

# Monthly Report

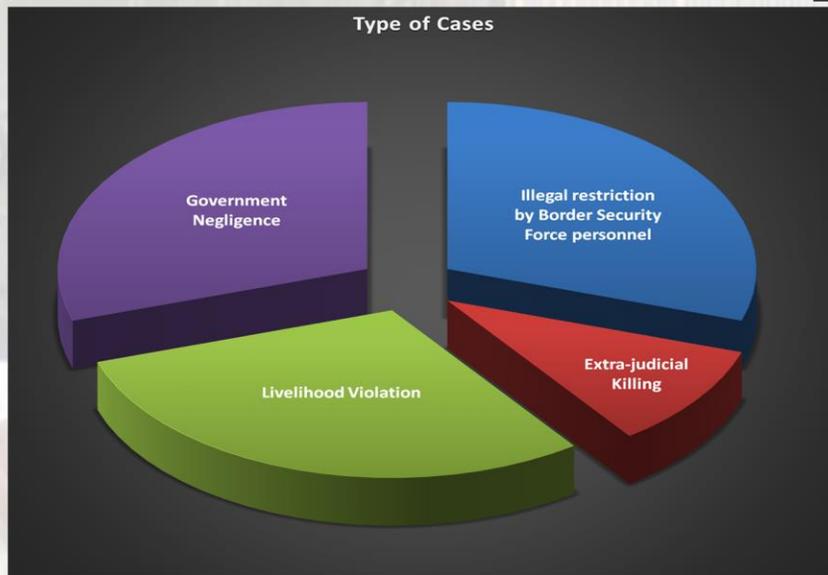
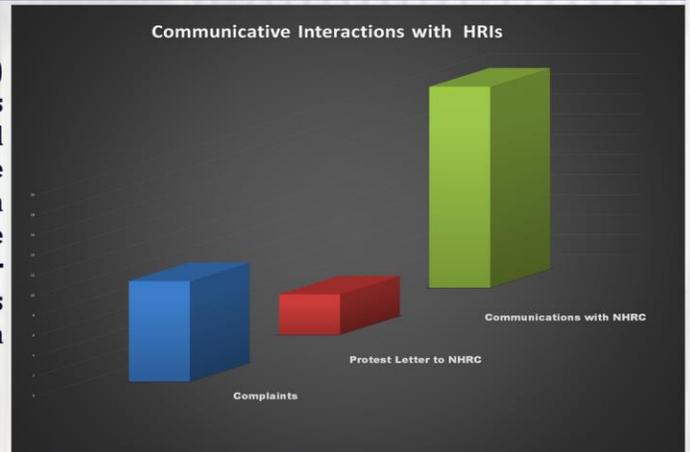
## June 2023

*Miles to go...*

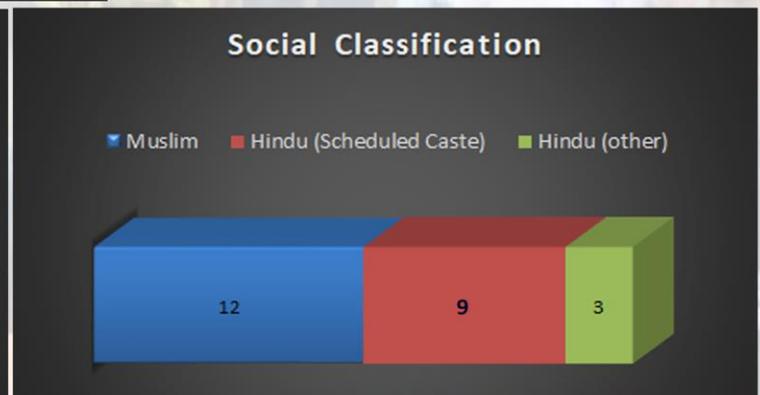
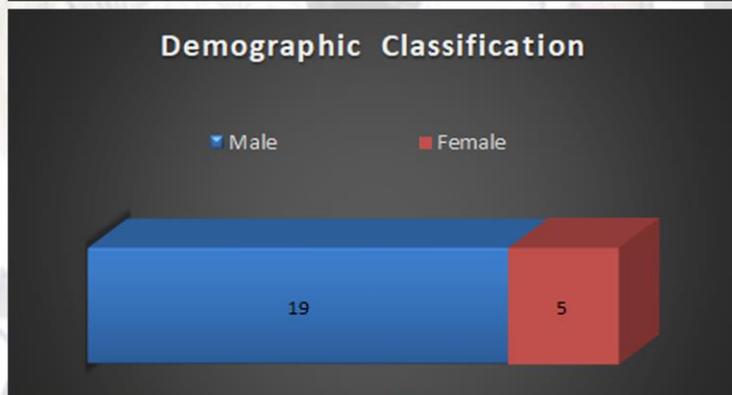
**Banglar Manabadhikar  
Suraksha Mancha**



