

COOCH BEHAR DISTRICT MEETING

Date: 11.09.2021

Venue: Bipasha Bhawan, Cooch Behar (W.B)

Reported By: Abu Sayed Mostafa Siraj

Edited by: Venkatesh Kodukula



**Topic : Discussion on Minority Rights,
Sexual Violence, Mental Health &
it's Related Laws & Transgender Rights**

Collaborate With :



Mental Health Rights Organization

Venue -Bipasha Bhawan,Cooch Behar.
Date-11.09.2021 Saturday Time - 11 AM to 2 PM

**Topic:Discussion on Minority Rights, Sexual Offence, Mental
Health and Its related Laws and Transgender Rights**

SCHEDULE FOR MEETING

TIME	SESSION	SPEAKER
11-11:05	Welcome Note	Abu Sayed Mostafa Siraj Advocate, HRLN, Cooch Behar
11:05-11:30	Mental Health Issues and its awareness	Bulti Dey Paul Social Activist attached with Anjali (NGO), Cooch Behar
11:30-11:50	Disability Rights and Mental Health and how this two linked to one another	Uttam Kumar Guha P.R.P.S, Uttar Dinajpur District
11:50-12:10	Sexual Violence and its related issues	Rinku Guha Neogi Social Activist attached with Anjali (NGO), Cooch Behar
12:10-12:30	Legal Remedies towards problem of Minorities, Violence, Mental Health and Transgender Rights.	Mobina Ali Advocate HRLN Kolkata
12:30-12:50	Transgender Rights and Discrimination	DollySaha Social Activist Transgender Rights, Cooch Behar
12:50-01:10	Transgender and Present Scenario of Society	Chadni Biswas @ Chadni Hijra Social Activist, Transgender Rights, Cooch Behar
01:10-01:30	Problems of Christian Minorities	Mr. Alok Nag Church Pastor, Cooch Behar
01:30-01:40	Minority Rights in View of Law	Mobina Ali Advocate HRLN Kolkata
01:40-01:50	Issues Relating to Muslim Minority	Murshid Alam Social Activist, Minority Rights Cooch Behar
01:50-02:00	Interactive Session	Advocates of HRLN

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INTRODUCTION

Mental health includes our emotional, psychological, and social well-being. It affects how we think, feel, and act. It also helps determine how we handle stress, relate to others, and make choices. Mental health is important at every stage of life, from childhood and adolescence through adulthood.

Over the course of human life, if anyone experience mental health problems, that person's thinking, mood, and behaviour could be affected. Many factors contribute to mental health problems, including:

- Biological factors, such as genes or brain chemistry
- Life experiences, such as trauma or abuse
- Family history of mental health problems

Mental health problems are common but help is available. People with mental health problems can get better and many recover completely and lead the rest life smoothly.

Minority rights are the normal individual rights as applied to members of racial, ethnic, class, religious, linguistic or gender and sexual minorities; and also the collective rights accorded to any minority group.

Civil-rights movements often seek to ensure that individual rights are not denied on the basis of membership in a minority group. Such civil-rights advocates include the global women's-rights and global LGBT-rights movements, and various racial-minority rights movements around the world (such as the Civil Rights Movement in the United States).

The infringement of fundamental human rights is intolerable by the democratic nation-states. However, it is argued that a nation state's principles of nationalism may provoke oppressive and discriminatory action towards the fundamental human rights of minority groups.

The transgender community is incredibly diverse. Some trans people identify as trans men or trans women, while others may describe themselves as non-binary, genderqueer, gender non-conforming, agender, bigender or other identities that reflect their personal experience. Some of us take hormones or have surgery as part of our transition, while others may change our pronouns or appearance. Roughly three-quarters of Trans youth that responded to an HRC Foundation and University of Connecticut survey identified with terms other than strictly “boy” or “girl.” This suggests that a larger portion of this generation's youth are identifying somewhere on the broad trans spectrum. Sexual violence refers to any sexual act or attempt to obtain a sexual act, or unwanted sexual comments or acts to traffic, that are directed against a person's sexuality using coercion by anyone, regardless of their relationship to the victim, in any setting, including at home and at work. Rape is the term that is commonly used for the first type of sexual violence mentioned above (forced/coerced intercourse). Rape can be defined as non-consensual sexual penetration, however slight, of any part of the body of the victim with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body. The invasion is committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or committed against a person incapable of giving genuine consent.

SPEAKER'S SESSION

Abu Sayed Mostafa Siraj, Advocate HRLN, Cooch Behar stated a brief description of the work undertaken by HRLN to provide free legal aid to those who do not have access to or are deprived of assistance due to their poor economic condition.

