

NATIONAL HUMAN RIGHTS COMMISSION
MANAV ADHIKAR BHAWAN, INA, NEW DELHI
(Full Commission)

Name of the complainant : Suo motu
Case No. : 304/25/15/2024
Date : 12th April, 2024

PROCEEDINGS

The Commission came across a news report dated 21.02.2024 stating that in Sandeshkhali, North 24th Paragana, West Bengal, innocent and impoverished women were harassed and sexually assaulted by a group of local gang of a political person, as a result of which, for last few days, local villagers started protesting for appropriate legal action against the perpetrators of horrific crimes indulged by various goons and anti-social elements, when the local Administration failed to take appropriate legal action against the perpetrators of crime. It was also reported that safety and security of the women folk as well as children and aged persons were jeopardized. It resulted in leaving the places of abode by the women due to torture and sexual abuse that were looming large upon them.

The Commission vide proceedings dated 21.02.2024, directed to issue notices to the Chief Secretary and Director General of Police, Government of West Bengal seeking report with regard to violence that took place, as reported, in Sandeshkhali, North 24 Parganas and the action taken or proposed to be taken against the perpetrators of crime, safety and other ameliorative measures taken or proposed to be taken to inspire confidence amongst the local people, including women, in Sandeshkhali of North 24 Parganas, compensation, if any, paid or to be paid to the victims of violence.

The Commission also requested the Member of the Commission to ascertain the facts by a spot-enquiry into the incidents of violence of human rights in Sandeshkhali, North 24 Parganas with aid and assistance of the officers/officials of the Commission.

In response, thereto, DG & IGP, West Bengal vide communication dated 29.02.2024, forwarded the report duly submitted by SSP, Basirhat. The report revealed that a total of 25 cases were registered among which 07 cases were on alleged complaint of sexual offence against women and 24 accused persons were arrested. Moreover, huge number of police force was deployed at different strategic location of 08 GPs of Sandeshkhali Police Station areas for round the clock to ensure peace and tranquility over the area and till date no further report of fresh violence has been received. It has been further stated that the police of State of West Bengal is duty bound to restore normalcy within the jurisdiction of Sandeshkhali and Nazat areas. The General Administration has also started lawful action on their parts accepting letter of grievance of the villagers on their day-to-day-requirement of civil-enmities of different Government projects. Efforts are also being made to arrest the absconding perpetrators in the crime. The overall situation of entire Sandeshkhali PS and Nazat PS area is well under controlled and State Police force is sincerely acting upon to stop further nuisance.

The Hon'ble Member, Smt.Vijaya Bharathi Sayani, along with a team of Investigation Division conducted a spot enquiry at Sandeshkhali, North 24 Parangas, West Bengal and submitted as under:-

- i. The NHRC team observed that the atmosphere due to the atrocities by the alleged accused persons rendered the victims

silent and of intimidation, and terror created reluctant to seek justice. The villagers/victims faced assault, threat, sexual exploitation, land grabbing, and forced unpaid labour, and under the given circumstances they were compelled to seek livelihood outside the Sandeshkhali region/State.

- ii. The allegations of discrimination/denial of benefits of State/Central Government schemes such as old age pension, MGNREGA, Public distribution system, financial help to build their houses and toilets etc., by the concerned officials in connivance with the alleged group of persons is of deep concern. Further, allegations of deprivation of the right to vote are serious in nature and undermine the democratic values of the nation.
- iii. The pervasive fear of reprisal, coupled with the power dynamics at play, acted as a formidable barrier, preventing these individuals from voicing their grievances.
- iv. This climate of terror not only perpetuated the cycle of abuse but also underscores the urgent need to create a safe and supportive environment for victims to break free from the shackles of silence.
- v. The atmosphere of fear not only affects the victims but also has a negative impact on the growth and health of the children who constantly witness the ordeals of their parents in the hands of these alleged accused.