**Banglar Manabadhikar Suraksha Mancha (MASUM) made 10 fresh 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 June 2023. We have sent 4 protest letters to the concerned authorities, where they have closed a case or sent overdated summons to our victims. During this month we have received 20 directions from the NHRC in various cases.**



**Out of the 10 complaints, one is on extra-judicial execution by the Border Security Force, three are on illegal restriction by BSF, three on livelihood violation and three on government negligence. Through these complaints we addressed the issues of 24 individual victims; out of them 12 belong to minority Muslim community, 3 from Hindu community and 9 others from Hindu Scheduled Caste community. Among the victims 19 were males and 5 were females. In restriction by the BSF and government negligence cases, the victimization was collective and didn't reflect on the charts below.**



### OBITUARY



This month we have lost one of Modern Bengal's living legends Tapas Bapi Das (22nd September, 1954 - 25th June, 2023). Tapas Das, fondly known as Bapi da, among the followers and friends, was a founding member of pioneer Bangla band 'Mohiner Ghoraguli'. But, that is hardly the only identity of Tapas Bapi. A fierce dissenter, a fighter, Bapi da, has always used his voice and his guitar to give voice to the voiceless. We have always found him around the center and the corners of almost all democratic movements for the past many decades. He was a friend of MASUM. He was present at MASUM's table in Kolkata Book Fair, with his guitar and supported our cause. His death is not only a loss of Bengali music, also that of the democratic movement in this State. But, as they said, "We will go on singing/ we don't want recognition/ Hey, you white collar/ get lost if you can't take the heat". Rest in power and music.

## Our Activities

### Cooch Behar district

In this month total 37 village level meetings were conducted in Cooch Behar district. In the meeting the members of the respective Amra Simanta Basi committees and Pramila Bahini discussed the issues of their area and took the decision to lodge complaints to the local administration regarding the issues of the respective villages. As the panchayat election is going to be held, the members of Amra Simantabasi committees are doing mass postering in their area to bring notice to the local leaders about the issues of the Indo-Bangladesh border.



### North Dinajpur district



In this month total 18 Village level meetings were held in North Dinajpur district. The representative of MASUM attended meetings with the members of various Amra Simantabasi committees and Pramila Bahini. The main objective of those meetings was to understand the present situation of the area and to set the next course of action. Through this meeting we also gave focus to strengthen the week/ inactive committees.

On 22.06.2023 a workshop was conducted at Chainagar Panchayat hall in North Dinajpur. Total 9 volunteers from different gram committees participated in that program. Mr. Arjun Mukhopadhyay from Jan Sahash was the resource person of the program. In the program the volunteers came to know about the details of the rights of the migrant workers, unsafe migration, different welfare schemes for migrant workers etc. The volunteers actively participated in the program. It was decided that the volunteers will share the information which they learnt from the workshop with the villagers of the respective villages.

### Advocacy initiatives

1. On 14.06.2023 we had a meeting with the BDO of Raiganj block. As the panchayat election declared he was busy with some election related activities. However, he asked to come after 25th of June for further discussion on the border related issue.

2. On 14.06.2023 we had a meeting with the joint BDO of Hemtabad block. The joint BDO claimed that he regularly communicated with the members of Amra Simanta Basi committees.

3. On 16.06.2023 we had a meeting with the ADA of Assistant director agriculture of Hemtabad. We highlighted the issues of the restriction on the agricultural activities by the BSF personnel. We proposed that a joint program can be organized for the underprivileged farmers of the border area to inform them about the different government schemes for welfare of the farmers. The ADA agreed to conduct a joint program.

4. On 16.06.2023 we had a meeting with the ADA of Assistant director agriculture of Raiganj. We highlighted the issues of the restriction on the agricultural activities by the BSF personnel. We proposed that a joint program can be organized for the underprivileged farmers of the border area to inform them about the different government schemes for welfare of the farmers. The ADA agreed to conduct a joint program.



