Grabbing of land of a widow by BSF - WB Govt officials are in nexus

Kirity Roy < kirityroy@gmail.com>

16 March 2022 at 16:34

To: NHRC Complaint <cr.nhrc@nic.in>, "Justice Shri H. L. Dattu" <chairnhrc@nic.in>

Cc: Chief Secretary Gov of WB <cs-westbengal@nic.in>, "Home Secretary Govt of W.B."

<wb.secyhome@gmail.com>, DG BSF <edpdte@bsf.nic.in>, DM North 24 Pgs <dm-bar-wb@nic.in>, SDO Basirhat <sdobasirhat@gmail.com>, bbdoswarupnagar <bdoswarupnagar@gmail.com>, admlr-nprg@nic.in

Го 16.03.2022

The Chairman National Human Rights Commission Manav Adhikar Bhavan Block- C, GPO Complex, INA New Delhi-110023

Respected Sir,

to the land losers.

I am writing this to attract your attention towards the illegal land 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 award for 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. Hence, on 16.04.2009, Ms. Karuna Dutta wrote an application demanding monetary compensation and a job to the Block Land and Land Revenue Officer (BL&LRO) of Swarupnagar, as it was decided during the land acquisition deal. Under Gobra Mouza, J.L. No.- 18, there is a total of 1.27 acre land. Out of this Gobra BOP BSF Company Commander (currently jurisdiction of 112 BSF Battalion) has 0.52 acres land registered under his name. Out of the other 0.22 acres land in the same plot, the BSF was able to register 0.11 acres under their name, and the rest of the 0.11 acres have been forcefully confiscated by the BSF. But for none of these lands, acquired by the BSF, the victim has received any monetary compensation.

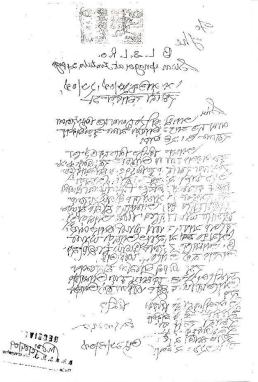
For around 27 years they have been constantly visiting the offices of BSF Gobra BOP and the company commander of Gobindapur BOP to find a solution to their crises. Yet they received no solution to their problem. At present, due to her age-related issues, Ms. Karuna Dutta is not able to walk properly. Ms. Dutta even made an application to the Land Acquisition Department of North 24 Parganas on 14.01.2022 so that she receives the compensation and her son gets a job.

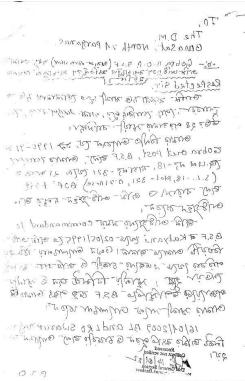
Ms. Karuna Dutta lives on meagre earning along with her 7 sons in her home. During the acquisition of her land in 1995, the villagers or the local Gobindapur panchayat Pradhan did not guide them in the right direction and coaxed her to give-up their land by saying that their family members will be able to secure a job in lieu of the land. However, till date they have not received any kind of compensation. The family members of Karuna Dutta are suffering from financial crises. They have visited different departments of the government time and again. However, their crises have not yet been resolved. They officials said that they will see to it. They only made vain promises.

The incident accounts to a gross violation of Articles 14, 21, 39(a) of the Constitution which guarantees the right to adequate means of livelihood for the people of India. This is also a violation of Article 300A which elucidates that "no person shall be deprived of his property". It also violates Goal numbers 3, 8 and 16 of the Sustainable Development Goals of the UN, which the Government of India promised to adhere with. Under the circumstances, we request your urgent intervention with the following demands: The incidents conducted by the government officials are violative of all principles of natural justice.

	The whole process was not complied with The Land Acquisition Act, 1894; hence it is illegal grabbing of land by	
public servants.		
	The authorities of government wilfully ignored the order passed by the Labour Department, Government of West	
Beng	al (published in Kolkata Gazette Extraordinary dated 21 August 2002). Where in paragraph 3 benefits was awarded	