The NHRC team also interacted with the Police and Administration at Sandeshkhali and requested for further information but despite reminders, no reply has been given to date.

According to the team, there is a need to uproot the fear of these persons from the hearts of the victims to enable them to live their normal lives with their families and gain the confidence to live in society with dignity and pride. It is the duty of the district authorities being arms of a welfare state to take consistent measures to instill confidence in the residents of the area in general and victims in particular so that others who have been victims of crimes may come forward and file their complaints.

The following recommendations were given by the team:

1. **Reinstating trust in the rule of law and confidence in authorities**

The administration and police authorities should align their efforts with the local community and rebuild trust and confidence so that the victims can come forward and report the crimes committed against them.

2. Ensuring witness protection and redressal of grievances
3. Counseling and Rehabilitation of Victims of sexual offences.
4. Return of the land to the legitimate owners
5. Impartial investigation of complaints by Central agencies
6. **Initiating Awareness programmes-**

The administration undertakes measures to spread this information through public outreach and dissemination of

such information through print & digital media. Special sessions in schools shall also be conducted for spreading awareness among students of higher classes. The local NGOs may also be associated with the process.

7. **Operationalization of Nationwide Emergency Response System (NERS)**

Operationalizing the NERS as per MHA's NERS Guidelines would help maintain a record of complaints and establish accountability of responsible/delinquent Police officials.

8. Vocational training and creating employment opportunities

9. **Reviving the land to make it suitable for agriculture-**

It is recommended that the administration should aid farmers in regaining soil fertility, regenerating and maintaining native vegetation and employing sustainable farm practices. The farmers should also be provided institutional support to market their products, encouraged to diversify, and form cooperatives to get cheaper credit and other benefits from government schemes.

10. **Improving Socio-economic indicators and preparing area-specific plans**

Sandeshkhali is part of the Sundarbans Biosphere Reserve, a UNESCO World preparing Heritage site and a region of extremely rich diversity of aquatic and terrestrial flora and fauna. Also, it has a large tribal population predominantly living in rural areas. This necessitates the formulation and implementation of special measures for the region. The administration, in collaboration with other

stakeholders like the tribal community, civil society, NGOs and members of the academia, should conduct a comprehensive study of various socio-economic indicators and prepare an area-specific socio-eco development programme based on sustainability, inclusivity, community participation, women empowerment, the rule of law and justice.

11. Appointing Special Rapporteurs to periodically report on the situation in Sandeshkhali
12. Investigation of cases of missing women/ girls from the area of PS Sandeshkhali.

This incident is also seized of by the Hon'ble High court of Judicature at Calcutta in WPA No.4011 of 2024.

On 10.04.2024, the High Court of Calcutta on considering the overall scenario and the complexities of the facts involved, opined that an impartial enquiry is required to be done by an agency which has power to probe the criminal angle stated to be involved. Therefore, the High Court was of the considered opinion that in the interest of justice and fair play and for expeditious consideration of the various complaints and allegations an impartial enquiry is required to be conducted. The state was directed to provide the required support to the said agency to be appointed by court to enquire into the matter. The High Court, inter alia, passed the following directions:-

“25. The petitioners have prayed for constitution of an Inquiry Committee to be headed by a retired Hon'ble Judge of this Court. Considering the nature of the allegations which involve crime

against women as well as forcible grabbing of lands of the citizens including those belonging to scheduled tribes as well as the volume of the complaints which have been brought on record before this Court by one of the petitioners, this Court is of the considered view that instead of constituting an expert committee to be headed by a retired High Court Judge, the CBI may be directed to investigate and submit a report with regard to the allegations and complaints of the persons of Sandeshkhali as the CBI is already in seisin over the investigation in respect of an incident which very recently took place at Sandeshkahli. The parties will be at liberty to file their complaints before the CBI within a period of fortnight from the date of receipt of the server copy of this order.