### North 24 Parganas district

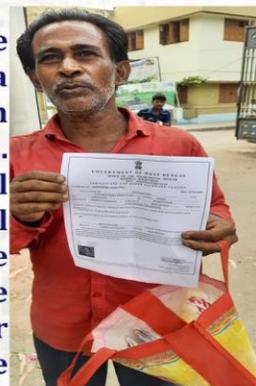


There are 12 meetings organized by respective volunteers independently of each village committee and 9 meetings with the volunteers and village committees were with the DHRM & DC. DHRM had independently conducted meetings at Barnaberia, Jhoudanaga, Pipli. In the meetings we discussed the changes brought in the functioning of the volunteers' and their involvement with the committee members for the developmental work for their respective villages. The Dakshin Bagundi village had submitted a petition to the SDO Basirhat 1 for the issue of water logging during the monsoon season for which the villagers suffered. Incidents of snake bite and other insects' issues are a regular feature at that area so the suffering villagers complained for an action from the government agency. The issue of arsenic water at the Jhaudanga village under Gaighata Block has been an issue for several months. The villagers verbally complained to the Panchayat but no resolve on the issue. So now they complained to the SDO, on that matter highlighting that the local ICDS center is affected due to the issue. The volunteer Suraiyua Biswas of Boaldaha, had initiated a whatsapp group to interact with the village members pertaining to local issues and resolve.

## Our Activities

### Achievements:

Three bonafide applicants of Gobra village, under Swarupnagar Police Station in the district of North 24 Parganas, West Bengal, were denied their caste certificate for a long period. They applied for the certificate during August, 2021. However, even after two years of their application, they were not provided with their certificates. The applicants have contacted the officials in the Swarupnagar BDO Office several times but the officials did not provide them any information regarding the actual reason of such denial. On 6th June, 2023, MASUM lodged a complaint to the Chairperson, National Commission for Backward Classes and informed of the incident. However, to our surprise, on 8th June, 2023, officials from Swarupnagar BDO office called the applicants to their office and handed over the caste certificate to them.



Master Sahanur Mondal of Parashpur in Murshidabad district, who was tortured by Border Security Forces (BSF) three years back finally gets a recommendation of 25 thousand Rupees by NHRC. On 20.06.2020, the minor boy was going to the local market for buying shoe with his mother. On his way, he was randomly stopped by the BSF personnel and was beaten in a gruesome way with sticks and rifle butt. Later, when the boy was taken to the hospital to seek medical attention, the doctor didn't mention any clinical findings in the report. On 30.06.2020, when the father of the victim went with the complaint to Jalangi Police Station, the complaint was not treated as First Information Report (FIR). We lodged a formal complaint to NHRC in this regard on 10.07.2020. Finally, after almost three years the Commission has recommended a monetary compensation of 25 thousand rupees. Though it is hardly enough if we compare with the physical and mental trauma the victim underwent, but nonetheless, is a welcome step.

### Medical Camp:

In this month MASUM organized two medical camps with the help of United Nation Voluntary Fund for Victim of Torture - UNVFVT, for the torture survivors and the family members of extra-judicial execution and enforced disappearance victims. On 27.06.2023, a medical camp was held at Swarupnagar, North 24 Parganas, where 25 survivors and family members availed the treatment under the supervision of Dr. Anasuyak Roy. On 23.06.2023, another medical camp was held at Utsav Hotel, Dinhata of Cooch Behar where 43 victims availed the treatment under the supervision of Dr. Saokat Ali. The prescribed medicines were provided to the beneficiaries along with the cost of pathological tests. At the end of each medical camp volunteers of MASUM had meetings with tortured victims and their family members to discuss the legal case status of individuals.



### Media coverage

June, 2023

1. [Public App](#) - 02.06.2023
2. [Public App](#) - 02.06.2023
3. [The Hindu](#) - 28.06.2023
4. [The Telegraph India](#) - 28.06.2023

### OBITUARY



This month we have lost our very beloved Mr. Sanat Roy Chowdhury (20.09.1939 - 01.07.2023), a true friend of the democratic camp and the human rights movement. From his youth he has been associated with left wing politics. He was involved with democratic movement from '70s. He served as the Vice President of APDR as well as one of the founding members of Hooghly district APDR. He spoke in MASUM's meeting at Students Hall with Gour Kishore Ghosh, Satya Banerjee observing the 25th year of emergency in India. He was awarded 'Manabadhikar Samman' by MASUM at the International Human Rights Day Fair at College Square in 2004/2005. He was helpful to make a success of fact finding in the Bhikari Paswan case. Sanat da was in prison for his opinion. He was a key member of the movement for the release of the political prisoners post 1977. Right till his last breath he has been to the cause of the downtrodden. He was one of the biggest impetus of the Chinsurah Sramajibi Hospital. We have seen that, even at his very old age, he'd present in all the democratic initiatives in the area. A private tutor by profession, he lived a life which was truly for the people. His loss will be felt throughout the democratic spectrum.

