

# Monthly Report

## March 2022



*Miles to go...*

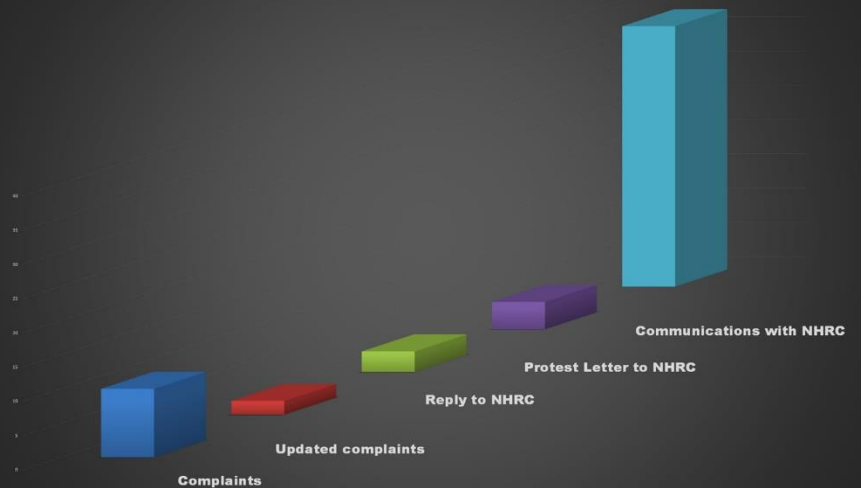
**Banglar Manabadhikar  
Suraksha Mancha**



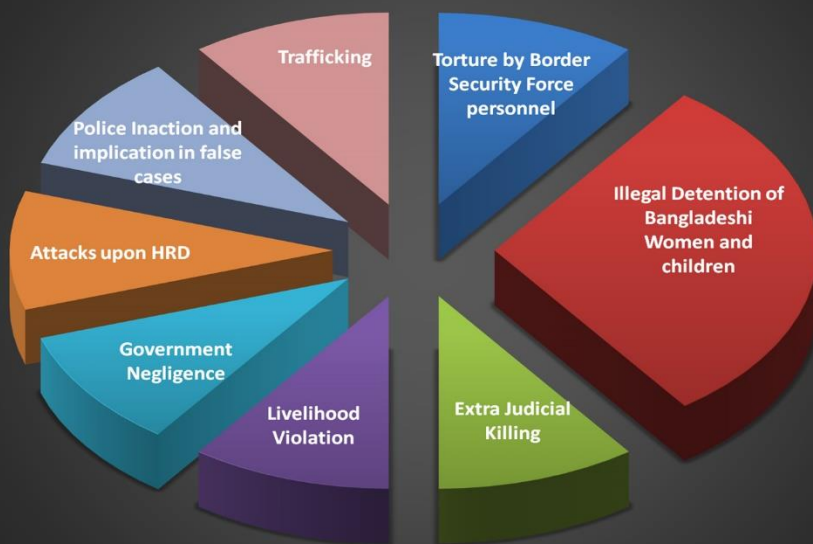


Banglar Manabadhikar Suraksha Mancha (MASUM) made 10 fresh complaints of gross human rights violation before the relevant state authorities and different human rights institutions; especially the National Human Rights Commission during the month of March 2022. In cases, where our victims from previously lodged cases were threatened or intimidated, we have lodged 2 updated complaints. We have sent 3 replies in cases where the NHRC have asked for our comments. We have sent 4 protest letters to the authorities, where they have closed a case or sent overdated summons to our victims. During this month we have received 38 directions from the NHRC in various ongoing investigations.

Communicative Interactions with HRIs



Type of Cases



Out of the ten complaints, three are on illegal detention of Bangladeshi women and children. One complaint each were made on torture by Border Security Force personnel, extra-judicial killings, livelihood violation, attack upon human rights defender, government negligence, police inaction and trafficking. Through these complaints we addressed the issues of 43 individual victims. Among them 32 belong from minority Muslim community, 6 from Hindu General and 5 from Hindu Scheduled Caste community. Among the victims 17 were males and 26 were females. Among these victims 10 were minors.