26. In order to ensure confidentiality, CBI shall create a dedicated portal/email ID to which the complaints can be lodged and the District Magistrate, North 24 Parganas shall give adequate publicity of the same in the locality and also issue a Public Notice in the dailies having wide circulation in the areas. The text of the publication shall be in vernacular.

27. Let copies of the affidavits filed by the respective petitioners containing such allegation be forwarded to the CBI. In the event the complaints disclose cognizable offence, CBI shall proceed in accordance with law. CBI shall file a comprehensive report as to the steps taken in this regard on the next date. CBI shall also enquire into and investigate the allegations of forcible grabbing of land of the inhabitants of the locality and if such allegations have some foundational basis to initiate action and file a comprehensive report in that regard on the next date.

28. It goes without saying that CBI shall have the power to require any person, organization, Government authority, police authorities, quasigovernmental authorities, NGOs, public spirited

persons and others who may be genuinely interested in the matter to furnish information on such point or matters, as in its opinion may be useful for, or relevant to the subject matter.

29. With regard to the allegations about change of names of the owners in the revenue records illegally and also illegal conversion of agricultural lands into bheris for carrying on pisciculture, CBI is directed to file a comprehensive report in that regard after conducting a thorough inspection of the revenue records and after making physical inspection of the plots alleged to have been illegally converted into bheris on the next date.

30. This Court shall monitor the entire investigation and shall pass further orders after the reports as directed above are filed by CBI.”

The Commission has considered the spot enquiry report of Investigating Team of the Commission, reports submitted by the State authorities and also the orders passed by the Hon'ble High Court of Calcutta in the matter.

The Commission is of the view that report of the spot enquiry team of the Commission be sent to the Chief Secretary and DGP, West Bengal for submitting an Action Taken Report on each of the recommendation made in the said report. Registry is, therefore, directed to forward copies of the report to the Chief Secretary and DGP, West Bengal. A copy of the report be also sent to CBI for its necessary action.

In view of Section 12(b) of the Protection of Human Rights Act, 1993, the Commission to seek leave from the High Court to intervene in the proceedings since the NHRC is also inquiring into the complaints of violation of human rights of the victims and its spot enquiry report reveals several

instances of atrocities inflicted upon the victims which clearly demonstrate, prima facie, there was violation of human rights due to negligence in prevention of such violation or abatement thereof by the public servant.

Registry to take appropriate steps before the High Court, Calcutta at the earliest.

The required Action Taken Report shall be sent to the Commission within **eight weeks**.

The report is enclosed with the order.

The report of spot enquiry of the Commission may be uploaded in the NHRC website for wider dissemination of information.

List the matter thereafter.

(Justice Arun Mishra)
Chairperson

(Dr. Dnyaneshwar Manohar Mulay)	(Sh.Rajiv Jain)	(Smt.Vijaya Bharathi Sayani)
Member	Member	Member

NATIONAL HUMAN RIGHTS COMMISSION
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(Full Commission)

Name of the complainant : Suo motu
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Date : 21st March, 2024

PROCEEDINGS

The Commission came across a news report dated 21.02.2024 stating that in Sandeshkhali, North 24th Paragana, West Bengal, innocent and impoverished women were harassed and sexually assaulted by a group of local gang of a political person, as a result of which, for last few days, local villagers started protesting for appropriate legal action against the perpetrators of horrific crimes indulged by various goons and anti-social elements, when the local Administration failed to take appropriate legal action against the perpetrators of crime. It was also reported that safety and security of the women folk as well as children and aged persons were jeopardized. It resulted in leaving the places of abode by the women due to torture and sexual abuse that were looming large upon them.

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The Commission also requested the Member of the Commission to ascertain the facts by a spot-enquiry into the incidents of violence of human rights in Sandeshkhali, North 24 Parganas with aid and assistance of the officers/officials of the Commission.

In response, thereto, DG & IGP, West Bengal vide communication dated 29.02.2024, forwarded the report duly submitted by SSP, Basirhat.