## Case Briefs: June 2023

• **Extra-judicial execution:** This month, we have encountered one case of extra-judicial execution. The case came from the district of Cooch Behar. Mr. Gautam Barman, a migrant worker and a resident of 94 Fulkadabri of Mekhliganj was shot dead by BSF on 15.06.2023 at around 10 pm as he went outside to answer nature's call. When the victim didn't return till dawn, they went to search him out, as they heard a fire that night. At about 50 meters from their house they saw blood stains and bullet shells. This was indicative of the fact that the BSF shot the victim and later took away his body and threw it near the International border which was one and half kilometers from the place of the incident. We conducted a thorough fact-finding about the incident. In fact, we came to know that the victim was visiting his aunt's village as he usually stayed in other states for job purposes. Based on our fact finding, we have filed a case to the NHRC. It is sad to note that, irrespective of numerous promises from the higher authorities, the Border Security Force is neither taking the issue of border killing very seriously, nor are they serious about bringing down the number of killings at the border to zero.



Video Link: [Here](#)

• **Illegal restriction by the BSF personnel:** This month we have received and released three cases of illegal and whimsical restriction by the Border Security Force personnel on the lives and livelihood of the villagers. Out of these, two cases were from the district of Cooch Behar and one case was from the district of North 24 Parganas. In North 24 Parganas, the case was encountered in Panitor Borderpara. In this case, through our fact-finding we have found that the BSF has been occupying the local ICDS center for many years now. We complained to the District Magistrate of the district about the issue. The other two cases were from Cooch Behar district, where the BSF personnel are regularly harassing and restricting the villagers of Darjipara and 77 Nijtaraf from earning livelihood through farming, especially that of jute and maize in the land around the border fencing. We have complained about the issues to the DM of Cooch Behar.

• **Government Negligence:** This month we have encountered 3 cases of government negligence. We have encountered all three of these cases from the district of North 24 Parganas. Out of these three cases, two cases of non-issuance of caste certificate came from Gobra and Gobindapur villages respectively. Another case was of negligence in proper sanitation in the village of Gobra. We have complained about the issues to concerned departments. All these areas in the district of North 24 Parganas are located at the vicinity of Indo-Bangladesh border. The villagers residing in these areas are subjected to systematic marginalization by the state. Such negligence in the part of the government are making their lives miserable.

• **Livelihood violation:** This month we have encountered three cases of livelihood violation. Out of those cases two were from North Dinajpur district and one case was from the district of Cooch Behar. In these all three cases we have seen BSF destroying the hard-earned cultivars of the peasants. The Cases of the North Dinajpur district came from the villages of Sunor and Bahor, and the the case of Cooch Behar was of one peasant Mr. Abdul Chattar. Regarding these violations we have lodged complaints to the district magistrates of the respective districts.



## Legal Activities Report: June 2023

### Activities in High Court at Calcutta

In the High Court at Calcutta total eight cases are pending among which five cases are mandamus writ cases and the rest three are criminal revision cases. These pending cases have not been listed in the cause list (Case roster) of the Calcutta High Court since 2021. On 26.05.2023 our pro-bono lawyer in the High Court at Calcutta mentioned the three criminal revision cases for listing up those cases for the purpose of hearing but after mentioning till date no hearing date was fixed in connection with the above mentioned cases.



### Sub-divisional Courts



This month we provided legal support in 07 prosecution cases in the Basirhat court among which, in three cases the Additional Chief Judicial Magistrate, Basirhat court directed to the concerned police to submit status report in the court. In one case the Magistrate directed to the complainant to appear and file objection against the final report of the case submitted by the police and in three cases execution of warrant against the perpetrators. In this month MASUM also supported 04 victims in the Basirhat Court where they were charged with fabricated charges.

In the court of Bangaon, we provide legal support to one victim who was inflicted physical torture by the BSF personnel.

In the court of Barasat, MASUM provided legal support in 01 prosecution and 02 defense cases.

