Mukherjee Road, P.O. & P.S. Belghoria, North 24 Parganas, Kolkata-700056 for sustaining simple injuries following her arrest by lady constable, Iva Thapa and being bitten by the latter.
- ii. It was admitted in the report of Commissioner of Police, Kolkata that the Lalbazar Control Room directed female arrestees to Hare Street Police Station despite the fact that the latter did not have female lockup facilities. In this connection, the West Bengal Human Rights Commission refers to its **recommendation no.86/WBHRC/CON/200/25/05/23 dt.24/3/2023** wherein the W.B.H.R.C. visited Central Lockup at Lalbazar on March 14, 2023 and suggested that a second Central Lockup be considered at an adequate location as presently the existing lockup does not have adequate facilities to accommodate demonstrators, both male and female, in large numbers. Therefore, the West Bengal Human Rights Commission again reiterates and recommends that a separate female lockup be considered on an emergency basis to address such exigencies.
- iii. Shri Indraneel Chaudhury, ACP (VI) of South Division, Kolkata be cautioned to submit reports carefully, so that the West Bengal Human Rights Commission is not forced unnecessarily to


seek clarification now and again on his reports, as all facts were not evident.

7. Special Secretary, W.B.H.R.C. is directed to send authenticated copy of the recommendations to the Chief Secretary, Govt. of West Bengal. Chief Secretary, Govt. of West Bengal should inform the Commission about the action taken or proposed to be taken on the recommendations within a period of 3 (three) months from the date of receipt of this communication.

Ld. Registrar, W.B.H.R.C is directed to upload the recommendations in the website.


(N. Mukherjee)
Member 11/7/2023


(Justice Jyotirmay Bhattacharya)
Chairman
11.07.2023


(Justice Madhumati Mitra)
Member
11.07.2023

Encl :

1. Copy of news item.
2. Copy of reports submitted by C.P., Kolkata.
3. Copy of report of I.W., WBHRC.