The Hon'ble Member, Smt.Vijaya Bharathi Sayani, along with a team of Investigation Division conducted a spot enquiry at Sandeshkhali, North 24 Parangas, West Bengal and submitted its enquiry report.

The matter was discussed and deliberated upon and having regard to the nature of the complaint and other related issues in the case, the order is reserved.

(Justice Arun Mishra)
Chairperson

(Dr. Dnyaneshwar Manohar Mulay)
Member

(Sh.Rajiv Jain)
Member

(Smt.Vijaya Bharathi Sayani)
Member

SANDESHKHALI ENQUIRY REPORT

1. Brief Facts and background of the matter:-

The Commission came across a news report in the print and electronic media that in Sandeshkhali, North 24th Paragana, West Bengal, innocent and impoverished women have been harassed and sexually assaulted by a group of local gang of a political person, as a result of which, for last few days, local villagers have started protesting for appropriate legal action against the perpetrators of horrific crimes indulged by various goons and anti-social elements, when the local Administration failed to take appropriate legal action against the perpetrators of crime.

It has also been reported that the safety and security of the women folk as well as children and aged persons have been jeopardized. It has resulted in leaving the places of abode by the women due to torture and sexual abuse that are looming large upon them.

The Commission carefully examined the news report. Considering the incidents, it becomes imperative for the Commission to exercise its jurisdiction to preserve, protect and promote human rights, the Commission took suo-motu cognizance, under Section 12 (a) of the PHR Act, 1993, as prima facie, there is violation of human rights. The recent incidents in Sandeshkhali, as have been reported in various print and electronic media, shock the conscience.

2. Directions of the Hon'ble Commission

Accordingly, the Hon'ble Commission vide proceedings dated 21/02/2024 issued notices to the Chief Secretary and Director General of Police, Government of West Bengal seeking report with regard to violence that took place, as reported, in Sandeshkhali, North 24 Parganas and the action taken or proposed to be taken against the perpetrators of crime, safety and other ameliorative measures taken or proposed to be taken to inspire confidence amongst the local people, including women, in Sandeshkhali of North 24 Parganas, compensation, if any, paid or to be paid to the victims of violence, within four weeks.

Considering the gravity of the matter, the Commission considered it, deemed fit and proper to depute a team to ascertain facts by a spot-enquiry into the incidents of violations of human rights at Sandeshkhali, North 24 Parganas. The team was led by a Member of the Commission who was assisted by officers/officials of the Commission.

3. Issues Involved:-

To ascertain facts into the incidents of violation of human rights in Sandeshkhali, North 24 Parganas.

4. Modalities adopted by the team:-

Pursuant to the direction of the Commission, a team of the NHRC led by Hon'ble Member Smt. Vijaya Bharathi Sayani, comprising of Sh. Vikram Harimohan Meena, SSP, Smt. Monia Uppal, DySP, Sh. Ratan Sarkar Inspr. and Sh. Arun Tyagi Inspr. visited the areas in the jurisdiction of PS Sandeshkhali from 23rd to 25th Feb. 2024 and interacted with the residents of the area, concerned police officials, BDO and doctor of the area hospital.

Statements of victims/villagers were recorded wherein they expressed their grievances and appraised the team about the atrocities and circumstances prevalent in the area. The DySP deputed in the area was also examined and his statement was recorded. The team visited the PS Sandeshkhali and found that most of the staff was engaged in law and order duty in the area. Letters were issued to the OC, PS Sandeshkhali, and BDO Sandeshkhali for furnishing relevant documents /records. However, the reports are still awaited.



5. Observations of the NHRC team during the spot visit:

- a. During the Spot visit, the NHRC team met the villagers of Majher Para/Colony Para, Patra Para, GhoJa Para, in Sandeshkhali and Haldar Para in Jheliakhali to find out the facts about the recent news of atrocities on women, land grabbing and other human rights violations in Sandeshkhali. While interacting with the villagers, initially, they were reluctant to share their ordeals out of fear of the alleged accused persons of the ruling party. However, after building rapport and gaining their confidence, the team was able to make them comfortable and they narrated about the prevailing situation and atrocities committed by the alleged named persons of the ruling party i.e Shibu Prasad Hazra, Uttam Sardar, Amir Ali Ghazi & others who allegedly acted under the directions and patronage of Sheikh Shahjahan.



