

# Monthly Report

## October 2020

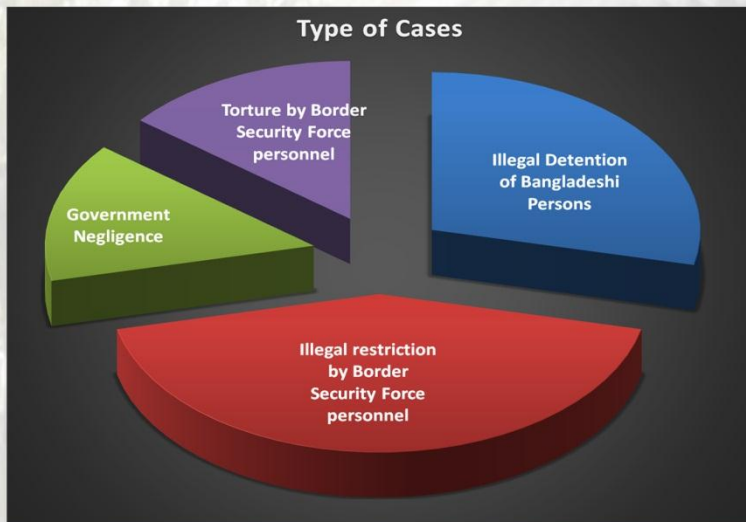


*Miles to go...*

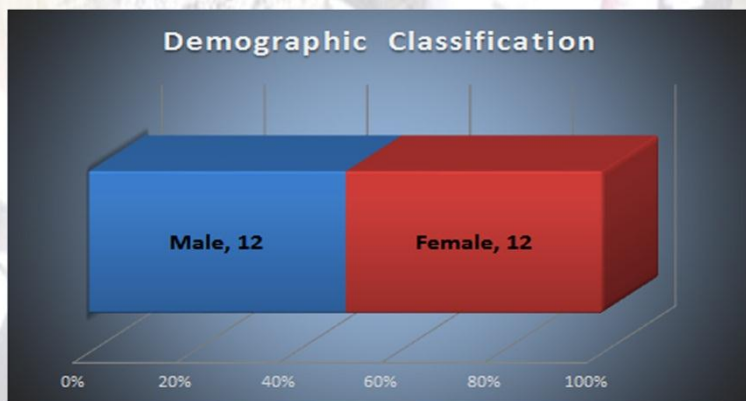
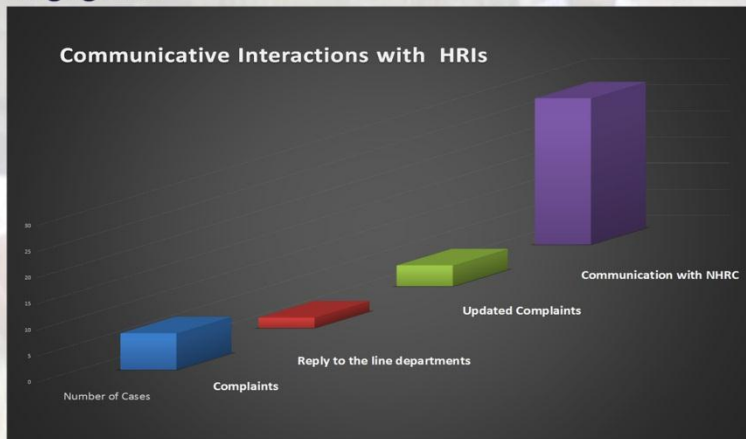
**Banglar Manabadhikar  
Suraksha Mancha**



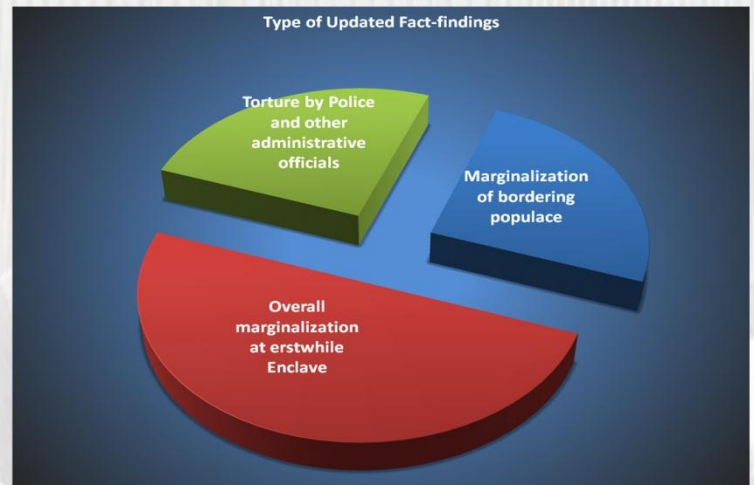




Out of the seven complaints, three are on illegal restriction by Border Security Force personnel, two on Illegal Detention of Bangladeshi Persons and one each on torture by BSF personnel and Government Negligence.



