



**राष्ट्रीय अनुसूचित जनजाति आयोग**  
**National Commission for Scheduled Tribes**  
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)  
(A Constitutional body under Article 338A of the Constitution of India)

File No.- NCST/ATY-1614/WB/12/2024-APCR

Date : 27.02.2024

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| <p>1 <b>The Chief Secretary,</b><br/>Government of West Bengal,,<br/>Nabanna , 13Th Floor,<br/>325,Sarat Chatterjee Road,<br/>Mandirtala Shibpur,Howrah,<br/>West Bengal -711102<br/>Email Id: <a href="mailto:cs-westbengal@nic.in">cs-westbengal@nic.in</a></p> | <p>2 <b>The Director General of Police,</b><br/>Government of Kolkata<br/>West Bengal Police Directorate,<br/>Nabanna, 325, Sarat Chatterjee Road,<br/>Shibpur,Howrah,<br/>West Bengal - 711102<br/>Email Id: <a href="mailto:dgpwestbengal@gmail.com">dgpwestbengal@gmail.com</a></p> |
| <p>3 <b>The Collector &amp; District Magistrate,</b><br/>North 24 Parganas,<br/>Martin Burn Rd, Basirhat,<br/>West Bengal 743411<br/>Email Id: <a href="mailto:dm-bar-wb@nic.in">dm-bar-wb@nic.in</a></p>   | <p>4. <b>The Superintendent of Police,</b><br/>North 24 Parganas<br/>Basirhat Police District,<br/>Sangrampur, Basirhat, West Bengal 743422<br/>Email Id: <a href="mailto:spbasirhatoffice@gmail.com">spbasirhatoffice@gmail.com</a></p>   |

**Sub: Representations of Ms. Susmita Saha Dutta, Advocate, Kolkata and Ms. Jawa Ram Singha, W/o Shri Manoj Yadav Singha, Gram and Post - Sandeshkhali, PS - Sandeshkhali, Distt. Uttar 24 parganas, WB regarding sexual harassment.**

Sir/Madam,

I am directed to enclose a copy of the Report of Field visit consisting of Shri Ananta Nayak, Hon'ble Vice-chairperson (Acting), National Commission for Scheduled Tribes accompanied by Smt. Miranda Ingudam, Director, Shri R.K. Dubey, Deputy Director and Shri Bibhuti Bhushan Biswal, PA to Hon'ble Vice-Chairperson on 22.02.2024 to inquire into the incidents of alleged sexual harassment, land grabbing and atrocities on the Scheduled Tribes and other vulnerable sections of Society in Sandeshkhali, North 24 Parganas, West Bengal for information and necessary action.

It is requested that compliance report may be submitted to this Commission within 30 days positively.

Encl: as above

Yours faithfully,

(एच.आर. मीना / H.R. Meena)

अनुसंधान अधिकारी/ Research Officer

Copy to:

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| <p>1 <b>Smt Jawa Rani Singha,</b><br/>At- Sandeshkhali, Ps- Sandeshkhali,<br/>Dist- Uttar 24 Parganas,<br/>North 24-Pargana, West Bengal<br/>Mobile No:6296455822</p> | <p>2 <b>Ms. Susmita Saha Dutta,</b><br/>Advocate,<br/>B-20, Katjunagar, Flat AD,<br/>Kolkatta - 700032 (WB).<br/>Ph. 9830170749.</p> |
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**File No. NCST/ATY-1614/WB/12/2024-APCR**  
**National Commission for Scheduled Tribes**  
**(APCR Wing)**

**A report on the incidents of alleged sexual harassment, land grabbing and atrocities on the Scheduled Tribes and other vulnerable sections of Society in Sandeshkhali, North 24 Parganas, West Bengal.**

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2. A team of National Commission for Scheduled Tribes (NCST) led by Shri Ananta Nayak, Hon'ble Vice-Chairperson (Acting) and accompanied by Smt. Miranda Ingudam, Director, Shri R. K. Dubey, Deputy Director and Shri Bibhuti Bhushan Biswal, PA to Hon'ble Vice-Chairperson visited Sandeshkhali in North 24 Parganas (W.B.) on 22.02.2024 to inquire into the incidents of alleged sexual harassment, land grabbing and atrocities on the Scheduled Tribes and other vulnerable sections of Society in Sandeshkhali, North 24 Parganas, West Bengal.

3. This visit was conducted in the backdrop of complaints received in the Commission from Smt. Susmita Saha Dutta, Advocate, High Court, Kolkata, Smt. Jawa Rani Singha W/o Shri Manoj Yadav Singha, claiming to be a Member of Scheduled Tribe R/o Village & Post-Sandeshkhali, PS-Sandeshkhali, North 24 Parganas (W.B.) and various Media Reports on the incidents of atrocities and land grabbing in Sandeshkhali. Earlier, on receipt of the written complaint, the Commission had issued the Notices to Shri Bhagwati Prasad Gopalika, Chief Secretary, Govt. of West Bengal and Shri Rajeev Kumar, the Director General of Police, Kolkata on 20.02.2024 by emails and Speed Post seeking a Report on the incidents within a period of 3 days. The NCST team was accompanied by the petitioner Smt. Susmita Saha Dutta who is a Bengali and helped translate the ordeal narrated by the women victims and has also helped in reassuring the women victims to gain confidence to come out with the facts fearlessly and place it before the Commission for their consideration.

