

POLICE ATROCITIES IN WEST BENGAL

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an inquiry into the growing spate of  
politically motivated arrests and  
terror in West Bengal during August  
to October, 1985

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The PUCL, West Bengal Report on the large  
Scale Police Terror in West Bengal

The Peoples' Union for Civil Liberties (PUCL), West Bengal views with gravest concern the currently growing spate of politically motivated arrests in different parts of the State in the name of curbing the Naxalities. The political suspects are kept in secret detention centres and a reign of terror has been let loose in the affected areas. The victims of the arrests are being implicated in framed up charges and are being held in undisclosed destinations even without the knowledge of the local police stations.

It is reported in the press that in 3 districts alone, namely, Nadia, Murshidabad and West Dinajpur about 60 'Naxalities' have been arrested till 8th October, 1985.<sup>1</sup> The State Government had set up an exclusive CID cell, headed by a Special Superintendent to deal with the so-called Naxalities.<sup>2</sup> This cell has reportedly been set up in the month of July, 1985. The largescale rounding up has been the aftermath of this.

The secret and semi-secret torture chambers, officially dubbed as interrogation centres have been revived and third degree methods are applied on the suspects. One such centre which has earned particular notoriety during the Left Front regime is a house called 'The Retreat' 11, Netaji Subhas Bose Road, Tollygunge. The horrors of this inferno has been witnessed by many political workers.<sup>3</sup> The PUCL beleives that the police machinery has received the 'Go ahead' signal from the government when the Chief Minister Mr. Jyoti Basu himself declared that the 'naxalities' should be treated as criminals. Way back in 1982, the estimates of the Home Ministry put the figures of such prisoners as 750.<sup>4</sup> Since July, 1985 the number of such detentions have gone up by hundreds. The PUCL, WB, has sent two investigation teams, one to the suburban areas of Calcutta in October, 1985 and the other on 17th August to Shantipur of Naida distridt. It can ~~xx~~ therefore be said that this brief report touches ~~the~~ <sup>the</sup> only tip of the iceberg, ~~of the whole~~ phenomenon.

West Dinajpur

*September*  
On 5th ~~August~~, 1985, a complaint was lodged with the PUCL by Baidya Nath Chakraborty, teachers, Milonmoyee Girls' School,

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1) The Statesman, Calcutta, 8.10.85

2) The Telegraph, 8.9.85

3) A.R. Desai edited, Violation of Democratic Rights in West Bengal Since independence, Bombay, 1985, p32

4) Ibid, p32

Kaliaganj, that his daughter, Anindita Chakraborty, a minor girl student of Raigunge University College, Economics Department had been missing since her arrest by the police on a case lodged in the Jadavpur police station. On 30th August a raid was conducted on their house by the special superintendent of the CID in the midnight and she was whisked away without letting the family know where she was being taken. The PUCL came to know that she was detained at Jadavpur police station which is some 600 km from her place of residence. She was given case No.5/8/85 u/s 120b, 121a, 109, 148, 379, 395, 391 etc. all dangerous charges including waging war against the State. She was implicated in a case in Barasat, a suburban area of Calcutta also. On the next day after the publication of this report in the local daily, the special superintendent, Rajat Majumdar gave an interview with the Telegraph that Anindita, a first year economics student of the Raigunge College and Shibani, a post-graduate political science student of the North Bengal University were wanted by the police in connection with their 'extremist' activities in Cooch Behar, a north bengal district. The PUCL fails to understand how these two lady students<sup>5</sup> who were reported to be active according to the police official's statement in North Bengal could be implicated in a case in Calcutta. Moreover, even according to the officials' own admission, they were lodged in Behala police station lock-up for 8 days which flagrantly violated the legal process which stipulates the production of the accused to the court within 24 hours of arrest. After being shuttle from one court to another, they were finally bailed out in October, 1985, thus ruining their career and inflicting hardships and agonies to the members of their families.

