WEST BENGAL HUMAN RIGHTS COMMISSION

File No.65/SMC/2023

Present

Mr. Justice Jyotirmay Bhattacharya - Chairperson

Mrs. Justice Madhumati Mitra - Member

Without making any effort to trace out the person, who is actually responsible for alleged murder / death of Swapnadip Kundu a minor student of Jadavpur University, which lies exclusively within the jurisdiction of the Criminal Court in the criminal trial sub judice before it, the Commission has made an effort through the independent investigation made by it, to find out as to whether this unfortunate incident of death of the minor student Swapnadip could have been avoided, had the university authority shown its sincere and diligent effort in implementation of the UGC guidelines and the guidelines set up by the Hon'ble Supreme Court in the case of University of Kerala Vs. Council, Principals Colleges, Kerala & Ors. reported in (2009) 7 SCC page 726, for curbing the ragging of the junior students by the seniors / ex-students.

On 11th August, 2023, the West Bengal Human Rights
Commission hereinafter referred to "The Commission", took suo

motu cognizance on the issue of a news item published in the Ananda Bazar Patrika dt.11/08/2023, captioned "পড়ুয়ার মৃত্যুতে কি দায়ী র্যাগিং" and called for a detailed report from (i) Commissioner of Police, Kolkata and (ii) Vice-Chancellor, Jadavpur University or the competent authority in-charge of the office of Vice-Chancellor, by 24th August, 2023 regarding the incident as reported in the above mentioned news item.

Copy of the direction passed by the Commission on 11th August, 2023, is enclosed herewith and is marked with letter "A".

2. Again on 16th August, 2023, the West Bengal Human Rights Commission in continuation of the direction dt.11/08/2023 was pleased to further direct the Addl. Supdt. of Police, Investigating Wing, W.B.H.R.C to visit Jadavpur University and submit a report to the Commission by 21st August, 2023.

Copy of the direction passed by the Commission on 16th August, 2023, is enclosed herewith and is marked with letter "B".

3. In response to the notice to the *suo motu* cognizance of W.B.H.R.C. dt.11/8/2023 as well as the direction issued by the Commission regarding submission of detailed report in connection with unnatural death of a student, the Registrar, Jadavpur University sent a report dt.23rd August, 2023 to the W.B.H.R.C. In the said report dt.23/8/2023, Jadavpur University raised certain issues and informed the West Bengal Human Rights Commission

that over the self-same issue of incident, police investigation was going on and there was already a Public Interest Litigation (PIL) instituted before the Hon'ble High Court, Calcutta. It was also stated in the said response that University Grants Commission (UGC) had already called for certain information and reply on the self-same incident and issue. In the said response conclusion was drawn by the University that in view of the sub judice matter, any report on the part of the University to the West Bengal Human Rights Commission might be viewed seriously by the Hon'ble High Court, Calcutta and the judiciary. The W.B.H.R.C. was requested by the University not to press for any report on the matter which was already sub judice.

Report dated 23rd August, 2023, addressed to West Bengal Human Rights Commission, sent by the Registrar, Jadavpur University is endorsed hereto and is marked with letter "C".

4. The Registrar, Jadavpur University also sent two letters under reference no.R-PA/G-06/149/2023 dt.21/08/2023 and under reference no.R-PA/G-06/154/2023 dt.23/08/2023 both addressed to the Supdt. of Police, West Bengal Human Rights Commission, Purta Bhavan, Block-DF, Sector-I, Salt Lake, Kolkata – 700091. After going through the contents of aforesaid two letters, the Commission took serious note of it as it found that the University authority not only refused to submit its report, on the subject under investigation, in pursuance of the decision of the Commission

dt.11/08/2023, but also questioned the jurisdiction of the Commission to enquire into the subject on several grounds, namely:-

- (i) The W.B.H.R.C. cannot hold a parallel enquiry by encroaching upon the jurisdiction of the West Bengal Commission for Protection of Child Rights which has already initiated an enquiry on the self-same subject of investigation;
- (ii) When the University Grants Commission (UGC) had issued notices to the University seeking clarification on implementation of its guideline towards anti-ragging measures, the Commission cannot hold a parallel enquiry;
- (iii) When police has already started investigation to ascertain the cause of death of Swapnadip Kundu, a fresher in the main boys' hostel, the Commission cannot hold a parallel enquiry;
- (iv) Since a P.I.L. has already commenced before the Hon'ble High Court at Calcutta on the subject enquiry, the Commission cannot hold a parallel enquiry simultaneously.

Letters dated 21/08/2023 and 23/08/2023 written by the Registrar, Jadavpur University addressed to Supdt. of Police, W.B.H.R.C. are enclosed herewith and are marked with letter "D-1" and "D-2" respectively.

5. The West Bengal Human Rights Commission in its decision specifically dealt with all the points as raised by the University authorities relating to the jurisdiction/authority/scope of

investigation of State Human Rights Commission to hold an investigation regarding the unnatural death of a first year student of University who used to stay at boys hostel of the university which is situated within the University campus. After considering all the pros and cons of the enquiry / investigation of different Commissions and investigation by police under the provision of Code of Criminal Procedure (Cr.P.C.), the WBHRC has clearly observed that the decision of the University not to co-operate which was conveyed to the W.B.H.R.C. by the University vide its letter dt.21/8/2023 and 23/8/2023 would amount to resisting the State Human Rights Commission from coming to a logical conclusion and also from making suitable recommendation(s) to the Government within its permissible limit under the law.

6. The above decision of the Commission was duly communicated to the University.

Decision of the commission dated 26/09/2023 which was communicated to the Registrar, Jadavpur University is enclosed herewith and is marked with letter "E".

7. Vide its letter dt.12/10/2023, the University authority informed the Commission that by its letter dt.21/8/2023 the University had only sought for clarification which in no way could be construed as being obstructive to the proposed enquiry by the Commission and requested the Commission to take note of their stand and appreciate that the University has never obstructed any

enquiry to be held by the Commission and also never refused to render any cooperation to the Commission.

Letter dated 12/10/2023 written by University Authority addressed to the Commission is enclosed herewith and is marked with letter "F".

8. On 24/8/2023 Commission issued an Email/reminder to the Commissioner of Police, Kolkata as no report was submitted by him pursuant to the direction of the Commission. On 28th August, 2023 Commission requested the Registrar, Jadavpur University to send details of Public Interest Litigation, if any to the Commission.

Both the Email letters of the Commission; one 28/08/2023 addressed to the Commissioner of Police, Kolkata and another dated 28/08/2023 addressed to the Registrar, Jadavpur University are enclosed hereto and are marked with letters "G" and "H" respectively.

9. Report of A.C.P.(I), Detective Department, Kolkata Police dt.28/08/2023 which was duly forwarded to the Commission by Commissioner of Police, Kolkata vide memo no.13926/RPT Enclose.TID/1349487 dt.07/09/2023. The report of A.C.P., Detective Department, Kolkata Police revealed that Jadavpur P.S. Case No.150 dt.11/08/2023 u/s 302/34 IPC was registered on the basis of the recorded and signed statement of Shri Ramprosad Kundu, son of Lt. Kaliprosad Kundu against the F.I.R. named accused persons, namely, Sourabh Chowdhury, ex-student of

Jadavpur University along with others. From the said report it appears that deceased, Swapnadip Kundu, aged about 17 years, son of Shri Ramprosad Kundu of Vill.Bogula, P.S.Hanskhali, Dist-Nadia, a student of B.A. 1st year of Jadavpur University, Bengali Department died unnaturally. In the said report it has been mentioned that in course of investigation, prima facie, as per collected evidence, the victim boy was subjected to mental torture and he was being ragged before his death at the hospital and as such Section 4 of the West Bengal Prohibition of Ragging in Educational Institutions Act, 2000 was added with the existing section of law.

Report of A.C.P. (I) Detective Department, Kolkata Police dated 28/08/2023 which was forwarded to the Commission is enclosed hereto and is marked with letter "I".

10. After going through the said report of A.C.P., Detective Department, Kolkata Police, the West Bengal Human Rights Commission asked for a status report relating to the progress of investigation of Jadavpur P.S. Case No.150/2023. At the same time, the Commission asked the Commissioner of Police, Kolkata to apprise the Commission as to whether local police authorities have been included in anti-ragging committee of Jadavpur University as per U.G.C. norms by September 18, 2023. Though it appears that Anti-ragging Committee was constituted by Jadavpur University but the committee, so constituted, was not formed as per the

Guidelines of U.G.C. The contact particulars of the Police Personnel who were included in the Committee were not indicated in the list of the Committee members.

