

Monthly Report

April 2021



Miles to go...

**Banglar Manabadhikar
Suraksha Mancha**



Obituary

Poet Sankha Ghosh (05.02.1932 - 21.04.2021)



We are deeply saddened by the unanticipated demise of Poet Sankha Ghosh on April 21, 2021 at the age of 89 in his own home. He had tested positive for covid-19 on April 14 and was in home isolation since then. Poet Sankha Ghosh received the Sahitya Academy awards twice and was felicitated with Padma Bhushan in 2011. He was one of the stalwarts of Bengali literature and a fearless critic of the state machinery ruled by any political party. His poems were even banned from publications during Indira Gandhi's emergency but his stubborn spirit couldn't be crushed. He was closely associated with various civil society movement of his time and will

always be remembered as one of the prominent protesting voices on almost every social and political issue of the country. We extend our deepest condolences to his family and friends and hope that he rests in peace.

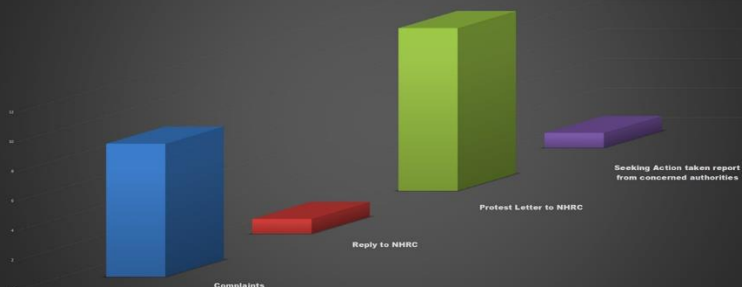
Soli Jehangir Sorabjee (09.03.1930 - 30.04.2021)

We mourn the demise of Soli Jehangir Sorabjee, Indian jurist and Attorney General of India for two times, first from 1989 to 1990, and again from 1998 to 2004. He was a vehement fighter of human rights and served as the United Nations Special Rapporteur during 1997. He received the Padma Vibhushan for his defense of the freedom of expression and the protection of human rights. He appeared in several remarkable cases such as, the Keshabanada Bharati case, Bhopal gas tragedy case, S R Bommani case and many others. He breathed his last on 30 April 2021 due to COVID-19 in a private hospital in Delhi where he was undergoing treatment. He will be remembered for his contributions to the field of human rights.

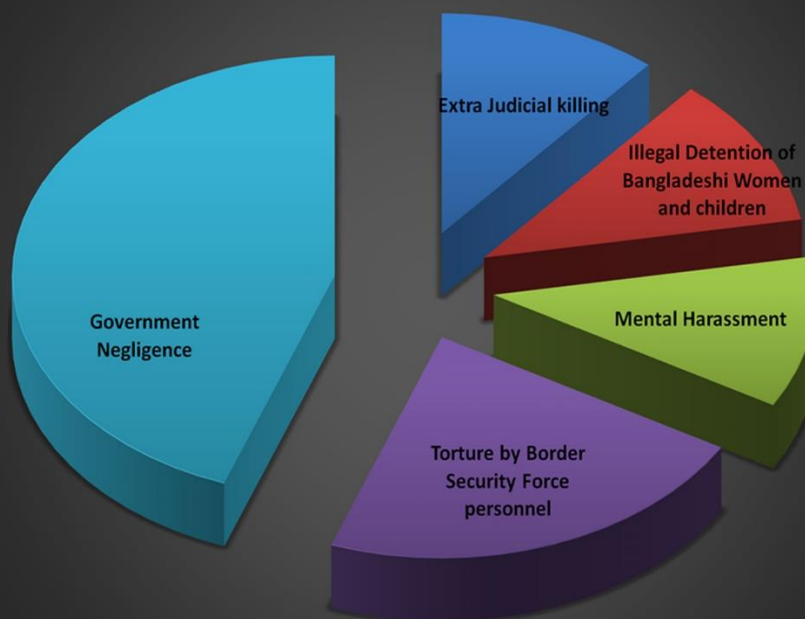


Banglar Manabadhikar Suraksha Mancha (MASUM) made 9 fresh complaints and 7 updated complaints of gross human rights violation before the relevant state authorities and different human rights institutions; especially the National Human Rights Commission during the month of April 2021. We made 1 reply in a case where the NHRC asked our comments. We have sent 11 protest letters to the concerned authorities, where they have closed a case or sent overdated summons to our victims. We have asked for action taken report from the concerned authorities in 1 case where the NHRC have asked them to take necessary action and disposed of the case.

