

# ANNUAL REPORT 2022







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# Foreword



Like all the previous years, this year too, we have found a few blinkers of hope in the midst of a looming cloud of despair. This was the 25th year of MASUM. In our experience of these previous years, we have understood one thing as clear as broad daylight. Due to their class, caste, race, color and place of residence, many are subjected to inhumane degree of violence and rights violations. These types of violations have become a tool of the powerful to repress those, who are unheard, unseen and unspoken. Since the beginning of MASUM, our motto has been to speak for the unspoken. We don't know how successfully we have done that; the observers can speak of this better, be it enemy or be it friend.

We are living in a tumultuous time. Whenever we speak out against the vices of the government, for the sake of betterment of 'We, the people', the pillars of power screams at us: "Traitor! Anti-national!". We don't know how speaking up for our fundamental rights can be anti-national in nature, but we will continue to abide by the oath to which we sworn in.

In the previous year, our biggest challenge was to expose the human rights violations along the violent and bloody border between India and Bangladesh. For record, to help the victims to be heard we filed many petitions and cases. Yes, we were not able to see justice delivered in all the cases, but, due to these efforts, it is now a well-accepted word that the Indo-Bangladesh border is one of the most violent borders in the world. At least, the problems of the people residing along the border are not unheard of anymore.

On a disheartening note, the government is yet to acknowledge the de facto "Stateless" situation of these people. The government lazily overlooks, when the security forces torture these villagers in different ways and choke their livelihood. Not only the government, even the judiciary gives a knee-jerk reaction to these issues making the situation much worse.

We are passing through a difficult situation, where protesting against the crimes of the government or its appendages itself is becoming a crime. But we must keep our boat steady and row together against the looming storm. Now more than ever, we must reiterate the preamble of the Indian Constitution, and pledge to protect it against the forces of brutality.

**Kirity Roy**  
Secretary, MASUM



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# Obituary

We have lost some of our fellow human rights activists this year. KP Sasi, ELa Bhat, Pradeep Indulkar all have been continuous allies to the struggle for achieving the goal of justice and equality in India.

**Ranjit Gupta (26.04.1947 – 22.01.2022)** - We are deeply saddened by the unfortunate death of Poet Ranjit Gupta on 22nd January, 2022 at the age of 75. He was a believer of leftist politics since his early days. He was also a social activist and his poems reflected various social issues. He had the ability to hurl robust condemnation against social issues in simple lucid words, which made his poetry the voice of the common people. He will be remembered for his activities on independence of Bengali language. He was closely associated with Poet Biren Chattopadhyay, Poet Samir Roy, litterateur Mihir Acharya and Narayan Chowdhury. He was a regular writer in 'Mati', 'Pratyay' and 'Pratibhash' magazines and was also associated with several other little magazines. His poetical works were published in four different books. MASUM's deepest condolences to his friends, family and loved ones.



**Tarun Majumdar (08.01.1931 - 04.07.2022):** Tarun Majumdar, was a legendary filmmaker who gave a new narrative to the Bengali cinema. Instead of the old and similar plot, through his making he came up with the narratives about social dilemmas, pain and happiness of the common people and other contradictions. Through his simplistic aura he lit up the canvas of Bengali film for a longtime. Especially now, when there is a serious lack of artists who talk about the society and masses through their art, his loss will be reverberated through in our hearts. For nearly six decades he continued his journey in the film industry and perhaps he was the last film maker of realistic tradition in Bengal. He gave gems such as "Palatak", "Jatrik", "Dada Kirti" etc., which will stay alive in the viewer's mind through eternity.



**Ela Bhatt (07.09.1933 - 02.11.2022):** A lawyer by training, Ms. Bhatt became an activist in the late 1960s when she began representing trade union workers who were fighting for fair wages in the budding textile industry in the western Indian state of Gujarat. Mill workers, most of whom were men, were protected by labor laws and enjoyed benefits, but that was often not the case for women, who were paid almost nothing for jobs like transporting bundles of cloth on their heads. Ms. Bhatt expanded her focus to include cigarette rollers, potters, weavers and other workers. Her demise will be felt across the trade union movement in India.



**KP Sasi (14.03.1958 - 25.12.2022):** Acclaimed documentary filmmaker and cartoonist KP Sasi succumbed to prolonged illness and died at the age of 64. He breathed his last in a hospital in Thrissur. K.P Sasi is one of the unsung heroes of the Indian parallel cinema movement. He worked as a cartoonist in his early days. His work consists of a diverse repertoire of feature films and music videos to a plethora of documentaries that touch every aspect of our lives. His films are about social issues and social movements which cover diverse social sectors in India. He has made several documentaries on environmental issues, Adivasi struggles, displacement, and growing attacks on Christians in Orissa. He used to call himself- "...an activist first and then a filmmaker." Known for his incisive analysis, Sasi's works explore the socio-economic contradictions and collision between the commercial interests and the lives of the masses as well as the socio-ecological issues that crop up in the name of 'development'.



# Human Rights Overview 2022

The year of 2022 has been a challenging period for the issue of human rights worldwide. Both in India as well as throughout the world, an ambiance of intolerance and futility is widespread, affecting a huge population to succumb to the lap of adversity. However, hope still sustains, even in a distressed time like this. It is important to look back at the year and analyze the events in order to draw a lesson, which in turn might bring back hope at this distressed time.

## World



The Russian invasion of Ukraine drew attention to Ukrainians fleeing their homeland in search of safety elsewhere. This coverage helped to obscure other countries' humanitarian and refugee crises. Around the globe, 32 million people are currently refugees, having fled their home country due to persecution, conflict, or violence. When the internally displaced (people who have been forced to leave their residences but remain in their home country) are included, the figure rises to more than 100 million. That is 13 million more than the population of

Ireland, Lithuania, and New Zealand combined at the end of 2021. The increase in refugees and internally displaced people is attributed in part to the conflict in Ukraine.

The humanitarian situation in countries such as Syria, Afghanistan, South Sudan, and Yemen remains dire, with no signs of the underlying conflicts being resolved. Syria alone accounts for one-fifth of all refugees worldwide. A surge in gang violence in Haiti has forced thousands of Haitians to flee abroad, sparking speculation about a foreign intervention to restore order. Ethiopia is one potential bright spot heading into 2023. The Ethiopian government and Tigrayan leaders signed a peace agreement in early November, effectively ending a two-year civil conflict that had uprooted over 5.1 million people. Nevertheless, international relief agencies and international humanitarian groups were concerned that Western efforts to assist Ukraine were crowding out funding for other humanitarian crises.



Protests can decimate regimes that have arisen as a result of them. That reality must haunt the leaders of the Islamic Republic of Iran, who will face the most serious challenge to their rule since taking power in 1979 in 2022. The protests started in September, when "morality police" in Tehran arrested Mahsa Amini, a twenty-two-year-old Kurdish-Iranian woman visiting Iran's capital city, for not properly covering her hair. She died while being held by police. When word of her death reached her hometown of Saqqez in northwestern Iran, hundreds gathered to condemn her death and Iran's mistreatment of women. Protests quickly spread throughout the country as Iranians of all social, economic, and ethnic backgrounds marched under the banner "Women, life, freedom!"

Iranian leaders blamed the protests on the US and Israel, despite the fact that the driving force was the government's political repression, corruption, and economic mismanagement. The government



used force to quell the protests. By December, Iranian security forces had killed up to 450 protestors on the streets, and the government had begun publicly executing protestors convicted of crimes against the state in rushed trials. Protesters' persistence in the face of government repression has fueled speculation that Iran is in the early stages of a new revolution. Perhaps. However, the regime has shown no signs of disintegration thus far, and no one has emerged to lead the opposition. If this changes, Iran's theocratic regime may be reduced to ashes.



# Human Rights Overview 2022

## India

This year in May, an historic judgment came from the supreme court putting a blanket stay on the sedition act (124A of IPC). It is to be mentioned that this particular section of the IPC has been used to curb the right to dissent in this country. From Gandhi to many other activists in recent times, have been booked under this colonial act. The blanket stay order on this act is an achievement in India's democratic movement. However, many activists still think that the existence of draconian acts such as UA(P)A is a continued threat to Indian democracy.



In this year, many activists such as Anand Teltumbde, Teesta Setalvad, Sharjeel Imam got bail from fabricated cases. It is definitely good news. But, at the same time many such as Umar Khalid, Vernon Gonzalvez et al are still languishing in jail under false cases. This is disheartening that they have to begin yet another year inside the prison cells.



In March of 2022, a heinous massacre happened in the village of Bogtui in Birbhum district of West Bengal. 10 villagers were burnt alive in the village by miscreants associated with the ruling party. MASUM did a thorough fact finding in the case. The Calcutta High Court handed the investigation to the CBI. But in the penultimate month of the year, the prime witness and accused of the case Lalon Sheikh was found dead in the CBI custody. As there were many hints of possible foul-play, we lodged a complaint to the NHRC, against which NHRC came up with some positive directives in their rebuttal.

Another big incident in the State of West Bengal this year was the SSC scam. Candidates who alleged that they were wrongfully denied jobs even after passing the school service commission examination, while many failed candidates got the job through bribery. CBI was handed the case. Many including the then-education minister of West Bengal were arrested. This case, though sub-judice revealed the deep-rooted scam in the system.



This year, the rapists of Bilkis Bano were set free after a judgment by the Gujarat High Court. This incident was strongly condemned by the activists in India. When the country is undergoing a kind of saffronization from many aspects, this sort of incident sends a chilling message.



More or less, these are a few of the major incidents that have happened in India. Achievements are very few in number. But we have to learn from our failures and continue to take our struggle forward to protect the rule of law and the democracy in India.





# Achievements and Challenges: A brief overview



## Achievements

In this year, the National Human Rights Commission recommended monetary compensation to six victims on the basis of complaints lodged by us. The compensation amount ranged from 40,000 INR to 3, 75,000 INR. However despite the recommendation of the NHRC to provide the monetary compensation to the victims, four out of six have received the full amount till now. Following is the detailed list of the recommendations made by the NHRC.

Name of the victim	District	Case	Compensation	Date of order for compensation	Compensation received ?
Md. Samsul Haque	Cooch Behar	Medical negligence	INR 40 thousand and a 2-BHK flat	26-May-22	Yes
Rabiul Gazi	North 24 Parganas	Torture by BSF personnel	INR 2 Lakh	01-Jul-22	No
Sabana Gazi	North 24 Parganas	Torture by BSF personnel	INR 2 Lakh	01-Jul-22	No
Abdus Samad	Murshidabad	Extra-judicial execution	INR 2 Lakh	29-Jul-22	Yes
Mihilal Mondal	Murshidabad	Extra-judicial execution	INR 2 Lakh	27-Sep-22	Yes
Shatabdi Dutta	Murshidabad	Medical negligence	3 lakhs 75 thousand	29-Nov-21	Yes

- Due to our constant intervention one trafficked victim Nalini Sarkar (name changed), a 16 years old girl of North 24 Parganas district was rescued from Nadia district and sent to Governmental home in Madhyamgram on 29.03.2022 from where she was handed over to his family on 01.04.2022. Taslima Begum, ICDS Worker of Daharkanda village in North 24 Parganas district and victim of BSF Torture lost her job due to false NDPS case against her. After acquittal by Special Judges Court, Barasat she applied several times to her department for re-joining in the ICDS Centre but failed. Due to our intervention finally on 10.08.2022 she got her job back.
- Due to our constant intervention BSF Personnel attached with Ghonapara Border Out Post, 162 Battalion, 'B' Company placed themselves at zero point near the International Border Piller number 199 instead of posting inside Krishnapur village under Tufanganj block in Cooch Behar district.
- Due to our constant intervention, the district administration of North Dinajpur district stopped imposing section 144 Cr. P.C. just on the basis of appeals made by the BSF Personnel attached with Mahishagaon Border Out Post, 72 Battalion, 'E' Company at the Mahishagaon , Paharpur, and Koiladangi village and CPWD road in Raiganj sub division of North Dinajpur district. Our activities in various districts of West Bengal have had a strong impact on the different line departments of the government that consequently facilitated several marginalized villagers with their rightful demands.
- On 20.10.2022 bordering populace under Raiganj Sub Division conducted one mass deputation before the Sub Divisional Officer, Raiganj for restrictions imposed by the BSF personnel upon their lives and livelihood. Following the mass deputation on 05.11.2022 Sub Divisional Officer, Raiganj visited various bordering villages and witnessed the situation of the bordering villagers.
- After lodging several complaints to NHRC and various line departments for imposing restriction by BSF upon the regular livelihood activities of the villagers, BSF personnel attached with Mahisagaon Border Out Post, Santora Border Out Post and Bahor Border Out Post conducted meeting with the villagers and tried to solve out the problem through verbal interaction.