- 11. In the meantime, as directed by the Commission, the Investigating Wing of W.B.H.R.C. submitted enquiry report on 22/8/2023 in connection with unnatural death of Swapnadip Kundu, a student of Jadavpur University at the main hostel premises on 9th August, 2023. Thereafter, Investigating Wing of the Commission submitted supplementary report on 05/09/2023.
- 12. A conspicuous reading of all the reports came to the Commission from different authorities including the reports of Investigating Wing of W.B.H.R.C., communications made by the University authorities through Registrar and the copies of the documents collected by Investigating Wing of WBHRC it appears that on 10th August, 2023 the Registrar (O), Jadavpur University informed the O.C., Jadavpur P.S., Kolkata that they had found a student named, Shri Swarnadip Kundu, U.G.I, Bengali, on road in front of the main hostel (at A-1 / A-2 Block) within the Jadavpur University Hostel Campus on 09/8/2023 in unconscious and wounded condition at around 11 p.m. as intimated by the Hostel Superintendent, Shri Tapan Jana over telephone. communication to the Officer-in-Charge of Jadavpur P.S., the Registrar mentioned the name of the student as Swarnadip instead of Swapnadip.

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- 13. From the inquest report held u/s 174 Cr.P.C. it appears that Swapnadip Kundu was admitted at K.P.C. Medical College & Hospital, Jadavpur on 10/8/2023 at 00.10 hrs. and expired on the same day at 05.45 hrs. From the inquest report it appears that white cloth was rapped in waist and down private part of the deceased.
- 14. From the post mortem report it appears that the Autopsy Surgeon opined that the death was due to the effects of ante mortem injuries as described by the doctor.
- 15. Shri Ramprosad Kundu, the unfortunate father of Swapnadip on 11/8/2023 made a statement before the police officer of Jadavpur P.S. over the unnatural death of his son, Swapnadip Kundu. On the basis of the said statement Jadavpur P.S. Case No.150/2023 dt.11/8/2023 was registered against the accused for commission of alleged offences punishable u/s 302/34 IPC. From the statement of father of Swapnadip Kundu it appears that Swapnadip was admitted in Jadavpur University only on 3rd August, 2023. From the said statement it also appears that initially Swapnadip did not get seat in the hostel and later he got seat in Room No.68 at the hostel with the help of Sourav Chowdhury, an exstudent and Monotosh Mondal, a 2nd year student. In his said statement his father stated that Room No.68 is situated at 2nd floor of A-2 Block and Swapnadip started to reside in hostel from 06/8/2023 which was Sunday.

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- 16. Anti-Ragging undertaking (Affidavit) submitted by Swapnadip Kundu on 3rd August, 2023 i.e. on the date of his admission. On 2nd August, 2023, a circular was issued by the Registrar of University which contained the designation and names of the members of the Anti-Ragging Committee with Email and phone numbers. In the said circular it was mentioned any incident of ragging coming to the notice of any member of the University community might be brought to the notice of any member of the Anti-Ragging Committee / Anti-Ragging Squad members so that appropriate action might be taken against the miscreants promptly. Though it appears that Antiragging Committee was constituted by Jadavpur University but the Committee, so constituted, was not formed as per the Guidelines of UGC. The contact particulars of the Police Personnel who were included in the Committee were not indicated in the list of the Committee members.
- 17. From the said circular it appears that the responsibility for maintaining vigil, oversight, supervise and patrolling function was assigned to the Departmental Hostel and Common Area Anti-Ragging volunteers team under the control of concerned Head of the Department, Hostel Superintendent and in-Charge. From circular dt.02/8/2023 it appears that pursuant to Clause 6.3 of the University Grants Commission Regulations on curbing the menace of ragging in Higher Education Institutions 2009, Jadavpur University constituted Anti-Ragging Squad for the academic year

2023 – 24. This circular contained a list of the names of the members of Anti-Ragging Squad members 2023-24 with mobile numbers. Though it appears that Anti-ragging Committee was constituted by Jadavpur University but the committee, so constituted, was not formed as per the Guidelines of U.G.C. The contact particulars of the Police Personnel who were included in the Committee were not indicated in the list of the Committee members.

18. From the documents as furnished by the Jadavpur University authority it appears that Swapnadip Kundu applied for hostel boarder-ship and appeared before the Hostel Selection Committee Members. From the office notice dt.4th August, 2023 it appears that Swapnadip was not allotted any seat in the boys' hostel of the University.

Office Notice issued by the University Authority, on 4th August, 2023 is enclosed hereto and is marked with letter "J".

19. Alleged incident regarding the fall of Swapnadip took place from the 2nd floor on the ground. The height from the balcony of the 2nd floor A-2 Block to the ground vertically is about 30 to 50 ft. (approx.) as pointed out in the report of Investigating Wing, WBHRC. The Investigating Wing of WBHRC during investigation recorded the statement of Tapan Kr. Jana who was / is in-charge of A1/A2 Block of main hostel building while making his statement before the Investigating Wing of WBHRC, Shri Jana stated that for the last 16 years he was in-Charge of A1 / A2 Block of main Hostel Building

and looks after the maintenance of legitimate boarders. From his statement it came out that there were authorized boarders in the hostels and deceased, Swapnadip Kundu was not an authorized boarder and stayed at Room No.68 with authorized boarder. From his statement it also appears that one pass out student of 2021 stayed in Room No.61, Swapnadip came in the hostel as his guest. From the statement of Shri Jana it transpires that deceased, Swapnadip entered in the hostel as guest at the arrangement of a pass out student and was staying at Room No.68 from 06/8/2023 evening after an oral settlement with his father at the road side tea shop.

- 20. From the Statement of Shri Jana it also comes out that there was no CCTV in the hostel premises and also at the gate of the hostel premises. Hostel gate was open throughout the day and no Register was being maintained for the outsiders. Shri Jana also stated that on 09/8/2023 at about 11.52 p.m. / 11.53 p.m. one student, viz., Satyabrata Roy (4th year student of Computer Science, Room No.110) informed him over phone that one boarder fell down from balcony. Shri Jana also stated that at about 10.08 p.m. on 09/8/2023 said Satyabrata called Dean of Students over phone that Swapnadip was in a fear and nervous condition.
- 21. Kallol Ghosh, a 2nd year Economics student who is a boarder of Room No.68 stated that on 06/8/2023 one pass out student,

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Sourav Chowdhury told all the boarders of Room No.68 to allow Swapnadip to stay with them.

- 22. Avijit Laiya an unauthorized boarder of Room No.68 and Biman Biswas another authorized boarder of said Room No.68 stated in the same line that Swapnadip was staying in Room No.68 with them.
- From the statement of Shri Jana it appears that deceased, 23. Swapnadip Kundu was an unauthorized boarder of room No.68. The authorized boarders of said Room No.68, namely, Kallol Ghosh, Biman Biswas and Avhijit Laiya at the time of making their statements before the Investigating Wing of the Commission corroborated the statement of Shri Jana to the effect that deceased, Swapnadip Kundu stayed in room No.68. From the materials placed on record it is clear that Swapnadip was not allotted accommodation as a boarder in the hostel by the University authority but he started to stay in Hostel Room No.68 as a guest of one pass-out student of 2020-21. This fact clearly indicates that the University administration in fact, has no control over the affairs of the hostel. Students who are studying in the University are not getting the hostel facilities whereas pass-out students are occupying the hostels years together. This aspect indicates serious lack of control over the allotment of hostel to the current and legitimate students who are entitled to get hostel facilities during their academic's sessions. More so, from the statements of the coboarders of deceased, Swapnadip Kundu it transpires that Swapnadip was traumatized. The materials collected by our investigating team during investigation clearly indicate that there was no CCTV installed in the University campus as well as the hostel premises. Non-installation of CCTV within the University

campus and hostel premises was against the guidelines issued by the University Grants Commission on anti-ragging. In fact, there was no mechanism to prevent the entry of unwanted and unauthorized persons within the hostel premises. In view of the guidelines issued by University Grants Commission the freshers should be provided separate hostel block. In the instant case Swapnadip was not allotted hostel by the University Hostel Committee but he started to stay in the hostel by the arrangement of one pass-out student. That indicates that the actual control of the hostel was at the hands of unauthorized (pass-out students and others) persons. While making his statement before our investigating team, Shri Tapan Kumar Jana who is in-Charge of A1/A2 Block of main hostel has alleged that he made several correspondences to the Dean of Student of mal-functioning in respect of unauthorized accommodation of hostel by pass-out and outsiders as guest in the hostel and on one occasion during inspection he was physically tortured and harassed by the students. This statement of Shri Jana depicts what was going on in the University hostel.

24. It is true that several guidelines or circulars as indicated earlier had been issued by the University authorities and undertakings were obtained from the fresher students in compliance of the guidelines of the U.G.C. but in fact, those were mere paper transactions. In fact, no, sincere efforts were taken by the University authorities to give actual effect to the guidelines of the U.G.C. Mere issuance of certain circulars or obtaining undertakings from the freshers are not sufficient to protect them from the evil of ragging. The entire materials placed on record have clearly indicated that the University authorities were not at all sincere to translate the guidelines into action. The question that Swapnadip Kundu, the deceased was not an authorized boarder of

the hostel is quite immaterial. In this connection, it would not be out of place to mention 1.3 of the University Grants Commission Regulation on Curbing the Menace of Ragging in Higher Educational Institutions, 2009. The unnatural death of a young minor student aged about 17 years took place within the hostel campus of the University. It also appears that the unnatural death of the deceased was caused under unnatural circumstances. Previously, it has been observed that Swapnadip Kundu got admitted in Jadavpur University on 3rd August, 2023 and he started to reside in Room No.68 of the hostel from 06th August, 2023 on the basis of an arrangement made by a pass-out student and the alleged incident took place on 09th August, 2023 within 3 (three) days of his entry in the hostel and within 6 (six) days of his admission in the University. The unnatural death of Swapnadip Kundu under unnatural circumstances raises serious doubt regarding the protection/safety of newcomer or freshers in the University campus or the hostel premises who come with the dream for higher education from different places far away from city / remote places.

