

FIRST INFORMATION REPORT
(Under Section 154 Cr. P.C.)



P.S. Matigara Year 2023 FIR No. 148/2023 Date 06.03.2023

Sections 188/304 ii) Act. MTDR Sections 21

(iii) Sections (iv) Others Acts & Sections 14(1A) of child labour Prohibition and Regulation Act.

3. (a) Occurrence of Offence Day Monday Date From 06.03.2023 Date To Act.

Time Period Time From 04.00 hrs Time To

(b) Information received at P.S. Date 06.03.2023 Time 14.55 hrs

(c) General Diary Reference Entry No(s) 317 Time 14.55 hrs

4. Type of Information Written / Oral

5. Place of Occurrence (a) Direction and Distance from P.S. Beat No.

(b) Address Near Balakon river at Bariakhari, Si. palijote, P.S. Matigara, Dist. Ranjooling

(c) In case outside limit of this Police Station, then the Name of the P.S. X District X

6. Complainant / Informant

(a) Name Abdul Latif (Mobile No 9733274592)

(b) Father's / Husband's Name

(c) Date / Year of Birth Aadhar Card no 835793929776 (d) Nationality Indian

(e) Passport No Date of Issue Place of Issue

(f) Occupation Govt. Service (Asst. Sub. Insp. of Police, West Bengal Police)

(g) Address Matigara Police Station, Singuri Police Commissionerate.

7. Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary):

Mareesh Sahani, So. Ganeshi Sahani of Bariakhari Sahani Basti, Po. Nimai, P.S. Matigara, Dist. Ranjooling.

8. Reasons for delay in reporting by the Complainant / Information

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary):

10. Total value of properties stolen / involved

11. Inquest Report / U.D. Case No., if any MTD PS U/D Case No - 248/2023, 249/2023 and 250/2023 all dated 06.03.2023.

12. FIR Contents (Attach separate sheets, if required): The original written complaint which is treated as FIR is enclosed herewith/reproduced overleaf.

13. Action taken: Since the above report reveals commission of offence(s) as mentioned at item No. 2., registered the case and took up the investigation / directed SI. Parash Barman Officer-in-Charge Matigara Police Station to take up investigation / refused investigation / transferred to P.S. Singuri Police Commissionerate

Jurisdiction: FIR read over to the Complainant/ Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

AS' Abdul Latif
14. Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station Matigara Police Station
Name: SAMIR DEOSHA
Rank: No. INSPECTOR OF POLICE.
06/03/23
Officer-in-Charge
Matigara Police Station
Singuri Police Commissionerate

15. Date & Time of despatch to the court:

To,
The Officer-in-Charge,
Matigara Police Station,
Siliguri Police Commissionerate

Subject: FIR.

Received on 06-03-2023 at 14:55 hrs vide COE No-317 A-
06-03-2023 and recorded MTC Pt Case No-148/2023 A-06-03-2023
u/c-188/304 I.P.L. & w/ Sec. 21 of MMRSE Act and Sec. 14 (1A) of
Child Labour (Prohibition and Regulation) Act and
endorsed to SI Parash Barman for its investigation.

06/03/23
Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate

Sir,

With due respect and humble submission I ASI Abdul Latif of Matigara PS, SPC would like to lodge this written complaint against Naresh Sahani s/o Ganesh Sahani of Baniakhari-Sahani Basti, PO Nimai, PS Matigara, District Darjeeling to the effect that today on 06/03/2023 around 07:00 hours, in the course of special mobile van duty vide MCC no. 1088/2023 dated 05/03/2023, I was informed by the duty officer of Matigara PS that three persons were buried in a mud-slip of a hillock near Balason river at Baniakhari Tripalijote. I along with C/1188 Fagua Toppo and CV/962 Ronit Barman rushed to the spot at Balason river bank at Baniakhari Tripalijote under PS Matigara and found that huge people had gathered there.