Banglar Manabadhikar Suraksha Mancha (MASUM) made 7 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 October 2020. We made 4 updated fact-findings on the complaints previously lodged, where the victims are still suffering. The type of updated complaints made this month are listed in the chart below. During this month, we received directions from the NHRC in 28 cases and provided feedback on the directions issued by the NHRC in 2 cases.



In the complaint regarding Illegal restriction by BSF personnel the victimization was collective and does not reflect in the demographic and social classification of victims. Total numbers of victims in individual complaints were 24; all of them belong from the minority Muslim community. Among the victims 12 were males and 12 were females.



### Achievement:

- On the basis of MASUM's complaint, the NHRC recommended a compensation of rupees 50 thousand to Mr. Billal Sheikh, a victim of brutal torture by the BSF from Raninagar in Murshidabad district, on 9.10.2020.
- After our prolonged persuasion and dialogue with the concerned authorities of the erstwhile enclaves in Cooch Behar district, we finally managed to achieve the complete list of the erstwhile Bangladeshi enclave dwellers, who were granted Indian citizenship following the Land Boundary Agreement (LBA), 2015.
- After our persistent effort, MASUM team had a fruitful face to face meeting with the Superintendent of Police, Bashirhat Police district in North 24 Parganas along with the Sub-divisional Police Officer and Officer-in-Charges of different police station of the district. Our initiatives in terms of minimizing human rights violations were appreciated and suggestions duly considered by the police officials of North 24 Parganas district.

### Challenges:

- The marginalized populace we work with have suffered severe loss during the Covid-19 pandemic due to the illegitimate restrictions on their livelihood, perpetrated by the BSF. This has resulted in a drawback to their movement against the issues of human rights violation as their life and livelihood has been jeopardized.



---

## Brick field dwellers suffer in silence

Puja Oraon, the young daughter of a brick kiln worker enrolled in a local government school named Kartik Suriti School. Her family paid the admission fees for the enrolment but was also asked to provide her birth certificate. Being born at home, the child had no birth certificate. Moreover, being a first generation learner, the family did not know how to procure the certificate and eventually, Puja Oraon dropped out in 2012; not even completing nursery. Sima Khalkho, another young girl living in the same settlement belonging to the ST community, got married after completing class 5 and thus, dropped out too.

These are stories among many more families residing in the 8 brick field settlements under the jurisdiction of Chandannagar Police district and Uttarpara Police station, housing more than 750 workers along with their families. These workers include

300 minors, 250 male workers and 200 female workers. All the families living in these settlements are from both SC and ST background and thus face high levels of discrimination from the society and institutions. They have been actively excluded from all sorts of community activities including school sports and access to local marriage halls and so on. One of the reported cases of discrimination include the local UBI bank refusing to allow the families to open bank accounts as that would lead them to lose a number of customers and also receive complaints from the local community. As a result of caste discrimination, almost all the 4 ICDS centers in the area do not entertain the dwellers of these brick fields.

Even though most of these families have been living here for 3 generations, 50% of them are without Voter ID card or Ration Card and a majority of them do not have Birth Certificates. The state has made efforts of providing about 80% of the population with AADHAR cards but all other documents are not available to the inhabitants. Puja is just one out of numerous children who could not pursue their studies due to lack of documents. Like Sima, many are victims of child marriage and have to drop out.

Through time, a few of the brick kilns had closed off but the families have continued to stay; some working as labourers at the working Kilns and some finding other daily wage work opportunities. The living conditions of these families are in dire state. They have no access to proper toilets and have to engage in open defecation, have no electricity supplied to the brick fields, no proper drinking water facility and have no overall support from the municipality. The workers have made complaints to the respective government offices for the same but no actions have been taken. Moreover, the Municipality Chairperson had stated that since the land belongs to the Kolkata Corporation, they will not be engaging to provide any support or basic living amenities to the inhabitants of these brick fields. Health facilities include a Rajbari General Hospital within 1km but still a part of the population avail the services of quack doctors in the area. The children are provided with the polio vaccination but not provided with the proper documents of the same. The male members of this community are known to indulge in alcoholism and thus face many illnesses induced by alcoholism.