25. The University authority cannot shake off its responsibility to protect the fresher students from the evils of ragging, torture etc. by the outsiders / pass out students or senior students by citing that the different circulars were issued in compliance with the guidelines of U.G.C. In the present case as it appears that the management and allocation of accommodation were not under the exclusive control of the University authorities. Pass-out students or others had the unauthorized control in the hostel premises. No effective measures were taken by the University authorities to curb the control of the unauthorized boarders in the hostel and to maintain discipline.

- 26. Major lapses on the part of the University Authorities in not complying with the guidelines of the University Grant Commission (U.G.C.) as indicated above, contributed in large scale to the cause of death of Swapnadip Kundu, a minor student of Jadavpur University.
- 27. Swapnadip Kundu had brilliant academic career. He had bright future prospect. Untimely death of Swapnadip Kundu has created loss of financial support for his aged parents who had legitimate expectation for being maintained by their son Swapnadip Kundu. As such, parents of Swapnadip should be reasonable compensated.
- 28. Fresher students were not segregated from the ex-students and sincere students. No CCTVs were installed to control the movement or restrict the movement of unauthorized person or outsiders.

29. <u>In view of above facts and circumstances of the case, the</u> <u>West Bengal Human Rights Commission recommends as under</u>:

- i. University authorities are directed to comply with the guidelines of the University Grants Commission (UGC) in letters and spirit so that such type of incident may be prevented in future.
- ii. The University authorities should exercise its control over the hostel premises and follow the guidelines.
- iii. Unauthorized or unwanted boarders should be removed from the hostel premises.
- iv. Freshers should be segregated and sharp vigil should be kept on them so that they may not be victimized due to ragging.
- v. Loss of a child cannot be compensated by any means. The unfortunate incident occurred due to the negligence and lack of vigil

of University and / or State authorities. Parents of the deceased, Swapnadip Kundu will be compensated by the State on payment of Rs. 10,00,000/- (Rupees Ten Lakh only) towards compensation.

30. Joint 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.

(Justice Madhumati Mitra)

Member 01.12.2023

Madhumati Mits.

(Justice Jyotirmay Bhattacharya)

Chairman

W.B. HUMAN RIGHTS COM SSION KOLKATA - 91

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NOTE SHEET

65/SMC/23

11.08.2023

Pursuant to the discussions on the issue of a news item published in the Ananda Bazar Patrika dt. 11th August, 2023 captioned "পভুয়ার মৃত্যুতে কি দায়ী ব্যাগিং", it is hereby unanimously resolved by the West Bengal Human Rights Commission that a detailed report be called for immediately from (i) Commissioner of Police, Kolkata and (ii) Vice Chancellor, Jadavpur University or the Competent Authority in-charge of office of Vice Chancellor, by 24th August, 2023 regarding the incident as reported in the in above mentioned newspaper. Letters be sent to the Commissioner of Police, Kolkata and Vice Chancellor/the Competent Authority in-charge of office of Vice Chancellor, Jadavpur University at once and photocopy of published news item be also attached.

(N. Mukherjee) Member (Justice Jyotirmay Bhattacharya)

Chairman

11.08.2023

(Justice Madhumati Mitra)

Member

Authenticated

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Assistant Secretary

Assistant Pighto Commission

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NOTE SHEET

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FileNo. 65/SMc/2023

16-8-2023

With reference to Commission's earlier order dt.11/08/2023, it is further directed that Addl. S.P., Investigating Wing W.B.H.R.C. will visit the Jadavpur University and submit a report to the Commission by 21st August, 2023.

(N. Mukherjee) Member

Member (6/8/201)

(Justice Jyotirmay Bhattacharya)

Chairman

stice Madhumati Mitr Member

Ld. Registrar

Assistant Secretary

No Human Pinhas Commission

*JADAVPUR UNIVERSITY KOLKATA-700 032, INDIA

िम्वभूत विश्वविদ्यानश কলকাতা-৭০০০৩২, ভারত



Ref. No.: R-PA/G-06/155/2023

Date: 23-Aug-23

To The Deputy Secretary West Bengal Human Rights Commission Purta Bhawan, 2nd Floor Block - DF Sec - I, Saltlake Kolkata: 700091

Re: Letter bearing no. 457 (2)-65/WBHRC/SMC/2023 dated: 11.08.202

Dear Sir,

This has reference to your letter dated 11.08.2023 calling for a report from us on the basis of a newspaper reporting enclosed to your notice.

Please be informed that the West Bengal Human Rights Commission through the Superintendent of Police has put some questionnaires and called for the attendance of certain officers and students of the university over the self same incident. We have also made a representation on 21.08.2023 and sent by e-mail to the WBHRC dealing with the issue. Over the self same issue and incident, police investigation is going on, and there is already a PIL instituted in the Hon'ble Calcutta High Court. The UGC has also called for certain information and reply on the self same incident and issue. At this stage, and in view of the subjudice matter, any report on our part to you may be viewed seriously by the Hon'ble Court of Law and the judiciary.

In view of the above, you are requested not to press for any report on the matter which is already subjudice.

Thanking you.

Yours faithfully

* Established on and from 24th December, 1955 vide Notification No.10986-Edn/IU-42/55 dated 6th December, 1955 under Judavpur University Act, 1955 (West Bengal Act XXIII of 1955) followed by Jadavpur University Act, 1981 (West Bengal Act XXIV of 1981)

দুরভাষঃ ২৪১৪-৬৬৬৬/৬১৯৪/৬৬৪৩/ ৬৪৯৫/৬৪৪৩ দূরবার্তাঃ (৯১)-০৩৩-২৪১৪-৬৪১৪/২৪১৩-৭১২১

Website: www.jaduniv.edu.in

E-mail:registrar@jadavpuruniversity.in

Phone : 2414-6666/6194/6643/6495/6443 Fax : (91)-033-2414-6414/2413-7121

र्यानवेद्भेव विश्वविन्नानश কলকাতা-৭০০০৩২, ভারত



*JADAVPUR UNIVERSITY KOLKATA-700 032, INDIA

Ref. No.: R-PA/G-06/149/2023

Date: 21-Aug-23

To The Superintendent of Police West Bengal Human Rights Commission Purta Bhawan, Block - DF Sec - I, Saltlake Kolkata: 700091

Authenticated Similar

Assistant Secretary W.B. Human Rights Commission

Re: Your notice dated 17.8.2023 regarding unnatural death of one student of the University on 9.8.2023 at the Main Hostel.

Madam.

- We acknowledge receipt of your notice dated 17.8.2023. At the outset, we have to state as follows:
- Nothing is superior than right to life; and education forms an integral part of it. In the 2. higher education system of the State, there has to be a balancing scale for protection of mutual rights with due honour to be given to the scope of flowering of child sensibilities through the gateway of youth. Along with that develops the character building and the future; not only of the students, but also of the country. Educational institutions, as extended limbs of the State are also dedicated to the upbringing and character-building of the students, within their limited spheres of permissibility and capabilities.
- Jadavpur University, a State aided University has a long and enviable history of excellence in higher education; and such repute has spread pan India and also internationally. Over the years, the institution has an almost consistent socio-politico presence alongside its educational activities; and the same has its presence felt on many occasions with student movement and student consciousness expressed over various academic as well as various socio-politico issues. It may be appreciated that many of such movements on and off Campus; have not been extremely peaceful. Tiding over such waves, and combating financial crisis, the University, of late, has climbed greater heights of academic excellence in the country-wide scenario.

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d from 24th December, 1955 cittly notification No.10986-Edn/IU-42/55 dated 6th December, 1955 under Jadavpur University Act, 195 (West Bengal Act XXIV of 1981) Established on and from 24th December,

দুরভাষঃ ২৪১৪-৬৬৬৬/৬১৯৪/৬৬৪৩/ ৬৪৯৫/৬৪৪৩

Website: www.jaduniv.cdu.in E-mail:registrar@jadavpuruniversity.in Phone: 2414-6666/6194/6643/6495/64 Fax: (91)-033-2414-6414/2413-7121

🏴 🖟 लंक्टब्स्त विश्वविक्रानश কলকাতা-৭০০০৩২, ভারত



*JADAVPUR UNIVERSITY KOLKATA-700 032, INDIA

unfortunate death, and expresses its commitment to stand by the bereaved family in whatsoever manner possible.

