

ACTION TAKEN REPORT

The complainant, Mina Dutta, W/o. Ajit Kr. Dutta, 58 years, resident of 6, Maydibas Pally, P.S. Belghoria, Kolkata – 700 035 filed a complaint before the Commission on the allegation of atrocities of police of Uttarpara P.S. in the district of Hooghly, West Bengal.

On hearing the case the Commission gave the following recommendation:-

- i. A departmental proceeding be immediately be started against S.I. Sudipta Mukherjee for submitting false charge sheet and wrongfully arresting Smt. Mina Dutta, who was remanded to Jail Custody deliberately flouted the express legal provisions of Section 41(ii)(b) & 41 A Cr.P.C. as recently amended regarding arrest of accused persons charged of offence having prescribed punishment upto 7 years.
- ii. S.I. Sudipta Mukherjee who has recently been promoted from the rank of ASI admitted that he has no experience or training in investigation since he has worked in armed battalion. It is, therefore, also recommended that he be sent on special training and not given a post relating to investigation for the next two years.
- iii. It is recommended that ASI, Sudipta Mukherjee now Sub Inspector posted in Serampore P.S., Hooghly may pay a compensation to the tune of Rs. 10,000/- (Rupees ten thousand) considering the mental agony and humiliation

suffered by Smt Mina Dutta following departmental proceedings from his salary.

- iv. I.C. Priyabrata Bakshi of Serampore P.S., S.I. Nazrul Islam of Uttarpara P.S. in the district of Hooghly be cautioned to work in a conscientious manner and perform their duty and supervision properly. Further, it is suggested that in those Police Stations which are handled by Inspector level officers orders for submitting charge sheet/orders should be given by the controlling SDPO/Dy.S.P.
- v. The Commission wants to place on record its deep sense of appreciation for Shri Raj Narayan Mukherjee, Sub Divisional Police Officer for submitting a truthful and excellent fact-finding report. It is recommended that this appreciation be recorded in his P.A.R. and also the appreciation may be circulated through West Bengal and Kolkata Police Gazettes.
- vi. Government may consider issuing a circular to all CPs/SPs/O.Cs/DIG Range/IG Zone regarding express provisions of arrests (for offences having punishment upto 7 years as per Section 41(b)(i)(ii) (a to e), Section 41A, Section 41B, Section 41C of Cr.P.C. Also similar circular may be issued to Director of Prosecution, West Bengal for sensitizing all Public Prosecutors/Assistant Public Prosecutors of Sessions, district/Sub divisional level Court.

By a letter dated 08.02.2016 the Govt. of West Bengal, Home Department, Human Rights Branch forwarded Action Taken Report from the Superintendent of Police, Hooghly. The Superintendent of Police, Hooghly gave the Action Taken Report as follows:-

1. Departmental Proceeding vide Hooghly District Proceeding No. 24/15 dated 17.09.2015 has been started against S.I. Sudipta

Mukherjee which is now under enquiry. Necessary steps will be taken in the instant departmental proceeding as per decision of the Govt. provided in Para (iii)©. Copy of the Charge and Statement of Allegation is enclosed herewith as ready reference.

2. S.I. Sudipta Mukherjee has undergone special training under Sri Tapan Chowbey, Circle Inspector of Police, Chandannagar for one month as per order vide this district D.O. No. 3478 dt. 21.08.2015. S.I. Sudipta Mukherjee shall not be entrusted with investigation of cases for the next 2 years and in this regard an order has been issued vide this district D.O. No. 3466 dt. 20.08.2015.
3. S.I. Najrul Islam of Uttarpara P.S. has been cautioned to work in a conscientious manner and perform his duty and supervision properly. This refers to the district D.O. No. 3466 dt. 20.08.15.

Sd/-
Shampa Dutt (Paul)
Registrar
WBHRC