4. After reaching Sandeshkhali, the team first visited Singhpada and met Smt. Jawa Rani Singha W/o Shri Manoj Yadav Singha and 10 other women of the locality. It was revealed that the petitioner is not a Member of Scheduled Tribe. The women informed about the physical violence, land grabbing and harassment meted out with them by the local Trinamool Congress (TMC) leader namely Shahjahan Sheikh, Shibu Hazra and Uttam Sardar alongwith other goons. All of them informed that for the last few years, these persons have been indulging in the above acts of atrocities against them. It was narrated that women folks are rounded up at night from their homes and asked to accompany them to the TMC party Office located near the Office of BDO and if they resist then their husbands / sons are beaten up with lathis. Thereafter, these women were molested and those vulnerable ones who cannot fight back are raped.



**अनंत नायक/ANANTA NAYAK**  
**कार्यवाहक उपाध्यक्ष/Acting Vice-Chairperson**  
**राष्ट्रीय अनुसूचित जनजाति आयोग**  
**NATIONAL COMMISSION FOR SCHEDULED TRIBES**  
**भारत सरकार/Govt. of India**  
**नई दिल्ली/New Delhi**

Complaints to local Police were not registered due to fear psychosis and also since they do not have any faith that any action will be taken. These women had revealed their ordeal to the NCST team, hesitatingly after repeated assurance that their names or identity would not be revealed. It was observed that they are living under constant fear without any resort to help / intervention from local Police / Administration. A reign of terror is apparent.

5. After interacting with the women of Singhpada, the team visited Tipalighedi, Nutanpada in Sandeshkhali where many families of Oraon Scheduled Tribes community reside. The team sat on the floor of a tribal house where about 20 women and 2 men of the Oraon community interacted with the team for about two hours. The women (names not being revealed) informed that Shahjahan Sheikh of Trinamool Congress (TMC) has captured their land forcefully and there is nobody to listen to their voices. When contacted, the local Police Officials do not register their complaints and ask them to settle the matter with Shahjahan Sheikh only. Some of them have to pay money to the goons to keep their land under their occupation and cultivate. They have occupied most of the land for making "Bheri" a pond type structure for fisheries. Shahjahan Sheikh has constructed a very big market consisting of about 200 shops at prime location in Sarbaria North 24 Parganas. He captures and occupies the land whichever he finds suitable for his use. They also complained that the payment received in lieu of 100 days employment under MGNREGA is also forcefully taken by him and his accomplices namely Shibu Hazra and Uttam Sardar. They call the targeted woman / girls in the local TMC party Office around 11:00 P.M. in the night, severely beat the male members of their family to compel them to leave the place and keep them throughout the night. They do not have any confidence in the local Police who are found standing with the accused. They also submitted before the Commission that similar acts of atrocities are being committed against many residents of Das pada, Kalyani pada and Maity pada also. One ST resident of Pol pada, Darir Jangal Mouza informed that the accused Uttam Sardar has filled his agricultural land with water for which no compensation was paid. He has forcefully taken his land. Shibu Hazra has made a playground in his name on the encroached land.

6. One woman by the name of Smt. Aparna Das (Mob. No. 8101835248) belonging to Scheduled Caste community went missing in the year 2017 and has never been found till date. She has lodged a complaint in the local Police, a copy of which was shown to the team. The Police however, did not take the complaint. It was stated that they have doubt of involvement of the above accused in this incident. The males and females were scared and did not want to disclose their names as they have apprehension of retaliatory attack by the goons of TMC.

7. A joint petition in Bengali language addressed to the Commission signed by twelve women of Oraon tribe in Tipalighedi, Nutanpada in Sandeshkhali was given to the team during the visit. The content are reproduced below:

अनंत नायक/ANANTA NAYAK  
कार्यवाहक उपाध्यक्ष/Acting Vice-Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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To

*The Hon'ble Vice Chairperson,  
National ST Commission*

- (1) *We are all Adivasi women and we belong to "Oraon" tribe*
- (2) *On various occasions Uttam Sardar, Shibu Hazra and their men and agents tortured us physically and mentally.*
- (3) *On various occasions their men and agents tried to take us and took us to the TMC Party Office near Sandeshkhali BDO Office. It is mentioned herein that our Adivasi mothers and sisters who do not understand anything and who come from very poor families, were raped. If any of us tried to make any restraint, they came to our houses and tortured our husbands and sons.*
- (4) *We tried to lodge complaint before Sandeshkhali Police Station but we were not allowed and police asked us to settle the issues with Uttam and Shibu Hazra.*
- (5) *Since we did not get any cooperation from the police, we are placing our problems before you since you have come here. We pray for justice.*

It was narrated orally in Bengali that 25 to 30 men led by Uttam Sardar use to frequently pick up women both married and un-married of the age group of 25 to 35 years at night and commit all sort of sexual assault, physical abuse including rape of some of the vulnerable ones in two locations viz. TMC party Office near BDO Office and rooms of private fisheries buildings located nearby. These incidents have been happening since 8-9 years. Their sons / husbands who tried to rescue them from being taken at night are severely beaten up. They have made repeated complaints to the local Police without any action being taken. On the other hand these women stated that the Police advised them to settle the matter with the perpetrator, Uttam Sardar and his leader Shahjahan Sheikh. These women are therefore left totally helpless and at the mercy of these goons and have been bearing these atrocities without getting any relief from the Police Department and Administration.