### Filing of bail application

Ms. Feroja Mondal @ Firoj Khatun Gazi is a victim of grievous torture by BSF. BSF also submitted false complaint against her and based on the complaint of the BSF one false and concocted case was lodged against the woman victim Ms. Feroja Mondal by the Swarupnagar police officials vide Swarupnagar Police Station case number 225/2023 under section 341 (Wrongful Restraint) /323 (Voluntarily Causing Hurt) /325 (Voluntarily Causing Grievous Hurt) /353 (Assault of Criminal Force to Deter Public Servant from Discharge of His Duty) /506 (Criminal Intimidation) of Indian Penal Code. On 22.05.2023 petition for anticipatory bail application was filed before the District & Session Judges Court, Barasat, North 24 Parganas vide Criminal Miscellaneous Case number 1880/2023. On 09.06.2023 the date for hearing of the anticipatory bail application was fixed. As on the date of 09.06.2023 the court was closed due to extended summer vacation, again the date for hearing of the anticipatory bail application was fixed on 03.07.2023.

### Filing application before the SDLSC

On 01.06.2023 villagers of Jayantipur jointly submitted one written application to the office of the Sub Divisional Legal Services Committee, Bangaon regarding the problems of restriction upon the agricultural activities and continuous harassment faced by the BSF personnel upon the villagers and farmers of the said village. After lodging their written submission, on 14.06.2023 Block Development Officer, Bangaon and Superintendent of Police, Bangaon Police District came to the village of Jayantipur and enquired the whole incident. From the office of the SDLSC, Bangaon it was reported that they will conduct one meeting with villagers, BSF and state administration regarding the above stated matter after completion of the panchayat election in the State of West Bengal.

### Appearance in the Security Force Court

Mrs. Umran Bewa, an aged widow, lived with her two sons and daughter-in-laws at village- Kishamat Karala-II, beside P.W.D. Road at Kadamtala, Post office- Shukarurkuthi, Police Station- Dinhata, District- Coochbehar. She sustained her family by working as day labourer. On the fateful night of 11. 10.2014 at about 1:30 a.m., a BSF personnel attached with Karala Border Outpost of 124 Battalion, illegally and forcefully trespassed into the room of Umran Bewa, since deceased, by breaking the thatched bamboo wall and without any reason, fired at her from his firearm. The family members rushed to the spot on hearing the sound of gunshot and found that Mrs. Bewa was writhing in pain and blood was splashed all around. The BSF personnel were found trying to remove her body by pulling her legs. While the family members objected, the BSF personnel threatened them with dire consequences. The family members somehow raised an alarm and shouted for help and when the neighbours reached the spot the BSF personnel fled the spot. Mominul Islam, son of the victim lodged one written complaint to the Dinhata Police Station which was registered as Dinhata Police Station case number 1185/2014 dated 12.10.2014 under section 448/302 of the Indian Penal Code. Regarding this matter, we also filed a complaint before the NHRC. NHRC registered the case vide NHRC case number 1555/25/6/2014-ED. The case was considered on several occasions and on 03. 02.2021, the NHRC recommended to the Secretary, Ministry of Home Affairs to make a payment of a sum of Rs.5,00,000/- (Rupees five lakhs) to the Next of Kin (NOK) of the deceased Umran Bewa.

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## Legal Activities Report: June 2023

### Cont. from: Appearance in the Security Force Court

As per section 80 of the BSF Act, 1968 read with rule 41 of the BSF Rules and section 475 (1) of the Code of Criminal Procedure, the above stated case was transferred to the BSF Security Force Court for trial as Court Martial against the BSF and on 05.06.2023 Assistant Commandant, 90 Battalion BSF called for appearance of the family members of the deceased victim for deposing their statement before the BSF Security Force Court. On the said date the son and daughter-in-law of the deceased victim and two neighbours deposed their statement before the BSF security Force Court.

### Activities under Right to Information (RTI)

After filing FCRA application on 21.09.2020 till date no update of our application status was received from the FCRA department. On 25 March 2023, we submitted a fresh RTI application to the Central Public Information Officer (CPIO), FCRA for getting the information of our FCRA application status. As the CPIO, FCRA section did not provide the required information to us, on 08.05.2023 we submitted another application to the Appellate authority, FCRA section and requested him to provide the required information which we sought. On 29.05.2023 the office of CPIO, FCRA section Mr. Rama Kant Singh issued one letter from where it is revealed that the information which we sought is in the nature of grievance redressal instead of information as defined under section 2 (f) of the RTI Act, 2005 and therefore, the CPIO cannot furnish the information in this regard. On 12 June, 2023 an objection and appeal under Section 19 of the Right to Information Act 2005, against the information received from the CPIO in respect of our RTI dated 25.03.2023 was submitted where we pointed out that the information which we sought is not in the grievance redressal and it is purely for information purpose.