- After lodging our complaint against BSF personnel attached with 175 Battalion, 'D' Company posted at Chainagar Border Out Post for unlawful restrictions on agricultural activities of the poor marginalized villagers of Chainagar under Hemtabad Block in the district of North Dinajpur, the District Magistrate of North Dinajpur directed the Block Development Officer, Hemtabad to resolve the matter after discussion with villagers. Following the order of the District Magistrate, Block Development Officer, Hemtabad called the villagers, the Commanding Officer of 175 Battalion, the Joint BDO and other officials to sort out the issue herein above.
- Residents of the Tufanganj block of Cooch Behar sat in protest in front of the Ghonapara BSF BOP under the banner of Amra Simantabasi against BSF curbs on farming corn and jute crops near the Indo-Bangladesh border on 17.05.2022. The issue surrounding the blockage deals with the apathetic destruction of crops by the BSF, grown in the bordering areas of India Bangladesh. The blockade was lifted after the BDO, Tufanganj I block assured the protesting farmers that the crops grown by them would not be destroyed. Following the protest BDO, Tufanganj I block conducted one meeting with the bordering villagers, OC, Tufanganj Police Station and BSF personnel of Ghonapara BOP and after that in some areas there are no restriction in cultivation of jute or maize.
- After our regular intervention BSF personnel attached with Purba Chamta Border Out Post opened the fencing gate in need of the bordering villagers in the village of Koimari under Sitai Block in the district of Cooch Behar.
- On 02.09.2022 MASUM had a meeting with Mr. Devendra Kumar Sing, Secretary General, NHRC and Mr. Surajit Dey, Registrar (Law), NHRC at NHRC office, New Delhi. Mr. Kirity Roy put forward several issues that MASUM has been facing in the field of human rights activities and troublesome and risked condition of Human Rights Defenders in the State of West Bengal. He had also a thorough discussion regarding several problems that were being faced on account of the NHRC. Mr. Sing and the Registrar said that they will consider all the issues discussed in the meeting and take necessary actions.

## Challenges



- Our work in the district of Murshidabad is suffering due to organizational and circumstantial difficulties. The HRD's working in Murshidabad face severe threats and harassments from the administration as a result of which it is difficult to find stable ground while conducting field research.
- NHRC seems to be wearing blinders as the reports issued by the BSF and Police officials are being relied on and cases are being closed on the mere basis of their reports. About 50 of such cases have been closed in this year. In many instances it has been noticed that the stories are fabricated and are not full proof yet the Commission doesn't put sufficient pressure on these bodies to reveal the truth.
- There are various cases where NHRC disposed off the case to the concerned authorities and directed to take proper action within four or eight weeks. But in most of the cases the concerned authorities did not take any action for proper disposal of the problems. We lodged complaint to the concerned authorities regarding those cases but no reply was communicated from their side.
- Prolonged trials in various courts are discouraging victims to continue fighting to achieve justice through legal mechanism.
- The NHRC disposes many cases off to other concerned authorities for taking any action but in most cases these authorities does not even acknowledges the receipt of the same.
- Today Human Rights Defenders are still at a constant peril that hinders them from functioning properly and committing to their duty to stop human rights violation. Human Rights Defenders of MASUM constantly face threats on their life and liberty because of the work they do. While raising voice against the state atrocities, they are often implicated in false charges by the State authorities. Presently several false and fabricated cases which were lodged by the different district administrative officials upon Mr. Kirity Roy are pending in various district and sub divisional courts. Dinhata PS case no. 259/2018 u/s 341/186/353/342/506/34 IPC; Chapra Police Station case no. 31/2019 u/s 186/323/500//509/34 IPC; Jalangi PS case no. 95/2019 u/s 341/120A/186/189/504/505(1) of IPC; Raninagar Police Station case number 364/2013 u/s 109 IPC and 12 of Indian Pass Port Act and Domkol Police Station case number 1243/2014 under section 323/308/341 of IPC are pending till date.





**A child labourer from border carrying maize leaves**



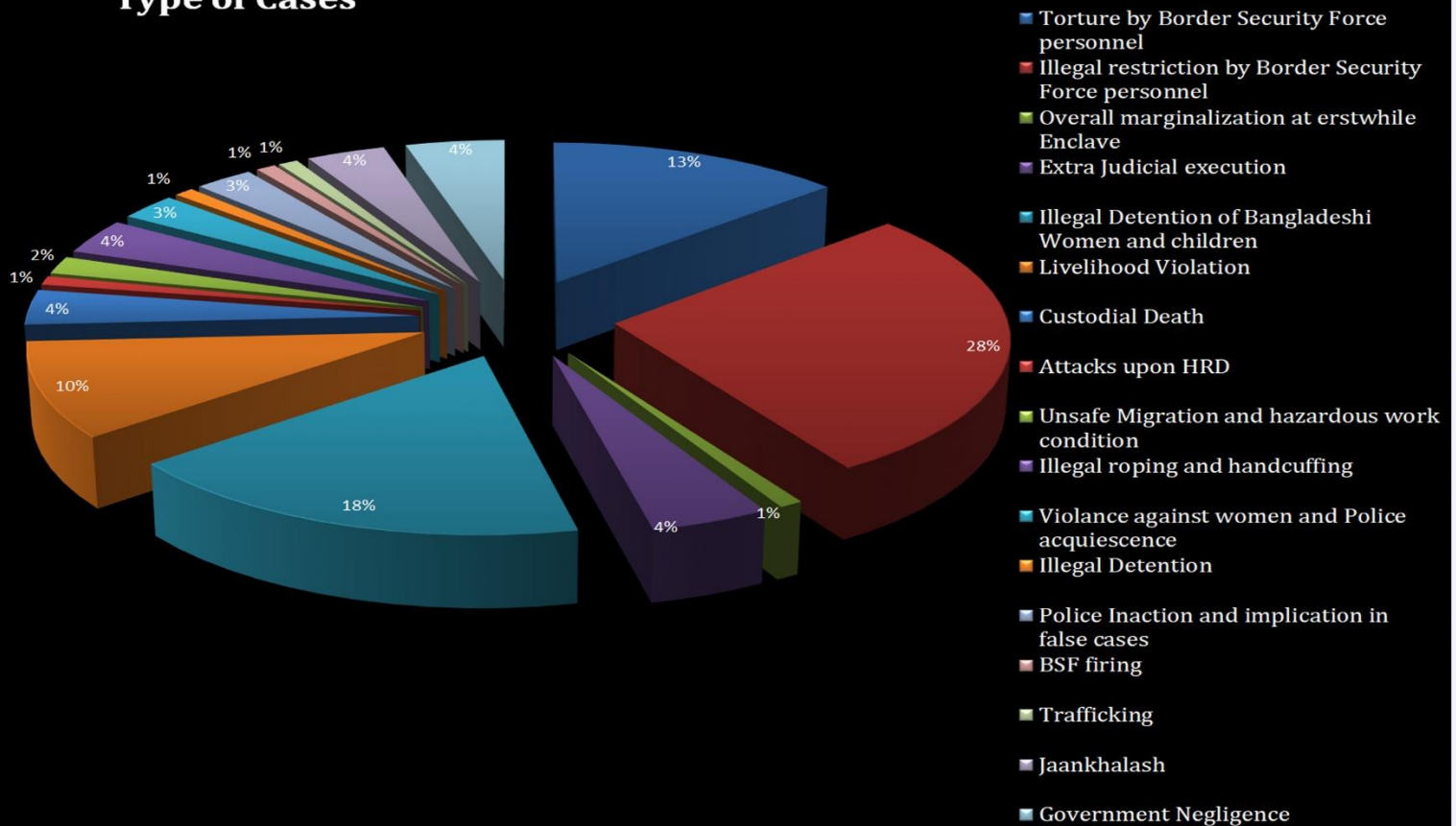


**A victim deposing her statement before the bench at the Social Audit**



# Annual Complaint Review 2022

## Type of Cases

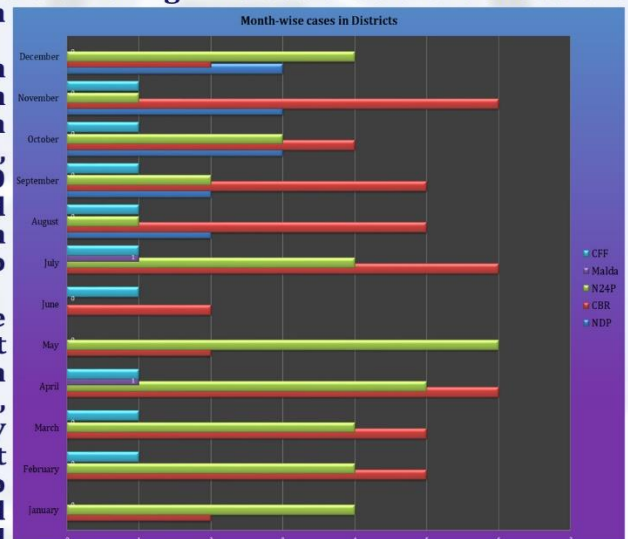


● MASUM lodged 112 fresh complaints in 2022 with the National Human Rights Commission on seventeen different types of cases where human rights were violated. Most of the complaints sent by MASUM during this time is on the Illegal restriction by Border Security Force personnel, which was 28%, followed by 18% cases on Illegal Detention of Bangladeshi Women and children and 13% on Torture by Border Security Force personnel. 10% of the complaints were made on cases of livelihood violation and 4% each on extra-judicial killings, custodial deaths, 'jaankhalash', illegal roping and handcuffing and government negligence. 3% on Violence against women or sexual harassment and police inaction and implication in false cases. 2% on unsafe migration and 1% each on overall marginalization at erstwhile Enclaves, attack upon human rights defenders, illegal detention, firing by Border Security Force personnel and trafficking. The attached chart shows the percentage on the types of cases MASUM has been working with since January 2022 to December 2022.

● Since January up till December 2022, MASUM was quite regular in lodging complaints to the National Human rights Commission every month. MASUM lodged 13 complaints in April, 2022 which is the highest number of complaints lodged in any month, followed by 12 in July and 11 in October and November, 2022. 10 complaints were made each in the months of February, March and September and 9 each in August and December, 2022. On an average more than 9 cases were lodged per month during 2022 to the National Human rights Commission by MASUM.

● The NHRC further seek MASUM's opinion on the basis of the report provided by police and district administration and direct the government accordingly to initiate independent investigation or provide monetary compensation to the victims. During 2022, MASUM sent 23 such replies to the NHRC providing necessary information on the victims, MASUM works with. MASUM also sent 14 updated information on the complaints previously lodged to the NHRC during 2022, 42 protest letters to the concerned authorities, where they have closed a case or sent over dated summons to our victims. During this year, we communicated with the NHRC in 281 cases.

● Our work in this year has been supported by the United Nations Voluntary Fund for Victims of Torture (UNVFVT). Through this project we have provided medical, psychological, legal and social support to the victims of torture as well as family members of extra-judicial execution and enforced disappearance.

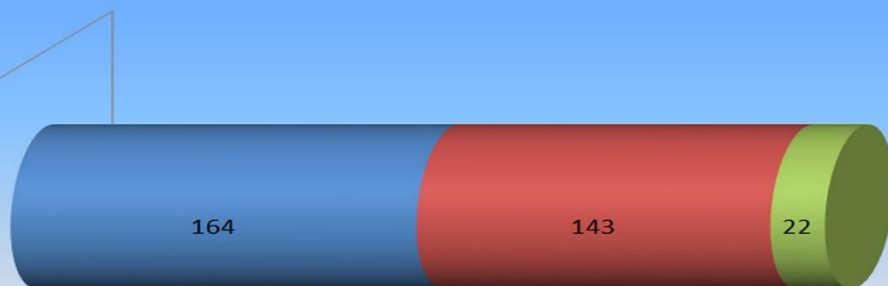




## Annual Complaint Review 2022

**Demographic representation of victims**

■ Male ■ Female ■ Minor



**Social representation of Victims**

■ Muslim ■ Hindu ■ Hindu (Scheduled Caste)



The victims MASUM works with have suffered from various forms of torture like extra - judicial killing, custodial deaths, torture by the Border Security Force and Police, other livelihood issues like restriction on livelihood, government negligence and problems of erstwhile enclave dwellers. In 2022 MASUM lodged 112 complaints to the National Human rights Commission in order to support 329 individual victims, who's rights were violated from various issues. Several other victims from collective issues like erstwhile enclave dwellers, victims who suffered from illegal restrictions by BSF personnel, victims of livelihood violation, government negligence and many more were also supported through these complaints made by MASUM.

Here is a demographic chart representing the male, female and minor victims supported by MASUM on the basis of complaints lodged month wise. A total number of 57 individual victims were supported by MASUM's complaints during November, 2022, which is the highest number of victims supported by MASUM in any month during this year followed by 43 victims in March and 41 victims in February, 2022. In 2022, 164 among the victims were male victims, 143 of them were female victims and 22 victims were minor. The study showcases how the different victims, men, women or minor, were supported by MASUM through complaints lodged for them to the National Human rights Commission.