- The Commission may take note of the fact that in an atmosphere of confidence building, 5. when the Students' Unions recognized under the various statutory provisions of the University seek independence and freedom, and they resist any stern action to be implemented administratively; the focus has to be dedicated to preservation of academic atmosphere predominantly.
- The University Campus and the Hostel Campus of the University are not dedicated primarily to "child"; and there are 1950 seats in the hostels of the University, spread over various campuses.
- Swarnadeep Kundu, a fresher in the Main Boys' Hostel has died i=unnaturally after falling 7. from the second floor in the night of 9th August, 2023, FIR has been lodged, and police investigation has already started over the self-same subject matter. Therefore, our reply may only be considered in such areas which may not cross roads with the police investigation.
- You may appreciate that the changed socio-economic scenario, the technological upgradation with free access to internet and to the outer world amongst the children has reportedly developed to be a further menace to childhood, as is widely publicised by medical experts, psychologists and psychiatrists of the present day. The contextual difference in mind set of the child with the sea-change in the upbringing system amidst changed societal structure has to be balanced and appropriately considered.
- Your goodself has issued the notice on the subject of unfortunate death of a 1st Year 9. student requesting us to answer many queries contained in the letter under reply.
- 10. You are probably aware that over self-same incident, the police investigation has already commenced wherein many documents mentioned in your letter under reply have been asked to be produced, called for. In the context of the police investigation, and to maintain the sanctity thereof wherein the University administration is fully coordinating, you are requested to clarify as to whether you still persist on the production of such records in the parallel enquiry.
- 11. You are also aware that over the self-same incident, the West Bengal Commission for Protection of Child Rights has also commenced a proceeding/enquiry. Being limbs of the State Government, the West Bengal Human Rights Commission and the West Bengal Commission for Protection of Child Rights probably cannot encroach upon or interfere into each other's domain or territory. If the incident is in relation to a child, you may appreciate that special statutory

Page 2 of 4

nd from 24th December, 1955 vide Notification No.10986-Edn/I property December, 1955 under Jadavpur University Act, 1955 (West Bengal Act XXIII of 1955) followed by Jadavpur University Act, 1981 (West Bengal Act XXIV of 1981) * Established on and from 24th December, 1955 vide Notification No.10986-Edn/1 1245

দূরভাষঃ ২৪১৪-৬৬৬৬/৬১৯৪/৬৬৪৩/ ৬৪৯৫/৬৪৪৩ দূরবার্তাঃ (৯১)-০৩৩-২৪১৪-৬৪১৪/২৪১৩-৭১২১ Authenticat

Website: www.jaduniv.edu.in E-mail@egistrar@jadavpuruniversity.in Phone: 2414-6666/6194/6643/6495/6443

Fax : (91)-033-2414-6414/2413-7121



े शोक्षात विश्वविकालश কলকাতা-৭০০০৩২, ভারত



*JADAVPUR UNIVERSITY KOLKATA-700 032, INDIA

provisions with regard to Protection of Child Rights will prevail over general provisions with regard to Protection of Human Rights.

- 12. Notwithstanding the fact that police investigation over the self-same incident is on, UGC has also issued notice(s) to the University seeking clarification on implementation of its Guidelines towards anti-ragging measures. That apart, a PIL has already been filed in the Hon'ble High Court at Calcutta for implementation of the UGC guidelines towards anti-ragging, in the University Campus. Your queries largely touch upon the already pending issue, and large part of the same, apparently falling within the domain of the District Level Anti-Ragging Committee ought to be constituted by the State Government in accordance with the UGC Guidelines. The questions raised by you against Point No.1 are with regard to the anti-ragging measures guide lined by the UGC. UGC has issued notice in this regard to the University, and the same are being dealt with appropriately. Apparently, such queries do not come within the parameters of protection of "Human Rights". You are requested to clarify on this issue.
- 13. Regarding the queries against Question No.2, it is again submitted that the same are in the domain of UGC Regulations and implementation thereof and PIL has already been filed in the Hon'ble Calcutta High Court in this regard.
- 14. Regarding your Question No.3, it is submitted that the same are within the scope of police investigation. There is, however, no administrative order regarding not allowing the police to enter J.U. Campus. In fact, over the incident of 11th June, 2005 and on 17th September, 2014 police had entered the J.U. Campus in the night over which there was large-scale demonstration and uproar in the society including wide coverage in the electronic and news print media.
- 15. With regard to the Fact Finding Committee for taking disciplinary action against a delinquent over the unnatural death of the student, it is submitted that the same has been done in accordance with the UGC Guidelines. Please be noted that over the self-same incident, police investigation is going on and the inbuilt mechanism of such proceedings under the UGC Guidelines is required to be read in the backdrop of peculiar facts and circumstances of each case. In the instant matter, over the self-same incident police investigation has already commenced. The entry and exit of Hostel boarders and the procedure register and keeping thereof are all subject matter of police investigation.
- 16. You may also be aware that UGC has also issued UGC Regulations on Basic Facilities and Amenities for Safe Secure Environment for Women and Women Cell (for Sensitization, Policy Implementation, Monitoring and Grievance Redressal) in Higher Educational Institutions for

Page 3 of 4

দূরভাবঃ ২৪১৪-৬৬৬৬/৬১৯৪/৬৬৪৩/ ৬৪৯৫/৬৪৪৩ দূরবার্তাঃ (৯১)-০৩৩-২৪১৪-৬৪১৪/১৪১৩-৭১২১

E-mail:registrar@jadavpuruniversity.in

Phone: 2414-6666/6194/6643/6495/6443 Fax: (91)-033-2414-6414/2413-7121

Assistant Secretary W.B. Human Pights Commission

Website: www.jaduniv.ed.jp. Phon-* Established on and from 24th December, 1955 vide Notification No.10986-Edn/IU-42/55 dated 6th pour er Jadavpur University Act, 1955 (West Bengal Act XXIII of 1955) followed by Jadavpur University Act,198

शांच्युत्र विश्वविष्णान्य कनकाछा-१०००७२, ङात्रछ



*JADAVPUR UNIVERSITY KOLKATA-700 032, INDIA

maintaining safety and security of students in the Campus. That apart, the PIL which has been filed in the Hon'nble Calcutta High Court touches upon such issues.

17. You have also issued notice dated 17^{th} August, 2023 instructing the Dean of Students, the Main Hostel Gate Security Staff and 5 students to appear in the enquiry to be conducted in your office on 21st August, 2023 at 12 noon. While the University administration is respectful to the protection of human rights and stands by its commitment to uphold the majesty of the same, and render all meaningful assistance that may be lawfully required, it is again submitted that the Commission should preliminarily clarify and decide as to whether it should at all proceed in the matter, where proceedings are already initiated over the self-same issue by the West Bengal Commission for Protection of Child Rights, UGC, the police; apart from a PIL already instituted in the Hon'ble Calcutta High Court. However, authenticated copy of the Hostel Register shall be furnished to you, to honour the Commission's instruction. This is, however, without prejudice to the rights of the University as regards maintainability of the enquiry

M.B. Human Rights Commission

Yours faithfully

Registrar JADAVPUR UNIVERSITY

্ যানিবপুর বিশ্ববিদ্যালয় কলকাতা-৭০০০৩২, ভারত



*JADAVPUR UNIVERSITY KOLKATA-700 032, INDIA

Ref. No.: R-PA/G-06/154/2023

Date: 23-Aug-23

To The Superintendent of Police West Bengal Human Rights Commission Purta Bhawan, Block - DF Sec - I, Saltlake Kolkata: 700091

Re: Letter bearing no. R-PA/G-06/149/23 dated: 21-Aug-23

Dear Madam,

In addition to the letter bearing Ref. No. R-PA/G-06/149/2023 Dated: 21st Aug, 2023 which was sent to you through email on 21st August, 2023, I am sending herewith the copies of some relevant documents to this unfortunate incident.

You are requested to please see and acknowledge. Thanking you.

Yours faithfully,

Registrar

Encl: As stated above

Assistant Secretary

^{*} Established on and from 24th December, 1955 vide Notification No.10986-Edn/IU-42/55 dated 6th December, 1955 under Jadavpur University Act, (West Bengal Act XXIII of 1955) followed by Jadavpur University Act, 1981 (West Bengal Act XXIV of 1981)

NOTE SHEET

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Re: The letters of the Registrar, Jadavpur University under Reference No. R-PA/G-06/149/2023 dated 21st August, 2023 & under Reference No. R-PA/G-06/154/2023 dated 23st August, 2023 both addressed to the Superintendent of Police, West Bengal Human Rights Commission, Purta Bhavan, Block - DF, Sec-I, Salt Lake, Kolkata - 700 691.

Decision

Non-cooperation of the authorities of Jadavpur University with the West Bengal Human Rights Commission, hereinafter, referred to as the said Commission, is taken note of by the Commission seriously.

The University Authority not only refused to submit its report, on the subject under investigation, in pursuance of the direction passed by the Commission, on 11th August, 2023, but also questioned the jurisdiction of the Commission to enquire into the subject matter on several grounds viz.