8. The Scheduled Tribe women of Tiplighedi, Nutanpada in Sandeshkhali also informed that the benefit of socio-economic development schemes is not uniformly extended to them. Some of them have been able to get the benefits of old age pension, widow pension, pension to physically challenged persons and Pradhan Mantri Aawas Yojna but many of them, though eligible under the rules, have not been provided such benefits. The decision in this regard is taken keeping in view the Political inclination of the beneficiaries. They are being provided rice and wheat free of cost from the PDS shops but for sugar, pulses etc. they have to pay to the dealer. As far as health facilities are concerned, there is a medical center for pregnant woman nearby but for other ailments, they have to travel about 5 Kms. to avail



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consultation and treatment. It was observed that there is no tube well for water supply and the roads connecting the "Padas" are also either not constructed or poorly constructed.

9. The team of National Commission for Scheduled Tribes proceeded for Pukur pada in Sandeshkhali where about 50 persons belonging to all communities had gathered. One lady belonging to Bhumij (ST) community informed that Shibu Hazra of TMC had taken her husband and beaten him brutally. He has illegally encroached his six Katthas land and the Police authorities are not taking any action in the matter. Another lady from Majher Pada informed that the same person has demolished her shop near Ghat. Another lady from ST category R/o Khulna, PS-Sandeshkhali informed that Shibu Hazra and his goons have severely beaten her husband twice. One ST lady also informed that the same person has beaten her husband and threatening to leave her land. One more lady complaint that she has purchased a land in the area costing Rs. 1.75 Lakhs but Shibu Hazra has captured that land. Her money is also not being returned and she is unable to construct her house thereon. Shibu Hazra has forcefully constructed a School on that land. Other persons present on the place also made similar allegation against Shahjahan Shekh, Shibu Hazra and Uttam Sardar and also against the local Police authorities for not taking any action against the above accused and their goons.

### **Observations:**

The team of the Commission observed that there is a fear amongst the people including the Scheduled Tribes from the above accused and their accomplices. All the persons who met the Commission's team have been suffering from atrocities committed by the accused either in the form of physical assault, molestation, land grabbing, threatening and mental torture. The local Police seems to be in-hand and gloves with the accused who belong to a Political party. The people of Sandeshkhali do not have any faith in the Police system as well as the local administration. There is a general perception that the benefit of socio-economic development schemes is also decided on the basis of political inclination.

### **Recommendations:**

In light of the above, the National Commission for Scheduled Tribes makes following recommendations:

- (i) A Commission headed by a retired Judge of High Court of West Bengal, Kolkata may be constituted for conducting inquiry and investigation of complaints against the above-mentioned accused persons. An Officer of the DIG level with sufficient supporting staff may be nominated to support the Commission. A lady Officer of the rank of Superintendent of Police may also be made a part of the Team for investigating the complaints of sexual harassment and molestation.



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कार्यवाहक उपाध्यक्ष/Acting Vice-Chairperson

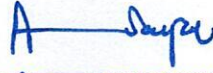
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- (ii) All the Superintendent of Police concerned, Additional Superintendent of Police, Deputy Superintendent of Police and all other officials posted in Sadeshkhali Police Station may be suspended on the ground of negligence of duty and be transferred elsewhere immediately.
- (iii) All the accused persons including Shahjahan Shekh along their accomplices may be arrested immediately.
- (iv) Cases may be registered on all the complaints under the appropriate sections of law including the SC / ST (PoA) Act, 1989.
- (v) The victims belonging to the Scheduled Tribes and Scheduled Castes may be paid compensation immediately as per provisions of the SC/ST (PoA) Rules, 1995 as amended.
- (vi) Police protection may be provided to all the victims and the witnesses.
- (vii) In all the cases of land grabbing, the land may be physically handed over to the victims and heavy penalty be imposed on the accused for unauthorized occupation of the land.
- (viii) The benefits of socio-economic development schemes may be extended to all the eligible persons / families without any discrimination. A socio-economic survey in this regard needs to be conducted urgently for extending such benefits to the local population of Sandeshkhali.
- (ix) Urgent action needs to be taken by the PWD for construction and widening of roads connecting various habitations in Sandeshkhali area.
- (x) Adequate arrangements for providing drinking water in Tipalighedi, Nutanpada and other habitations of Sadeshkhali may be made in a time-bound manner.



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