Another study on the victims shows their social classification on the basis of caste and religion, where most of the victims, constituting around 77% of the total victims MASUM works with belong to the minority Muslim community followed by 22% victims from the Hindu Scheduled Caste community and 5% of the total victims are from other community including Hindu General. The attached bar graph shows a month wise picture of social representation of the victims, whom MASUM supported during this period.

Month	Total Cases	Total number of Victims	Month	Male	Female	Minor	Month	Hindu	Muslim	Hindu (SC)
January	6	16	January	4	11	1	January	0	13	3
February	10	41	February	19	22	0	February	0	41	0
March	10	43	March	17	26	0	March	6	32	5
April	13	39	April	21	18	0	April	1	38	0
May	8	27	May	8	19	0	May	1	22	4
June	3	13	June	6	7	0	June	0	13	0
July	12	35	July	7	15	13	July	0	31	4
August	9	14	August	6	6	2	August	0	13	1
September	10	11	September	4	3	4	September	0	10	1
October	11	22	October	16	6	0	October	0	16	6
November	11	57	November	50	7	0	November	0	12	45
December	6	11	December	6	3	2	December	8	3	0
<b>Total</b>	<b>109</b>	<b>329</b>	<b>Total</b>	<b>164</b>	<b>143</b>	<b>22</b>	<b>Total</b>	<b>16</b>	<b>244</b>	<b>69</b>



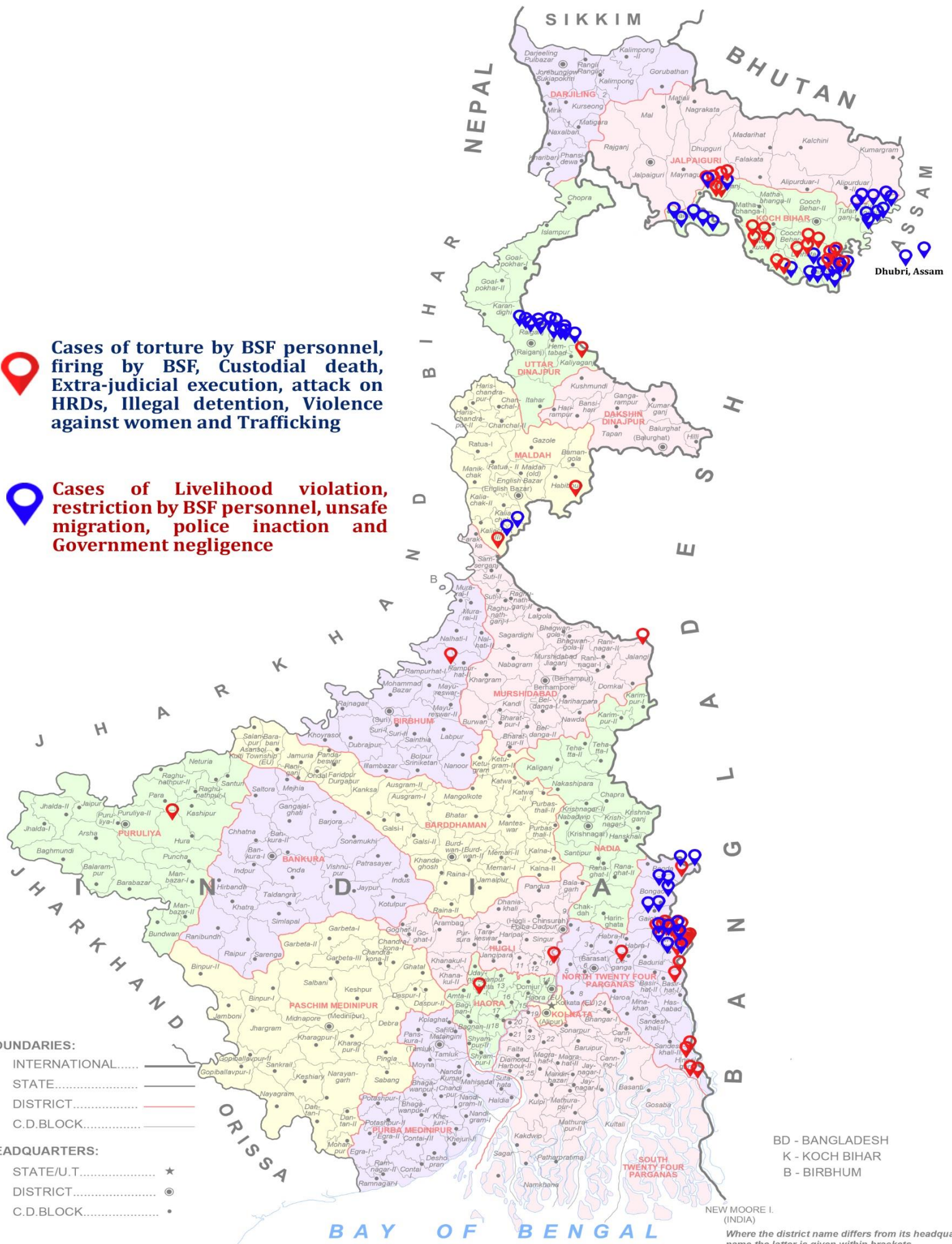
# Mapping of Human Rights violation cases undertaken by MASUM



**Cases of torture by BSF personnel, firing by BSF, Custodial death, Extra-judicial execution, attack on HRDs, Illegal detention, Violence against women and Trafficking**



**Cases of Livelihood violation, restriction by BSF personnel, unsafe migration, police inaction and Government negligence**





# Complaints sent to the NHRC in 2022

## Torture by BSF



In 2022, we found 15 instances of torture by the BSF personnel along the Indo Bangladesh border. The highest number of cases were contributed by the district of North 24 Parganas, which stood at 7, followed by Cooch Behar with 5 cases, Murshidabad with 2 cases and Malda with one case. Among these cases 9 of the victims were women, while 14 were from the Muslim community. In most of these cases the BSF personnel had an extraordinary degree of impunity, as they got away with ease instead of being held accountable by law enforcement departments. Based on our complaint, NHRC registered these cases as cases of human rights violation. A few examples from the cases will help us to understand the gravity of the situation.

Mahitan Bibi, resident of Gitaldah, Cooch Behar was a victim of torture by the BSF personnel. She was arbitrarily questioned and was beaten up by one Rajnath Singh and two other BSF personnel. Her ordeal continued as she was forcibly stripped by the personnel. The gruesome torture continued till she lost her consciousness. In the aftermath of the incident, she went to lodge a complaint at the

Sitalkuchi PS. But the police didn't register any case against the perpetrator BSF personnel. In another such incident, Serina Bibi, a woman from the marginalized minority community was tortured and harassed by BSF personnel, including two female BSF constables, in the pretext of searching. This incident happened at Hakimpur village of Swarupnagar block in North 24 Parganas. The perpetrator personnel were attached to Bithari BOP. Just like the case of Mahitan Bibi, in this case too, police inaction was evident.



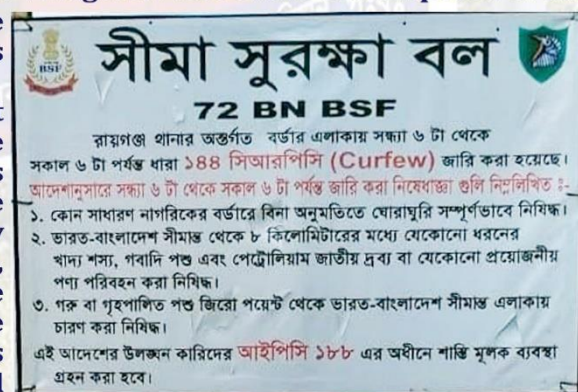
## Illegal restriction by Border Security Force personnel



During our fact finding it was revealed that the BSF personnel are putting up arbitrary restrictions on the villagers living in the Indo-Bangladesh border villages. We have found out 31 such cases during the span of 2022. The situation of Cooch Behar on this issue is worse where the number of cases stood at 15. In North 24 Parganas, North Dinajpur and Malda we found 9, 6 & 1 cases of restrictions respectively. Most of these cases were related to not opening the fencing gate at proper time, not letting the farmers to carry fertilizers, not letting the farmers cultivate jute, Maize or any other crops of height 3 feet or more. We have filed particular complaints to NHRC in this regard on behalf of the villagers. Most of the BSF disposed of the

cases by asking action from the concerned authorities. It is to be mentioned here that due to our continuous effort in a few Villages these sorts of restrictions were lifted.

In Mahishagaon after our complaint in October the district administration and the BSF came together to put forth some positive steps regarding these issues. Especially now the villagers can access their lands beyond the fence for twelve hours during the day. Indefinite application of CrPC 144 too has been lifted in many villages along the border. This is definitely a positive outcome. But, in multiple other areas the administration is yet to get to it. In the last month of the year too, we found cases of restrictions across the districts. Another point we need to mention is that, nobody has received any compensation for the losses due to the said restrictions.





## Livelihood Violation

Livelihood violations are a common problem in the border villages of the Indo-Bangladesh border. In the name of reducing smuggling and illegal trespassing the BSF personnel posted at the border outposts put up arbitrary restrictions on the villagers. In 2022, we noticed 10 cases of illegal restrictions. Out of which 7 cases were from Cooch Behar, 2 cases from North 24 Parganas and 1 case from North Dinajpur. This type of violation is multifaceted in nature. In some cases, we found the victim was not let into their farmland for agricultural activities. In other cases, we found that the villagers were lacking basic amenities such as electricity etc. Let us discuss a bit about two such cases for a proper reflection.



In Sutia of North 24 Parganas, the BSF posted at the border outpost were found to be illegallly trespassing and occupying the lands for construction of a proposed border fencing. If constructed, the border fence will stop the villagers from accessing their farmlands, markets, and other essential places. This means that the villagers will lose their livelihood and their natural way of life. We reported this violation to NHRC, after registering the case NHRC disposed of the case to the concerned authority.

In another case related to livelihood violation, we found that the plot with jute cultivation of a farmer named Abdul Chattar was ruined allegedly by BSF personnel attached to the Ghonapara BOP in the night. This incurred a loss of Rs. 5000 to the poor farmer. The complaint regarding this incident was registered by NHRC. The NHRC asked for actions to be taken by the concerned authority and called for the report within four weeks. No such communication was received.

## Extra Judicial Execution

Extra Judicial Executions (EJE) is quite random by the patrolling BSF persons at the Indo-Bangladesh border; even the bipartite agreement between India and Bangladesh was not able to deter it. We found five cases of EJE in the year 2022. Out



of these five cases four were found in the district of Cooch Behar and one was found in Murshidabad.

To begin with we found a case of a poor marginalized youth Bikash Debnath from Uttar Chamta village in Coochbehar, who was killed due to continuous torture for three hours by BSF personnel. Later his body was recovered within the territory of Bangladesh. The case of Serajul Haque from Cooch Behar showed the same trigger-happy nature of the Border Security Force. In this case the body was found two days after the victim went missing. In all these cases the version of BSF was that the victims were associated with smuggling activities and they were killed in self-defense of the BSF. Now the question is that the BSF is a trained law enforcement force with sophisticated weapons. The victims on the other side are common villagers who may or may not be associated with smuggling or trespassing. Then, why instead of arresting them and presenting them before court of law the BSF is hell bent on killing them? Like all the previous years, this year too, this particular question was reverberated through the instances we found.



## Attacks upon Human Rights Defender

Freedom of expression was violated by BSF on Monnaf Ali, a Muslim resident of Coochbehar, over a poster that he pasted on a wall to express his view on a particular matter. The poster notified the anguish of border people on the increase of the BSF jurisdiction area to 50 kilometers. Seeing the poster, the BSF personnel intruded on his personal property and threatened him with dire consequences. Munaf Ali reported to the Superintendent of Police, Cooch Behar, and Sahibganj police station. Unfortunately, to date, the police authority did not take steps based on the complaints.



## Illegal Detention of Bangladeshi Women and children



Marginalized Bangladeshi people who are mostly trafficked or come to India in search of livelihood are often treated as criminals and arrested under section 14 and 14C Foreigners Act and detained illegally without verifying the actual reason. MASUM has lodged total 32 complaints in the year 2021 regarding this issue. Bangladeshi nationals enter India for the purpose of working in India as they are terribly poverty-stricken people with no jobs in Bangladesh. Most of them work as domestic help, construction worker and hotel workers in various locations of India. The victims are either trying to enter India through the border or return to their homes in

Bangladesh with the help of local touts, involved in cross border illegal movements in both sides of the border, when they were arrested by the BSF or police personnel. All total 237 Bangladeshi women and 45 children were arrested in 2021 and treated as accused under the Foreigners Act and no attempts have been made by the police or the concerned court to ascertain whether they were the victims of human trafficking or not.