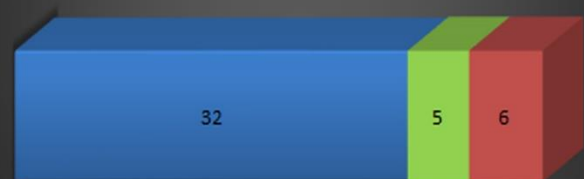
Demografic Classification

Male Female



Social Classification

Muslim Scheduled Caste Hindu (General)





## Our Activities

### North 24 Parganas district

On 08.03.2022 and 09.03.2022 MASUM organized two different Sub divisional level meetings in Bongaon and Basirhat sub division. Leaders from the 'Amra Simantabasi' committee attended the meeting. The main purpose of the meeting was to plan about the upcoming deputation program in the respective sub- division. On 14.03.2022 a village level meeting was held at Pipli village under Gaighata block.



#### Deputation to the Government authorities



On 31st March, 2022 a Deputation was held by the "Amra Simantabashi" Committee before the Sub-divisional Officer of Basirhat. The villagers presented their woes to the SDO, who promised to raise these issues to the higher-ups. MASUM continues to stand beside the vulnerable communities, who are easily targeted in the Indo-Bangladesh borders, their only fault being that they belong to the marginalized communities. We demand immediate intervention from the State government against these atrocities.

### Malda district

#### Village level meetings



In Malda district, a total of 3 village-level meetings were conducted in the few villages under Kaliachak -III block and English Bazar block. Those villages are situated adjacent to the Indo Bangladesh border. On 21.03.2022 a street corner was held at Sobhapur village under Kaliachak III block. On 28.03.2022 a village level meeting was conducted at Baishnabnagar village under English Bazar block. On 30.03.2022 a village level meeting was conducted at Kadamtala village in Kaliachak III block. In all these meetings the villagers decided to form the 'Amra Simantabasi' committee and fight against border issues.

### Cooch Behar district

#### Village level meetings

During this month 12 village level meetings were organized by MASUM in Cooch Behar. On 03.03.2022 a village level meeting was held at Jaygirbala Bari village under Dinhata II Block. On 10.03.2022 a village level meeting was held at Tetulerchara village under Mathabanga I block. On 18.03.2022 three village level meetings were held in Jhikri village, Khitaberkuthi Village and Sukarukhuti village. All the three villages are situated under Dinhata II block. On 19.03.2022 a village level meeting was conducted at Seoti I village. On 21.03.2022 four village level meetings were held in Khalpara village, Pashmin Hemkumari Par Mekhliganj village and Dangapara village. Those four villages are situated under Haldibari Block. On 23.03.2022 two village level meetings were conducted at 77 Nijtaraf village and 114 Upenchowki village under Mekhliganj block.



The main purpose of those meetings was to understand the issues of the Border areas. Inhabitants of the border villages shared the issues about the illegitimate livelihood restrictions by the Border Security Force Personnel. Through those meetings villagers planned for the next course of action to fulfill their demands.

#### Deputation to the Government 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. Respective Block Development officers listened to the issues carefully and assured to support the agenda.

**Medical Camps** - In the month of March 2022 MASUM organized three camps for medical treatment of the torture survivors and their family members. These camps were organized with the help of United Nations Voluntary Fund for Victim of Torture (UNVFVT). On 13.03.22 and 17.03.22 two such camps were held at Dinhata and Tufanganj of Cooch Behar, where 54 and 28 beneficiaries availed medical treatments under the Supervision of Dr. Saokat Ali respectively. On 16.03.22, another medical camp was organized in Swarupnagar of North 24 Parganas, where Dr. Anasuyak Ray provided treatment to 30 torture survivors and their family members. Prescribed medicines were also provided to the victims at the end of each camp.