- i) West Bengal Human Rights Commission cannot hold a parallel enquiry by encroaching upon the jurisdiction of the West Bengal Commission for Protection of Child Rights Commission, which has already initiated an enquiry on the self-same subject of investigation.
- ii) When University Grant Commission had issued notices to the University seeking clarification on implementation of its guideline towards anti raging measures, the Commission cannot hold a parallel enquiry.
- iii) When police has already started investigation to ascertain the cause of thereof death of Swarmadeep Kundu, a fresher in the Main Boys Hostel, the Commission cannot hold a parallel enquiry.
- iv) Since a Public Interest Litigation has already commenced before the Hon'ble High Court at Calcutta on the subject enquiry, the Commission cannot hold a parallel enquiry simultaneously.

The Registrar of Jadavpur University, for all practical purposes, obstructed the Commission in discharging its statutory duties by citing the above grounds which are not sustainable in law for the following reasons:-

 The scope of investigation into the cause of death of Swarnadeep Kundu by West Bengal Child Rights Commission is limited to

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WB HUMAN RIGHTS COMMISSION KOLKATA - 91

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ascertain as to how far the legal rights of the said child was violated in the incident as reported in the Newspapers and also to ascertain the legal forum where the accused in the unnatural death of the child, will be tried.

The scope of investigation by the Commission is not restricted to such narrow campus. The primary reason for initiating such inquiry was no doubt to ascertain the cause of death of Swarnadeep Kundu and to recommend for initiation of proceeding against those who are responsible for causing the death of Swarnadeep Kundu and also to recommend for grant of suitable compensation to the parents and the other dependant family members who had legitimate expectation to be maintained by Swarnadeep Kundu who had bright academic career all throughout in the field of education. That apart, the purpose of such enquiry is to ascertain the ways and means so that safety and security of the students staying in the hostel can be provided in order to avoid of loss of any valuable life in future and to send recommendation to the Government accordingly.

Scope and object of enquiry of West Bengal Human Rights commission is more wide than Child Rights Commission or other similar Commission in the sense that it may take cognizance for violation of human rights or abatement thereof or negligence in the prevention of such violation.

Since the scope of enquiry into the incident of death of Swarnadeep Kundu and the other happenings which had occurred incidental thereto, by the West Bengal Human Rights Commission is more elaborate than that of the scope of enquiry by the West Bengal Child Rights Commission, decision taken by the University Authority, as communicated to the Commission, in its letter under reference, is not sustainable in law.

2. No doubt University Grant Commission has initiated an enquiry into the incident of death of Swarnadeep Kundu, a student of Jadavpur University, but the scope of its enquiry is restricted to the scope of enquiry which is permissible under the University Grant Commission Act. In case any violation of any of the provision of the UGC Act is ultimately found by the University Grant Commission, penal action which is permissible under the said act, may be imposed by University Grant Commission upon the University. University Grant Commission, having not been vested

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Assistant Rights Commission

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with the jurisdiction to protect to human rights of the students, studying in the university or the students staying in the hostel, probably cannot object to holding of any enquiry by the West Bengal Human Rights Commission, in the field of enquiry already initiated, within the jurisdiction of The Protection of Human Rights Act, 1993.

3. Police authority has already initiated an investigation for ascertaining the cause of death of Swarnadip Kundu. Such investigation is being conducted under the provision of Code of Criminal Procedure. If the investigation culminates in submission of charge-sheet against the accused who were involved in Commission of unnatural death of Swarnadip Kundu, then the accused will be prosecuted and will have to face trial before the appropriate judicial forum. The object of investigation under the Code of Criminal Procedure is completely different from the object of enquiry initiated by the Human Rights Commission. The question of overlapping jurisdiction off the other Commission or authorities does not arise at all.

Even the Police Authority probably cannot discharge the duties of the Human Rights Commission which are vested with the Human Rights Commission under The Protection of Human Rights Act, 1993. As such the decision of the University Authority refusing to cooperate with the Human Rights Commission on the grounds that investigation by the Police Authority has already started, is also not sustainable in law.

4. No doubt it is true that the Human Rights Commission cannot initiate any enquiry and/or proceed with any enquiry, into any incident and/or matter which is subjudice before the Court of Law, but the West Bengal Human Rights Commission is still in the dark as to the scope of enquiry and/or the subject matter of enquiry before the Hon'ble High Court at Calcutta in the pending Public Interest Litigation. For ascertaining the subject matter which is pending for decision before the Hon'ble High Court at Calcutta, the West Bengal Human Rights Commission requested the University Authority to supply the copy of the Writ Petition (PIL) and/or the other cause papers relating to the Writ Petition (s) concerning the aforesaid incident pending before the Hon'ble High Court, but such request was not adhered to, by the University Authority till date. The West Bengal Human Rights Commission

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has still not been informed as to whether, it is a party to any of such litigation and/or any restraint order has already been passed by the Hon'ble High Court at Calcutta or by any other court of law restraining the West Bengal Human Rights Commission from causing any further enquiry into this matter. As such the decision of non-cooperation which is taken by the University Authority for refusing to cooperate with the West Bengal Human Rights Commission and, thereby, resisting the Human Rights Commission from coming to a logical conclusion and also from making suitable recommendation (s) to the Government within its permissible limit under the law.

In conclusion, the University Authority is once again requested to cooperate with the West Bengal Human Rights Commission by responding to the notice of appearances for giving evidence and also by supplying information, and the documents relevant for such enquiry, failing which necessary legal steps will be taken by the Commission against the defaulters, which may please be noted.

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Judicial Member West Bengal Human Rights Commission Jrainey Bhetterly

Chairperson
West Bengal Human Rights Commission

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Assistant Secretary
W.B. Human Rights Commission

যাদ্ব**্রি বিশ্ববিদ্যালয়** কলকাতা-৭০০০৩২, ভারত



*JADAVPUR UNIVERSITY KOLKATA-700 032, INDIA

Ref. No.: L3/LC/124/23

Date: 12/10/2023

To
Deputy Secretary
West Bengal Human Rights Commission
Government of West Bengal
Purta Bhavan, 2nd Floor
Block - DF, Sector - I, Salt Lake
Kolkata - 700091



Sir/Madam,

This has reference to the communication dated 26.09.2023 enclosing thereto a decision of the Commission received by the University on 26.09.2023.

We take this opportunity to state that inquiry/investigation into the referred incident of unnatural death of the First Year student, namely, Swapnadeep Kundu, is being undertaken simultaneously by the following authorities:-

- a) Police
- b) UGC
- c) Higher Education Department, Government of West Bengal.
- d) WBPDCR
- e) West Bengal Human Rights Commission.

The University authorities have duly co-operated and participated in respect of each of the inquiry/investigation.

In terms of the notice dated 17/08/2023, the Commission had summoned some personnel from the University to attend an inquiry/hearing on 18.08.2023 & 21.08.2023. In the due compliance of the said notice, on 18.08.2023 & 21.08.2023 the following persons attended the hearing

- a) Dean of students
- b) Mr. Jayanta Pal, Main Hostel Gate Security Staff
- c) 🗸 A Student named Satyabrata Roy (Room No. 105, Main Hostel, JU)
- d) / Nasim Akhtar, a student of Main Hostel Building, JU
- e) / Raquibul Halder, Saresh Murmu, Surya Roy UG Students staying at Main Hostel, JU

Page 1 of 2

Phone : 2414-6666/6194/6643/6495/644. Fax : (91)-033-2414-6414/2413-7121

^{*} Established on and from 24th December, 1955 vide Notification No.10986-Edn/IU-42/55 dated 6th December, 1955 under Jadavpur University Act, 195!

(West Bengal Act XXIII of 1955) followed by Jadavpur University Act, 1981 (West Bengal Act XXIV of 1981)

যাদকীরুর বিশ্ববিদ্যালয় কলকাতা-৭০০০৩২, ভারত



*JADAVPUR UNIVERSITY KOLKATA-700 032, INDIA

In view of illegibility of certain queries in the questionnaire prepared by the Commission a request was made by the Dean of Students to provide a legible copy of questionnaire on behalf of University. However such document is yet to be received from the commission till date.

In respect of furnishing a copy of the Writ Petition (PIL), we have checked up our records and found that there was no written communication from the Commission in this regard. However for the sake of your consideration, we inform that 5 writ petitions being Nos. WPA (P) No. 442 of 2023, WPA (P) No. 444 of 2023, WPA (P) No. 453 of 2023, WPA (P) No. 454 of 2023 and WPA (P) No. 455 of 2023 had been filed in the Hon'ble Calcutta High Court, out of which WPA (P) No. 453 of 2023 has been withdrawn and WPA (P) No. 454 of 2023 and WPA (P) No. 455 of 2023 have been dismissed.

The University is neither in a position to decide, nor in a position to determine on any legal issue pertaining to the overlapping jurisdiction and the recommending power of Commission. However by its letter dated 21.08.2023 the university has sought for clarification on the same vis-a-vis the propriety of inquiry/investigation being carried out by the Commission; which apparently touch upon the guidelines issued by UGC for antiragging in the Higher Education Institutions.

The University had thus never obstructed the Commission in discharging its statutory duties for any purpose; rather the University had participated in the proceeding and extended its co-operation to the extent possible. The order might therefore have been passed due to full facts relating to co-operation extended by the University authorities, not having been duly placed before the Hon'ble members.