#### Suburban Calcutta

The PUCL has been lodged with several complaints of the growing police atrocities in the suburban areas of Calcutta beginning from the month of September, 1985. Given below is the list of few complaints received by the PUCL till 1st November:

Date of arrest raid	Name of the persons	Address	Organisation	Charges
1	2	3	4	5
15.9.85	Manik Mandal	Arjunpur Baguihati	Dishari Cultural Centre	Not known
28.9.85	Swapan Sarkar	Elias Road Agarpara	-do-	-do-
30.9.85	Nabin Basak (diaries and identity card seized)	Engelsnagar Panihati	Worker Mohini Mills	-do-

1	2	3	4	5
2.10.85	Ratan Ray	Priyakutir, Jangra, Baguihati	Dishari	Not known
4.10.85	Malay Bose	3 SSipalli Belghoria	Editor, Barricade	<i>Sedition</i> <del>-do-</del>
7.10.85	Subrata <del>Bhattacharya</del>	Kali Park, Rajarhat	Dishari	<i>Not Known</i> <del>-do-</del>
31.10.85	Prof. Chanchal Chatterjee (House raided)	Elias Road, Agarpara	-do-	-do-

From the above list, which is far from exhaustive, revealed that the victims of the police attacks belong to either cultural troupes or the editor of little magazine. The PUCL team for investigation was sent on 10th October 1985 to specifically enquire into the arrests of Swapan Sarkar, a member of Dishari Cultural Troupe and Malay Bose, editor of Barricade, a little magazine. Swapan Sarkar was arrested on September 28 while Malay Bose was picked up by the police on October 4. No charges have been specified for the arrests and Swapan Sarkar remain untraced at the time of writing this report.

The team visited the Belghoria police station and requested the officer-in-charge to provide details of the arrests. But the officer in charge said that although the arrests took place in his police station area, he was in the dark about the charges against the men or their whereabouts. According to him, the entire operation was conducted by the Special superintendent V of the Criminal Investigation Department, Rajat Majumdar.

The team then visited the house of Swapan Sarkar/interviewed his mother and nephew. They said that the police came on 28.9.85 at 5 P.M. Three plaincloths men accompanied by the OC, Khardah PS gatecrashed into the house. Swapan was caught hold of by his collar, with a revolver pointed at him was brusquely told to see his wife for the last time. They did not have any papers nor any warrant. When questioned where Swapan was being taken, the cops did not answer anything. For subsequently 2 days he was kept in Belghoria Police lock up while he was arrested under Khardah PS area. The relatives of Swapan moved to the Barrackpore court in anticipation that he would be brought to the jail custody. But alas, after two days of remand in the Belghoria lock up he was removed to an undisclosed destination. At the time of the visit, that is, after 12 days even his whereabouts were not known. In the meanwhile

Swapan's mother had suffered a stroke and his wife with two children and no supporting income are in a desperate situation. His mother had issued an appeal to the local citizens to stand by her side in such a distress and demanded from the authorities to let them know the specific charges against Swapan and also his whereabouts.

On 4th October, 1985 a group of 6 armed policemen in a drunken state barged into the house of Malay Bose of Sripalli (under Belghoria PS) at midnight. The inmates of the house after dinner were preparing for sleep. The police pounced upon the editor of Barricade, Malay Bose and threatened the inmates, with arms, and foul languages, ransacked the house and took him away. Till 8th October, the relatives were not knowing where he was being put up and what were the charges. After 4 days of detention, he was produced in the court only on 8th October. Then again he was remanded in the police custody for another 10 days and was kept in the 'Retreat'. The local people staged a demonstration at Belghoria PS on 6th October protesting against the police atrocities on cultural workers and demanding immediate release. A memorandum was also submitted. Similar information about raids, arrests and torture have been pouring into the PUCL office till date.

## APDR Protests

On 17th October, 1985 a rally was organised by the Association for Protection of Democratic Rights (APDR) and a statement against the police atrocities was issued.<sup>6</sup> APDR demanded the unconditional release of all political workers commonly known as Naxalites; recognition of the arrested Naxalites as political prisoners and demanded from the Chief Minister on the progress of the cases instituted against the Naxalities since 1982. It urged upon the authorities to put a stop to the indiscriminate arrests and harrasment of political workers and their relatives in Nadia, Murshidabad and West Dinajpur.