## Case Briefs: March 2022

• **Torture by BSF personnel:** On 21st January 2022, about 7 to 8 BSF personnel criminally trespassed the house of Mrs. Lipi Bibi and tried to outrage her modesty during the wee hours of night, when she along with her minor daughter and her niece Sultana Parvin were sleeping in Gachhtala village of Sitalkuchi block in Cooch Behar district. The victim was verbally abused by the perpetrators without the presence of any woman BSF official with the raiding group. As the victim went to the Sitalkuchi police station to lodge a complaint, the on-duty police officer refused to lodge a complaint. Later when the complaint was lodged, the police refused to issue a receipt to the victim. Later she again lodged a complaint before the Superintendent of Police, Cooch Behar against the perpetrator BSF personnel. Unfortunately, she did not get any response from either authority till now.



Watch Lipi Bibi's video [here](#)

**Mass Killing and police inaction:** MASUM members conducted a central fact-finding on the incident of Bogtui massacre in Birbhum district of West Bengal. The fact-finding revealed that at least 10 persons were charred to death following an incident of the murder of a local TMC leader Bhadu Sheikh, as an act of revenge. It was further revealed that the whole incident stirred up due to the long-standing rivalry between two groups over the share of money from illegal trades. The victims were brutally beaten up by the rival groups and then locked inside their houses, which were later set on fire. Following the massacre by the rival group, the villagers almost abandoned the village in order to save their lives. As per our fact-finding police was present near the place of occurrence but didn't take any action to stop the massacre. A day after the incident, a Special Investigation Team (SIT) was formed to probe into the matter and later the CBI has been bestowed with the responsibility of the investigation. MASUM lodged a complaint to the NHRC along with all the details gathered from the fact-finding and sought for the Commission's intervention into the matter.



Watch Bogtui fact-finding video [here](#)

• **Extra-judicial execution:** A poor marginalized youth named Mr. Bikash Debnath from Uttar Chamta village under Sitai Block and Police Station in the district of Cooch Behar, has been brutally tortured to death by the perpetrator Border Security Force personnel attached with Battalion number 75 of Koimari Border Out Post. The victim, who was involved in cross-border smuggling, was forcefully apprehended by the perpetrators BSF on duty, and continuously tortured for three hours. Later his body was recovered from Indo Bangladesh border side. Sitai Police took the body to the Sitai Block Hospital, where he was declared as brought dead. Without doing inquest, the dead body of the victim was taken to Sitai Police Station and there the inquest was done by one police of Sitai Police Station and one executive magistrate, which violated the sections 174 and 176 (1) (a) of the Criminal Procedure Code. MASUM lodged a complaint to the NHRC on the incident.



Watch Bikash Debnath's video [here](#)

• **Trafficking and police acquiescence:** MASUM condemns the incident of illegal trafficking and profuse police inaction following the trafficking of a minor girl named Nalini Sarkar (Name changed), aged 16 years, a resident of Manoharpur village under Bagda Police station of North 24 Parganas district. The victim, a student of 11th standard in Helencha Girls High School, belongs to a poor marginalized community with meagre means of income as her father, Mr. Haripada Sarkar is a daily laborer and works as the supervisor of MGNREGA works. She was visiting her aunt's house at Asharu village, when on 30th of January, 2022, at around 5 am, she went missing. Her family members and relatives immediately initiated a search in the locality and figured out that one Prabir Sarkar, Son of Parikkshit Sarkar have taken Nalini along with him. After they couldn't trace Nalini, her father lodged a complaint in Bagda police station on 30.01.22 night against the perpetrators. However, the Bagdah police did not register the complaint. On noticing the carelessness of the police, the victim's father lodged a written complaint to the Superintendent of Police of Bongaon Police District on 02.02.2022. Thereafter the Bagdah police registered a complaint, a month after the occurrence of the incident but didn't take any positive action to find her daughter. Though the accused have been roaming around in the same area for 15-16 days at a stretch, yet no action was taken against them. On 12.02.2022, when the victim's father went to the police station to seek a copy of the FIR, the Investigating Officer of the case, Sub-Inspector, Mr. Ashim Babu of Bagda police station was present. He behaved rudely with the victim's father and insulted him. He accused, Mr. Haripada Sarkar of having sold his daughter and then registering a missing complaint. Furthermore, he also threatened to put false charges on the victim's father to the extent that he is booked in the prison for a lifetime. He refused to provide a copy of the FIR to him. MASUM lodged a complaint to the NHRC on the matter seeking proper intervention.





