

BEFORE
TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN, AGARTALA

Complaint No. 16 of 2024

Complainant: Miss Surabhi Mukherjee
of Ramnagar Road No.4, Agartala.

FINAL ORDER DATED 05.06.2024

The instant case has been instituted on receipt of a complaint filed by one Ms. Suravi Mukherjee resident of Ramnagar Road No.4, Agartala having contact No. 8240575184 and e-mail ID- surabhimukherjee18@gmail.com on the allegation that she is living with her mother Smt. Sumana Banerjee (Mukherjee) separately in her maternal grandparent's house. Her father Sri Siddhartha Mukherjee has been living with another lady namely: Smt. Ruma Mukherjee and he has surreptitiously changed the original ROR in connivance with the BDO Office Jirania, West Tripura and there-under managed to delete the name of Smt. Sumana Banerjee (Mukherjee) from the ROR and in her place incorporated the name of Smt. Ruma Mukherjee. It is the grievance of Miss Surabhi Mukherjee that her mother's name has been illegally and wrongly deleted from ROR by her father and she cannot be shown as the daughter of Smt. Ruma Mukherjee.

2. Considering the allegation of the complainant the Commission thought it appropriate to examine Smt. Sumana Banerjee (Mukherjee), mother of the complainant to record her grievances if any in respect of removal of her name from ROR.

3. Accordingly Smt. Sumana Banerjee (Mukherjee) appeared before the Commission and her statement was recorded on oath which

reproduced below:

"Smt. Sumana Bannerjee (Mukherjee) aged 52 years, w/o Siddhartha Mukherjee staying on rent in the house of one Raju Saha at Ramnagar Road No.4 near Sishu Mahal School, Indian by nationality and Hindu by religion and housewife by profession hereby solemnly affirm and on oath say as follows:

Surabhi Mukherjee is my daughter. Sri Siddhartha Mukherjee is the father of Surabhi. My marital relation with Siddhartha Mukherjee is still in order. My husband is not living with me. For last 28 years we are living separately, but our marital relation is still in existence.

My husband is a permanent resident of Jirania, Noabadi, West Tripura. Father's name of my husband is Lt. Asutosh Mukherjee. He was a teacher by profession. About a year ago, he has retired from service.

In the family register of my husband, my daughter's name was recorded. Now, my husband has deleted my name in collusion with the Block Development Officer, Jirania R.D. Block and in place of my name, has incorporated the name of Smt. Ruma Mukherjee as his wife.

I have a strong objection in the present ROR which has been prepared deleting my name and incorporating the name of Ruma Mukherjee. The said Ruma Mukherjee may be a concubine of my husband. She is not the mother of my daughter. I have strong objection in such entry.

I was never heard by the O/o the Block Development Officer, Jirania R.D. Block in deleting my name from the ROR and in entering the name of Ruma Mukherjee in that place. The ROR prepared by BDO, Jirania R.D. Block in collusion of my husband is a fraudulent document to deprive my right to life and dignity."



4. The Commission after recording the on oath statement of Smt. Sumana Banerjee (Mukherjee) issued notice to BDO Jirania R.D.Block to submit detailed response in writing in respect of the allegation made by the complainant . Copy of the complaint alongwith other document were also sent to DM & Collector, West Tripura to enquire in to the matter and to submit report.

5. Accordingly BDO Jirania, R.D.Block submitted a written response. DM & Collector, West Tripura also submitted written response enclosing the report submitted by BDO Jirania, R.D.Block. It is reported by BDO, Jirania, R.D.Block *"that the during enquiry process at various staged it was found that Smt. Sumana Mukherjee's name was there in the family register of Sri Siddhartha Mukherjee (previous joint family) as the wife of Sri Sidhartha Mukherjee but Smt. Sumana Mukherjee's name was struck down and Smt. Ruma Mukherjee's name was included in that place. Thereafter when Sri Siddhartha Mukherjee's family got separated from the joint family, 03(three) person's name were included in the new ROR, namely.*