- b. The women recounted a series of distressing events, including instances of harassment, physical torture, sexual exploitation, and outrage of their personal dignity by named persons/workers of the ruling party. These experiences were detailed as part of a larger narrative, emphasizing the severity of the challenges they faced.
- c. The women at Sandeshkhali and Jheliakhali narrated that the women of the village were called at the TMC Party office by the named alleged accused persons on the pretext of party meeting and meeting of Self Help Groups. They used to make the women sit in the office late at night and used abusive & filthy language. The young and good-looking women were specifically targeted. They were taken inside the room at TMC office at Sandeshkhali and were sexually exploited/gang raped. Other women were engaged in work such as making food, cleaning the office and cleaning of the ponds etc. The women were forced to go to the party office whenever called, even if they or their family members were ill. If they refused to come or defy their orders, women and their family members were threatened, and beaten up and they were taken to the Party office forcefully by the goons of alleged accused persons.
- d. The victims, primarily women, refrained from reporting these incidents of sexual exploitation due to the fear of alleged accused persons and the profound social stigma associated with such incidents. Some of the women who had come forward after the agitation/protest and had filed complaints of land grabbing, assault, threat, etc are reluctant to mention about sexual exploitation/rape in their

reports. They had not shared their ordeal of sexual exploitation even with their husbands and family members after the incidents.

- e. One of the women at Majher para, Sandeshkhali disclosed before the NHRC team that about a year back she was raped two-three times by Shibu Prasad Hazra and Uttam Sardar. Even now, she is not willing to report the rape to the police out of fear of these alleged accused persons and social stigma. She disclosed about the incident to her husband at that time who went to the party office to show his resentment. But he was beaten up by the alleged accused persons and as a result, out of fear he went to Bengaluru to earn his livelihood.



- f. Another woman from Gholapara Sandeshkhali disclosed before the NHRC team that in the winter of 2022-2023 her husband was forcefully picked up by the associates of alleged accused and he was made to work in the cold till 02.00 AM in the night. When she went to the party office looking for him, she was touched inappropriately by the alleged accused persons and they tried to pull up her 'Saree'. Anyhow, she could manage to escape. After 3-4 days, she was called in the



Party office and gangraped by Shibu Prasad Hazra and Amir Ali Ghazi. On the next day she went to the PS Sandeshkhali from there she was advised to go to the alleged accused persons and compromise. Now, after the arrival of NCW, she was able to get her case registered against the alleged accused person after a gap of more than a year.

- g. It is learned from the villagers that there are many more victims, gripped with fear & threat, who are hesitating to step forward and lodge complaints against the alleged accused persons. Some of them have left this place and are staying in different parts of the State and other States also. However, they refused to disclose the names of such victims and stated that when the victim herself is not coming forward due to social stigma and fear, then why should they expose these victims to potential danger?
- h. Almost every victim has told the NHRC team that the police do not respond to their complaints against Shibu Prasad Hazra, Uttam Sardar, and their associates. Shockingly, they were advised to approach the alleged accused or their alleged patron Sheikh Shahjahan directly and seek a compromise instead of receiving the support they sought from the police. The common people have lost faith in the local police.
- i. The alleged persons compelled the villagers to engage in labor without wages. Villagers are kept engaged in party office work (cooking, cleaning etc.), party rallies, cleaning of ponds, and other works. They are not able to earn their livelihood. These victims not only endure the physical and emotional toll of unpaid labor but are also haunted by constant threat & coercion.
- j. The team was made aware about a distressing reality where those who had worked under MGNREGA (Mahatma Gandhi National Rural Employment Guarantee Act.) did not receive their dues or these influential alleged accused persons had forcibly taken back their wages under threat and forced them to handover substantial amount received as wage from the Government.
- k. Villagers who resist the alleged accused persons or refuse to comply with their directives often face the harsh consequence of being excluded from the benefits & services extended by the Government through various welfare schemes of Central & State Govt. Most of the villagers disclosed that they are not getting the ration as per their entitlement and the quality of the ration is also very poor.
- l. As per villagers a significant number of the men from the Sandeshkhali area have chosen to seek livelihoods in distant places, leaving behind the women, children, and elderly who continue to reside in the villages. The decision to migrate is often