The recent COVID-19 situation has been especially hard on the workers; with most of the kilns discontinuing production. Moreover, the lockdown protocol had given the police free reign over anyone who dares to leave their homes. These daily wage workers had no jobs and no money; moreover, due to the protocol, they could not even move out into the city to search for jobs. Internal investigations revealed that there have been numerous cases of police brutality against the inhabitants when they ventured out in search of labour or food. Out of all the families, 15 -20 families who were migrant workers had left. As per our fact-finding, the owners of these kilns stated that due to lack of workers, production has gone down substantially. Even the kilns which had opened at the beginning of the year have closed down.

Under the circumstances, we stand by the victimized family members of these brick fields and will continue to fight for their basic rights of life and livelihood.



Image source: youtube.com





## Case briefs: October, 2020

• **Torture by Border Security Force personnel:** On 28.10.2020, two residents of Murshidabad were brutally tortured by the BSF personnel of 35 Battalion, Nirmal Char BSF Camp. The victims were fishing in the River Padma with permission from the BSF when the personnel of the BSF started torturing them. Due to this torture, the victims became unconscious. The BSF personnel then took the victims to the Nirmal Char Camp where they threatened to kill the victims if they lodged any complaint against the BSF. The Officer-in-Charge of Ranitala Police Station also refused to lodge a written complaint against the BSF personnel. Later, they called the victim's wife to the police station to sign the complaint, violating Section 160 of the Criminal Procedure Code. This incident reveals how torture is practiced with impunity at the Indo-Bangladesh border.



• **Illegal restriction by Border Security Force personnel:** The personnel of the BSF under Panishala BOP, 148 Battalion have put severe restrictions on the livelihood of the residents of Kamat Changrabandha village in Cooch Behar. Around 14 families in the village live on the other side of the Indo-Bangladesh border fence and need to cross the gates patrolled by the BSF personnel for all essential requirements. The lands on the other side of the border fence do not have any basic facilities such as drinking water, electricity or proper roads. The personnel of the BSF do not open the gates at designated hours,



due to which the 14 families face a lot of adversities. Additionally, the BSF personnel restrict the village residents while accessing their agricultural lands, hampering their only source of income. The residents have written to the Sub-Divisional Officer of Mekhliganj to address their problems but no action has been taken till date. Sahar Ali of Murshidabad is also facing several difficulties due to the illegitimate restrictions placed by the BSF personnel. Having lost all possessions due to the erosion of River Padma in Murshidabad, he spent all his life savings to purchase two cows to sustain himself. However, the BSF personnel of Farajipara Camp, 141 Battalion do not allow him to graze his cattle. As a result, Sahar Ali is facing further destitution. Another incident of illegitimate restriction on livelihood was recorded from Gobra village in North 24 Parganas where villagers are not allowed to enter their agricultural lands for cultivation.

Moreover, the roads in the village are extremely dilapidated. The villagers are not allowed by the BSF personnel to use another road constructed by the CPWD. Even after several complaints to the administration, no action has been taken to resolve these issues.

Watch video of [Gobra villagers](#)

• **Illegal Detention of Bangladeshi Nationals:** The Police and BSF personnel continue to detain poor women and children from Bangladesh under the Foreigners Act, against the advisory issued by the Government of India which requires them to be repatriated. These Bangladeshi nationals are extremely poor and cross the border only in search of work. Often, they are trafficked into India by local touts that work at the borders. In the month of October, we have recorded three instances of detention including three women and one child, from the District of North 24 Parganas.



• **Government Negligence:** Some residents of Gobra village in North 24 Parganas have not received ration cards even after repeatedly pleading with the administration. The residents belong to the Muslim community and work as migrant labourers. During the nationwide lockdown, they lost their jobs and could not have access to any relief provided by the State of West Bengal as they are not registered under the Public Distribution System. This has pushed them towards starvation and extreme poverty.





## Our Activities

### village level meetings in Coochbehar district

On 6-8th October MASUM with the help of Amra Simantabasi and Amra Chitmoholbasi organized block level meetings at Dinhata-1,2, Tufanganj, Mathabhanga and Sitalkuchi to form Block level committee of Amra Chitmoholbasi, Amra Simantabasi and Pramila Bahini at the respective areas.

From 14th -21st October 2020 Amra Simantabasi and Amra Chitmoholbasi organized a series of village level meetings at different erstwhile enclaves and



bordering villages to strengthen the village level committees and form "Pramila Bahini" (Women's group) at those areas.