1. Sri Siddhartha Mukherjee, 2. Smt.Ruma Mukherjee, 3. Smt Surabhi Mukherjee.

From the joint family register during scrutiny it was found that the ROR was authenticated on 25.10.2005 by the then Panchayat Incharge Lt. Dulal Ch. Das, PS, who expired during his service on 21.11.2014 and the death certificate is enclosed herewith. The office of the undersigned on several occasions have formed enquiry teams for enquiring into the matter and to search the relevant documents through which the name change/correction was processed at that time during the year 2005, but the enquiry teams has submitted their reports stating that the relevant entries were made around 20 years back and even after extensive searching for the



record/paper/document at the GP office and Block H.Q. they could not find any trace of any documents relating to this matter."

It is further reported that provision of correction/updation/ of any existing entry in the ROR can be made as per memorandum issued by Director of Panchayat, Govt. of Tripura vide No.F.9(13)-EP/PR/2011/VOL-II/10372-595 dated 08.08.2014.

6. It appears from the report of BDO Jirania , R.D.Block as well as report of DM & Collector that the name of Smt. Sumana Mukherjee mother of the complainant was there in the original family register of Sri Siddhartha Mukherjee as the wife of Sri Siddhartha Mukherjee and her name was struck down and in place of her name the name of one Smt. Ruma Mukherjee was incorporated showing her as wife of Sri Siddhartha Mukherjee. So the admitted fact is that the name of Sumana Mukherjee the mother of the complainant was struck down from the ROR. It is also found from the report of the BDO Jirania, R.D.Block that the subsequent ROR was authenticated on 25.10.2005 by the than Panchayat Incharge , Lt. Dulal Ch. Das, PS who expired during his service on 21.11.2014 and even after extensive search no documents was found in support of incorporation of the name of Smt. Ruma Mukherjee in place of Smt. Sumana Mukherjee. Moreover, the correction/updation of any existing ROR came into the picture vide notification No.F.9(13)-EP/PR/2011/VOL-II/10372-595 dated 08.08.2014 of Director of Panchayat, Govt. of Tripura. The ROR was modified before 25.10.2005, whereas the correction/updation was allowed after 08.08.2014 as such correction before the notification dated 08.08.2014 appears to be totally illegal. Moreover, there was no document found in support of alleged correction incorporating the name of Smt.Ruma Mukherjee in place of Smt. Sumana Mukherjee.


7. Considering all the above findings the Commission is of the final opinion that subsequent incorporation of name of Smt. Ruma Mukherjee in place of Smt. Sumana Mukherjee is totally illegal. As such the ROR should be corrected further showing the name of three person namely Sri Siddhartha Mukherjee, Sumana Banerjee (Mukherjee) wife of Sri Siddhartha Mukherjee and Miss Surabhi Mukherjee, daughter of Sri Siddhartha Mukherjee as it was in the original ROR before 25.10.2005.

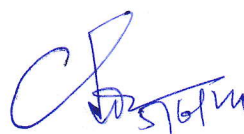
8. It is therefore recommended that BDO Jirania, R.D. Block should issue corrected/modified ROR in the light of the observation given above in Para-7. DM & Collector, West Tripura, Agartala, is expected to issue necessary instruction in this respect.

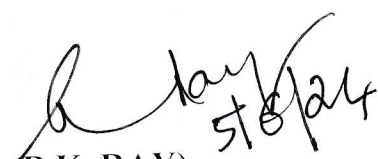
9. Send copy of this order to DM & Collector, West Tripura Agartala, BDO Jirania R.D. Block and **also to the complainant Miss Surabhi Mukherjee.**

10. BDO Jirania, R.D. Block should submit compliance report in terms of Section 18 (e) of the Protection of Human Rights Act 1993 within 30 (thirty) days from the date of receipt of the report.

List it on... 06/07/2024 ... for compliance report.


(S.C. SAHA)
MEMBER


(JUSTICE S.C. DAS)
CHAIRPERSON


(B.K. RAY)
MEMBER