Speaker 1: Bulti Dey Paul, Social Activist, Anjali NGO, Cooch Behar

The speaker discussed her personal experiences in the field of domestic violence, Interdependence between mental health and physical health and how the women are subjected to domestic violence and how it hampers their mental peace and how it degrades their physical health. She described how to deal with the mentally ill person, talk with them and how their organization that is 'Anjali' is helping them in Cooch Behar District of West Bengal. She also discussed about the on family and their mental health and their involvement. How the children are affected as a result of the same. How it affects the future, how it shapes their character. She talked about the necessity of the counselling of the mentally illness person as well as the members of their family as most of the family members don't care about the mentally illness person and at the first stage of illness the family members remain careless about the mental condition of the ill person. She also talked about the female married person who are the distressed in due to several circumstances and what should be the role of the paternal family and matrimonial family to overcome from the illness. She appreciates the approach of HRLN undertaken by the HRLN.

Speaker 2: Uttam Kumar Guha, Disability Rights Activist, Uttar Dinajpur District

The speaker started his discussion mentioning the link between disability rights and mental health. He discussed in detail what is the slight difference between the two and what the difference between mentally ill person (one at home) and mentally ill person (one at the street). He discussed about the condition of the ill person who are living here and there at the street and what should be the duty of physically fit person. He expressed his view that as the mentally ill person or the disabled person cannot help them and as they cannot identify their problem the person living around the them should approach to help them. He talked about How the mentally challenged people are facing challenges in the society and how their identity is being questioned, how they are harassed and how the government is acting on the same. He talked about Talking about equal rights and status and the different schemes and acts introduced and how it has failed to deliver the justice and mentally ill people have an identity and how they are eligible to get the proper remedy, how the mentally retarded and mentally ill people are also in need of employment and how they are devoured of the same because of the retarding and the situation in educational institution in regards to the same.

He quoted about the importance of settling of different communities in different areas for the same. How people who are mentally challenged face domestic violence and how it is growing in number because it is not being reported and the different procedures and privileges granted for the mentally challenged people. He also mentioned how the disabled people are lagging behind in the society because of the lesser representation. He talked about How the HRLN is

aiding people who are mentally disabled/ talking about guardianship of the mentally health, how the decision making a huge impact.

Speaker 3: Rinku Guha Neogi, Social Activist, Anjali NGO, Cooch Behar.

The speaker discussed about the present issues and violation of rights by underlining about sexual violence and mental health issues in the Cooch Behar District where she is working for eight years. She discussed her personal experience about, how the people who are having mental health issues are also highly dependent on the laws, how mental and physical health are different from each other and their importance in present day and How people are getting troubled because of the mental health, how women are facing the atrocities more and how according to surveys, men are also facing the same. How the LGBTQ community is facing the issue because of the dreadful discrimination, how competition with people, family and environment are highly affecting the problem of mental health.

She expressed her regrets that Why people are so negligent about talking about mental health and Domestic violence and how it is creating a major problem in the society and the issue of abuse. How it is happening in family, between people we know and how these issues take a toll on the health of the person. She talked about that during the puberty period, women are also facing the growing issue. How the family, basically Indian families are not open to talking about the same and absence of sex education and proper knowledge about abuse leads to growing misconception and how the term sex is very ignorant to be talked about in the society and why it is still considered a taboo.

She also talked about unmarried sex and live in-relationship in today's time and how it is still being talked about and subjected to issues in the society and why people are getting into a romantic relationship at a young age? She discussed about how the absence of proper love and guidance from family pushes people into taking wrong decision and due to such immature decision, they regret later. She appealed for proper sex education is needed in the society. She also advised and discussed how and where the people can get the assistance in regards to the same.

Speaker 4: Mobina Ali, Advocate, HRLN Kolkata

The speaker discussed about how law of the land and the constitution of India provides remedies to the growing problems of minorities, Sexual Violence, mental health and transgender rights. In her discussion she discussed in detail about constitutional provisions relating to Right to equality, freedom, exploitation, religion, education and cultural rights, constitutional remedies, Freedom to movement, Exploitation, about labour class and she also stated that one Writ Petition has been filed seeking rights of the Beedi Workers. She also talked about educational rights and how it is important to provide education and Constitutional remedies and how one can approach to the court and how giving safe space to the people is important for people suffering from mental health.

In discussing sexual violence, she enlightens the various provisions of POCSO Act 2012 and how this Act providing safeguard to the children and what kind of punishment is provided to the offender. She talked about the Disability act and the responsibility of the government and how government has failed to deliver the promised and also talked about the Importance of setting up of disability tribunal and right to ration, procedure to set up a forum which would help the disabled, in regards to the different disability suffering person she expressed her view that how pandemic has taken a toll on this category of the person and Legal capacity of the disabled person. She discussed about the law for the Acid attack victims and how they are subjected to different problems in the society, how the government is acting on it.

The speaker further discussed about the various provision of law relating to the minority and also mentioned the procedure of the justice system for delay in delivering justice to the victim of discrimination. She also discussed about the provision of the Transgender Act and process to obtain the Id. Card for the transgender.

Speaker 5: Dolly Saha, Activist, Transgender Rights, Cooch Behar

The speaker started her discussion mentioning the transgender and discrimination in the present society. She mentioned How their identity is still considered a taboo, how transgenders are shaped the way it is, how the transgender are humiliated in the family as well as society, how transgenders are facing mental health, what kind of Problem they faced with occupation and job, how there is a hypo critic approach in the society, how they are subjected to sexual abuse in workplaces if by chance they allowed in a job.