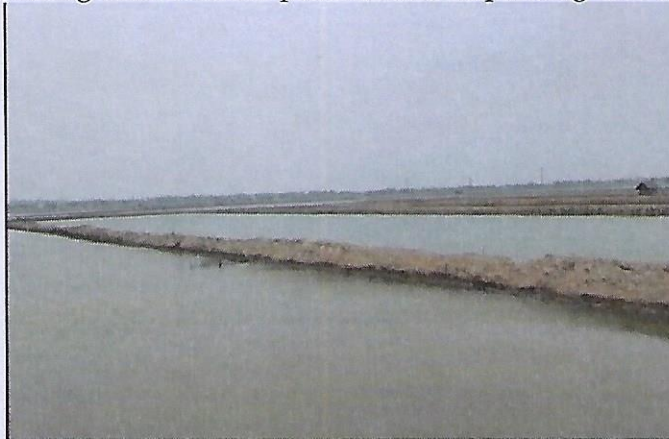
driven by the pursuit of better economic opportunities and also staying in their hometown could potentially expose them to working for alleged accused or political parties without wages. This is a kind of forced migration. This bleak

situation paints a vivid picture of economic hardship and exploitation, casting a shadow over the aspirations of a community striving for a fair chance at a normal basic life.

- m. One of the victims revealed that to safeguard her adolescent girls due to the unsafe environment for young women and girls, she had to send them to live with relatives in another location. After this, it has also been brought to the notice of the team that many more have sent their young girls to other places for their safety. The women also disclosed that due to fear of the alleged persons, they are now staying in groups during the night at one of their houses to protect themselves. They have no faith in the police and do not expect that police will respond to their distress calls.



- n. Land Grabbing: It was alleged that the aforementioned persons and their associates used to inundate farmers' fields with saltwater, rendering the land unfit for traditional agriculture. Subsequently, they coerce the distressed farmers into leasing their land for pisciculture, exploiting the adverse conditions they created



for their own gain. This manipulative tactic not only disrupts the farmers' livelihoods but also serves as a means for the miscreants to profit from pisciculture on the now-degraded land. It has also been alleged that the promised lease amount is also not given to the farmers.

- o. On both sides of the road towards Sandeshkhali block almost all of the land, at present, is being used for pisciculture. The locals informed that some 10-15 years back this land was predominantly used for agriculture.
- a. Environmental concerns: Habitat Disruption: Converting agricultural land to fish farms may have disrupted natural habitats, impacting local flora and fauna. It can lead to loss of bio-diversity and contribute to deforestation or alteration of natural landscapes, affecting local ecosystems.
- b. Villagers claim that they are denied their democratic right to vote. They alleged that during elections, they are prohibited from casting their votes, as supporters of miscreants allegedly cast votes on their behalf.