On 01.06.2023 we submitted three fresh RTI applications to the State Public Information Officer (SPIO), Office of the District Magistrate & Collector, North 24 Parganas; Cooch Behar and North Dinajpur and seek the information concerning the imposition of Section 144 of the Code of Criminal Procedure in the bordering villages under the jurisdiction of the concerned district.

### Achievement

On 04.04.2023, we were informed that two minor boys - Mehedi Hassan Sardar and Abdul Rakib Mondal, residents of Bakultala, South 24 Parganas, who were trafficked to Bangladesh, are detained at Shishu Unnayan Kendra, Jessore in Bangladesh. We brought this matter forth to the concerned government authorities of India and Bangladesh for smooth and swift repatriation of the said two minors. We also communicated with an organization of Bangladesh named 'Justice and Care', who assisted in the repatriation procedures of the two minors. With the heartiest help of 'Justice and Care' and "Shishu Unnayan Kendra" we were able to secure the repatriation of these two boys. On 25.05.2023, In the presence of our District Human Rights Monitor of North 24 Parganas, Mr. Mohor Ali Mondal, the two boys were repatriated and safely came back home. But on the said date these two minor boys were taken to the Child Welfare Committee, South 24 Parganas as the father of these two minor boys lodge missing complaint before the concerned Bakultala police station which was registered as Bakultala Police Station case number 89/2023 dated 20.03.2023 under section 363/365 of Indian Penal Code . After our intervention on 09.06.2023 Child Welfare Committee, South 24 Parganas closed the above stated case and handed over these two minor boys to their family members.

On 25.06.2021 taking advantage of helplessness of the victim attempt to rape Mrs. Malati Das (name changed) by Mr. Sujit Das, Sub Inspector of Deganga Police Station and investigating officer in connection with cases where the victim's husband was accused. On 15.03.2022 MASUM assisted the victim to file one complaint case before the Additional Chief Judicial Magistrate, Barasat against the perpetrator Mr. Sujit Das. The said case was filed vide CR case number 462/2022 under section 376/511/341/884/379/506/509/120B/325/326 and 34 of Indian Penal Code. Magistrate accepted the petition of the victim and started the complaint case. In the meantime the defendant submitted a petition and raised an objection for section 376 and 506 of the Indian Penal Code. Magistrate heard the both parties and on 28.06.2023 rejected the application of the defendant and ordered to keep both section 376 and 506 in connection with the above stated case and directed to appear the accused person Mr. Sujit Das, Sub Inspector of Police, Deganga Police Station on 26.08.2023.

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# A joint statement released on the occasion of International Day in Support of Victims of Torture



## **Prevalence to torture and impunity in India -** **A joint statement on the occasion of** **International Day in Support of Victims of Torture**

Today, 26th June 2023, we are commemorating the 25th International Day in Support of Victims of Torture. On this occasion we want to draw the attention of the global citizens to the exceptionally grim picture of torture in India and call for effective programs to counter the situation.

As early as 1981, the Supreme Court of India has said "...nothing is more cowardly and unconscionable than a person in police custody being beaten up and nothing inflicts deeper wound on our constitutional culture than a state official running berserk regardless of human rights" [Kishore Singh V. State of Rajasthan (AIR 1981 SC 625)]. As early as 1997, the UN Human Rights Committee has expressed its concern about the widespread use of torture by the law enforcement agencies in India. (CCPR/C/79/Add.81). Similar concerns were expressed by the Committee on Elimination of Racial Discrimination (CERD/C/IND/CO/19) in 2007 and the Committee on Economic Social and Cultural Rights (E/C.12/IND/CO/5) in 2008.

In the book of criminal laws in India, 'torture' is not defined anywhere. In India there is no special anti-torture laws which can bind the arms of the perpetrators. The persistence of inhuman treatment by the police and state officials makes it apparent that India is determined to protect violence by the police. India is one of the remaining five countries that has yet to ratify the 1987 United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).

On this very day in the year of 1987, the UNCAT was introduced with the goal of the eradication of this inhuman act. Data say that this atrocious act is still very much prevalent in India. According to NCRB report in 2021, there were 6 cases of custodial death due to torture of police in the custody. It is needless to say that this government data do not reflect the true picture. Apart from that, only the torture happening in custody can be documented. In India we can find instances of torture outside the custody, too. In India, apart from torture, extra judicial execution, rape, violence against Muslims, Dalits and other marginalized sections are also very much prevalent. These are very much interlinked with the phenomena of torture. As stated by minister of State, Ministry of Home Affairs, Mr. Nityananda Rai, there were 655 cases of extra-judicial executions in India between 2017 and 2022.