## Overall Marginalization of Erstwhile Enclaves

We documented four incidents of marginalization of erstwhile enclave dwellers. The four incidents were regarding the dwellers of the erstwhile enclaves in Cooch Behar district — Purba Mashaldanga, 22 Kuchilbari, Jot Nijama and Batrigach fragment. Even after the implementation of the Land Boundary Agreement 2015, the erstwhile enclave dwellers do not enjoy basic rights related to citizenship, land title, healthcare, education, public infrastructure and social security schemes. Clean drinking water and sanitation facilities are also not available in these erstwhile enclaves. The roads are dilapidated and in poor conditions and some of the enclaves do not have electricity as well.

## Livelihood Violation

Altaf Hossain, primarily a migrant labourer, worked in various states of India for most of the year. During the span of his stay in his home in Sukarurkuthi village of Cooch Behar, he worked for his own business of stocking paddy and processing rice. He buys raw paddy from the market and processes it in rice mills and then sells in the market. This business is legal and he has a license for the same. He sent 3590 kilograms of paddy to the Alokjhari Rice Mill for processing, in a rented vehicle. The driver of the said vehicle, Mr. Meher Ali was taking the vehicle through the Dinhata Krishi Mandi at around 4:00 pm, when the SDO Dinhata confiscated the vehicle along with the paddy. As soon as, Mr. Altaf Hossain was informed he rushed to the spot along with Mr. Nur Alam, the elected member of Cooch Behar Zilla Parishad. But the SDO Dinhata ordered the unloading of the vehicle in the Krishi Mandi and released the vehicle. He informed Mr. Hossain that his paddy will be returned after a few days, but didn't issue a seizure list for the same. MASUM lodged a complaint to the NHRC in this regard.

## Government Negligence

During the year of 2021, we documented two incidents where jobs under MGNREGA were not provided to villagers. The villagers are extremely poor and face many restrictions by the BSF while practicing agriculture, which is often their only source of livelihood. During the pandemic, it was especially difficult for people to find work since they could not migrate to other places. Apart from this, we documented one incident where caste certificates were not provided to villagers and three incidents where proper road and irrigation facilities were not provided to the villagers. In Sapiyar Rehman's case, his land was forcibly acquired by the BSF for construction of barbed wire fencing but no compensation was paid for the acquisition. When protested, the BSF continuously threatened to implicate him in false. He lodged complaint to the concerned administration authority but no action has been taken till date. In another instance, during the pandemic lockdown, 13 migrant workers were stuck at work in Tamil Nadu and no efforts were being made to bring them back to their families. We lodged a complaint and urged the concerned authorities to take necessary steps to bring them back to home.





## Unsafe Migration and hazardous work conditions

The prevalence of unsafe migration under hazardous work conditions has increased by many folds in recent times. Due to continuous restrictions imposed by the BSF, the people residing at the Indo-Bangladesh border villages, are forced to search for their livelihood elsewhere. Thus, these people take up migration at perils of hazardous work conditions. We found that many of these workers are minors, still working as workers in other states under inhuman conditions in violation to the International Conventions about child rights and other human rights covenants and declarations.



Among the cases we found, we will take a brief look at one case of the villagers of Poriyal. In this case, we found that the villagers migrated to other States in search of job opportunities as their home base was under severe lack of development. We found that, in these migrations, restrictions and threat from the BSF work as a push factor most of the time. While, the other factor can usually be associated with government apathy in economic development of the border region. Due to these factors, the villagers undertake migration to Kerala, Tamil Nadu, Mumbai etc. in search of livelihood. In this case we found that the local authorities don't have any kind of records about the people undertaking migration. It is strictly in violation to the guidelines mentioned in the ISMW Act. At the workplaces too, they don't get any security of any sort.

## Violence against women and Police acquiescence



Total three cases were registered by MASUM in 2022 related to violence against women.

Nanlini Sarker (name changed) a school student of Asharu village who was missing since 30th of January, 2022 from her aunt's house and it had been reported to Bagda police station by her father. Eventually the police were inactive rather than accusing the father who sold her daughter. The accused are relatives of the girl seen in the area where the trafficking happened. Knowing the facts, police did not take any action pertaining to this case except registering the FIR. Over an incident of inaction of the concerned police personnel on the alleged incident where perpetrators made obscene videos of

of a young girl and spread it to the public through social media. The family members of the victim girl lodged several complaints to the police station but till date the perpetrators of this heinous crime were not arrested. A complaint lodged to the Serampore police station where perpetrators were being called over their circulating obscene video, they promised not to commit further wrong doing to the girl. Again, the preparators intentionally circulating obscene video of Afsana Khatun while there is a rift with her in-laws. The lady again lodged a complaint to the Sheoraphuli police station but no movement from them since 11th June .2022. On 25.08.2022 a shocking and disgusting incident committed by two BSF persons on duty of Jeetpur Border Out Post raped an Indian Muslim woman Ms. Halima Bibi (name changed). She was on her way to meet her in-laws at Bangladesh, trespassing illegally, where the two BSF persons caught her at the border and one of them raped her. The complaint lodged an FIR to the Bagdah Police Station on the next day. While during the investigation BSF intentionally took the victim to the place of incident is it to tamper the proof? In the FIR, items belonging to the victim were not properly noted by the police officer, the BSF authority informed the police about the incident more than 24 hours after the medical examination took place. MASUM while doing the fact-finding observed several anomalies in reporting of the incident by the BSF and the version recorded by the police.

## Police Inaction and implication in false cases

In the state of West Bengal, police inaction, coercion and nexus with perpetrators is a regular feature and the concerned police persons were mute and inactive while working hand in hand with the ruling party. Among the cases of police inaction, the major three incidents occurred in 2022 which MASUM documented. Amon Khatun (name changed) raped by two local persons in which the Swarnnagar Police Station intentionally inactive and delayed the process while having the nexus with the perpetrators. Police motives were clearly indicative of inaction like initially not registering the case, officer in charge not meeting the victims, statement of the victims not being recorded and no written statement issued to the victims to appear before them. It helped the perpetrators to roam freely while anxiety loomed on the victim and her family. In the murder case of Pritilata Halder, the accused BSF person bribed the police to cover up the case while being inactive so he can scott free. The FIR police registered, intentionally omitted the section 376 IPC which is very fit for this case. The most notable incident of police inaction on the murder of ten people at Bogtui. These people were burnt alive by a local leader and his associates of the ruling party to avenge the killing of their leader. Police persons were present at a stone throw distance when the incident took place. The case proves the collapse of the criminal justice system and the entrenched impunity for the perpetrators of the crime in West Bengal.





## Pump-gun Firing by BSF

A migrant worker Faruk Abdulla was shot with a pellet pump-gun at close range by a BSF patrolling person while he was near the border fence gate on the night of 17th August, 2022, for cattle smuggling. Our fact-finding revealed that the victim suffered multiple pellet injuries in his eyes, face, cheeks and forehead and was brought to a hospital in Cooch Behar. Due to the firing, Faruk lost his vision. His wife Jarifa Bibi lodged a written complaint about the incident to the Superintendent of Police, Cooch Behar district but to date no action was taken. Faruk is the sole earning member of his family and the act of losing his vision is a financial stretch for the family to survive. The incident entails a clear violation of Article 14 and 21 of the Constitution of India. The district police administration of Cooch Behar has violated the provision of section 154 of the Code of Criminal Procedure and the Supreme Court Guidelines in the Lalita Kumari Judgment (AIR 2014 SC 187) which makes it mandatory for them to lodge a FIR in cases of cognizable offenses. Such incidents of pellet firing are random at the Indo-Bangladesh border, where the BSF despite international dissent on the use of pelletguns, are using it as an attacking tool. However the state and the union govts. are silent on this.



## Indians detained in Bangladeshi prison (Jaankhalash)



Six Indian nationals are still being imprisoned in Bangladesh, whereas their release date is over and the Indian administration took no initiative to bring the unfortunate. The five Indians are Md. Jalil Miya, Mr. Nurujaman, Md. Taiyab, Md. Saha Alam, Md. Harech Ali Babu and Md. Jahangir Alam, all are from Dhubri of Assam who are in the prison of Bangladesh. Nearly 2 to 15 months have passed still they are behind the bars as 'Jaan Khalas' in the prison. During the fact finding and documentation of these people, MASUM noticed that they already completed their jail term in relation to unauthorized trespassing to Bangladesh. We reported these incidents to the NHRC. Corss-border movements for livelihood from both India and Bangladesh is very common. However, our govt. believes that only Bangladeshi people are intruding into India territory. Our research leads us to believe that in several Bangladeshi prison, Indian nationals are being detained even after their terms are over.

## Illegal detention

Three Rohigyaa persons who were illegally detained by Mekhliganj police and by the order of Mekhliganj Chief Judicial Magistrate, were sent to the judicial custody at Jalpaiguri Central Correctional Home. The Rohingyas arrested were 2 adults and one child of 11 years. The child was detained in the police lock up and later sent to the Jalpaiguri Central Correctional Home. The prosecution was registered against them on the allegation that they entered into India without any valid document but the enforcement had not taken into account the current status of Rohingya people in Myanmar. Even the law enforcement agency and judiciary did not consider the 2 persons having UNHCR card, the Ministry of Home Affairs has knowledge on it, which means they need international protection. Anomaly arises of the intention of the police when the two persons need international protection but why put them in jail. The prosecution in Mekhliganj treats them as offenders and the judiciary sends them to the Correctional Homes which is defying the Criminal Justice Administration. This process runs in a continuous way and it is the systemic failure of the criminal justice system.

## Government Negligence



Negligence by government officials and BSF authority at the local area, bring distress to the people of Purba and Dakshin Mosaldanga. A case of fraud and cheating by government officials was noticed by MASUM during the fact-finding. Two erstwhile enclave dwellers, for the benefit of the locality, allowed to construct Anganwadi at their land in return to a job to their one family member. These promises were made with the knowledge of BDO, SDO, DM, and the Child Development Project Officer (CDPO) for Anganwadi without acquiring under the Land Acquisition Act, of 1894. The person who got the job, did not receive a salary for the last 5 years. Several complaints were made but no action yet to resolve the issue.

The situation is worse for 246 people of 58 families who were erstwhile enclave dwellers now Indian citizens migrated from erstwhile Indian enclaves in Bangladesh. The state government facilitated them with to stay in a permanent accommodation at Dinhata, that too is little for them as all are having large families. To accommodate themselves some members from each family are now staying in a shack-like structure made with plastic in the open field adjacent to their permanent quarters and the situation worsens in rain and winter. The cases MASUM documented are clear signs of deliberate negligence and lack of accountability of the government officials.



## Overall marginalization at erstwhile enclaves



We documented one incident of marginalization of erstwhile enclave dwellers of Dakshin Mashaldanga in the Cooch Behar district. Though the enclaves have been integrated to the mainland through the Land Border Agreement between India and Bangladesh in 2015, we have found that even after six years the residents of erstwhile enclaves lack very basic facilities such as water and food security, education, health services etc. A case of fraud is noticed at Dakshin Mashaldanga where Mr. Siraj Ali Khan, donated his land for Anganwadi construction in lieu of a job of her wife Mrs. Fuljan Bibi as 'Sahayika' at the center. It was built on the 3-decimal land of Mr. Khan but without acquiring it under the Land Acquisition Act, of 1894, with the knowledge of BDO, SDO, DM, and the Child Development Project Officer (CDPO). For the past five years,

Mrs. Fuljan Bibi has not received a salary while working at the center. This issue had been brought to the notice of the SDO, BDO, and DM, and so far no response was given to him. Clearly, we can see a general apathy from the administration about any move towards the betterment of the erstwhile enclave dwellers.

## Trafficking



In the month of July 2022, a case of trafficking documented by MASUM happened with a teenager named Amina Khatun (name changed), who migrated with her husband and in-laws to Delhi. During the stay in Delhi, suddenly communication snapped with Osman Ali, her father and he sensed something wrong. Upon enquiring it had been found that her in-laws sold her. It was reported by the girls' father when he was not able to contact her and the husband did not respond on her whereabouts. Sensing the anomaly, the father reported to the local police station which did not act on the complaint.

had to go for imprisonment in Kurigram District Jail for a period of 20 days. His conviction period ended on 19.03.2021 but he was not released and repatriated to his homeland in India. Joint Secretary, Home Ministry, Later he contacted the SP of Cooch Behar on the issue for a speedy recovery of his daughter. This is a gross violation of Article 23(1) which prohibits trafficking of human beings and forced labor. The accused should be charged under sections of Immoral Trafficking Prevention Act (ITPA). The incident reflects that in West Bengal transparency of criminal justice is in a grim situation.