Communicative Interactions with HRIs



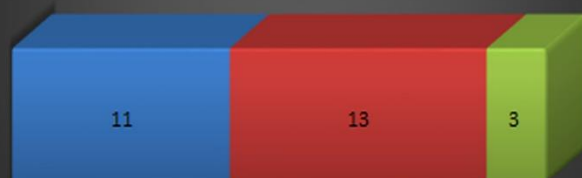
Type of Cases



Out of the nine complaints, four are on Government Negligence, two on torture by BSF personnel and one each on illegal detention of Bangladeshi women and children, extra judicial killing and mental harassment. Through these complaints we addressed the issues of 27 individual victims; out of them 16 belonged from the minority Muslim community, 7 from Hindu (Gen) community and 4 from Hindu Scheduled Caste community. Among the victims 11 were males, 13 were females and 3 were minors.

Demographic Classification

Male Female Minor



Social Classification

Muslim Scheduled Caste Hindu



Our Activities

In the month of April, Banglar Manabadhikar Suraksha Mancha continued its field work at two districts – North 24 Parganas and Cooch Behar respectively. Apart from that, in this month MASUM extended its work in the neighbouring state of Assam. The area of work was mostly at the Indo- Bangladesh bordering region in the states of Assam and Meghalaya. The detailed activity report is here attach with.

Cooch Behar



4th April – “Amra Simantabasi” village committee organized one meeting with the villagers of Changmari village situated under Tufanganj Sub Division. The village is situated near to the Indo- Bangladesh border. The villagers raised their voices against the illegitimate torture and restriction by Border Security Force personnel. The representatives of MASUM were present there and advised the plan of actions which is needful to claim their rights.

7th April - “Amra Simantabasi” village committee organized one meeting with the villagers of Boskothal village situated under Dinhata-2 Block. The village is situated near to the Indo-Bangladesh border. The villagers raised their voices against the illegitimate torture and restriction by Border Security Force personnel. The representatives of MASUM were present there and advised the plan of actions which is needful to claim their rights.

15th April- “Amra Simantabasi” village committee organized one meeting with the villagers of Choukhusi Balarampur village situated under Tufanganj Sub Division. The village is situated near to the Indo- Bangladesh border. First time the Amra Simantabasi committee organised a meeting at this place. Here also the villagers are very agitated against the illegitimate torture and restrictions by Border Security Force personnel. The representatives of MASUM were present there and advised the plan of actions, needful to claim their rights.



16th April- “Amra Simantabasi” village committee organized one meeting with the villagers of Kursherhat village situated under Dinhata Sub Division. The village is situated near to the Indo- Bangladesh border. The villagers talked about the illegitimate torture and restriction imposed by Border Security Force personnel. The representatives of MASUM were present there and advised the plan of actions which is needful to claim their rights.

North 24 Parganas



3rd April- “Amra Simantabasi” village committee organized one meeting with the villagers of Naraharipur petrapol village. The village is situated near the Indo-Bangladesh border. The villagers have raised the issues of illegitimate torture and restriction imposed by Border Security Force personnel and non-functional social security schemes. The representatives of MASUM were present in the meeting and advised the plan of actions which is needful to claim their rights.

5th April- “Amra Simantabasi” village committee organized one meeting with the villagers of Doharkanda village. The village is situated near to the Indo- Bangladesh border. The villagers are raised their voices against the illegitimate torture and restriction done by Border Security Force personnel and non – functional social security schemes. The representatives of MASUM present there and advised the plan of actions which is needful to claim their rights.

Assam and Meghalaya

On 8-9 April, 2021 members of MASUM organized meetings with the bordering villagers of Assam and Meghalaya. MASUM tried to extend its activities in two neighbouring states. During then, representatives of MASUM met with villagers of 1. Hat singimari, situated under Mankarchar Post Office, Halidayganj Police Station, West Garohills district. This village is located just beside the Brahmaputra River and opposite of Kurigram, Bangladesh, 2. Kalaiyer Alga situated under Kanaimara panchayat, Sukhchar Police Station, Dakkhin Shalmara- mainkarchar district. The village is located in namely Nenkar char, 3. Village- Nandir Char situated under zikzak tiri block, Mahendraganj Police station and South West Garo hills district. In these meetings the villagers mainly talked about their dysfunctional social security schemes, illegitimate restriction and torture by Border Security Force personnel. Our representative gave them some action plan to revive their rights.



