



Sujay Kr. Haldar
O.S.D. & EO Spl. Secy.
Govt. of West Bengal

WEST BENGAL HUMAN RIGHTS COMMISSION
PURTA BHAVAN (2ND FLOOR)
SECTOR-I, BLOCK-DF
SALT LAKE, KOLKATA-700 091
Tel. : (033) 2359-7690
Fax : (033) 2337-9633
E-mail : wbhrc8@bsnl.in

D.O. No. 50/WBHRC/2015-16

Date: 22.07.15

To
The Editor,
The Telegraph,
Calcutta.

Dear Sir,

Apropos news items published in your esteemed paper dated 17.07.2015, I am directed to state the following facts.

It was very kind of your Paper to publish about the West Bengal Human Rights Commission's activities occasionally, but it was unfortunate that of late, most of the items are negative in nature.

2. In the instant case, it is not understood who are "several officials" who feels that the Complaint received by the Commission has come down due to erosion of faith in the panel and also what is the basis of this comparison. There are several reasons why complaints figures are not always up. I have complaints figures since it's inception with me and can tell you that complaints during 2014-15 are higher than the year 2011-12. Justice N.C. Sil was the head of the Commission at that point of time. Was there any erosion of complaints in the panel at that point of time?

3. To the alleged comments of the Hon'ble Acting Chairperson in which he has reportedly said that a number of complaints has come down and attributed this to the good job by the Government, it is to be clarified that the Chairman has categorically mentioned that "developmental activities" of Government has improved on account of which complaints relating to such activities have come down. It is a fact that Socio-economic, educational and technological development is since qua non for reduction of Human Rights abuses and violations. It is job of the Government to frame good policy frameworks and implement them so that citizens get developed as in the case of Europe and U.S.A. and other advanced Countries.

-/-



Sujay Kr. Haldar
O.S.D. & EO Spl. Secy.
Govt. of West Bengal

WEST BENGAL HUMAN RIGHTS COMMISSION
PURTA BHAVAN (2ND FLOOR)
SECTOR-I, BLOCK-DF
SALT LAKE, KOLKATA-700 091
Tel. : (033) 2359-7690
Fax : (033) 2337-9633
E-mail : wbhrc8@bsnl.in

-: 2 :-

D.O. No.

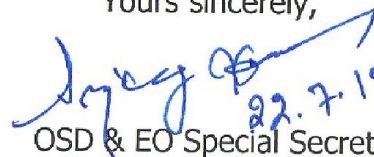
Date :

4. Your Bureau refers five (5) incidents to prove right the charge of erosion of faith in the Commission. The Commission has taken cognizance of incidents through newspaper report(s) and through the complaints so received. For example, gang-rape incident of tribal girl at Labpur, Birbhum on January 19, 2014. Superintendent of Police was asked to submit the report and case was monitored by the State Human Rights Commission as well as by the National Human Rights Commission. Every stages of investigation, the Commission monitored right from filing of FIR, steps taken during investigation, examination of witnesses, statements recorded under Section 164 Cr.P.C. of the accused persons, scientific examination of the evidence and formation of SIT, steps taken for protection of witnesses and victim girls and action taken by civil administration, till Charge vide C.S. No.5/14 dated 17.04.2014 was submitted in Ld. Court of Addl. Chief Judicial Magistrate, Bolpur and sentenced of the 13 F.R. named accused persons by Ld. Addl. District Judge, Bolpur to 20 years rigorous imprisonment of each on 20.09.2014. Regarding custodial death at Harish Chandrapur and Sattor incidents the Commission took due steps as appropriate.

It is very unfortunate that the news reporter mentions that the Chairman of Commission was unavailable for comments despite his best efforts. Herein, it may be mentioned none from Telegraph contacted the Chairman in office or otherwise. Furthermore, if the Chairman could not be contacted, Hon'ble Member, Principal Secretary, Special Secretary & P.R.O. are always available for giving clarification during office hours.

The Commission is very much aware of its duty and obligations, and will strive to detect and monitor Human Rights violations in the State, not only of Criminal nature but also of administrative lapses.