6. Police and law & order:

- a) The jurisdiction of PS Sandeshkhali is spread over about 197 sq. km with numerous islands and rivers in the delta.



b) The sanctioned and posted strength of the PS is as follows :

Rank	Sanctioned Strength	Posted Strength
SI/LSI	02	13 (10- SI & 3- LSI)
ASI/LASI	02	NIL
Constables	02	14 (Male -11 & Female -3)

c) The PS has significantly inadequate staff. The PS has eight Police camps on different islands. These camps are running in the temporary shelters. The absence



of any emergency communication mechanism (No facility of 100 or 112 despite excellent connectivity of mobile phones) further adds to the challenges faced by the inhabitants in terms of ensuring public safety and prompt response to critical situations.

d) Following the protests, there has been an augmentation in staff strength to address the previously insufficient resources. However, these arrangements are temporary to control the present situation. The area's challenges, including its expansive geography, mode of transportation being boat between islands, and

lack of emergency communication mechanisms, etc., necessitate improvement in law enforcement infrastructure.

- e) The data of PS Sandeshkhali pertaining to missing female victims from 01/01/2023 to 25/02/2024 reveals that the a total of 03 minor girls and 37 young adult women are still untraced. This number is alarmingly large and a thorough in-depth investigation is required to trace the victims and to ascertain the reasons for such missing including angle of human trafficking.
- f) During the visit the NHRC team was informed that the District Administration and Police has set up camps at various locations in the Sandeshkhali area to facilitate complainants in giving complaints with regard to criminal offences/ land grabbing etc and also to take applications from the people for availing various welfare schemes of the Center/State Government.
- g) As per the report dated 26.02.2024 received from SDPO; Minakhan, over emergent situation of Sandeshkhali area a total of 25 (suo-moto/complaint) cases have been registered out of which 07 cases were on complaint of alleged sexual offence against women by Shahjahan Sheikh, Uttam Sardar, Shibu Prasad Hazara and their associates. It is further intimated that 24 accused persons including Uttam Sardar and Shibu Prasad Hazra have been arrested. Moreover, general administration has started lawful action on their part by accepting letter of grievances of the villagers on their day-to-day requirement of civil amenities of different Govt. Schemes.

7. Conclusion:

After interacting with the villagers, especially women in the area of Sandeshkhali, the NHRC team observed that the atmosphere of intimidation, and terror created due to the atrocities by the alleged accused persons rendered the victims silent and reluctant to seek justice. The villagers/victims faced assault, threat, sexual exploitation, land grabbing, and forced unpaid labour, and under the given circumstances they were compelled to seek livelihood outside the Sandeshkhali region/State. The allegations of discrimination /denial of benefits of State/Central Government schemes such as old age pension, MGNREGA, Public distribution system, financial help to build their houses and toilets etc. by the concerned officials in connivance with the alleged group of persons is of deep concern. Further, allegations of deprivation of the right to vote are serious in nature and undermine the democratic values of the nation. The pervasive fear of reprisal, coupled with the power dynamics at play, acted as a formidable barrier, preventing these individuals from voicing their grievances.

This climate of terror not only perpetuated the cycle of abuse but also underscores the urgent need to create a safe and supportive environment for victims to break free from the shackles of silence.

The atmosphere of fear not only affects the victims but also has a negative impact on the growth and health of the children who constantly witness the ordeals of their parents in the hands of these alleged accused.

The NHRC team also interacted with the police and administration at Sandeshkhali and requested for further information but despite reminders, no reply has been given to date.

There is a need to uproot the fear of these persons from the hearts of the victims to enable them to live their normal lives with their families and gain the confidence to live in society with dignity and pride. It is the duty of the district authorities being arms of a welfare state to take consistent measures to instill confidence in the residents of the area in general and victims in particular so that others who have been victims of crimes may come forward and file their complaints.