Medical camps- In April 2021 MASUM organised medical camps for the tortured victims with the help of United Nations Volunteers Fund for Victims of Torture (UNVFVT) at North 24 Parganas on 7th April. This camp was done under the supervision of Dr. Anushuyak Roy. Total 27 tortured victims got the chance to have their monthly check up with medicines provided by MASUM. The second camp was held at Cooch Behar on 17th April. Total 30 beneficiaries had their health check-up to Dr. Champak Banerjee and also got medicines provided by MASUM.

Case Briefs, April 2021

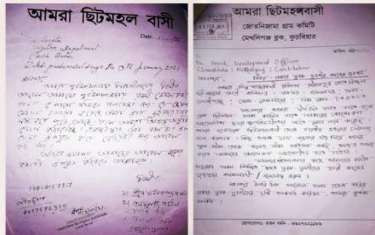
• **Torture by Border Security Force:** We conducted fact findings into two incidents of torture, cruel, inhuman and degrading treatment meted out by perpetrators of Border Security Force. Both the instances include horrific violence against women belonging to poor and marginalized communities. On 12.03.21, Srimati Halder, a Dalit woman and resident of Mahakola village, Nadia, was brutally beaten, stripped and molested by male personnel of Border Security Force. They accused her of smuggling phone chargers across the border without any evidence. They also threatened her with further abuse if she complained against them. On 06.01.21, Chobita Sen, a resident of Cooch Behar district, was sexually harassed and molested by two personnel of the Border Security Force. She was also beaten along with her children when they tried to protest against the personnel's lewd behavior. When the villagers came to the victim's aid, the Company Commander of BSF arrived with 15-20 BSF personnel and lathi-charged on the villagers.



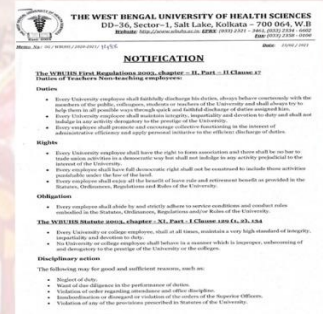
• **Extra Judicial Killings:** We documented an incident of arbitrary firing and executions of four marginalized migrant labourers by the personnel of Central Industry Security Force. The incident happened in Cooch Behar district on 10.04.2021 when the people had arrived peacefully at polling booths, which they were the voters of, to cast their vote for the West Bengal Assembly Elections 2021. The nature of firing was completely arbitrary in nature and was not targeted towards any individual. This incident is an attack on the fundamental and democratic rights of participating in free and fair elections by the state.



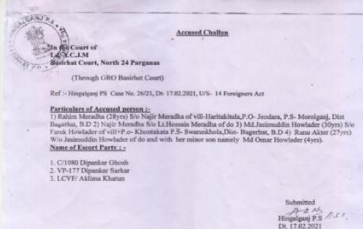
• **Government Negligence:** We documented four incidents of livelihood violations and government negligence in the past month. The incidents were on the dwellers of four erstwhile enclaves - Batrigach, Purba Mashaldanga, 22 Kuchilbari, and Jot Nijama. Even after the implementation of the Land Boundary Agreement 2015, the erstwhile enclave dwellers do not enjoy basic rights related to citizenship, land documents, healthcare, education, public infrastructure and social security schemes. Clean drinking water and sanitation facilities are also not available in the erstwhile enclaves. The roads are dilapidated and in poor conditions and some enclaves also do not have electricity.



• **Mental harassment:** We lodged a complaint regarding an incident of mental harassment and violations of human rights of the students of Institute of Psychiatry, which is affiliated to the West Bengal University of Health Sciences, by the Head of Department and Director of the institute. The students were being harassed and forced to attend work even during the strict lockdown imposed by the government and while the students had contracted the Covid-19 virus. Showing complete disregard to safety protocols during the pandemic, the HOD has consistently put students at health risk and also jeopardized their academic performance.