**Migrant workers from West Bengal borders  
working for a wedding event in Jaipur, Rajasthan**





**Citizens residing in India for the last 80 years  
classified as non-citizen due to NRC in Nellie, Assam**



## **Unceasing imposition of Section 144 Cr.P.C. at the Indo-Bangladesh border: A threat to life and livelihood for the dwellers**

The villages of West Bengal near the Indo-Bangladesh border have been a site to countless illegal restrictions and livelihood violations. This border is guarded by BSF, which has made its name for notoriety. The villagers are sustaining major trouble at the border areas due to the arbitrary restrictions by the Border security force.

The Indo-Bangladesh Border runs through a fertile and geographically inseparable territory. The



villagers living in these villages meet their ends from agricultural activities. Usually, the fertile land can be used for the cultivation of profitable crops such as jute, maize, paddy etc. But the villagers cannot reap much fruit of their labor. A few factors lead to this crisis of livelihood.

It is to be noted that in the judgment on the petition of Anuradha Bhasin before the bench of NV Ramana and V. Ramasubhramaniam in 2020, the court stated that section 144 of Cr.P.C. cannot be applied to a region for more than 60 days at a stretch. The local administration, though,

repeatedly grant the permission to re-apply the section in the areas on recurrent basis. Supreme courts judgements are binding and can be used as legal precedence to resolve disputes in legality of circumstances. But, the local administration and BSF is regularly overlooking this very fact and extending the period of application of section 144Cr.P.C. indefinitely.

For a long time MASUM has been raising its voice that BSF should be posted at the zero point of the international border and not inside the village. The Presence of BSF inside the villages affects the daily life of the people in a negative way. The BSF also restricts the movement of people residing in these villages by enforcing Section 144 of CrPC in these areas for an indefinite period. The enforcement of section 144 is detrimental to the economic and social life of the villagers. They always need to think twice before leaving their homes even for the very smallest of reasons.

We have been fighting these restrictions and the enforcement of the section 144 CrPC for quite some time now. This year too, we have been relentless in our struggles. And the bright part among all of these is that the efforts are beginning to show results. In 2022, Our persuasion on the issues related to restriction, especially the issue of indefinite 144 has forced the administration to rethink their strategy and made them to relax the 144 in a few villages.

In the village of Krishnapur the barbed wire fences within the village are situated in a haphazard way. In some places it is situated 300 meters away from the International Border Pillar (IBP) whereas in other places it is situated almost 500 meters away from the IBP. Posted BSF personnel attached with Ghonapara Border Out Post, 162 Battalion, 'B' Company previously placed themselves within the village and put restrictions upon the lives and livelihood of the villagers of Krishnapur. About 600 bighas of agricultural land are outside the barbed wire fences within the Indian Territory. Immense restrictions were imposed by the posted BSF personnel upon the agricultural activities and daily workings of the villagers in this area. From 24 October 2022, after our intervention, the BSF personnel started to guard the international border by placing themselves at the zero point. Though this happens only from the time of evening to the early morning, during the daytime BSF people keep watch on the border from inside the village. Still, this is a little victory for us. On 6 April 2022 MASUM lodged a complaint to NHRC along with several administrative officials regarding the problems faced by the villagers due to illogical restriction imposed upon them by the posted BSF.





People of this village formed a committee called 'Amra Simantabasi' (a conglomeration of the bordering populace) and on 17 May 2022 a large number of villagers blocked the CPWD road and they call for large movements unless BSF people stop the imposition of restriction upon the lives and livelihood of the villagers. Block Development Officer of Tufangaj I Block assured them to take proper action on this. In the previous month BSF officials of Ghonapara Border Out Post came to the village and informed the villagers that

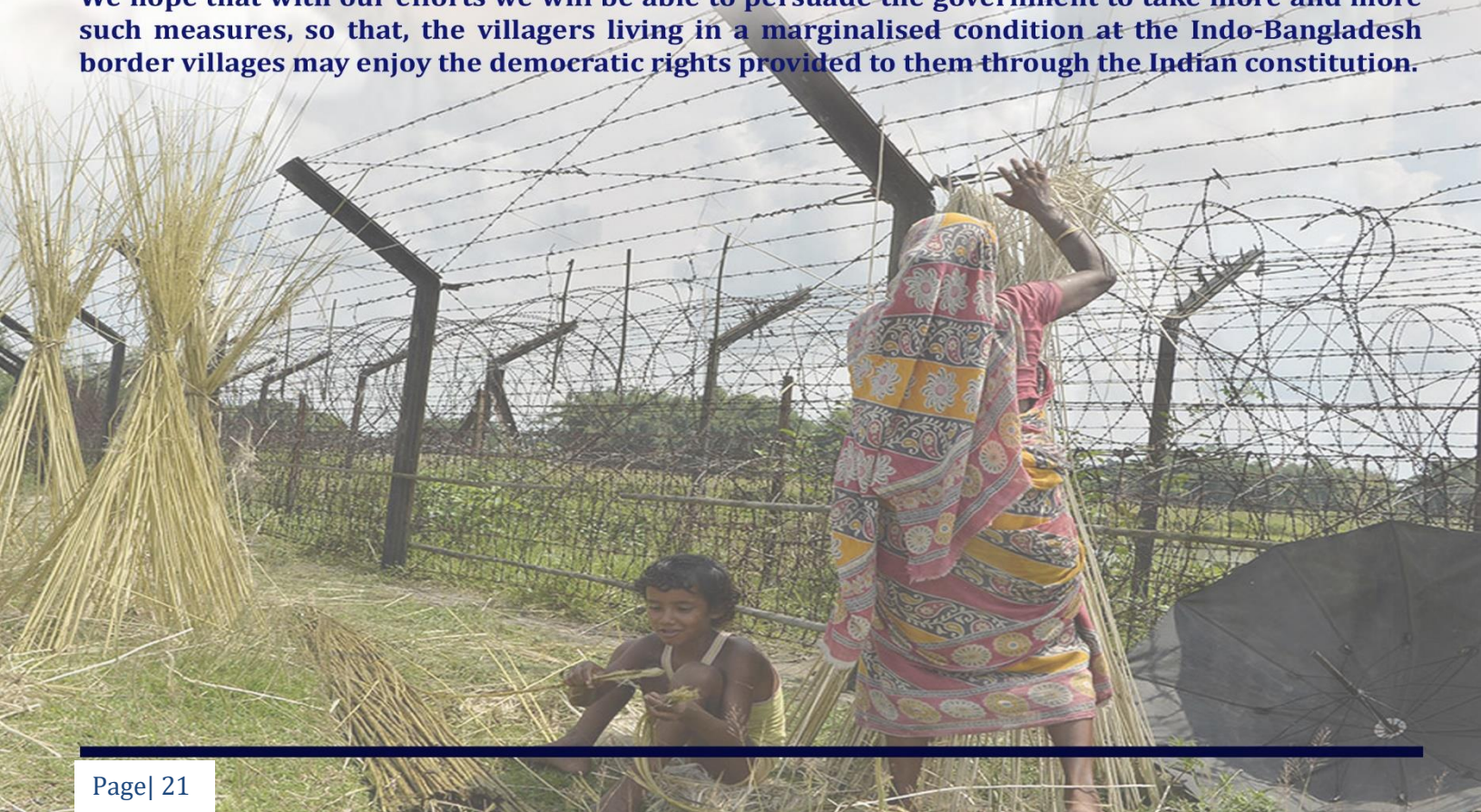


they will not obstruct the agricultural activities of the villagers and from 24 October 2022 BSF placed themselves at the zero point for the whole night for protecting the international border. This development needs to be appreciated wholeheartedly. The issues of the villagers related to illegal restrictions can be resolved if these sorts of initiatives are taken by the administration at a larger scale.

A few further developments related to unlawful restrictions have been seen during this year. In our complaint related to illegal restriction by BSF at Mahishagaon village on 2nd October, 2022, we mentioned the issue of indefinite restriction under CrPC section 144. We joyously declare that the government took cognizance of the situation and the district administration of North Dinajpur lifted the section 144 in the village. On 21st December, the district administration, BSF and the villagers of Hemtabad block took part in a meeting to discuss and resolve the issues of restrictions on the life and livelihood of the villagers.

This kind of initiative gives us glimpses of hope that the brutal situation under which the villagers of the Indo-Bangladesh border are living will change for the better. We are hopeful as due to our continuous movement and complaints on the issues related to illegal restrictions on the livelihood by the BSF, the government is finally beginning to notice these issues.

But this is too early to celebrate this achievement. We need to remain vigilant and continue to put pressure on the administration to push them towards more positive initiatives related to this issue. We hope that with our efforts we will be able to persuade the government to take more and more such measures, so that, the villagers living in a marginalised condition at the Indo-Bangladesh border villages may enjoy the democratic rights provided to them through the Indian constitution.





## Annual Legal Activities, 2022

MASUM provides legal assistance to the victims of human rights violations whenever they are willing to file criminal cases against the accused/perpetrators in uniform. But after filing the courts cases the victims suffer various problems such as (i) date of hearing of the case is generally fixed by the court after a gap of at least three months; (ii) sometimes case records go missing leading to wastage of several months in tracing out the case records; (iii) Sometimes, though the victims and witnesses are present in court the hearing is adjourned for the next date on the ground of absence of the magistrate or on any other ground and they have to come back and wait for the next date with similar uncertainty after a long and futile trip from their home and at the sacrifice of their daily wage. Such facts cause inordinate delays in further proceeding of the cases- an example of justice delayed, justice denied and frustrate the victims. This also establishes the fact that the subordinate courts are usually adept at handling the flow of fresh cases but fail when it comes to reduce the pendency or backlog of cases. It is evident that after the COVID-19 and subsequent lockdown the judicial institutions of the country and its mechanisms are moving at a snail pace. As a result, previous pending cases were not listed up during this time. Our judiciary is an institution of the last resort for all victims and every case requires a defined and acceptable case life so that justice is not hurried and buried. But MASUM's experience shows that the present judicial system especially the subordinate courts have been unable to meet the demands of prompt justice and swift as well as transparent disposal of cases.

### Supreme Court of India

Two cases of MASUM are pending before the Supreme Court in India. – (i) Md. Nur Islam vs. Union of India (WP 141(criminal) of 2015) generally known as Felani Khatun case and (ii) Banglar Manabdhikar Suraksha Mancha vs. Union of India where we prayed an order declaring section 46 and 47 of BSF Act, 1968 is ultra-virus to Article 14 and 21 of the Constitution of India.



On 14.02.2020 Felani Khatun case was called for hearing before the Bench of Justice D.Y. Chandrachud and Justice K.M. Joseph and upon hearing both the parties, the double Bench ordered to list up the matter on a non-miscellaneous day for final disposal on 18.03.2020. On 18.03.2020 the matter was withdrawn from the cause list of the Supreme Court of India as on reviewing the advisory issued by the Government of India and in view of the opinion of the public health experts including medical professionals and also considering the public safety for Covid 19 virus, the authority of the Supreme Court of India had decided that the functioning of the courts restricted to urgent matters. After more than two years the case was again listed in the case roster of the Supreme Court. On 18.10.2022 the matter was listed as item number 35 before the bench of Justice D.Y. Chandrachud and Hima Kohli but the matter was not taken up for hearing on the said date.



### High Court at Calcutta

In 2021, MASUM provided legal support to 09 victims in their cases to the Calcutta High Court, out of which 4 new cases are filed in this year. Till date the following cases are pending in the Calcutta High Court:

Case number	Case title	Nature	Date of filing	Status
WP 1971(w)/2019	Nazrul Islam Dafadar vs. State of West Bengal & others	Writ of mandamus for execution of warrant against the perpetrator BSF	05.01.2019	On 15.02.2019 ordered to file affidavit from the Govt. side within two weeks.
WP 1970(w)/2019	Ranjit Das vs. State of West Bengal & others	Writ of mandamus for execution of warrant against the perpetrator BSF	05.01.2019	On 07.02.2019 ordered to file affidavit from the Govt. side within two weeks
WP 22359(w)/2019	Nur Islam Sahajee vs. Union of India & others	Writ of mandamus for directing the concerned authorities to pay compensation to the NOK of the victim under NHRC recommendation	27.11.2019	On 02.03.2020 the matter was listed up but the judge was absent
WP 1758(w)/2020	Panchanan Mondal vs. State of West Bengal & others	Writ of mandamus challenging the decision of the Criminal Injuries Compensation Board, Murshidabad for not providing compensation to the NOK of the victim	27.01.2020	On 02.03.2020 the matter was listed up but the judge was absent
CRR 783/2020	Reba Bewa vs. State of West Bengal & others	Criminal Revision case challenging the order of the ACJM, Lalbag Court from where the perpetrator police was acquitted from the charges of custodial death of the victim	28.02.2020	On 19.05.2022 the Court called for lower court record from the concerned court.
WP 11095(w)/2020	Rima Bewa vs. State of West Bengal	Writ of mandamus for directing the concerned authorities to pay compensation to the NOK of the victim under NHRC recommendation	24.12.2020	Listing the matter on 05.01.2021
WP 7829(w)/2021	Dipali Mondal vs. State of West Bengal & others	Writ of mandamus for directing the proper investigation in connection with custodial death case of the victim	17.03.2021	On 14.11.2022 the Judge directed the petitioner to issue notice afresh to all respondents.
CRR 1447/2022	Kirity Roy vs. State of West Bengal & others	Quashing the false criminal case against the human rights defenders	26.04.2022	On 05.05.2022 the Judge directed the State parties to submit case diary
CRR 2129/2021	Kirity Roy & others vs. State of West Bengal & others	Quashing the false criminal case against the human rights defenders	05.10.2021	On 11.11.2021 directed to list the matter on 6.12.2021



## New case filing before the High court at Calcutta:

One fabricated case had been lodged against Mr. Kirity Roy, Secretary, MASUM being Jalangi Police Station Case number 95/2019 dated 02.02.2019 (GR 465/2019) under section 341/120A/186/189/504/505 of Indian Penal Code during the time of a public meeting at Raipara market, Char Parashpur, Murshidabad for securing the rights of the bordering populace. Challenging the case Mr. Roy filed a quashing petition before the High Court at Calcutta on 26.04.2022 to rescind the false FIR against him and subsequent proceedings.