It is noteworthy that the country has about 178 Human Rights Institutions. But, we have noticed that most of them are almost inactive when it comes to actively fighting for the justice of the victims. And it is also to be noted that, in many cases, bureaucrats and persons with records of erstwhile perpetration of human rights violations are heading these institutions.

Between October 2018 and May 2023, MASUM has documented a total of 116 cases of torture by State forces. We have to note that this record only reflects the situation in 4 Indo-Bangladesh border districts in West Bengal. Thus, we can safely assume that the country-wide picture will be grimmer than the official record. Besides, during the medico-legal investigation of cases of torture, the Istanbul protocol, Minnesota Protocol and other international instruments are not followed.

The cause of a deeper concern is that the government forces are committing these atrocities with a blanket of impunity due to the 'Sanction regime.' Looking at this grim picture, we must reiterate a few demands on this anti-torture day:

- The UNCAT must be ratified by the government of India with immediate effect. Domestic legislation to counter torture must be introduced in India with immediate effect.
- As a deterrent, the government forces must be trained and sensitized accordingly in order to stop the use of torture.
- The medico-legal experts must be trained about the Istanbul Protocol, the Minnesota Protocol and other international instruments that deal with the cases effectively.
- The systematic impunity must be stopped at once and the perpetrators of torture should be brought under justice in the open court of law.

On the occasion of the International Day in Support of Victims of Torture, in cooperation with FORUM-ASIA, MASUM reiterates its call to the Indian government to join the international community in getting closer to the vision for a world without torture.

Stop torture NOW!

Signed by:

1. Banglar Manabdhikar Suraksha Mancha (MASUM)
2. Asian Forum for Human Rights and Development (FORUM-Asia)
3. Asian Alliance Against Torture (A3T)
4. Bytes for All, Pakistan (B4A)
5. Right to Life, Human Rights Center, Sri Lanka
6. Families of the Disappeared, Sri Lanka

Date: 26<sup>th</sup> June, 2023

# MASUM's statement on 53<sup>rd</sup> DG level Conference between BSF and BGB



Banglar

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## **STATEMENT ON THE 53<sup>rd</sup> DG LEVEL CONFERENCE BETWEEN BSF AND BGB**

Recently, at camp Chhawla in New Delhi the 53<sup>rd</sup> DG-level conference of BSF and BGB (Border Guard Bangladesh) took place between 11<sup>th</sup> and 14<sup>th</sup> June. It is disheartening to note that the primary demand of the border populace, i.e. bringing down border killing to zero, has again failed to take the center-stage during the talk. We have seen earlier that it has already been decided that the border between India and Bangladesh will be free of lethal weapons. Even during the prime ministerial meeting between Mr. Narendra Modi and Ms. Sheikh Haseena it was pledged that the number of border killings will be brought down to zero. But, in this recent meeting between the DGs of the two forces as we noticed, all these pledges and goals were thoroughly disregarded.

We are celebrating the 75<sup>th</sup> anniversary of independence in India. Similarly in Bangladesh, it is the 52<sup>nd</sup> anniversary. But still we are unable to create a safe and humane space in the bordering region between India and Bangladesh. Till date it is bearing the ill-repute of being one bloodiest border in the world and as Human Rights Watch named, one of the most trigger-happy regions in the world.

It is ridiculous that this tortuous regime is running all of these shams in the name of curtailing smuggling while these forces themselves are corrupt in an astronomical proportion. It is an open secret that the smuggling business runs under the protection of BSF and BGB itself while innocent people get shot and killed.

We know that India is an exporter of beef to the West. Then why is it so difficult to legalize the trade of cows with Bangladesh? If legalized, it will definitely be a fruitful step to cut down cross-border cow smuggling. In the 2217 km long international border between West Bengal and Bangladesh, there is no single Border Hat. Instead of taking these fruitful steps, the authorities are hell-bent to take futile and violent steps.

