



Banglar

Manabdhikar Suraksha Mancha (masum)

40A, Barabagan Lane, Serempore,
Hooghly - 712 203 West Bengal, India

Phone : +91-33-2622-0843/45
Tele Fax : +91-33-2622-0843
E-mail : masumindia@gmail.com
Web : www.masum.org.in

8 July 2020

To,
The Chairman
National Human Rights Commission
ManavAdhikarBhawan
Block-C, GPO Complex, INA
New Delhi-110023

Respected Sir,

I would like to bring to your kind attention an unprovoked torture meted out on Mr. Kajal Pal s/o Late Manik Chandra Pal, 52 years, an human rights defender (HRD) peaceful resident of 21, Mukherjee Para Lane, Serampore, Hooghly, West Bengal. He is a reputable social worker and works for 20 years in Child Guidance Centre, a special education centre for the disabled children in Serampore, Hooghly as a teacher. He was a victim of unprovoked and unprecedented attack and physical torture, followed by heavy threats and abusive languages by Mr. Pradeep Basu also known as Bappa, who is a servicing policeman and was attached with Serampore police station as a police personnel but his current designation and post remains unknown to us as of now.

On 07.07.2020, a complaint was submitted before the Inspector-in- Charge, Serampore Police station, against which a General Diary Entry vide no. 363 dated 07.07.2020 was generated and not treated as a FIR in spite of being a cognizable offence. On 07.07.2020 the victim was taken to Serampore Walsh Super Specialty Hospital for treatment to which the injuries were identified to be the result of physical assault as confirmed by the doctor.

This incident violates General Assembly Resolution [A/RES/53/144](#) adopting the Declaration on human rights defenders. The incident also violates the rights guaranteed in Article 21 of Indian Constitution and also the premise of Article 6, 7 and 12 of International Covenant on Civil and Political Rights as well as the Goal No. 16 of Sustainable Development Goal earmarked by United Nations and in both these international instruments; the government of India is a party thereof and have agreement. The subsequent police inaction also violates the Supreme Court's guidelines in Lalita Kumari vs. State of U.P. [W.P.(CrI) No; 68/2008] case, which clearly states that registration of First Information Report is mandatory under Section 154 of the Code of Criminal Procedure if the information discloses commission of a cognizable offence.

Therefore, we seek your urgent intervention in the following matters:

1. The whole incident must be investigated by a neutral and independent investigation wing of the Commission.
2. Serampore PS General Diary Entry no. 363 dated 07.07.2020 should be transmitted into First Information Report.
3. The Commission must look into the police inaction despite being a cognizable offence.
4. Being a government (Police) employee, accused run business for gain which is against the rules. Proper legal steps to be taken against Mr. Pradeep alias Bappa
5. Regulation 24 of Police Regulation of Bengal 1943 be charged against the accused.
6. The victim and his family must be given security and adequate protection from future threats and torture.

Thanking You,
Yours sincerely

Dipyaman Adhikary
Assistant Secretary, MASUM

Victim Details: Mr. Kajal Pal s/o Late Manik Chandra Pal, 52 years residing at 21, Mukherjee Para Lane, Serampore, Hooghly, West Bengal.

Date and time: 06/07/2020 at 9:00 pm

Place of Occurrence: Bhagya Krishna Shoe Shop, situated near Narcissus, a diagnostic Centre in Rai M.C Lahiri Street, Serampore.

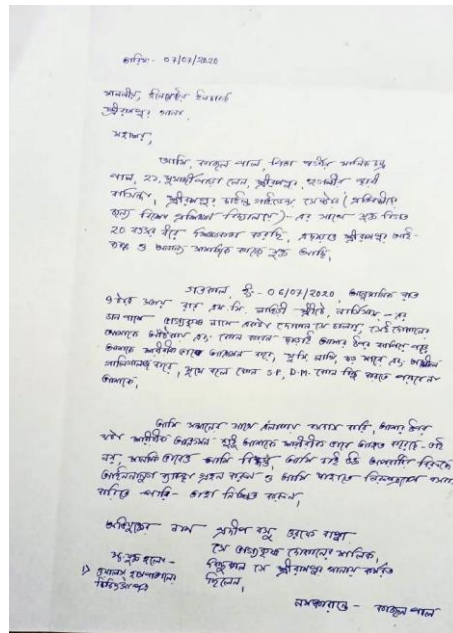
Details of Perpetrators: Mr. Pradeep Basu a.k.a Bappa, police personnel previously attached with Serampore Police Station but current designation and posting is unknown.

Case Details: Mr.Kajal Pal, is a permanent resident of 21, Mukherjee Para Lane, Serampore, Hooghly, West Bengal. He has been working as teacher for the past 20 years in a Child guidance Centre, a special education Centre for the disabled children in Serampore, Hooghly. Along with this, he is also attached with Serampore Eye Bank, Association for Protecting Democratic Rights (APDR)and is attached as a social worker in many other places. He is a thoughtful and reputable person in the area. On 06.07.2020 at about 9 pm, he was near a shoe shop named Bhagya Krishna situated near Narcissus, a diagnostic Centre in Rai M.C Lahiri Street, Serampore. He was stopped and attacked by Mr. Pradeep Basu also known as Bappa, who is West Bengal Police and was attached with Serampore Police Station and also, the owner of Bhagya Krishna shoe shop. Though according to service rule, no government servant cannot run business for his gain and / or cannot earn money. As per our finding he claims to be a police officer but his current designation or posting remains unknown to us of Mr. Pradeep Basu alias Bappa. The accused Mr. Pradiip then physically assaulted Kajol by slapping him along with severe punches and kicked him incessantly so much so that he received excruciating pain and grave internal injuries. The incident happened in Roy M. C. Lahiri Street in front of his shop Bhagya Krishna. Along with beating him brutally, the perpetrator also abused him in filthy language as well as threatened him saying that no one can take any action against him be it, the Superintendent of Police or the District Magistrate. Mr. Kajal was in trauma. He came back home at night. Next day, on 07.07.2020 he was taken to Serampore Sub Divisional Walsh Super Specialty Hospital for the required treatment to which the attending Medical Officer has identified his injuries to be a result of physical assault. This incident has not only impacted the victim physically but also mentally, as he is threatened and aggrieved by this.

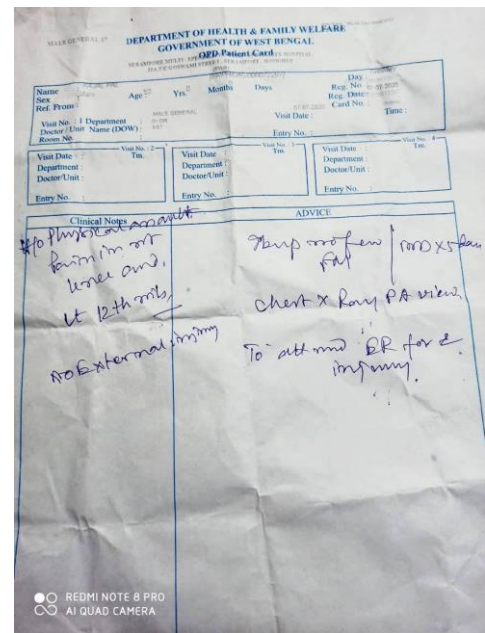
Attached Documents:



Picture of victim



Complaint lodged by victim to Inspector in Charge in Serampore Police Station



Medical Document

Video Link of victim's testimony
<https://youtu.be/RHxW9GVrQLk>