

Aged couple (Muslim) was tortured whimsically by drunken BSF personnel

Kirity Roy <kirityroy@gmail.com>

4 April 2022 at 17:23

To: "Justice Shri H. L. Dattu" <chairnhrc@nic.in>

Cc: Home Ministry <hm@nic.in>, "Home Secretary Govt of W.B." <wb.secyhome@gmail.com>, DG BSF <edpdte@bsf.nic.in>, "DG & IGP, West Bengal Police." <dgpwestbengal@gmail.com>, DM North 24 Pgs <dm-bar-wb@nic.in>, SP Basirhat K P Barui <spbasirhatoffice@gmail.com>, bbdoswarupnagar <bdoswarupnagar@gmail.com>, UN SR On Torture <Sr-torture@ohchr.org>

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

4 April 2022

Respected Sir,

Here I want to draw your attention towards the incident of illegal trespassing and brutal torture inflicted by the 4-5 BSF personnel attached with Gobra Border Outpost, Battalion no. 112, on two innocent villagers belonging from the marginalized Muslim Other Backward Class (OBC) community from Gobra village of Swarupnagar, North 24 Parganas and Basirhat Police station area in West Bengal. The perpetrators have been identified as 4-5 BSF jawans who verbally and physically harassed the victims and injured them.

The victims, Mr. Majed Gazi and Mrs. Masura alias Machura Bibi Gazi, are poor marginalized labourers and lives on meager income. The perpetrator BSF personnel accused them of being involved in cross-border smuggling and demanded rupees 2 lakh from the victims, which they were unable to pay. The victims lodged a complaint to the Superintendent of Police, Basirhat Police District, via registered post and informed about this incident of torture. However, no action was taken in this regard as the perpetrators are enjoying impunity.

The incident violates the rights guaranteed in Article 19 and 21 of Indian Constitution and also the premise of Article 7 and 12 of International Covenant on Civil and Political Rights as well as the Goal No. 8 and 16 of the Sustainable Development Goal earmarked by United Nations and in both these international instruments; the government of India is a party and have agreement. The perpetrator BSF officials also violated the norms fixed in Criminal Procedure Code of India.

Under these circumstances we demand:

- The BSF should be posted at the zero point outside the village where they would not be able to meddle in the personal affairs of the villagers
- Strict action should be taken against the guilty BSF personnel, who were associated with this incident
- The victim should be provided with proper protection so that incidents like this is not repeated any further.
- The victim should be provided with legal support

Thanking you,
Yours sincerely,

(Kirity Roy)
Secretary, MASUM

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Details of Victim

1. Mr. Majed Gazi, Son of Late Gohor Gazi, Age-60, Village- Gobra, P.S.- Basirhat, North 24 Parganas, West Bengal
2. Mrs. Masura alias Machura Bibi, Wife of Mr. Majed Gazi, Age-58, Village- Gobra, P.S- Basirhat, North 24 Parganas, West Bengal

Details of the perpetrators:

4-5 on duty BSF personnel attached with Gobra Border Outpost, Battalion no. 112

Details of the witnesses:

1. Mr. Tarikul Mondal, Son of Lt. Ahidbox Mondal, Age-58, Village- Gobra, P.S- Basirhat, North 24 Parganas, West Bengal
2. Mr. Alfa Gazi, Son of Lt. Hazer Gazi, Age-65, Village- Gobra, P.S- Basirhat, North 24 Parganas, West Bengal
3. Mrs. Rokeya Bibi, wife of Mehrul Gazi, Age-45, Village- Gobra, P.S- Basirhat, North 24 Parganas, West Bengal

Date, time and place of the incident- 12.03.2022 midnight at around 2.00 am at the house of Mr. Majed Gazi in Gobra village.