The authorities must remember that the two countries in question here are friendly states. Then why are they treating this border the same as the Indo-Pak border? We, MASUM, fail to understand that. Thus we strongly demand that the Indo-Bangladesh border must be administered along the similar line of the border between India & Nepal and India & Bhutan. The region of West Bengal through which the Indo-Bangladesh border runs through is geographically and culturally continuous with the neighboring country. It was merely a random partition by a British official named Cyril Radcliffe. The region is densely populated and highly marginalized. We, MASUM, demand that all these factors must be kept in mind and the authorities of both the countries should immediately take a departure to achieve an amicable and humane solution of the border issues.

Kirity Roy  
Secretary  
MASUM

# MASUM's statement on West Bengal CM's statement regarding BSF atrocities at Indo-Bangladesh border



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## STATEMENT ON THE RECENT STATEMENT OF CM, WB ON BSF ATROCITIES AT BANGLADESH BORDER AND BSF's APPRAISAL

Yesterday, on 26<sup>th</sup> June, Smt. Mamata Banerjee, the chief minister of West Bengal spoke of the atrocities of the Border Security Force (BSF) at the Indo-Bangladesh border. She spoke of alleged intimidation by the central paramilitary force and asked the populace to not be afraid. On the part of MASUM, we feel that this statement by the CM is an acknowledgement on the part of government authority that heinous torture by BSF exists in the villages at the Indo-Bangladesh border. We heartily thank the CM of West Bengal for acknowledging this fact.

Now, we will come to take a closer look at a statement by the Border Security Force, refuting this allegation. In the statement undersigned by PRO, BSF-Guwahati Frontier, they plainly and blatantly deny all these allegations. In this Statement, we will examine line to line and put forth our observations.

In the first point of the appraisal, the BSF has said that "BSF is a professional force.....has never intimidated any border population or voter in the bordering areas...". Now, we, MASUM, have been working in the area for more than 25 years now. From our lived experience, we can responsibly affirm that the claim by BSF of "...never" intimidating "...border population" is nothing but a ridiculous fiction. In the last 5 years, we have encountered at least 104 cases of torture by the border security forces excluding 34 cases of extrajudicial killings, of which every single incident was brought to the notice of BSF authorities and the state. Rather, there have been instances where the BSF has not acknowledged the directions of NHRC. In the case of Abdus Samad, a victim of extrajudicial execution by the Border Security Force, the NHRC recommended to the Home Ministry for 500 thousand rupees of compensation to the victim, which the BSF is yet to pay any heed to. The case of Felani Khatun gathered a lot of international attention. There too, the victim's family still awaits justice. There are many more awaiting justices. 4096 kilometers long border between India Bangladesh is infamous due to mainly BSF. So, the "Not intimidated" doesn't really slice the bread.

In the second point of their statement, they are speaking that "...No complaint of intimidating of any person in the border area has been received so far by BSF or any other sister agency..." (erroneous grammar unchanged from original text). We have submitted more than 2000 cases on different BSF atrocities to BSF, state government and different HRIs during our existence. Withstanding the fact that our area of work is limited we can safely assume that the actual number of atrocities is much higher. We are clueless about why the BSF is acting in such a way that they haven't yet heard of any such complaint.

So, in conclusion we want to say that the statement by BSF is as far from the reality as it can get. If the home ministry of Union Government or the BSF is even a tad bit serious about addressing the problems of the border population they must gather courage to admit the fact that "Torture exists at the Border where BSF is posted", and that too with impunity of the sanction regime that further enables the perpetrators to commit such crimes. We, MASUM, thoroughly condemn this 'full of lies' statement by the BSF.

In the end, we would like to mention a few more things as well. While the acknowledgement of the problems of the border population is a great gesture by the CM, there are a lot many other problems than BSF torture. Per se, the population is severely marginalized due to government negligence. Also, the government of West Bengal must take action to destroy the troublesome nexus between the police and the BSF which is making the lives of people residing there, in a word, hellish. If, the government of West Bengal does not act upon these other problems of lives of the humans on the border, the statement by the CM will go down only as a gimmick in history.

Kirity Roy  
Secretary  
Banglar Manabadhikar Suraksha Mancha  
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&  
National Convenor (PACTI)  
Programme Against Custodial Torture & Impunity

## Activities at a glance



**Training for the volunteers of North Dinajpur district at Raiganj**



**Meeting with Mahismuri Haldikura village level committee in Cooch Behar district**



**Meeting with Tharaikhana village level committee in Cooch Behar district**



**Meeting with the 'Pramila Bahini' committee of Makarhat village in North Dinajpur district**



**Treatment of a survivor in our medical camp aided by UNVFVT**



**Meeting with the torture survivors of North 24 Parganas district**