MASUM had applied for UNVFT fund for the year 2022. On 21.12.2021 the Secretariat of the United Nations Voluntary Fund for Victims of Torture accepted our proposal and approved the said grant for the year 2022. However, our bank didn't remit the fund to our account stating the reason that MASUM don't have FCRA certification. On 12.05.2022 MASUM filed one legal case against the concerned HDFC bank before the High Court at Calcutta for getting positive direction / order from the High court to the HDFC bank regarding remittance of our project money.

In this year the following 2 cases were disposed by the High Court at Calcutta:

Case Number	Case Title	Nature	Date of Filing	Last Order
CRR 145/2021	Kirity Roy vs. State of West Bengal & others	Quashing the false criminal case against Human Rights Defender	09.09.2021	On 12.09.2022 after hearing both the sides the judge decided that as the charge sheet had been submitted in connection of the case, therefore, the High Court has not gone into the merits of the applicability of the sections in respect of the materials appearing against the petitioner or the charges supporting the prosecution case. The court also stated that the trial court would independently consider the same and the petitioner would be entitled to agitate the points canvassed in this revisional application before the trial court at that stage. The High Court also quashed section 186 of the Indian Penal Code (Voluntarily obstructs public servants in discharge of his public functions) as there is the bar provided under section 195 of the Code of Criminal Procedure where it is mentioned that no Court shall take cognizance of any offence punishable under sections 172 to 188 of the Indian Penal Code. Therefore, the court partly allowed the quashing application of the case.
WPO 2179/2022	Banglar Manabadhikar Suraksha Mancha (MASUM) vs. HDFC Bank LTD. & others	Writ of mandamus for directing concerned HDFC bank to remit the fund of UNVFT in the account of MASUM	12.05.2022	On 26.07.2022 the court decided that the writ petition is not maintainable as the HDFC bank does not perform any public function but the petitioners are given liberty to approach the Banking Ombudsman within seven days.

## District and sub-divisional Courts

In 2021, MASUM provided legal support to 33 victims in their complaint cases and 23 victims in their defense cases in the district of Murshidabad. 02 cases were dismissed due to prolonged absence of the informant.

MASUM gave legal support to 17 victims of BSF torture, 10 victims of Police torture, 5 victims of EJK i.e. family members of the deceased, 1 victim of Enforced Disappearance.

In the district of North 24 Pargana we provide legal support to 16 victims in their complaint case and 13 victims in their defense cases.

MASUM gave legal support to 7 victims of BSF torture, 5 victims of Police torture, 1 victim of EJK, i.e., family members of the deceased and 3 victims of trafficking

In the district of Cooch Behar we provide legal support in 5 prosecution cases.

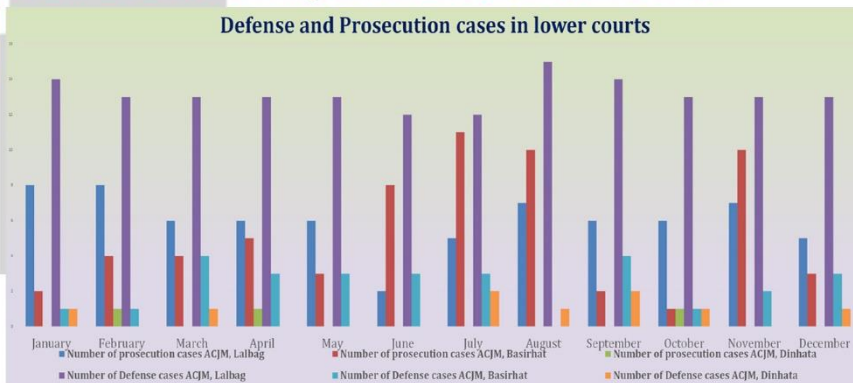
MASUM gave legal support to 3 victims of BSF torture, 1 victim of police torture and the family members of one custodial death victim.

Our pro bono lawyers in Lalbag Court, Berhampore Court in the district of Murshidabad and Basirhat Court, Bangaon Court in the district of North 24 Pargana and Dinhata Court and Mekhliganj Court in the district of Cooch Behar helped the victims with their legal support.

During 2022, MASUM has provided a total of 333 units of legal support to these victims in the Lalbag Court and Berhampore Court in Murshidabad district; Basirhat Court and Bangaon Court in North 24 Pargana district; Dinhata Court and Mekhliganj Court in Cooch Behar district in both prosecution and defense cases.



Month	Number of prosecution			Number of Defense cases		
	ACJM, Lalbag	ACJM, Basirhat	ACJM, Dinhata	ACJM, Lalbag	ACJM, Basirhat	ACJM, Dinhata
January	8	2	0	14	1	1
February	8	4	1	13	1	0
March	6	4	0	13	4	1
April	6	5	1	13	3	0
May	6	3	0	13	3	0
June	2	8	0	12	3	0
July	5	11	0	12	3	2
August	7	10	0	15	0	1
September	6	2	0	14	4	2
October	6	1	1	13	1	1
November	7	10	0	13	2	0
December	5	3	0	13	3	1





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### **New case filing in various Sub-Divisional courts:**

- On 14.03.2022 one complaint case under section 200 of the Criminal Procedure Code was filed before the court of Additional Chief Judicial Magistrate, Barasat by Ms. Mamoni Das, a victim of sexual assault by Mr. Sujit Das, Sub Inspector of Police, Deganga Police Station.
- On 30.03.2022 one complaint case under section 200 of the Criminal Procedure Code was filed before the Court of Additional Chief Judicial Magistrate, Mekhliganj by Mr. Faridul Mohammad, a victim of pellet injury by BSF arbitrary firing.
- On 30.03.2022 another complaint case under section 200 of the Criminal Procedure Code was filed before the Court of Additional Chief Judicial Magistrate, Mekhliganj by Mr. Aijul Haque, a victim of torture by the hand of BSF.
- Faruk Sardar is a victim of torture by the Border Security Force personnel. On 02.01.2022 he was heavily tortured by the BSF personnel attached with Arshikari Border Out Post. On 01.08.2022 one complaint case has filed before the Additional Chief Judicial Magistrate, Basirhat Court under section 200 of the Code of Criminal Procedure for effective investigation of the above stated case.

### **Application filed before the DLSA under the West Bengal Victim's Compensation Scheme:**

- With the assistance of MASUM on 23.02.2022 Ms. Lovely Mondal, wife of Mr. Bhim Mondal, victim of custodial death in the Dum Dum Correctional Home filed one application before the District Legal Services Authority, North 24 Pargana, Barasat. The office of the DLSA, North 24 Pargana, Barasat did not acknowledge the petition. From the office she was directed to submit residential certificate from the concerned panchyat, UD case number and the FIR copy along with the application.
- Suchitra Mondal filed one petition under Victim's Compensation Scheme, 2017 before the District Legal Services Authority, Berhampore, Murshidabad for enforced disappearance of her husband Mr. Sukumar Mondal by the BSF. On 15.03.2022 Criminal Injuries Compensation Board recorded the statement of Ms. Suchitra Mondal for future proceedings.
- On 10.03.2022 Criminal injuries Compensation Board, Murshidabad recorded the statement of Ms. Saifura Bewa. She was filed one petition before the District Legal Services Authority, Murshidabad for enforced disappearance of her husband Mr. Ainul Sk by the BSF.
- On 25.11.2021 Ms. Rubina Bewa filed one petition under Victim's Compensation Scheme, 2017 before the District Legal Services Authority, Berhampore, Murshidabad for killing of her husband Mr. Alamgir Sk by the BSF. On 14.03.2022 the officials of the DLSA asked her to submit post mortem examination report, copy of FIR and recent court case status report to the Criminal Injuries Compensation Board.

### **Achievements:**

- One false NDPS case was initiated against Ms. Taslima Begum by the Border Security Force personnel. Taslima Begum is also a victim of torture by the BSF. On 07.10.2021 she was completely acquitted from the NDPS charges by the Special NDPS court, Barasat. Previously she worked in an ICDS centre but when BSF implicated her in a false case, she lost her job. After getting complete acquittal by the court, she applied to the concerned department for her re-joining in the ICDS centre. Concerned department was silent on this matter. After strong intervention of MASUM in this case, Department of Women and Child Development and Social Welfare, Govt. of West Bengal issued letter regarding her rejoining in the same ICDS centre. On 10.08.2022 she has rejoined in the ICDS centre.
- In the case of Tuhin Gazi, the file was missing from the court record room. After our intervention the record was found. From 2020 the concerned Investigating Officer failed to submit investigation report in final form. On 22.08.2022 the magistrate directed to the concerned Investigating Officer to submit report in final form
- On 12.09.2022 High Court Circuit Bench partly allowed the quashing application of Mr. Kiirity Roy against whom fabricated case was lodged by district administration of Cooch Behar. The Court just only quashed section 186 of the Indian Penal Code (Voluntarily obstructs public servants in discharge of his public functions) but the other sections 341(Wrongful restraint) /353 (Assault or Criminal force upon public servants) /427 (Mischief causing damage to the amount of Rs. 50/-) /506 (Criminal intimidation) /34 (Common intention) of Indian Penal Code are remain in the charge sheet and the trial court would consider the issue at the time of consideration of charges.
- On 29.07.2022 due to our longstanding legal initiatives, the family members of Mr. Abdus Samad, a victim of extra judicial execution by BSF from in the district of Murshidabad, received a compensation of Rs. 2 lakhs as per the recommendation of the Criminal Injuries Compensation Board, Murshidabad. On the said date State Legal Services Authority, West Bengal granted the same.



• Due to our constant appeals, on 06.11.2022, Mr. Hossian, judicial officer of the Sub Divisional Legal Aid committee of Bongaon met with the villagers of Puraton Bongaon. Villagers raised the issues of the Indo-Bangladesh border areas of how the BSF personnel restrict their life and livelihood. The authority promised to take up the matter to the higher authority.

### Challenges:

- From March, 2020 regular workings of all courts in our country were stopped for nine months due to first wave of Covid 19 and in the year 2021 the workings of judicial arenas again put a halt for three months due to the second wave of Covid 19. This affected the Indian judiciary a lot. Since July, 2021 the courts resumed their work on a regular basis, though the workings or activities are moving slowly. Courts including High Court and Supreme Court did not list up our long pending cases. The cases which are pending at motion stage in the High Court, have not been listed for two years.
- We are witnessing that in some cases where the victims of torture lodged particular complaints against the BSF, the authority of the BSF took up those cases to the Security Force Court from the court of law and the Magistrate without issuing any notice to the victim, simply accepted the prayer of BSF.
- Sometimes case records are missing from the court and skeleton record are also not present in the court record room. The people administering the judicial process are extremely reckless and apathetic to the injustice faced by the victims. Even the Magistrate does not take any measures regarding this unlawful situation; all they do is to further extend of the date resulting in delay of justice. We lodged complaint to various authorities regarding this practice but no action has been taken by the concerned judicial authorities in this regard.
- In several cases, specifically in the Basirhat Court, proceedings could not take place due to the absence of Public Prosecutors. Magistrates directed the respective District Public Prosecutor to appoint public prosecutors in those cases but no appointment has been done.
- We have also experienced that victims do not follow up on their cases regularly; even they do not contact the lawyers after filing their complaint. In this year we lost 02 such complaint cases due to non-appearance of the victim's party. Following are the cases:

Victim's name	Case type	Court case number	Court name	Status
Sumita Mondal	BSF torture	CR 216/2015	Additional Chief Judicial Magistrate, Lalgachh	On 11.11.2022 Dismissed for non – appearance
Mijanul Haque	BSF torture	CR 889/2016	Additional Chief Judicial Magistrate, Lalgachh	On 26.09.2022 Dismissed for non-appearance.