## Case Briefs: March 2022

• **Attack upon human rights defender (HRD):** MASUM lodged a complaint to the NHRC on an incident of threat and violence against a marginalized Muslim person named Mr. Monnaf Ali at Korala village under Dinhata II block of Cooch Behar district, West Bengal by the Border Security Force personnel. On 30th January, 2022 the BSF company commandant and two 'G' branch personnel attached with 90 Bn of Notkobari B.O.P. threatened the victim, Mr. Monnaf Ali, who is also a human rights defender in the area, for pasting a poster on a public place. The victim lodged two separate complaints before the Superintendent of Police, Cooch Behar and the Officer-in-charge of Sahebganj police station against the perpetrator BSF personnel. Unfortunately, no action was taken in this regard by the police.

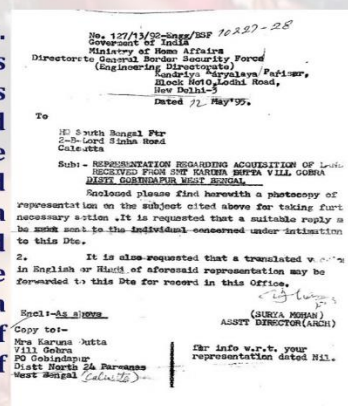


• **Livelihood violation:** Mr. Abdul Azit, from Korola village under Dinhata-II block of Cooch Behar district is a marginalized agricultural labourer. His house is located outside the barbed-wire fences of the Indo-Bangladesh borders, which is under the jurisdiction of the Narayanganj BSF Border Outpost, 'A' Company, Battalion no. 90. On the wee hours of 1.02.2022, under the leadership of Mr. N.R. Prajopal, the Company Commander of Narayanganj BSF BOP, the BSF dug a wide hole of 15 feet using JCB car, beside the barbed-wire fences, on the roads built by the C.P.W.D., near fencing gate no. 929, at around 4 am. This has led to the breakage of a part of the yard in the victim's household, as the hole was dug adjacent to his house. When the victim approached the company commander, he did not listen to the victim's pleas and continued their work. After digging the hole, they went away. Mr. Abdul Azit has three minor daughters who are at a risk of falling into this hole any time. The residents of the village on 1.02.22 lodged a mass petition to the B. L.R.O. of Dinhata-II block. But no actual recourse was taken on his behalf.



Watch Abdul Azit's video [here](#)

• **Government negligence:** MASUM lodged a complaint on the illegal acquisition of Ms. Karuna Dutta's land by the Barasat Land Acquisition Department of North 24 Parganas district. The victim, a marginalized old lady has been suffering since the past 27 years, as the Land Acquisition Department didn't provide any compensation for acquiring her land or fulfil the promise of providing job to her son as a part of the land acquisition deal. The then Commandant of the 109 Battalion, Kalyani, on 02.05.1995, through a notice asked to carry out the land acquisition from Ms. Karuna Dutta for the purpose of establishing a BSF Border Post at Gobra village. Accordingly, on 27.10.1995, the Barasat Land Acquisition Department issued a letter of notification to Ms. Karuna Dutta to acquire the proposed land. As per a discussion among both the parties, it was decided that Ms. Dutta will receive a monetary compensation according to government procedures and one of her sons will be provided with a job against the acquisition of her land. However, none of these promises were fulfilled by the Land Acquisition Department or the BSF as of now.