 Ms. Karuna Dutta and others should receive immediate monetary compensation for her land, financially and granting a job to one of their family members. As per government norms, the monetary compensation should be awarded to Ms. Karuna Dutta as per receive government rate of the land and not according to the rate during the acquisition The government should initiate prompt action in this regard. Strict action should be taken against the ones who coaxed Mrs. Karuna Dutta to give up on her land. Strict action should be taken against the BSF for illegally confiscating her land. As it is an civic offence, mat should be heard in open court of law. The government should ensure that her human rights are safeguarded. 		
	No.EBJ/109 Bn/LA-Gebra/95/ Office of the Commandant	
	HQ 109 RV aSF, Kaiyani Dated, theC2_May'95	
Government of west sengel Office of the Collector, North 24-pargenas Lan' Acquisition Department A R A S A T Illemo 116 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Smt Karuna Dutta & Others, Vill: Gabra, Pest: Gabindpur, Dist: North 24-P-rganas, Fin - 7536/3. Sub: ACQUISITION OF LAND AT BOP GOBRA, MOUZA-GOBRA.	
Smt. Karuna Dutta Vill - Gobra P.O - GobbinSepur, 7:3273 District - North 24-parganas.	JL NO.18, PS. SWARDPING.R, DIST: NORTH 24-PARGANAS UNDER 109 NN WSF(LA CASE NO.11/1)08/90-91) Ref: Your application No.Ni. dated 26.4.95	
enquiry at the spot at 1-00pm. on 09.11.95. She is requested to remain present at the mite with all documents on the storessidedate and time. For Collector	In this connection, it is to inform you that the necessary measurement was carried out by the Officials, Lund acquisition Department, #2rasat, North 24-Pargenas and a certificate to this effect was also handed over to ESF authorities indicating 0.52 acres of land for the establishment of Border Out Post Bord. Accordingly the land was acquired. However, if, any doubt/discrepancies is still and this regard, you may please be liased with Land Acquisition Department. Burasat, North 24-Paragenas.	
North 24-pargenas. Copy forward d Tottle Commandant, 109 Bn BSr Tagore villa. Copy forward: Numbers Category 29 for taking accessary action and to send; vehicle (Jeep) to this office at 10-00am on 09.11.95. 2. 0/C Gobra BOP casp for his information and taking necessary action.	Jopy to 1. HG Sh Frontier asp, - for kind information please. 2-5 Lord Sinha Road, Galcutta-71. 2. Sh. 35F Calcutts, - for kind information please. Calcutts-35 3. The Joliutts, pepartment	
For Collector North 24-parganes.	Birasat,	
No. 127/13/92-Engg/ESF 10227-28 Government of India Ministry of Home Affairs Directorate General Border Security Force (Engineering Directorate) Kendriya Aryalaya/Pariser, Elock Noto, Lodhi Road, New Delhi-3	Office of the Collector, North 24-pargenas Land Acquisition Department B A & A & S & T	
To HO South Bengal For 2-B-Lord Sinha Road	Alleno No JL.A(N)BSI, Sq-IV. Pated To	
Sub: - REPRESENTATION REGARDING ACQUISITION OF Land RECEIVED FROM SMT KARUNA BUTTA VILL GOBRA DIST GOBINDAPUR WEST BENGAL Enclosed please find herewith a photocopy of representation on the subject cited above for taking furt necessary action .It is requested that a suitable reply a be sent to the individual concerned under intimation to this Dte.	Dy. Commandant 30 Hn BSF Kalyani, Nadia West Bengal. Sir, Kindly tagal I burdisconsion dt. 20-1-76. An per the programme we are to staft for the years (Dona Real Program, Hadirint Field at the figure the wear substage (1, Dona Per Lance program Fines instruct year driver to report with the vehicle at	
2. It is also requested that a translated v. common in English or Rivell of aforesaid representation may be forwarded to this Dte for record in this Office.	our office accordingly mas on 7.2006. One of your representative may kindly be deputed to a pulse of the site inspection. Tours faithfully	
Encl: As alvove (SURYA MOHAN) Copy to:- ASSTT DIRECTOR(ARCH)	(N.B. Biggial) Liche Collector North 25 pargaran. Illiano III 224 1 1 1 1 1 1 1 1 1	
Mrs Karuna butte Vill Gebra Vill Gebra PO Gebindapur Distt North 24 Parcanas West Jengal (alutta)	Copy to: Sentert Karuns Butter, VIII Johns, P.O-Susandaput, 763373 Hoffit 24-parg ands. The earlier date was postpointed due to some avoidable circumstances. Size is requested to rouning present at the site with all document on 725 ft 1 pm. L. Conlector 17 1 North 34-parganas Buttery.	





त्राची कार्या हुन कार्या कार्य कार्या कार्य