- We are facing problem in the Berhampore and Lalgachh court in the district of Murshidabad where the concerned judicial magistrate did not acknowledge the petition of the victims against BSF on the ground of section 197 of the Code of Criminal Procedure. As no registration was done in respect of these cases and no record was maintained, therefore we could not find the certified copies of the Magistrate's order. Thereby we can't challenge the Magistrate's decision in the higher judicial forum.
- Though we have some instances of success with the District Legal Services Authority (DLSA) of Murshidabad district, the DLSA and the Sub-Divisional Legal Services Committee (SDLSC) of Cooch Behar and North 24 Parganas district have rejected our repeated appeals to provide compensation to the victims of torture. In both these districts we have appealed to the concerned DLSA and SDLSC authorities to provide compensation under West Bengal Victims' Compensation Scheme. However, none of our appeals were accepted by the authorities yet.



## Initiatives on Right to Information (RTI):

On 18th February 2022 we submitted a fresh RTI application to the Central Public Information Officer (CPIO), Ministry of External Affairs to obtain the details of trafficked victims from Bangladesh and their repatriation from 2016 to 2020. On 25.07.2022 Deputy Secretary, Coordination & International Cooperation Division, International Cooperation wing, Ministry of Home Affairs, Government of India communicated with us that the requisite information is not available with them.

On 27.12.2021 we lodged five RTIs regarding extrajudicial execution matters to the SPIO, Office of the Chief Secretaries in the states of West Bengal, Assam, Tripura, Meghalaya and Mizoram. On 09.04.2022 we received one reply letter from SPIO, Office of the Chief Secretary, Government of West Bengal where they provided a detailed list of extrajudicial execution in the bordering districts of West Bengal from 2011 to 2020. We received one communication from the SPIO & Superintendent of Police, Sepahijala District, Bishramganj, Tripura where he reported a total six incidents of extra judicial execution from 2011 to 2020 in the jurisdiction of Sepahijala district, Tripura. Most of the others reported no such information was reported to them.

On 18.02.2022 we lodged one RTI to the NHRC regarding the extra judicial execution by BSF recorded by the NHRC. On 14.03.2022 CPIO, NHRC transferred our RTI letter to the CPIO, Ministry of Home Affairs and CPIO, National Crime Records Bureau.

On 28th April 2022, we have submitted a fresh RTI application to the State Public Information Officer (SPIO), Department of Jails & Prison Directorate, West Bengal for getting the information regarding the under trial prisoners imprisoned at present in all Prisons/Correctional/ Sub Correctional/Special Correctional Homes in the state of West Bengal. On 13.05.2022 we received one communication from the IGP, Correctional Services, West Bengal where he sent a list of SPIO's name of concerned central, subsidiary, district, special, women, open and presidency correctional homes and requested to file separate RTIs for getting proper information. Aggrieved with the information from the SPIO, we sent one RTI appeal to the ADG & IG, Correctional Services, Appellate authority, Department of Jails & Prison Directorate, West Bengal and requested him to provide proper information in this regard. On 05.07.2022 ADG & IG, Correctional Services, Appellate authority, Department of Jails & Prison Directorate, West Bengal communicated with us that they cannot provide us any information in this regard as the information relates to personal information the disclosure of which has no relationship to any public activity or interest mentioned in the section 8 (j) of the RTI ACT, 2005.

On 24th May 2022, we have submitted a fresh RTI application to the State Public Information Officer (SPIO), Department of Child Development and Women Development & Social Welfare, Government of West Bengal for getting the information regarding the rescue, safe return and repatriation of women and child victims of trafficking and cross border movement from Bangladesh. On 17.08.2022 SPIO, Department of Child Development and Women Development & Social Welfare Government of West Bengal furnished the required information.

On 20 July 2022, we have submitted a fresh RTI application to the State Public Information Officer (SPIO), District Land & Land Revenue Department, Purulia for getting the details land information of Tilaboni hill where the residents of that area alleged that one mining company illegally excavate the land of Tilaboni hill.

On 25 August 2022, we submitted a fresh RTI application to all SPIO's at the office of the District Magistrate and Collector in all 23 districts in the State of West Bengal for getting the details of the migrant labours ingress and egress in their respective districts. Apart from three villages of Nadia district the authorities failed to provide any such data.

On 23 September 2022, we submitted a fresh RTI application to all SPIO's at the office of the District Magistrate and Collector in nine bordering districts in the State of West Bengal for getting the information regarding Border Area Development Programme (BADP) in their respective districts.

Sl. No.	Subject	Authority	Date of sending RTI	Date of receiving reply
1	Extra judicial execution	CPIO, National Human Rights Commission	18.02.2022	09.03.2022
2	Task force to prevent human trafficking	CPIO, Ministry of External Affairs	30.03.2022	13.07.2022
3	Under Trial Prisoner	SPIO, Department of Jail and Prison Directorate, Govt. Of West Bengal	28.04.2022	24.05.2022
4	Task force to prevent human trafficking	SPIO, Department of Child and Women Development and Social Welfare, Govt. Of West Bengal	14.07.2022	25.08.2022
5	Tilaboni hill	SPIO, Office of the District Land and Land Revenue Officer, Purulia	20.07.2022	27.09.2022
6	Migration	SPIO, Office of the District Magistrate & Collector in all districts of West Bengal	24.08.2022	Reply received on various dates from the concerned district administration of respective districts.
7	Border Area Development Programme (BADP)	SPIO, Office of the District Magistrate & Collector in all nine bordering districts of West Bengal	23.09.2022	Reply received on various dates from the concerned district administration of respective districts.





**Human rights activist Mr. Sujato Bhadra taking a session during MASUM's workshop with members of NGOs**





**The report of Social Audit on the issues of Indo-Bangladesh border villagers being released on Human Riughts Day**



# Events and Activities: 2022

## Meeting with the members of Panchayati Raj Institution



In 2022, MASUM conducted 4 meetings with elected representatives of different gram panchayats in North 24 Parganas. Similarly, MASUM conducted 6 meetings with the elected representatives of different gram panchayats in Cooch Behar as well. On behalf of the bordering populace of Indo- Bangladesh, representative of MASUM highlighted the issues of the areas and discussed the role of the local gram panchayats to handle the situation. We talked about the illegal restriction on the life and livelihood of the villagers residing at the Indo- Bangladesh border villages by the Border Security Force. Almost every panchayat agreed to take up the issues to the block and district level authorities for resolution.

## Meeting with NHRC

On 02.09.2022 Mr. Kirity Roy, secretary of MASUM had a meeting with Mr. Devendra Singh, Secretary General of NHRC and Mr. Surajit Dey, Registrar (Law), NHRC at NHRC office in New Delhi. Mr. Roy highlighted several issues that we are facing at the ground level. He also discussed the cases of violation against human rights activists by the different government authorities. The staff of the NHRC promised to take some initiatives to solve the issue. In that meeting Mr. Roy requested the members of NHRC to visit West Bengal and conduct a few meetings with different government authorities, especially with BSF personnel.



## Social Audit on the issue of Indo- Bangladesh border village



MASUM organized a social audit on the issues of Indo- Bangladesh border villagers on 15th June 2022 at Felani Khatun Bhawan (Anandamoyee Bhawan) Serampore, where several cases pertaining to human rights violations were presented before 8 panellists. The panellists included former justices, doctors, professors, police officers and journalists who had earned name and respect for the work that they have done in their respective fields. Total 45 victims of human rights violations from the Indo - Bangladesh border villages presented their case before the panellists. The cases of individuals and groups were categorized into three benches based on Article 19, Article 21 of Indian Constitution and

SDG goal 16. On the basis of the individuals' narratives, the jury members presented their individual observations and recommendations which had been summed up into a preliminary report. On 26th June this preliminary report was released before the media representatives at Kolkata Press Club. The panellists in the 3 benches have had several compelling findings as well as recommendations which have starkly underlined the systemic ignorance of the victims of torture, specifically in the borders. The social audit has showcased how individual victims have been ignored.

## Book release

On 10th March 2022 at the 45th International Book Fair at Kolkata, MASUM launched a booklet in Bengali named, "Bharat-Bangladesh Simante BSF-er 50 km Khomotabridhi: Ekti Mulyayan" (The Increase of Jurisdiction of BSF at India-Bangladesh Border to 50 kilometres: an assessment"). The booklet was about the increased jurisdiction of BSF up to 50 kilometres from the earlier limit of 15 kilometres. The booklet is a research done by the MASUM's internal fact finding team. Eminent persons were present during the launch of the booklet, like Mr. J. Samaresh Banerjee, former Justice of Calcutta High Court, Mr. Sujato Bhadra, Human Rights Activist, Mr. Kirity Roy, Secretary of MASUM and two victims from Indo-Bangladesh border areas.





## Events and Activities: 2022

### Capacity building training program for staffs



MASUM organized a 3- day outdoor capacity training program from 10th August to 12th August at Jaychandi Pahar in Purulia district. Both office and field staff of MASUM participated in that program. On the first day of the training program, resource persons from 'Jansahas', a renowned NGO working on unsafe migration issues, discussed the difference between safe migration and unsafe migration, protection of migrant workers, different policies related to migration and legal provision on migration issues. The second session was conducted by a resource person from 'West Bengal Right to Food and Work Network', who elaborately discussed about different government schemes such as PDS, ICDS, Mid- day meal, MGNREGA and many more. A brief description about the procedure of application for these schemes and compliant mechanism in case of denial of those schemes was also discussed. A resource person from 'Choruigachi Lighthouse Society', an NGO working at the Indo-Bangladesh border against trafficking activities, imparted a session on trafficking during the capacity building training.

### Workshop with Lawyers, NGOs and CBOs

MASUM organized a two-day residential seminar and workshop with lawyers on the Scope of legal intervention: Freedom of Association (FOA) and Freedom of Expression (FOE) on 25th and 26th November, 2022. About 20 lawyers from different courts of West Bengal, such as Barrackpore, Barasat, Basirhat, Bangaon, Krishnanagar and Nabadwip attended the seminar and participated in the workshop. Mr. Biswajit Mukherjee, Advocate of MASUM inaugurated the seminar with a welcome address. Mr. Kirity Roy, Secretary of MASUM talked about the scope of legal intervention for protecting the fundamental rights of Freedom of Expression and Freedom of Assembly. The workshop ended after discussing the future course of action and developing strategies to ensure the role of the legal practitioners to establish a smooth and just judiciary.



From November 27th to November 28th a residential workshop was held in Serampore on Freedom of Expression and Freedom of Assembly with the members of various NGOs and CBOs. Total 32 social activists attached with different NGOs based in West Bengal attended the workshop. The main speakers of the program were Mr. Kirity Roy, secretary of MASUM and Mr. Sujato Bhadra, eminent human rights activist. Mr. Kirity Roy spoke about the scope of rights of Freedom of Expression and Freedom of Assembly. He also discussed the practical aspects of rights violations. Beside that he talked about how to write proper petitions and complaints to deal with the unlawful practices of government authorities. Mr. Sujato Bhadra explained in detail the theory and practices of Freedom of speech. The participants shared their ideas based on the discussion and a future plan of action was decided in the workshop.

### Human Rights Day, 2022

Human Rights Day, 2022 was observed by MASUM through conducting Human Rights Fair at the Ranu Chhaya Mancha, Kolkata. Mr. Kirity Roy, Secretary of MASUM inaugurated the program through his welcome speech. Various social activists, lawyers, academicians, cultural groups and NGO members participated in the program. MASUM along with other NGOs displayed their publications in their respective stalls. On that special occasion a report on the social audit was released by justice Malay Sengupta, Hon. Former chief Justice of Sikkim High Court, Mr. Sarfaraz Ahmed Khan, faculty of WBNUJS, Dr Bashkar Chakraborty, and Mr. Aindam Chatterjee, former police officers. The victims from North 24 Parganas, Coochbehar and North Dinajpur districts narrated their sufferings and raised their voice. The event also included various cultural activities like dance, songs and street theatre performances.