• **Illegal detention of Bangladeshi women and children:** Banglar Manabadhikar Suraksha Mancha (MASUM) addressed and documented the incident of illegal detention of 9 Bangladeshi women and 3 minor children. All these victims are coming from poor and vulnerable communities. They came to India with the help of local touts for better livelihood and life. All these women were arrested by the border security force personnel and charged under 14 Foreigners Act from local police stations. After 14 days, most of them were still detained illegally in jail custody. In cases like these the children who come along with their mothers are being placed separately at shelter homes. MASUM lodged 3 complaints to National Human Rights Commission for immediate repatriation of these Bangladeshi Women and children.





## Legal Activities Report: March 2022

### Activities in High Court at Calcutta

On 21.02.2022 we mentioned to the registry of the Calcutta High Court to list up our long pending cases and after that on 24.02.2022 one Criminal Revision case of Reba Bewa was listed up in the cause list of the Calcutta High Court. Rajib Molla, husband of Ms. Rebwa was killed after brutal custodial torture by the Raninagar police personnel. Additional Chief Judicial Magistrate, Lalbag court acquitted the perpetrator police personnel from all charges. MASUM supported the legal assistance of the victim's family and therefore one Criminal Revision case was filed before the High Court at Calcutta. On 11.03.2022 the matter was listed before the Bench of Justice Tirthankar Ghosh. The judge ordered to serve revisional application and copies of section 5 of the Limitation application to the opposite parties and directed to list the matter on 07.04.2022.



At present in the High Court at Calcutta total nine cases are pending where six cases are Writ (Mandamus) in nature and three Criminal Revision cases but not a single Writ (Mandamus) case was listed up in the cause list of the Calcutta High Court in this time.

### Sub-divisional Courts



In this month we provide legal support in 07 prosecution cases in the Lalbag court among which three cases are in statement recording stage of the victim and witnesses and four cases are pending for the report submission by the concerned authority. In this month MASUM also supported 13 victims in the Lalbag court, Murshidabad where false case against them was started.

In the court of Basirhat we provide legal support in 04 prosecution cases and 01 defense cases.

On 15.03.2022 Aliman Bibi sent one letter to the Superintendent of Police, Cooch Behar under section 154(3) of the Code of Criminal Procedure in connection with the purpose of filing new complaint case before the Additional Chief Judicial Magistrate, Tufanganj Court for BSF torture upon her husband Mr. Ahammad Ali.

### New case filing

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 the same day 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.

### District Legal Services Authority, North 24 Parganas, Barasat

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.

### RTI activities

On 18th February 2022 we have submitted a fresh RTI application to the Central Public Information Officer (CPIO), Ministry of External Affairs for getting the information regarding the details trafficked victim from Bangladesh and their repatriation from 2016 to 2020.

In March 2022, we received four communications from the concerned SPIOs in connection with our RTIs. On 27.12.2021 we lodged five RTIs regarding extra judicial execution matter to the SPIO, Office of the Chief Secretaries in the states of West Bengal, Assam, Tripura, Meghalaya and Mizoram. On 03.02.2022 we received one reply letter from SPIO, Office of the Chief Secretary, Government of West Bengal where our RTI letter was transferred to the SPIO, State Crime Records Bureau, West Bengal. On 25.03.2022 and 31.03.2022 we received two reply letters from the SPIO, Office of the Superintendent of Police, Dhalai district, Jawaharnagar, Tripura and SPIO, office of the Superintendent of Police, Gomati district, Udaipur, Tripura consequently where they informed that there was no incident recorded of BSF killing from 2011 to 2020.

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.



## Activities at a glance



**Gathering in front of the Sitalkuchi Block Development Office before submitting deputation to the BDO on border issues**



**Gathering in front of the Basirhat Sub-Divisional Office before submitting deputation to the SDO on border issues**



**Meeting with the villagers of Sobhapur in Malda district on issues of the border populace**



**Dr. Saukat Ali providing treatment to the victims of torture in Tufanganj of Cooch Behar district**



**Members of MASUM's central fact-finding team talking with victims of Bogtui massacre case in Birbhum district**



**Sub-Divisional level meeting with the leaders of 'Amra Simantabasi' peoples' committee**