The University by its letter dated 21.08.2023 had sought for clarification which in no way could be construed as being obstructive to the proposed enquiry by the University. The same will also stand out clear from the aforesaid facts and circumstances mentioned hereinbefore.

In view of the above you are requested to take note of our stand and appreciate that the University has never obstructed on expressed any non-co-operation to the Commission.

Thanking you Yours faithfully,

(Dr. Snehamanju Basu)

Registrar

Jadavpur University

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Assistant Secretary

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Page 2 of 2

* Established on and from 24th December, 1955 vide Notification No.10986-Edn/IU-42/55 dated 6th December, 1955 under Jadavpur University Act, 19!

(West Bengal Act XXIII of 1955) followed by Jadavpur University Act,1981 (West Bengal Act XXIV of 1981)

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Human Rights Commission West Bengal https://www.ncbengal.com

WBHRC: NOTICE (CASE NO. 65/SMC/2023)

1 message

Human Rights Commission West Bengal https://www.ncbengal.com To: cp@kolkatapolice.gov.in

Mon, Aug 28, 2023 at 4:01 PN

Respected Sir/Madam,

Please find attached herewith.

Thanks & Regards, West Bengal Human Rights Commission

483-65-WBHRC-SMC-2023.pdf 5273K

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Assistant Rights Commission

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WEST BENGAL HUMAN RIGHTS COMMISSION

PURTA BHAVAN, 2 ND FLOOR BLOCK - DF, SECTOR - I, SALT LAKE, KOLKATA-700 091 Tel: 033-2337 2655 Fax: 033-2337 9633

Email ID: hrcwb2013@gmail.com website: http://www.wbhrc.nic.in

Memo No 483 - 65/WBHRC/SMC/2023

Date: 28.08.2023

From:

Deputy Secretary to the Govt of W.B

West Bengal Human Rights Commission.

To: The Commissioner of Police, Kolkata

18, Lalbazar Street, Kolkata-700001.

Sub: Report on News Item " পড়ুয়ার মৃত্যুতে কি দায়ী র্যাগিং, "

Ref- 457(2) -65/WBHRC/SMC/2023 dated 11.08.2023

Sir

With reference to subject and Memo mentioned above, I, am directed to inform you that you are requested to send a report on the news item by 24.08.2023

But no report received till date .

You are requested to send the report immediately

The copy of the paper cutting is attached herewith for your reference.

Enclo: as stated

Yours faithfully

Deputy secretary

West Bengal Human Rights Commission

Authenticated

Assistant Secretary
Assistant Rights Commission





WEST BENGAL HUMAN RIGHTS COMMISSION

PURTA BHAVAN, 2 ND FLOOR BLOCK - DF, SECTOR - I, SALT LAKE, KOLKATA-700 091 Tel: 033-2337 2655 Fax: 033-2337 9633

Email ID: hrcwb2013@gmail.com website: http://www.wbhrc.nlc.in

Memo No.457 (2)- 65/WBHRC/SMC/2023

Date:11.08.2023

Deputy Secretary to the Govt of W.B

West Bengal Human Rights Commission.

To: (1) The Commissioner of Police, Kolkata 18, Lalbazar Street, Kolkata-700001

(2) The Vice Chancellor / Competent Authority in-charge of Vice Chancellor, Jadavpur University , Raja S.C Mullick Road. Jadavpur, Kolkata-700032,

Sub: Report on News Item " পড়ুয়ার মৃত্যুতে কি দায়ী র্যাগিং, "

Sir

News item has been published in the daily newspaper namely the The Ananda Bazaar Patrika on 11.08.2023 with the heading "পড়ুয়ার মৃত্যুতে কি দায়ী র্যাগিং,

I am directed to request you to send a report regarding the said incident allegedly occurred as per newspaper reporting to the Commission by

The copy of the paper cutting is attached herewith for your reference.

Enclo: as stated

Yours faithfully

Deputy secretary West Bengal Human Rights Commission

Authenticated



সাসপেভ অধীরকে

র মৃত্যুতে য়ী ব্যাগিং

ছাত্র স্বল্পীপ কুত্র অস্বাভাবিক ঘটনায় রাগিংয়ের অভিযোগই হ মুখ্য হৈছে খ্রিল কলকাতাম নেম্বের প্রথম নামিতে প্রাক্তা নিজনে লাক্তি নিজন কর্মান ক্রিক্তি নিজন কর্মান ক্রিক্তি নিজন ক্রিক্তি ন

বিশ্বিদ্যালয়ে যান শ্রাচার্য তথা রাজ্যপাল সি ভি আনন বোস। নত দ্বাদালয়ে প্রজন সহ উপাচার প্রত্যাল বাবা রামপ্রসাদ কুতুকে দোন বিশ্বিদ্যালয়ের প্রাক্তন সহ উপাচার করে মুখ্যমন্ত্রী মুম্বাত বল্যোপাগাম সভার্থপত বলেছেন, মুম্বাতিক ঘটনা। তামত পাহা বহুপতিবার আর বিলান ছিলে চলে গিমেছে, তাকে কুপুপদ্ধিক শত হতে হবে ।

এক ধাপ এগিয়ে নরেন্দ্র মোদী এর ।

তালেন বহুপতিবার কুলি বিলান কিন্তু প্রিক্তি কিন্তু প্রিক্তি পারব না। যাতে
কুলি এই পালাক সূত্র ববর বিলান কিন্তু কুলি বিলালিয়া সূত্র ববর বিলালিয়া সূত্র ববর বিলালিয়া সূত্র ববর বিলালিয়া সূত্র ববর বিলালিয়া কুলি বিলালিয়া কুলি বিলালিয়া বিলালিয়



Assistant Secretary

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পি পুয়ার দ মৃত্যুতে কি দায়ী র্যাগিং

🏲 পুর ১ আর পর

উচু ক্লাসের ছাত্রের বিরুদ্ধে ব্যাগিয়ের অভিযোগ দানা বাঁধছে। প্ৰসঙ্গত পাশ করেও অনেক পভুয়া হস্টেলে থেকে যান এবং সেখানে তাদের চুড়ান্ত দাপট চলে, এমন অভিযোগ আগেও বারবার উঠেছে। অ দিন জুটা র পক্ষা থেকে প্রথম বর্ষের ছাত্রদের আলাদা र्टिल त्रांचा अवश्याता श्रृपा नन তাদের হস্টেল থেকে চলে যেতে বলাব দাবি তোলা হয়। রাতে কর্তপক্ষ এই

বিষয়ে নির্দেশিকা বার করেন। ্থাদবপুরের 💝 সহ-উপাচার্য অমিতাভ দম্ভ এ দিন বলেন, ''ঘটনাটি অত্যন্ত দুর্ভাগাজনক। ছাত্রের পরিবার লিখিত অভিযোগ করেছে। তবে ব্যাগিংয়ের লিখিত অভিযোগ এখনও মেলেনি) তদতে ব্যাগিংরের প্রমাণ भिन्दन नियम अनुराशी श्रम स्कूश कड़ी হবে। বৃহস্তিবার রাতে প্রথমে মেন হস্টেল এবং পরে ক্যাম্পাসে যান্ আচার তথা রাজ্যপাল সি ভি আনন্ বোস। আৰু, ভক্ৰবার বিশ্ববিদ্যালয়ের শিক্তদের আলোচনার ই জন্য রাজভবনে ্র ডেকেছেন 🚡 তিনি 🕻 স্বপ্নীপের বাবাকেও বাজাপাল ফোন করে বলেছেন যে, অপরাধীরা যাতে কঠিন শান্তি পায় েতার ব্যবস্থা করবেনা ফোন করেছিলেন মুখ্যমন্ত্রীপ্রাংগাধীদের শান্তি হবে বলে আখাস দেন তিনিও। স্বপ্নদীপের ভাই কোন সাসে পড়ে তার খোজ নিয়ে তার পড়াশোনার জন্যও সাহায্যের প্রতিকৃতি দেন টি কেলা ভাষা ত্তিদের সঙ্গে কথা বলার পরে পুলিশের দাবি, বুংবার বিকেল থেকেই অস্বাভাবিক আচরণ করছিলেন স্বৰ্ণদীপ। হস্টেলে থাকতে চাইছিলেন না দিগামছা পরে বারবার শৌচাগারে 🖔 যাচ্ছিলেন। টেতিনি 'সমকামী' নন বলেও অন্যদের বারবার বলছিলেন (প্রশ্ন উঠছে কেনই বা তিনি বার বার এ কথা বলবেন, কী পরিস্থিতিতে এই কথা বলেছিলেন তিনি), সেইসময়েই