### Nadia:

A Six member PUCL fact finding team was sent on 17th August 1985 to Shantipur, Nadia to investigate into the large scale police terror unleasted on the people of Shantipur in early August. The team observed that a situation of large scale and well planned terror and panic was created by the police by indiscriminately arresting people without warrant; detention without trial for indefinite period; refusal to give any information<sup>to</sup> the members of the family of the arrested person; Without clamping down CrPc 144 prevention of meetings and processions; combing a locality in the midnight and arrest; sudden mass arrests from street crossings parks and tea stalls; This had been the general pattern in the modus operandi of the police in Shantipur. To aid and abet in this work, besides the State armed police, Eastern Frontier Rifles had been deployed. The democratic people who protested against this were rewarded with threat and intimidation. With this arm twisting tactics the police and administration had been trampling underfoot the vestiges of all democratic norms.

These activities gathered momentum with the murder of Gyan Bhowmick a homeopath, allegedly having links with the Cong.(I) on the 4th August. Police started operation from the 6th August which gained ferocity till 10th August after which it was a bit muted, although the operation continues even today. On the 7th August police raided the houses of many people. DIG-CID officers led by Rajat Mazumdar steered this witch hunt. Many people who were not connected with politics were rounded up merely on suspicion. Mass arrests from street corners and parks were made.



A citizen's convention on 17th August strongly condemned the police atrocities. The PUCL team collected the names and addresses of the least 40 people who were believed to be detained in the 'Retreat' and whose whereabouts were not officially known<sup>7</sup> declared. Local police officials admitted that they did not know even 5 minutes before the operation anything about the raid. There had been no official record of the detained persons. At the time of reporting the following persons were either missing or were put up in the 'Retreat'. This list was not exhaustive<sup>7</sup>, however.

<u>Name</u>	<u>Address</u>	<u>Date of arrest</u>
Bijoy Biswas	No 3 Gate Shantipur	8.8.85
Bimal Pramanik	Sahapara	-do-
Amiya Mandal	Rajapur	-do-
Ganesh Kastha	Puinpara	-do-
Sakti Mandal	Sahapara	-do-
Nimai Acharya	-do-	-do-
Debu Biswas	Sarbanandipara	-do-
Sanjay Adhikary	Baishnabpara	-do-
Punanjay Adhikary	-do-	-do-
Bhabesh Banga	Tamilipara	-do-
Dhune Bilyanta	Laxmitalapara	-do-
Pinte Datta	Mushipara	-do-

The situation in Krishnanagar, another town of Nadia district, could be ascertained from the latest press report which says, 'The administration took a stand against criminal activities when on October 25 a naxalite faction called a bandh in protest against police atrocities. For the first time, the police took steps against the sponsors of the bandh by arresting 60 naxalite demonstrators and seized about 100 bicycles.'<sup>8</sup>

#### Murshidabad

The local Unit of the PUCL carried out an investigation on the situation of panic created by the stormtrooper of DIG-CID captained by Rajat Mazumdar in Kandi, Berhampur, Farakka areas during 10th to 14th September, 1985. In all 100 houses were raided, searched & ransacked under threat intimidation without even a search warrant. Initially about 50 people were arrested of which 6 persons were implicated in false charges and brought to Calcutta. They included 3 govt. employees, Sasanka Ghoshal, Pravash Sen (Berhampur),

<sup>7</sup> Pratibadi Chetana, Paper published from Shantipur, 20th August, 1985.

<sup>8</sup> The Statesman, 4. 11. 85.

Satya Chaudhury (SEB, Farakka). In Calcutta and 24 Parganas they had been charged with murder and riot cases. A deputation of PUCL and ARDR met DM and S.P who pleaded ignorant about the whole matter, which signified that the Special Superintendent CID had been given absolutely arbitrary powers to place himself above the laws of the land to ~~draw~~ <sup>down</sup> all democratic protest actions in a sea of illegality - of unlawful arrests, detention and torture.