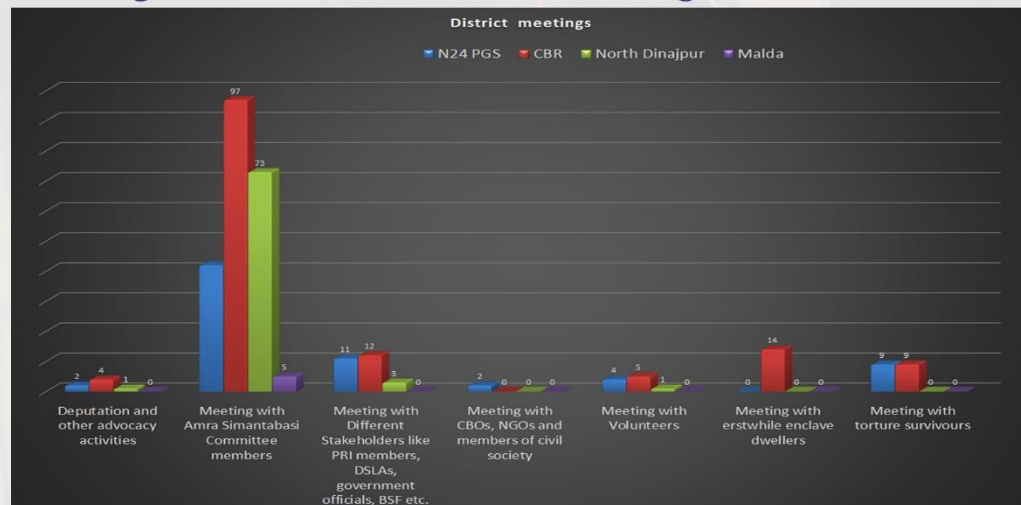




# Events and Activities: 2022

## Village level Meetings

In 2022 total 294 meetings were conducted by MASUM in the districts of North 24 Parganas, Cooch Behar, North Dinajpur and Malda. In North 24 Parganas, 42 village level meetings, 2 deputation programs, 11 meetings with PRIs and other stakeholders, 2 meetings with CBOs and NGOs and other civil society, 4 meetings with volunteers and 9 meetings with tortured survivors were held. In Cooch Behar, 4 deputation and advocacy programs, 97 meetings with the members of Amra Simantabasi committees, 12 meetings with different stakeholders along with PRI members and other government officials, 5 meetings with volunteers, 14 meetings with erstwhile enclave dwellers and 9 meetings with tortured survivors were held. In North Dinajpur, 1 deputation program, 73 meetings with the members of Amra Simantabasi committee, 3 meetings with different stakeholders, 1 meeting with volunteers were held.



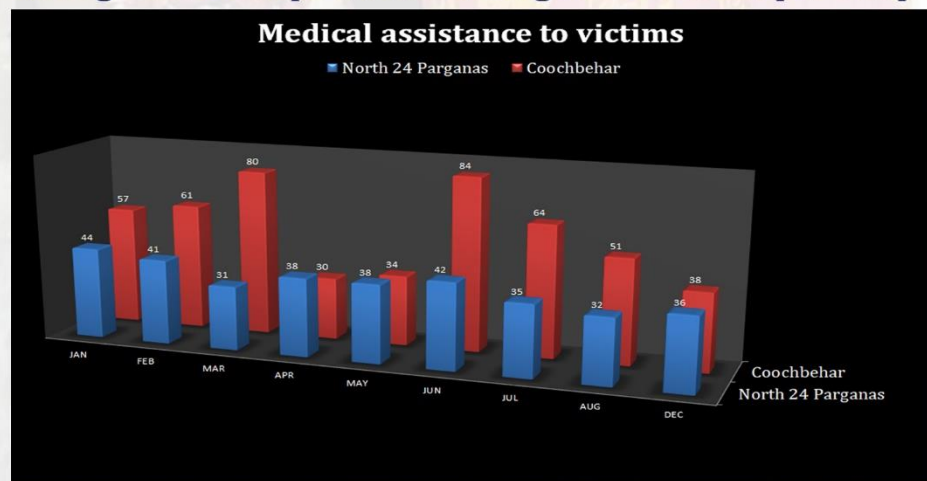
Types of meeting	North 24 Parganas	Cooch Behar	North Dinajpur	Malda
Deputation and other advocacy activities	2	4	1	0
Meeting with Amra Simantabasi Committee members	42	97	73	5
Meeting with Different Stakeholders like PRI members, DSLAs, government officials, BSF etc.	11	12	3	0
Meeting with CBOs, NGOs and members of civil society	2	0	0	0
Meeting with Volunteers	4	5	1	0
Meeting with erstwhile enclave dwellers	0	14	0	0
Meeting with torture survivors	9	9	0	0
<b>Total</b>	<b>70</b>	<b>141</b>	<b>78</b>	<b>5</b>

## Medical assistance to victims

MASUM has been providing consistent support to the victims of torture throughout the year. MASUM organized several medical camps on a regular basis with the support of UNVFVT, for the victims who were subjected to torture from various ends. Throughout the year 2022, MASUM organized 18 medical camps in two districts to provide medical assistance to the victims of torture. The attached charts will showcase a snapshot of the medical camps and the victims facilitated by those camps. Out of these 18 medical camps, 9 were organized in North 24 Parganas district and 9 camps were organized in Cooch Behar district. MASUM provided 836 units of medical and psychological support to the victims through these camps with an average of 46 victims per camp.

Month	North 24 Parganas	Coochbehar
JAN	44	57
FEB	41	61
MAR	31	80
APR	38	30
MAY	38	34
JUN	42	84
JUL	35	64
AUG	32	51
DEC	36	38

District	No. of Medical camps	Attendance	Average Attendance
Coochbehar	9	499	55
North 24 Parganas	9	337	37
<b>Total</b>	<b>18</b>	<b>836</b>	<b>46</b>





## Events and Activities: 2022

### Village level committees



In 2022, MASUM facilitated the formation of Amra Simantabasi committee (Village Level Committee) in the district of North 24 Parganas, Cooch Behar and North Dinajpur. This year we have successfully been able to form 15 village level Amra Simantabasi Committees in Cooch Behar, 18 village level committees in North Dinajpur and 11 village level committees in North 24 Parganas. Beside that we have several old village level committees in Cooch Behar and North 24 Parganas. These old committees have actively participated with us in different advocacy programs throughout the year. The objectives behind formation of these committees were to

strengthen the people's movements at local level. Through these committees we were able to ensure people's participation.

### Training of Volunteers

In 2022, MASUM was able to motivate and engage active villagers from the Indo-Bangladesh border areas, who will be assisting the advocacy work of MASUM in field and encourage the residents of the border to place their demands systematically before the respective authorities. Till date we have engaged more than 60 volunteers in three districts of Cooch Behar, North 24 Parganas and North Dinajpur, who are working actively on ground.

We have also conducted orientation programs for our volunteers from these three districts to brief them about the activities of MASUM as well as train them on their roles and responsibilities in districts. In these meetings we also set up a plan of action for them.

MASUM will be conducting surveys among residents of the Indo- Bangladesh border areas soon in the district of Cooch Behar, North 24 Parganas and North Dinajpur. The main purpose of conducting this survey is to understand the clear picture of the issue of the unsafe migration, child marriage, and child labour along with the socio- economic status of said areas. The selected volunteers from these three districts were also trained so that they can collect the data in a systematic manner from the field.



### Deputation Programme



On 31st March, 2022 a deputation program was held by the 'Amra Simantabasi' committee before the Sub- Divisional officer of Basirhat, North 24 Parganas. The villagers presented their anguish to the SDO, who promised to raise the issues to the higher authorities.

The Indo- Bangladesh border villagers of Coochbehar district under the banner of 'Amra Simantabasi' organized 3 protest events in front of different block administrative offices. On 24.03.2022, 25.03.2022 and 31.03.2022 demonstrations were held in front of the Block Development

Offices of Haldibari, Mekhliganj and Sitalkuchi blocks respectively. People from the border villages raised the issues of the border area; specially the issues related to illegal restriction on the life and livelihood of the border villagers. The Block Development Officer assured to support the agenda. On 11th April 2022, a deputation program was held by the Amra Simantabasi committee with the support of MASUM before the Sub Divisional officers of Bongaon Sub Division. About 300 people from different border villages of Bongaon Sub Division participated in the peaceful demonstration. Later the deputation copy was handed over to the SDO. Residents living in bordering villages are regularly facing the illegitimate restriction by the border security force personnel. The farmers of the said areas are not allowed to cultivate profitable crops like jute, corn, sugarcane etc. People submitted a memorandum with a demand to stop these arbitrary restrictions upon their lives and livelihood. SDO promised to take up these issues to the higher authority to minimize the problem.

On 20th October 2022, the villagers from the Indo-Bangladesh border in Uttar Dinajpur district organized a peaceful mass protest under the banner of 'Amra Simantabasi' in front of the Sub-Divisional Officer of Raiganj, Uttar Dinajpur. About 600 people from the different border villages participated in the deputation program. A huge number of agricultural lands are situated beyond the border fencing inside the Indian Territory. As BSF are posted inside the village instead of the actual border, the lands which are situated beyond the border fence are unprotected and Bangladeshi hooligans ransack the crops of the Indian farmers. For no specific reason, Section 144 of CrPC is issued in these villages throughout the year though this is against the judgement of the Supreme Court (Anuradha Bhasin Vs Union of India, Writ Petition [Civil] No. 1031 of 2019). Members of the committee submitted a memorandum to the Sub Divisional Officer with 12 sets of demands. SDO, Raiganj promised to take up these issues to the higher authorities.



# Statements released by MASUM during 2022

On several occasions during 2022, MASUM have released statements to affirm its stand on relevant issues and incidents that occurred throughout this year. Following is a list of the statements released by MASUM during 2022:

Sl. No.	Date of release	Topic	Description
1	13.01.2022	Statement against attack on People's Watch Office by State Govt. of Tamil Nadu	The Central Bureau of Investigation (CBI) initiated an investigation and conducted search at People's Watch's office, a reputed human rights organization from Tamil Nadu on January 8, 2022. The investigation was a step towards intimidating human rights work in the state and in the country as well.
2	06.04.2022	Statement against passing the Criminal Procedure (Identification) Bill, 2022	On 04.04.2022 in the Lok Sabha the Criminal Procedure (Identification) Bill, 2022 has been passed with voice vote, which proposes that the collection of measurements of arrested persons and detainees, along with the convicts.
3	12.05.2022	Statement supporting the Supreme Court's view on Sedition Law	A three-judges Bench of the Supreme Court presided by Chief Justice N.V. Ramana put a pause to the use of sedition law by the union and the state governments until further notice.
4	07.06.2022	Statement against attack upon 'Odhikar', a human rights organization of Bangladesh.	On 6th June, 2022, the humanitarian activities of 'Odhikar' was restricted as their license has been cancelled by the government of Bangladesh.
5	28.06.2022	Statement against the arrest of Tista Setalvad	Journalist and women human rights defenders Ms. Teesta Setalvad was arrested by the Gujrat Police Anti-Terrorist Squad on 25 <sup>th</sup> June, 2022.
6	09.09.2022	Statement condemning the Joint Statement issued by Narendra Modi and Sk. Hasina	On 7th September, 2022, a joint statement was released by the Indian and Bangladeshi Prime Ministers, during a 4-day India tour undertaken by Bangladeshi Prime Minister Sheikh Hasina, where both of them expressed satisfaction on the matter that the number of killings at the Indo-Bangladesh border has been reduced significantly.
7	26.10.2022	Statement on MASUM's achievement	Due to the prolonged efforts made by MASUM, the BSF personnel attached with Ghonapara Border Out Post, 162 Battalion, 'B' Company in Cooch Behar were shifted from inside the villages and posted at the actual borders.
8	10.11.2022	Statement condemning the death of 9 Indian Migrant Workers in Maldives	10 migrant workers including 9 Indians were killed in a hazardous fire, on 10 <sup>th</sup> November, which erupted in a cramped neighbourhood of Maldivian capital Male
9	01.11.2022	Statement against PM Modi's One nation One Police Uniform Policy	On 28th October, 2022, PM, Mr. Narendra Modi advocated for one nation, one police uniform, while addressing the State Home Ministers' conference on internal security issues.
10	13.12.2022	Statement condemning the death of Lalon Sheikh in CBI Custody	On 12th December night, the body of Lalon Sheikh, the prime accused of the Bogtui massacre in Birbhum district was found hanging inside a washroom at a CBI camp in Rampurhat, Birbhum.





**A village located at the Indo-Bangladesh border in  
Raninagar of Murshidabad district**

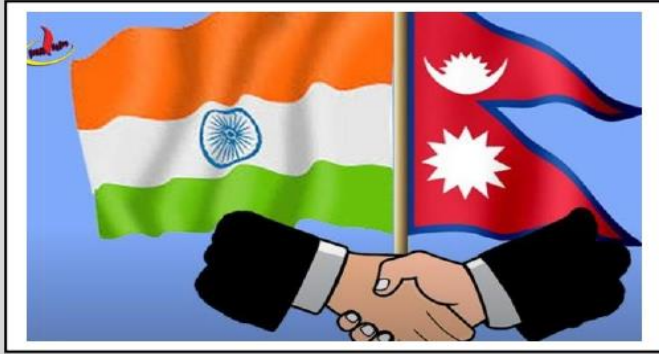




**A girl crossing a tributary of the Padma River near  
Raninagar of Murshidabad district**



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**Release of the preliminary report of the Social Audit  
at Kolkata Press Club**





**Street theatre performance on 10th December, 2022  
at the Human Rights Fair**





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