বলে ক্লানিয়েছিলেন

ক্ষেক জন প্ৰয়া তাঁৱ/মাকে ফোন

করেন এবং স্বল্পীপের সলে কথা

বলানা পুলিশের দাবি, তই পুড়ুয়ারা



যাদবপুরে ছাত্র-মৃত্যুর প্রতিবাদে পভুয়াদের বিক্ষোভ। ছবি: বিশ্বনাথ বণিক

(मन, दुन नमग्रे पुरु को मीति अनुसार তাঁকে আটকাতে যান্ট কিন্ত ঘানে ভিজে থাকাম হাত পিছলে বামা ৩ই হুমেডিলেন। বাংলা পড়তে চেমেই পড়ুমানহ কমেক জন্ধ আবাসিকের ই কলকাতাম আসা। বাদ্বপুরের বাংলা ব্যান ই ন্তিৰক্ষ করেছেই পুলিলাটি বিভাগের অধ্যাপক রাজ্যেখন সিংহ এ দিন গভীর রাত পূর্বত মান্বপূর্ব বলেন, বাংলা তো বটেই যাদবপুরেই থানামুগুছিলেন বলকাতা পুলিশের বাংলা পুড়ার জন্ম বিশেষ ভাবে যানামুগুছিলেন বলকাতা পুলিশের বাংলা পুড়ার জন্ম বিশেষ ভাবে যামুগুছিমিনার (অপরাধ্য শহুবিত ভূআগ্রহী ছিলা বুপ্লদীপ। অনেক ব্য চক্রবর্তী এবং বিভাগীয় উপনগরপাল বিদিশা কলিতা দাশগুপ্ত। সূত্রের খবর, হস্টেলের আবাসিকদের জিঞ্জাসবাদ্ क्रिन जीता। है निर्मा के পভূয়াদের সঙ্গে কথা বলার সূত্রেই পুলিশের দাবি, বুধবার রাতে হস্টেলের মেসে জ্বিবি (জেনারেল বডি) বৈঠক হচ্ছিল। স্বপ্নদীপকে সেখানে সিনিয়র ছাত্রের ্কাউলেলিং' করার চষ্টা করেছিলেন। তবে 'ক্রাউলেলিং' বলতে ঠিক কী করা ইয়েছিল, তা খতিয়ে দেখা হচ্ছে। স্বপ্নদীপ হস্টেলে এক সিনিয়রের ঘরেই শুশ থাকছিলেনা ই হস্টেলের আবাসিকদের দাবি, রাত পৌনে ১২টা নাগাদ তিনি বারান্দা থেকে ঝাপু দেন্টি রাতেই তখন বিশ্ববিদ্যালয়ের ডিন অব স্টুডেন্টসকে ফোন করা হয়েছিল। কিন্তু তিনি ফোন ধরেননি। পুলিশ সুত্রে জানানো হয়েছে, ভোর সাড়ে ৪টেম মারা, যান স্বপ্নদীপা পুলিশের দারি, ময়না-তদন্ত রিপোর্ট বলছে, উচু থেকে বাঁ দিকে প্রাজরের বা দিকে আঘাতের চিহ্ন মিলেছে। কোঁমুরের সৈ সেভেন ভার্টিগার্থ ডেঙেখনিয়েছিলা কিডনি

ৰুগদীপ ভাগে, বাড়ির কাছে একটি কলেজে পুদার্থবিদ্যা নিয়ে ভর্তি নিয়ে এসেছিল।" হতবাক স্বপ্নদীপের ুকুলের শিক্ষক আর সহপাঠীরা। বগুলা হাইসুল থেকে উচ্চমাধ্যমিকে ৭৮ শতাংশ নম্বর পেয়ে পাশ করেছিলেন তিনি। সহপাঠী সৌমাজিং ভৌমিক বলছেন, "উচ্চ মাধ্যমিকে তেমন নম্বর ন পেলেও হতাশ হতে দেখিন। বরং ুবাংলা নিয়ে পড়ে ভাল নম্বর পেয়ে প্রতিষ্ঠিত হওয়ার ^{ক্}কথাই বল্ড।" স্কুলের প্রধান শিক্ষক উৎপল বিশ্বাস বলেন, "কখনও ওকে অবসাদে ভুগতে দেখিন। বরং সরল মুখের ছেলেটাকে আলাদা ভাবে চোখে পড়ত।" ্রি এ দিন ক্যাম্পাসে গিয়ে দেখা গেল; প্রনো ছেঁড়া র্যাগিং-বিরোধী ব্যানার নামিয়ে নতুন ব্যানার লাগানো হচ্ছে। পভূয়ারা দফায়-দফায় মিছিল করছেন। সমাজমাধ্যমেও যাদবপুর ২ হসেলে ঝাগিংমের চল নির্মে ক্লোড উগরে দেন শিক্ষক, পড়ুমাদেব একাংশ। ব্যাগিং নিয়ে এমনিতে খুবই কঠোর অবস্থান ইউজিসি-র শৈকাপ্রতিধান থেকে বহিষ্যার সহ অন্য প্রতিষ্ঠানে ভর্তি না रेटे एपेंध्यावर्थ निमान आट्टा व मिन्स् ইউজিসি থেকে বিশ্ববিদ্যালয়কে চিঠি দিয়ে বলা হয়েছে শুক্রবার দুপুরে থেন ব্যাণিং-বিরোধী কমিটির বৈত্র

শ্দাবাদে ফের হামলা

Assistant Secretary Human Rights Commission



WEST BENGAL HUMAN RIGHTS COMMISSION

PURTA BHAVAN, 2 ND FLOOR BLOCK - DF, SECTOR - I, SALT LAKE, KOLKATA-

700 091 Tel: 033-2337 2655 Fax: 033-2337 9633

Email ID: hrcwb2013@gmail.com website: http://www.wbhrc.nic.in

Memo No.- 65/WBHRC/SMC/2023

Date: 28.08.2023

From:

Deputy Secretary to the Govt of W.B West Bengal Human Rights Commission.

To: (2) The Registrar, Jadavpur University,

Raja S.C Mullick Road. Jadavpour, Kolkata-700032,

Sub: Report on News Item " পড়ুয়ার মৃত্যুতে কি দায়ী র্যাগিং, "

Ref: R-PA-G-06/155/2023 dated 23.08.2023

Sir

With reference to subject and Memo mentioned above, I, am directed to inform you that your letter t has been considered by the Commission . The Commission further observed following points:

"WBHRC is not aware of the fact that PIL has been since instituted in Calcutta High Court & details thereof .

The Registrar , JU is requested to send details of PIL ,if any , to the Commission for due examination after which we would revert back to JU."

Yours faithfully

Deputy secretary West Bengal Human Rights Commission

Assistant Secretary

Assistant Rights Commission

W.B. Human Rights

Joint CP(Crime)/ DC DD (Special)

Ref: Memo No. 12623/RPT + Enclo, ID- 1348028, dt. 14.08.2023, HRC Case No.-457(2)- 65/WBHRC/SMC/2023 dt. 11.08.2023

Sub: Report on News item dt. 11.08.2023 published in the Anandabazar Patrika

Sir.

With reference to the above this is to submit that on 10.08.2023 at about 00:05 hours Officer of Jadavpur Police Station received information from two students of Jadavpur University, that one student of Jadavpur University fell down on the ground from the Hostel Building of Jadavpur University Main Hostel. But they did not disclose their identity and hurriedly left the Police Station.

Accordingly, local police rushed there and came to know that the said student had already been removed to KPC Hospital. On reaching at the said hospital, police found that the victim since identified as Swapnadip Kundu (17) S/o Ramprasad. Kundu of Vill - Bagula, PS- Hanskhali, Nadia was admitted there in critical condition.

During preliminary enquiry, it was revealed that victim was a student of 1st year, BA Hons (Bengali) of Jadavpur University. His class was started since 07.08.2023 and he started staying in the room no. 68 of 2nd floor, Jadavpur University, Main Hostel A-2 Block as guest as per decision with other boarders from 06.08.2023. On 09.08.2023 he expressed anxiety of staying at the said hostel to some other The common stated the same to his parents over mobile phone.

The other boarders and seniors of the said hostel assured him ragging upon the juniors.

On the other hand when he attended the also bengali department to the same to his parents over mobile phone.

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some work and if he don't obey the said order, he may be thrown away from the roof top of the hostel by the seniors and face dire consequences.

On the fateful day (09.08.23), Swapnadip returned from the Jadavpur University at evening, met the seniors and some other boarders, having taken tea from the outside Spling taken tea from the outside semiors and other boarders and returned back to the hostel. The seniors worry about Swapnadip's staying at the said hostel and they all world him.

At night Swapnadip was in mental distress and stating that he was not a gay. He started expressing discomfort regarding the term as "Gay". He called up his mother at night at about 23:30 hrs and asked his parents whether he is a gay or not. In the meantime while talking with his mother he undressed by himself, became naked in the open verandah and started to talk excitedly. Thereafter he started running through the corridor and jumped from the 2nd floor of the said hostel towards ground.

At that time a general body meeting was continuing at the ground floor of the said building and several boarders were present at the said meeting. After hearing a noise,

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Authenticated

M.B. Human Rights Commission

they came out from the meeting room and found said Swapnadip was lying on the ground near the building in unconscious state with bleeding injuries at his head and body in naked condition. Immediately, he was removed to KPC Hospital where he was admitted and lastly at about 05:45 hrs he succumbed to his injuries. Enquiry further revealed that he was suffering from mental trauma.