On 14th October Amra Chitmoholbasi committee and Amra Simantabasi committee organized two village level meetings at Paschim Bakalirchara erstwhile enclave and Kalmati motherganj bordering village. On 15th October Amra Chitmoholbasi and Amra Simantabasi organized two village level meetings at Banskotal village and Karola erstwhile enclave. On 16th October Amra Chitmoholbasi organized another village level meeting at Batrigach erstwhile enclave. On 17th October Amra chitmoholbasi organized two village level meetings at Uttar Bansjani and Purba Moshaldanga erstwhile enclave.



On 18th October Amra Smantabasi organized two village level meetings at Jhaukuthi and Balabhut bordering villages. On the same day Amra Simantabasi and Amra Chitmoholbasi organized three meetings at Jot Nijam erstwhile enclave and Chongarkhata, Bhogramguri bordering villages. On 19th October Amra Chitmoholbasi committee organized two meetings at Jagatber -1 and 3 erstwhile enclaves. On 20th October Amra Chitmoholbasi organized two meetings at two erstwhile enclaves at Balapukuri and Dhahalsuti erstwhile enclaves and Amra Simantabasi organized two other meetings at 77 Niztaraf and 147 Bhotbari villages. On 21st October Amra Simantabasi organized 4 village level meetings at Haldikura Mahishmuri, Dherarpar Shiyaldanga, Purba Nalangibari and Debdebirhat. All these abovementioned meetings are organized to strengthen "Amra Simantabasi" village level committees and forming "Pramila Bahini" at the respective areas.

### village level meetings in North 24 Parganas district

During 16th to 18th October 2020, Amra Simantabasi and MASUM organized 2 Block level meetings and 1 village level meeting at North 24 parganas. On 16th and 17th October Amra Simantabasi organized one block level meeting at Bangaon and Swarupnagar respectively. The main agenda of those meetings were to form Block level committee of Amra Simantabasi at respective blocks and strengthening the village level committees situated under the respective blocks.

On 18th October Amra Simantabasi Committee organized one village level meeting with the villagers of Gobra. The main agenda of that meeting was to monitor the issues like livelihood restriction by BSF, Torture by state authorities, forming of women group (Pramila Bahini) etc.



### village level meetings in Murshidabad district

During 12th to 14th October 2020, MASUM and Amra Simantabasi organized 3 meetings. On 12th October MASUM organized one human rights workshop at Islampur for the committee members of Amra Simantabasi. On 13th October Amra Simantabasi organized one village level meeting at Nimtita village regarding the issues of the villagers of border areas in the district and on 14th October Amra Simantabasi organized one meeting with panchayat members at Akheriganj gram panchayat.

### Legal Assistance

On 10.10.2020 with the help of MASUM, Ms. Alekjan Bibi filed one case in the Chief Judicial Magistrate's Court, Dinhata and pleaded for judicial investigation of the custodial death of his son Ajijul Pramanick. But during the time of taking cognizance, the Magistrate did not press the matter, as the same case was already registered for judicial investigation. Magistrate also informed that due to high time of Covid 19 spreadout, he could not call the witnesses related to this case, and after this critical period he will obviously call the mother of Ajijul and other family members for deposing their statement.

On 15.10.2020 Ms. Jamila Bibi filed one case in the Additional Chief Judicial Magistrate's Court, Dinhata under section 156(3) of the Code of Criminal Procedure and praying for proper investigation in connection with the BSF torture case upon her father-in-law namely Mr. Amjad Ali Sikdar.

In this month we provided legal support in 5 defense cases and 1 prosecution cases in Basirhat Court, North 24 Pargana district.



### Medical Assistance

On 17.10.2020 MASUM organized one medical camp at Shib Sankar medical hall situated at Dinhata, Cooch Behar. 20 tortured victims were treated by Dr. Champak Banerjee. On 28.10.2020 MASUM organized another medical camp at Nur medical hall situated at Swarupnagar, North 24 Parganas. 31 tortured victims were treated by Dr. Anasua Roy. All the victims were also given necessary medicine from MASUM.





---

## Activities at a glance



**Meeting with SP, Bashirhat police district and other police officials of the district**



**Human Rights workshop with the district committee members of 'Amra Simantabasi' at Islampur in Murshidabad**



**Medical camp at Swarupnagar for torture victims of North 24 Parganas district**



**MASUM members met with Dy. Magistrate Mr. Phurba Darjee Sherpa (WBCS: Exe) to discuss on enclave issues**



**A village level meeting at Bongaon in North 24 Parganas district**