Yours' sincerely,


22.7.15
OSD & EO Special Secretary

Commission under Naparajit accused of inaction on several complaints

'Erosion of faith' label on rights panel

OUR BUREAU

July 16: Several officials today said the number of complaints received by the state human rights commission had come down because of an "erosion of faith" in the panel and pointed to several instances when the rights body had not acted despite formal complaints.

Yesterday, the acting chairperson of the state human rights commission, former director-general of police Naparajit Mukherjee, had said the number of complaints received by the panel had come down and attributed this to the "good job" done by the government.

Mukherjee, the first police officer to helm the rights panel, could not be reached for comment by this newspaper today despite repeated

attempts.

The Telegraph lists several cases where the commission under Mukherjee allegedly took no action despite complaints, according to sources in the panel.

■ On January 19, 2014, a tribal girl was gang-raped allegedly on the orders of a kangaroo court in Birbhum's Lahipur. Although the Supreme Court had taken suo motu cognisance of the matter, the state rights panel had not. What's more, the panel is yet to act on a formal complaint lodged by a Birbhum-based NGO in the case.

■ On June 7, 2014, BJP worker Sheikh Rahim was hacked to death in broad daylight by suspected Trinamul activists in a village in Birbhum's Mambazari. An FIR drawn up by the police on the basis of a complaint by Rahim's family had

included a Trinamul block committee president's name as an accused. The commission has not responded to a formal complaint in the case.

■ On October 27, 2014, three men — Tausfik Ali, Suleman Sheikh and Mozammel Haque — died in political clashes in Birbhum's Makra when suspected Trinamul supporters attacked a BJP-dominated village in a "recapture raid". The rights panel did not take cognisance and is yet to launch a probe into the case despite several complaints.

■ In January this year, a rights group filed a complaint at Mukherjee's office regarding 52-year-old farmer Obaidur Rehman's death in police custody at Maida's Harishoban drapur police station. The commission has not responded to the complaint.

■ In the same month, a Birb-



Naparajit Mukherjee

hum-based NGO had written to both the state panel and the National Human Rights Commission (NHRC), urging action against cops who had allegedly tortured a woman in Birbhum's Sator with nettles

leaves and blades. Although the national body wrote back within a month with confirmation of the launch of a probe, no reply has come till date from Mukherjee's office.

■ On June 22, three Trinamul workers were hacked and shot dead in Burdwan's Khandagosh, allegedly by a rival faction of the party over control of illegal sand mining. The police conducted raids and arrested 43 people. Although Firze Sheikh, a brother of one of the victims, had lodged a formal complaint seeking redress on June 25, he is yet to receive a response.

A state human rights commission source said the panel could have taken suo motu cognisance of all these incidents and asked for reports from the police. When Justice Asok Kumar Ganguly was heading the rights panel, the

commission had initiated numerous probes on a suo motu basis.

In July last year, Mukherjee's office did not take suo motu cognisance of Trinamul Congress MP Tapas Paul's inflammatory comments at a public meeting in Nadia's Choumaha, where he threatened Opposition activists with rape and annihilation of their families.

Justice Ganguly, who had invited the displeasure of the government by recommending compensation to a Jadavpur University professor who was harassed for allegedly forwarding a joke on the chief minister, said the commission's inertia was "astounding".

The former Supreme Court judge, who had stepped down last year following a yet-to-be-substantiated allegation

of sexual misconduct by a law intern, said the commission had lost "all credibility" on account of Mukherjee's apparent proximity with the ruling establishment.

Several senior jurors who were members of the national human rights panel were critical of Mukherjee.

"The members should at least be seen as being neutral.... The background of the person appointed matters, especially in commissions of this kind," said retired Chief Justice of India and former NHRC chairperson, Justice S. Rajendra Babu.

In response to a question from this newspaper on the matter, former Chief Justice of India and the longest-serving NHRC chairperson, Justice K. G. Balakrishnan, said: "Bengal does not have a chairperson. He is a police officer."