Subsequently, the EO of the incident went to the residence of father of Swapnadip and met him, while he made allegation against some of the boarders of the said hostel regarding the unfortunate death of his son.

Accordingly, on the basis of the recorded and signed statement of Ramprasad Kundu (55 Yrs) S/o Late Kali Pada Kundu of Vill – Bagula, PS- Hanskhali, Nadia, a case vide Jadavpur PS Case No - 150 Dated 11.08.2023 U/S 302/34 IPCwas indexed wherein he alleged that on 09.08.2023 at about 23:30 Hrs and before, the FIR named accused person namely Sourav Chowdhury (Ex Student of Jadavpur University) along with others in furtherance to their common intension committed wilful murder of the complainant's son namely Swapnadip Kundu (17 Yrs) S/o Ramprasad, Kundu Of Vill - Bagula, PS- Hanskhali, Nadia, a student of B.A. 1st year of Jadavpur University, Bengali Department by means of torture and throwing him on ground from the hostel building in front of A2 Block inside Main Hostel Campus of Jadavpur University, PS - Jadavpur, Kolkata - 32.

During investigation, the PO was visited, several witnesses were examined, some relevant documents and articles were seized, Blood and some personal belongings were seized from the PO, forensic examination of the PO was made and PM Examination of the victim was conducted by the Board of Autopsy Surgeons at IPGMER & SSKM Police Morgue under proper videography and after PM examination Board of Autopsy Surgeons opined that the Death was due to the effects of injuries, ante-mortem in nature. In course of investigation services of photographer, plan maker and dog squad were requisitioned and taken.

In course of investigation, prima facie as per collected evidence, the victim boy was subjected to mental torture and he was being ragged before his death at the hostel, as such ragging charges Section 4 of the West Bengal Prohibition of Ragging in Educational Institution Act, 2000 was added with the existing section of law.

Authenticated

In course of investigation, Twelve (12) persons as present students and ex students of Jadavpur University were arrested on different dates and from different places in connection with this case, viz namely Sourav Chowdhury (24), Dipsekhar Assistant Secretary Dutta (19), Monotosh Ghosh (20), Asit Sardar (21), SaptakKamilya (27), Md Asif Assistance Com Affai Ansari (22), Ankar Sarkar (20), MohdArif (18), SumonNaskar (26), Satyabrata Roy(25), Sk. Nasim Akhtar (23), HimangshuKarmakar (23) and their mobile phones were seized. Forensic examinations of those mobile phones are being conducted.

They are either boarders or guests of the Main building Hostel Campus of Jadavpur University, PS - Jadavpur, Kolkata – 32.

During investigation police recovered and seized a diary which carried a letter addressed to the Dean of Students, Jadavpur University, accusing a senior student of Bengali Department who is not a boarder of the hostel and in the end of the letter, the name of the victim was written. In course of investigation it was further revealed that the letter was written by one of the senior student sometime before, and thereafter the victim jumped off the hostel balcony.

However Forensic examination of body of the letter and signature is being conducted. In course of investigation attempts are being made to collect evidence whether there was any sexual harassment happened upon the victim or not prior to his death.

Besides this, investigation is going on to find out any lapses from the part of the Administrative authority of the Jadavpur University.

This is for your kind perusal and onwards transmission to the Member Secretary, National Human Rights Commission.

Submitted

Assistant Commissioner of Police(I

Detective Department

Lalbazar

Assistant Commissioner of Police (I)

Detective Department, Kolkata

Authenticated

Swalny

Assistant Secretary

M.B. Human Rights Commission

OFFICE OF THE DEAN OF STUDENTS JADAVPUR UNIVERSITY KOLKATA - 700032

Date - 04-08-202

NOTICE

The following U. G. (Boys) Freshers students (Provisional) have been allotted seats at the Boys Hostel. They have to their admission within 01-09-2023 in the concerned hostel for admission. If anybody fails to take admission within scheduled date then the Waiting List candidates will be entertained.

Allotees are asked to report to the concerned hostel office with Hostel Fee-book, two (2) copies of stamp-sized (2 2cm) photographs for Boarders Identity Card, On-line Anti-Ragging Affidavit (through web pc www.antiragging.in/www.amanmovement.org), Rs. 300.00 for Seat Rent & Electricity Charges & Messing Advance 4000/- and hostel admission charges as applicable.

	PROVISIONAL A	ALLOTMENT LIST OF	UG-BOYS ARTS	FRESH	IERS ON T	HE SPOT: Z	
SI. No.	Name	Department	Roll No '	Class	SC,ST,PH OBC-A,B	Name of Hostel	Received Hostel Ru
1.	CHANDAN MANDI	BENGALI	2300101027	UG-I	ST	A2	
2.	ABU SAMA	I.R.	2300701041	UG-I	OBC-A	NBK	
3.	SAROWAR MONDAL	PHILOSOPHY	2300901033	UG-I	OBC-A	Α1	
4.	Sanjit murmu	LIB.SC	2300801053	UG-I	ST	C&D	
5.	JAMIRUDDIN SAIKH	LIB.SC	2300801038	UG-I	PH	NBH	
6.	SUSHOVAN SAHANA	LIB.SC	2300801027	UG-I	SC	C&D	
7.	WANGDEN LEPCHA	LIB.SC	2300801045	UG-I	ST	A1	
8.	AJOY KUMAR DAS	LIB.SC	2300801024	UG-I	SC	C&D	
9.	JALALUDDIN MOLLA	LIB.SC	2300801063	UG-I	OBC-A	A1	
10	. SURESH SAHA	LIB.SC	2300801016	UG-I	SC	A1	
11	JAY MONDAL	· SANSKRIT	. 2301201021	UG-I	SC	A2	
12	2. THUPDEN LAMA	ECONOMICS	2300301046	UG-I	ST	A2	
13	3. SUBHANKAR	HISTORY	2300601023	UG-I	РН	NBH	
14	4. PRONOY KANTA PAL	LIB.SC	2300801042	UG-I	РН	NBH	
1	5. INDRAJIT GORAI	I.R.	230070105	l UG-	ОВС-В	C&D	
1	6. KUTUBUDDIN BADDI	I.R.	230070103	8 UG-	OBC-A	A1	
1	7. DORJEE SHERPA	HISTORY	230060102	8 UG-	I ST	C&D	

Assistant Secretary
W.B. Human Rights Commission

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1	SHUBHRAJYOTI MONDAL	HISTORY	2300601063	UG-I	SC	A1	
2	TUHIN PRAMANIK	PHILOSOPHY	2300901014	UG-I	SC	NBK	
3	PRITAM SAHA	PHILOSOPHY	2300901019	UG-I	SC	C&D	
4	ANESH PRAMANIK	PHILOSOPHY	2300901047	UG-I	SC	C&D	1
5	SOMNATH SARDAR	PHILOSOPHY	2300901052	UG-I	SC	A1	
6	KRISHNA BARMAN	HISTORY	2300601027	UG-I	SC	A1	
7	INDRAJIT HALDER	BENGALI	2300101023	UG-I	SC	A1	

SCHDULED TRIBE

1	ROHAN KINDO	PHILOSOPHY	2300901031	UG-I	ST	A2
2	SUBOJEET MAHALI	SOCIOLOGY	2301301020	UG-I	ST	A2

OBC-A

1	MD. ARIFUZZAMAN	LIB.SC	2300801021	UG-I	OBC-A	A2	
2	JASIF IKBAL	SANSKRIT	2301201016	UG-I	OBC-A	A2	
3	SAYAN AKTAR	ECONOMICS	2300301049	UG-I	OBC-A	C&D	

OBC-B

1	ROUNAK MAHATO	PHILOSOPHY	2300901050	UG-I	OBC-B	C&D	
2	RAKESH BHOWMICK	LIB.SC	2300801013	UG-I	OBC-B	A2	
			P.H				
1	SUKANTA BISWAS	BENGALI	2300101031	UG-I	PH .	NBH	

Jan.

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DEAN OF STUDENTS

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Harvara.

DIST: NADIA

NADIA SUB-DIVISION	POINT
KRISHNANAGAR KRISHNAGANJ KALIGANJ CHAPRA DHUBULIA NABADWIP NAKASHIPARA TAHERPUR THANARPARA TEHATTA MURUTA KARIMPUR HOGOLBERIA	11 12 12 12 12 12 12 12 12 12 12
RANAGHAT SUB-DIVISION RANAGHAT DHANTOLA HANSKHALI SANTIPUR KALYANI HARINGHATA CHAKDAH	10 11 11 11 9 7 9

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ANNEXURE – A INCOME CRITERIA

0	<u>-</u>	7000	- 6.0
7001	_	10000	- 5.5
10001	-	15000	- 5.0
15001	-	20000	- 4.5
20001	<u>.</u>	25000	- 4.0
25001	-	30000	- 3.5
30000	-	35000	- 3.0
35001	-	40000	- 2.5
40001	-	45000	- 2.0
45001	-	50000	- 1.5
50001		60000	- 1.0
60001		70000	- 0.5
70001&	Abo	ve	- 0

ANNEXURE - B
INTERVIEW-06, POINT

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