



## Severe beatings by BSF in West Bengal

Case IND 130808

**Torture and ill-treatment/ Risk of impunity**

The International Secretariat of the World Organisation Against Torture (OMCT) requests your URGENT intervention in the following situation in **India**.

### **Brief description of the situation**

The International Secretariat of OMCT has been informed by a reliable source and by Antenna International, a member of OMCT SOS-Torture network, about the severe beatings inflicted upon **Mr. Khalek Seikh**, approximately 34 year old farmer, residing at village-Kaharpara, District Murshidabad, in West Bengal.

According to the information received, on 19 June 2008 at about 10:30pm, Mr. Khalek Seikh was looking after his crops field, located at Mouza-Majhardiar, Village-Kaharpara, when he was allegedly severely beaten by seven Border Security Force (BSF) officials, including BSF constable Mr. Rana and Mr. Biswasbabu, on patrol, hailing from Kaharpara BSF Head Quarter, Battalion no. 90, Company-A. The area surrounding Mr. Khalek Seikh's field is reportedly known to be used by smugglers and, when Mr. Seikh heard that the smugglers would cross his land on that night, risking damaging his harvest, he reportedly headed there.

According to the same information, BSF Mr. Rana and Mr. Biswasbabu along with a BSF inspector (unidentified) suddenly approached Mr. Khalek Seikh. He was then allegedly first hit by BSF Mr. Biswasbabu on his right head side with an iron rod which caused him to fall down. He was then reportedly forced to stand up and was continuously beaten by the present BSF officials with iron rods on both legs and feet until he lost consciousness. BSF allegedly subsequently left the place leaving a severe injured Mr. Seikh. This latter was found and taken first to a local doctor by commuters and villagers and subsequently to Berhampore General Hospital. However his condition reportedly did not improve. He would still be undergoing medical treatment.

It is reported that Mr. Khalek Seikh lodged a written complaint on 7 July 2008 with Murshidabad Police Superintendent for attempt to murder and assault. However, the police have reportedly failed to take any appropriate action into the case.

The International Secretariat of OMCT expresses its deep concern over the severe beatings inflicted upon Mr. Khalek Seikh and the reported lack of investigation thereof. OMCT expresses again its

concern over the human rights situation prevailing in West Bengal, in particular with regard to abuses committed by BSF. OMCT recalls to India that according to article 7 of the International Covenant on Civil and Political Rights (ICCPR) to which it is a State party, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment” and that “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life” as stipulated in article 6 1). OMCT calls on the authorities to order a thorough, independent and impartial investigation into these events, in order to identify those responsible, bring them to trial and apply the penal and/or administrative sanctions as provided by law.

## **Action requested**

Please write to the authorities in India urging them to:

0. Guarantee in all circumstances the physical and psychological integrity of Mr. Khalek Seikh, including access to appropriate medical treatment;
0. Order a thorough and impartial investigation into these events in order to identify all those responsible, bring them to trial and apply the penal and/or administrative sanctions as provided by law;
0. Guarantee that adequate compensation is awarded to the victim;
0. Ensure respect for human rights and fundamental freedoms throughout the country in accordance with national laws and international human rights standard.

## **Addresses**

- Shri Manmohan Singh, Prime Minister of India, Prime Minister's Office, Room number 152, South Block, New Delhi, Fax: + 91 11 2301 6857
- Shri Shivraj Patil, Union Minister of Home Affairs, Ministry of Home Affairs, 104-107 North Block, New Delhi 110 001 India, Fax: +91 11 2309 2979.
- Justice K. G. Balkrishnan, Chief Justice of India, Supreme Court, Tilak Marg, New Delhi -1, Fax: +91 11 233 83792, Email: [supremecourt@nic.in](mailto:supremecourt@nic.in)
- Justice Rajendra Babu, Chairperson, National Human Rights Commission of India, Faridkot House, Copernicus Marg, New Delhi 110 001, Tel: +91 11 230 74448, Fax: +91 11 2334 0016, Email: [chairnhrc@nic.in](mailto:chairnhrc@nic.in)
- Justice Shyamal Kumar Sen, Chairman, West Bengal Human Rights Commission, Bhabani Bhaban, Alipur, Kolkata -27. Phone +91-33-24797727, 24791629, Fax - 24799633, Email: [wbhrc@cal3.vsnl.net.in](mailto:wbhrc@cal3.vsnl.net.in)
- Mr. Gopalkrishna Gandhi, Governor, West Bengal, Raj Bhaban, Kolkata – 62, Phone: +91 33-2200 1641, Fax: +91 33 – 2200 2444 / 2200 1649, [secy-gov-wb@nic.in](mailto:secy-gov-wb@nic.in)
- Ashish Kumar Mitra, Director General, BSF, Block No. 10, CGO Complex, Lodhi Road, New Delhi 110003, Tel.: + 91 11 24362181, +91 11 24360016

- Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations (Geneva), Rue du Valais 9, 1202 Geneva, Tel: +41 22 906 86 86, Fax: +41 22 906 86 96, Email: mission.india@ties.itu.int
- Ambassador, Embassy of India in Brussels, 217 Chaussée de Vleurgat, 1050 Brussels, Belgium, Fax: +32 (0)2 6489638 or +32 (0)2 6451869

Please also write to the embassies of India in your respective country.

Geneva, 13 August 2008

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

L'OMCT a son siège à Genève, en Suisse. Elle coordonne le réseau SOS-Torture composé de 282 organisations régionales et internationales dans 93 pays sur cinq continents.

Contact : [omct@omct.org](mailto:omct@omct.org)