8. **Recommendations:**

- a. **Reinstating trust in the rule of law and confidence in authorities** - There are a lot of victims especially women who are hesitant to approach the police/administration for their complaints/grievances and they appear to have lost their faith in the police /administration. Trust is essential for governance and the authorities must ensure accountability, transparency, responsibility, and social sensitivity to build community confidence. The administration and police authorities should align their efforts with the local community and rebuild trust and confidence so that the victims can come forward and report the crimes committed against them.
- b. **Ensuring witness protection and redressal of grievances** - The District police and District Administration should undertake appropriate measures to ensure protection to the victims/witnesses and prompt action against any threat by the offenders or their associates irrespective of their status.
- c. **Counseling and Rehabilitation of Victims of sexual offences** - The State should provide counseling, support, adequate financial assistance, and regular follow-up to the victims of crime for their proper rehabilitation and reintegration into social life. It is also recommended that the state should undertake Special programmes for women and victims of sexual offences and ensure their successful reintegration into society by overcoming the stigma attached to such victims.
- d. **Return of the land to the legitimate owners**- The State Land and Land Reforms Department (LLRD)/administration should take immediate measures to return the land grabbed by miscreants to its **legitimate owners. Complaints of mass-level land grabbing by the alleged accused persons and their associates need to be investigated thoroughly.**
- e. **Impartial investigation of complaints by Central agencies** - Keeping in view the allegations of support to the local miscreants by the district police/administration,

it is recommended that the investigation into the cases of Rape/ sexual assault and complaints regarding land grabbing at mass level in the area be undertaken by a team of central investigation agencies to ensure fairness and impartiality in the investigation.

- f. **Initiating Awareness programmes** - The NHRC team also found a lack of awareness among the local people of Sandeshkhali about their legal rights, human rights, constitutional rights, women-related rights, and special rights for Scheduled Tribe communities along with central and state welfare schemes for their upliftment and empowerment. It is recommended that the administration undertakes measures to spread this information through public outreach and dissemination of such information through print & digital media. Special sessions in schools shall also be conducted for spreading awareness among students of higher classes. The local NGOs may also be associated with the process.
- g. **Operationalization of Nationwide Emergency Response System (NERS)** - The area had good mobile/internet connectivity, however, Emergency Response number 100/112 was not found operational in the area. The complete operationalization of the NERS is an important defence against police inaction. Operationalizing the NERS as per MHA's NERS Guidelines would help maintain a record of complaints and establish accountability of responsible/delinquent Police officials.
- h. **Vocational training and creating employment opportunities:** To create specialized centers for vocational/skill development training according to the needs of the local industries/businesses to boost the employability of the residents.
- i. **Reviving the land to make it suitable for agriculture:** Given the extensive damage to the native vegetation and agricultural practices due to the conversion of agricultural land to commercial aquaculture, it is recommended that the administration should aid farmers in regaining soil fertility, regenerating and maintaining native vegetation and employing sustainable farm practices. The farmers should also be provided institutional support to market their products, encouraged to diversify, and form cooperatives to get cheaper credit and other benefits from government schemes.

- j. **Improving socio-economic indicators and preparing area-specific plans-** Sandeshkhali is part of the Sundarbans Biosphere Reserve, a UNESCO World Heritage site and a region of extremely rich diversity of aquatic and terrestrial flora and fauna. Also, it has a large tribal population predominantly living in rural areas. This necessitates the formulation and implementation of special measures for the region. The administration, in collaboration with other stakeholders like the tribal community, civil society, NGOs, and members of the academia, should conduct a comprehensive study of various socio-economic indicators and prepare an area-specific socio-eco development programme based on sustainability, inclusivity, community participation, women empowerment, the rule of law and justice.
- k. **Appointing Special Rapporteurs to periodically report on the situation in Sandeshkhali** - Given the critical nature of circumstances existing in the region, it is recommended that a Special Rapporteur of NHRC visit and report on the situation in Sandeshkhali every 3 months so that continuous monitoring could be done till the situation becomes normal.
- l. **Investigation of cases of missing women/girls from the area of PS Sandeshkhali:**

The missing of such a large number of girls/women in the vulnerable age group of 16 to 35 years, in a short period, from the jurisdiction of single PS is distressing & alarming. There is a potential risk of trafficking of these victims. For fair, impartial, and professional investigation, an independent and extensive probe is essential to trace these victims. Therefore, a dedicated SIT be formed for the investigation of these cases with a focus on the angle of Human Trafficking.