On reaching there, it was learnt that the one Samal Sahani (15) s/o Depnarayan Sahani of Mirik Road, Tripalijote, Baniakhari, PS- Matigara, District Darjeeling was recovered by the local people and had already been sent to NBMC & Hospital for necessary medical aid.

Later with the assistance of the local people two more persons namely (i) Rohit Kumar (15) s/o Manoj Sahani of Village & PO- Dhankaul, PS- Piparahi, Dist- Dhankaul, Bihar and (ii) Monu Kumar (20) s/o Sulendar Chauhan of Ward No-9 Faringgora, Kishanganj Bazar, PS & Dist- Kishanganj, Bihar were recovered and were immediately sent to MBMC & Hospital for necessary medical aid. Local witnesses namely (1) Mithun Sahani s/o Lt Sankar Sahani and (2) Rabi Sahani s/o Ganesh Sahani, both of Baniakhari-Tripalijote, PS- Matigara, District Darjeeling identified the three persons, buried in this incident, as named above.

I along with my party moved to NBMC & Hospital where I came to know that the persons namely (i) Rohit Kumar (15) s/o Manoj Sahani of Village & PO- Dhankaul, PS- Piparahi, Dist- Dhankaul, Bihar, (ii) Monu Kumar (20) s/o Sulendar Chauhan of Ward No-9 Faringgora, Kishanganj Bazar, PS & Dist- Kishanganj, Bihar and (iii) Samal Sahani (15) s/o Depnarayan Sahani of Mirik Road, Tripalijote, Baniakhari, PS- Matigara, District Darjeeling, who were brought to the emergency unit of NBMC & Hospital were declared "brought dead" by the Medical Officer of NBMC & Hospital and intimation to the effect was being sent to the O/C Matigara PS for taking necessary follow up action.

Subsequently, over the intimation of the Aminar Sarkar, Facility Manager, NBMC & Hospital, Matigara U/D Case No. 248/2023 dated 06/03/2023, Matigara U/D Case No 249/2023 dated 06/03/2023 and Matigara U/D Case No 250/2023 dated 06/03/2023 were registered and I came to know that the UD cases were endorsed to ASI Kanak Das of Matigara PS for its investigation.

On enquiry it could be learnt that the above noted three persons were engaged by one Naresh Sahani s/o Ganesh Sahani of Baniakhari-Sahani Basti, PO Nimai, PS Matigara, District Darjeeling for digging soil today early morning from about 04:00 hrs. He had directed them to load his tractor bearing no WB 73C/8576 with the soil dug from the site for transporting the illegally procured soil elsewhere for his monetary gain. It was also learnt that the accused Naresh Sahani does not have any permission for mining or transporting river bed materials or any other natural resources. It is evident that Naresh Sahani had engaged the above noted three persons at the site without taking any permission from the competent authority for acquiring the earth. Two of the above noted deceased namely (i) Rohit Kumar and (ii) Samal Sahani were minors but Naresh Sahani, despite having knowledge about this, engaged them to work for him at the above site.

Naresh Sahani had not taken any precautionary measures and had not provided safety gears to the persons engaged by him. He had full knowledge that any person/persons who carries digging activities at the site where the incident happened would endanger the lives of the persons deployed there which may even cause their death.

Knowing fully well about the dangers, the accused Naresh Sahani deployed three innocent persons, out of which two are juvenile, to carry out his work and while working a huge portion of soil caved in, and the three persons were buried beneath the soil and lost their lives.

ASI Abdul Latif

Under the above circumstances, I pray that a specific case under proper section of Law may kindly be started against the above noted accused person namely Naresh Sahani s/o Ganeshi Sahani of Baniakhari-Sahani Basti, PO Nimai, PS Matigara, District Darjeeling and arrange for its investigation.

Yours faithfully,

ASI Abdul Latif

(ASI Abdul Latif)

Matigara Police Station

Siliguri Police Commissionerate

06.03.23