• **Illegal detention of Indian Nationals in Bangladeshi prison:** In the month of April, we documented two incidents of illegal detention of 9 Bangladeshi women. All these people were found to be extremely poor and vulnerable and many were trafficked to India by local touts with the promise of better employment opportunities. They were apprehended under the Foreigners Act and sent to correctional homes for 14 days. But even after the lapse of this time period, many women continued to be illegally detained. We sent complaints regarding these instances to the National Human Rights Commission and other authorities.



Legal Activities: April, 2021

Due to the second wave of the Covid-19 pandemic all across the country, different judicial courts are not functioning properly due to which, cases are not being heard regularly and justice is delayed to our victims.

Calcutta High Court



Due to MASUM's consistent intervention, Chief Justice of Calcutta High Court listed up one long pending Habeus Corpus case - Rajjak Sk vs. State of West Bengal & others [WPA 19785 of 2018] and was listed up on 05.04.2021 before the Double Bench of Chief Justice and Justice Shampa Sarkar. However, on the said date the Division Bench did not hear the matter. The matter was later listed repeatedly on 06.04.2021, 07.04.2021, 13.04.2021 and 19.04.2021, but hearing was not conducted as the matter was listed as item number 106 in the cause list.

Sub-divisional Courts

New case filing: With the assistance of MASUM, Mr. Ganapati Mondal, a victim of BSF torture filed one complaint case before the Additional Chief Judicial Magistrate, Lalbagh on 01.04.2021 vide CR case number 156 of 2021.

In this month we provided legal support in 07 prosecution cases in the Lalbagh court among which 3 cases are pending for report from the concerned authority. The other 4 cases are pending for recording the statement of witnesses. We also supported 13 victims with defense cases in the court of law as they were charged with fabricated cases.



In this month we provide legal support in 07 prosecution cases and 03 defense cases in Basirhat Court, North 24 Pargana district.

Monthly Overview: April, 2021

After a peaceful mass demonstration of the Indo-Bangladesh border villagers under the banner of 'Amra Simantabasi' before the District Magistrate, Cooch Behar on 25 March, 2021 regarding their regular issues and illegal restrictions imposed by the BSF, it is reported that in Rajarbari village under Sitalkuchi Block in the district of Cooch Behar the border Security Force personnel who previously placed themselves inside the border fencing for security purposes, are now being posted outside the border fence. Villagers of Rajarbari reported that since the BSF are posted beyond the fencing incidents of illegal restrictions by the BSF personnel upon the life and livelihood of the villagers have decreased for the last few days.

In Jayantipur village under Bangaon Sub Division in the district of North 24 Pargana, there are about one thousand acres of agricultural land situated outside the border fencing. Border Security Force authority of Jayantipur Border Out Post, 158 Battalion verbally directed the villagers not to cultivate jute in the land which is located on the other side of the border fencing. Some of the villagers cultivate jutes in their own land which are outside of the fencing but the Border Security Force personnel sprayed poison in those lands in the darkness of the night which caused the destruction of jute saplings that were planted in this season incurring heavy financial loss.

Obituary



We mourn the demise of Alekjan bibi, the mother of Ajjul Pramanik, a victim of custodial death, on April 22, 2021 at the age of 60. She was suffering from breast cancer and breathed her last in her home. Her son Ajjul Pramanik was brutally tortured by the BSF and handed over to the Sitai police station in Cooch Behar during February 2020. On 21st February, 2020, Ajjul died in police custody. Alekjan Bibi came in contact with MASUM and initiated a legal fight to get justice for her son's death. Later she was repeatedly pressurized by the Sitai police to withdraw case. She was even offered money for the same but she held her ground till the end. She will be remembered as one of the fighting spirits, who denied to give in to the state machinery and opted for justice.

Activities at a glance



A village level meeting in North 24 Parganas district



Meeting with the victims of torture at Cooch Behar district



Meeting with the villagers of Changmari in Cooch Behar district



Meeting with the villagers of Kuserhat in Cooch Behar district



Dr. Champak Banerjee treating a victim in a medical camp at Cooch Behar



MASUM Secretary, Mr. Kirity Roy being felicitated by a villager of Hat Singimari village in West Garohills district.