She mentioned her knowledge about whenever any transgender person seeks job in a privet sector. She briefly discussed present position of the society after decriminalisation of section 377 of Indian Penal Code. She expressed that as there having no chance of proper job most of the third gender person bound to work as Hijra or placed them with prostitution against their own will. She mentioned How much society is highly responsible for the growing plight of the transgender. She expressed her view and regrets stating that, why irrespective of all the qualification and abilities, they are shamed? How we the people are failing as human because of the treatment they are aiding to the transgender and how the phase is different for people in city and village, how it goes degrading day by day and how the LGBTQ community is tortured in the home as well as outside community.

Speaker 6: Chadni Biswas, Activist, Transgender Rights Cooch Behar.

The speaker started her discussion about the harassment faced by the transgender community in their own home as well as at the society. She discussed how the occupation of transgender is going on and is different in different ages every time. She questioned What are rights, where are the human rights being delivered to them?. She asked for setting up a district board for transgender people in every district and needfor a school which enables admission for transgenders andhome facilities and residential facilities for transgender people. The speaker also speaks for easy and a proper documentation procedure for the transgender.

Speaker 7: Mr. Alok Nag, Church Pastor, Activist Minority Rights, Cooch Behar

The speaker states that the people only prefer the Muslim Minority as in this District very few percent Christian people are living and most are converted and thus facing problem in all the administrative section. There is no proof of any minority section and thus they face discrimination. The administration always asks for certificate and thus there should be certification procedure for Christian community. He expressed about bad condition of graveyard, cremation ground and inclusion of facilities like washroom, proper roads and conveyance issue and place to sit and rest. There is problem of identification in the job vacancy in case of placement.

Speaker 9: Murshid Alam, Activist Minority Rights, Cooch Behar

The speaker discussed the issues relating to Muslim Minority. He expressed that in a society there should be moral obligation to all the community. He mentioned the constitution of India provides for the rights relating to the minorities to profess and propagate religion as they wish but when the minorities try to follow the rules of their religion, they are called fundamentalist.He stated that there is need for respecting law and rules which are to be abided by the people according to the constitution. He asked for setting up a different and separate forum for the minorities. He expressed his own experience about how he was tortured mentally at his work place where he was only worker of Muslim community and due to such torture, he was bound to resigned from the work.

INTERACTIVE SESSION

An interactive session was held with the people present in the meeting. In this interactive session, the participants raised various questions which were answered by the advocates and activists of HRLN. Some of the participants had legal issues and they asked for help and thus they are advised properly for their legal issues.

RECOMMENDATIONS & ACTION PLAN

Pertaining to the discussions that arose in the interactive session, it is recommended that more sensitization workshops should be organized with a focus to the Transgender rights and problem their problem of registration in Cooch Behar. The participants have shown a keen interest and appreciate the approach the undertaking of HRLN and to understand about the various human rights violations in the grass root level in the Cooch Behar District.

Annexure A



Topic - Discussion on Minority Rights, Sexual Violence, Mental Health and its related Laws and Transgender Rights.
Venue - Bipasha Bhawan, Coochbehar
Date - 11/09/2021

SL NO	NAME	MOBILE NO	ORGANIZATION	EMAIL-ID	SIGNATURE
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06	Arpita Pandia	9635234310	Anjali		Arundia
07	Enakshi Mitha (Ghosh Roy)	6295137927	Anjali		Enakshi Mitha (Ghosh Roy)
08	Mihali Guha Neogi	8327403100	Anjali		Anroge
09	Simantika Sarkar	9602733290	Anjali		Sarkar



HUMAN RIGHTS LAW NETWORK

Topic - Discussion on Minority Rights, Sexual Violence, Mental Health and its related Laws and Transgender Rights.

Venue - Bipasha Bhawan, Coochbehar

Date - 11/09/2021

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23	Tamara Das Saha	9593614964			Tamara Das Saha
24	Bhramshi 24 sharma	8164403237			Bhramshi 24 sharma
25	Siddhi Deb Nath	9382797204			Saha
26	Charanmi Biswas	9597466629			Charanmi Biswas
27	Dolly Saha	7908550385			D.S



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31	Rupa Mahato	9735038960			R. mahato
32	Archana Das	9883135259			Archana Das
33	Aditya Choudhury	958976766			Aditya
34	Purnam Karmakar	9002922393			
35	Gopal Saha	9733445231			Gopal
36	Pratima				



HUMAN RIGHTS LAW NETWORK

Topic - Discussion on Minority Rights, Sexual Violence, Mental Health and its related Laws and Transgender Rights.

Venue - Bipasha Bhawan, Coochbehar

Date - 11/09/2021

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43	Surajit Gula Neogi	892849001			Surajit Gula Neogi
44	Pankajita Moitra				Pankajita Moitra
45	ATUL KUMAR				



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SL NO	NAME	MOBILE NO	ORGANIZATION	EMAIL-ID	SIGNATURE
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50					
51					
52					
53					
54					

Annexure B



