### Issues and Concern :

In the second week of May, 1985 in the Sea resort of Puri, under the instruction of the Central Govt., IG/DIGs of 5 States including Andhra, Bihar, M.P. West Bengal and Maharashtra worked out a general strategy to contain the 'Naxalite' menace. No, the strategy was not directed against the anti-socials, black marketeers, hoarders, grafters, smugglers, speculators, it was aimed at suppressing the mass movements, against any democratic movements. Based on this official ~~leak~~ <sup>leaks</sup>, it can be presumed that what had been happening during the last few months in West Bengal had the official sanction. The anti-Naxal Cell had been revived and absolute powers had been given on the CID to take law in their own hands. The suburban areas of Calcutta, Shantipur, Krishnanagar, Kaliaganj, Berhampur, Kandi, Farakka, West Dinajpur etc. are witnesses to these absolute powers enjoyed by the police.

We the PUCL, WB, make our stand very clear. We condemn any infringement on civil liberties and shall put all our endeavour to build up mass opinion against the assault on democratic rights. If the victims of the arrests had violated any of the laws of the landspecific charges have to be brought against them and under no circumstances should the judicial process is to be ~~bypassed~~. Administration and police have no right to take the law in their own hands. With all these incidents cited above, is not amply clear that the CID has placed itself above the law? Do not people have any right to know their guilt? Should not they be informed of the charges levelled against them? There are ample evidence of third degree ~~fortune~~ <sup>torture</sup> which go against the UN declaration of human rights to which India is also a signatory.

It is claimed by the police that the second central Committee of the CPI (ML) is behind all these extremist activities<sup>9</sup>. But the PUCL stand on this is that it is not a banned party. Therefore



sheer suspicion of complicity with this group does not make oneself punishable in the eyes of law. If there is any violation of law, let the law take its own course. But under no circumstances such trampling of democratic rights will be tolerated by the democratic people of West Bengal.

The Police claims that these people are arrested on political grounds. The question arises why they have been implicated in riot and murder cases of Jadavpur, Behala or Barasat? Although the Jadavpur case is dated the 5th August, 1985, almost all the people implicated in it have clear evidence that they were in their respective places which only proves that the cases are fabricated to malign and harass the victim and to create a situation of panic and terror.

The Special Superintendent, Rajat Mazumdar had been reportedly saying that all the powers were in his hands. Even ministers could do nothing to him. Threats, abuses are hurled on the members of the families of the victims<sup>10</sup>. It has been reported that when a deputation was demonstrating in front of DM's Office at Berhampur, Mr. Majumdar threatened "If someday tries to release the arrested persons on bail, they would also be implicated in the cases in Calcutta."<sup>11</sup>

We are appalled at such audacious utterances of the guardians of the law and order and urge upon the State Government which has earned the reputation of not using ESMA/NASA to take immediate steps against such atrocities on democratic rights. Even the Senior Officials of the administration admit helplessness in such cases. If Common people are denied justice and security, where they will turn to? Should the legal process be allowed to be carried out in the 'Retreat' under the supervision of DIG-CID?

The PUCL Demands:

Under such a desperate situation where civil rights have been constantly floated, the PUCL demands the following from the authorities.

- \* Stop large scale police terror, threat, intimidation and creation of panic among the people.
- \* People arrested on political grounds should be accorded the status of political prisoners.
- \* No detention without trial
- \* Immediately withdraw all cases based on false allegations

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10/ Ganatantrik Adhikar, APDR, October 1985

11/ Ibid

- \* Stop torture in lock-up, detention centres and jail custody.
- \* Provide all facilities including medical facilities to the prisoners.
- \* Immediate judicial enquiry into the police atrocities.
- \* Families and public should be kept informed about the details of the cases.

#### Detention Without Trial

The PUCL, WB submitted a memorandum to the Chief Minister against the detention without trial of all political prisoners on 12th April, 1985. This is enclosed because of <sup>its</sup> ~~his~~ relevance with the present atrocities.