Details of the incident: On 12.03.2022, the day of the incident, a 'Jalsa' (religious gathering) was held at Gobindapur, Jorapukur. The Jalsa started on 11.03.2022 at around 9 pm and continued till midnight of 12.03.2022. Mrs. Masura alias Machura Gazi, along with other people from her village went to visit the 'Jalsa'. Masura alias Machura Gazi returned from the 'Jalsa' at around 1:30 am to her house. Majed Gazi, who was in the house turned the lights on as she returned. Soon about 4 to 5 BSF personnel associated with 112 battalion of Gobindapur BOP, arrived at their house and started asking questions. They illegally trespassed their home at the wee hours of the night and started abusing them using slur words. After that the BSF accused Mrs. Gazi that her husband is involved with illegal trade. After creating a ruckus, the BSF personnel went away. They arrived again after about half an hour in a BSF patrolling car. This time again they started another round of verbal abuse. Although the neighbors heard and were aware of what was happening, they could not dare to step out of their houses out of fear of the BSF. The BSF came in a group of 4-5 people and some of them were in a drunken state. They forcefully went inside the house of the victims and conducted a search. No female personnel were present with them during both of their visits. They physically harassed Masura alias Machura Gazi by pulling her hands in a sexually explicit way.

After this, they forcefully took away Mr. Majed Gazi in their patrolling car to a mango orchard half kilometer away from his house and started physically torturing him. There they demanded a ransom of rupees 2 lakh from the victim threatening to implicate him under false charges of being associated with drug trade if he couldn't give them the amount. When Mr. Gazi said that he was a poor land laborer with a meager amount of income that would not allow him to pay the ransom, the BSF started beating him with sticks and then asked him to leave. There are witnesses to this incident all of who have been too scared to raise their voice against the BSF. Despite lodging a complaint to the Superintendent of Police, no action has yet been taken on the perpetrators.

To,
The SP
Basirhat Police District.

গোবিন্দপুর, গোবিন্দপুর, গোবিন্দপুর, গোবিন্দপুর
স্মারক-স্মারক (গোবিন্দপুর, গোবিন্দপুর, গোবিন্দপুর)
জেলার ২৪ বারহাটা উত্তর চকরি - বারহাটা।
আমার বিনীত আবেদন ১২/০৩/২০২২ তারিখে
আমার নামে করা ২টি অপরাধের অভিযোগের বিরুদ্ধে
পুলিশ ইন্সপেক্টর জেনারেলের কাছে পৌঁছে দিতে বাকী
আমি। আমার সঙ্গে ইন্সপেক্টর জেনারেলের সাথে
কাজ করা হয়েছে। ১। ক্রিমিনাল অ্যান্ড সার্ভিস
২। বহিষ্কার বিধি পিছন করে তৎক্ষণাত্বেই আমার
যাচ-আচরণ করে। পুলিশ-উত্তর ২৪ বারহাটা। আমার
আপেক্ষে সন্দেহের কারণে পুলিশ (১৫০) ইন্সপেক্টর
জেনারেলের সাথে আমার ২০% কিস্তি।
আমার প্রত্যেক মিজ মিজ করেই পৌঁছে।
আমার চারপাশে আমার বন্ধু-বান্ধব-এ জন BS
জেনারেলের সার্ভিস। আমার সন্দেহে
কাজ প্রবেশ করে। আমার হাত ধরে টানাটানি করে।
BSF রা বনভাগীকে আমার (স্মারক) সন্দেহে রাখল।
আমার সন্দেহে রাখল।
অতিরিক্ত BSF হল কোম মাইন জোখা
নং। উত্তর গোবিন্দপুর BOP' গোবিন্দপুর, 112.BN. NAGAC
পুলিশ ইন্সপেক্টর জেনারেলের কাছে পৌঁছে দিতে বাকী
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Programme Against Custodial Torture & Impunity
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United Nations Voluntary Fund For Victims of Torture
(UNVFVT)

To provide medical, psychological and legal support to the victim of torture

Complementary

Ref No. Date: 16/03/22.

Dr. Anasuyak Ray, M.D. (MEDICINE) Name: Machura bibi (Gazi)
Regn. No. 73813 (WBMC) Age: 58. Sex: F

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40-A Barabagan Lane, Serampore, Hooghly-712203 West Bengal, Phone-+91-33-26220843/45, Fax-+91-33-2622-0843. E-mail- masumindia@gmail.com , Web- www.masum.org.in

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(UNVFI)



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Complementary

Ref No.:

Date: 16-03-22

Dr. Anasuyak Ray, M.D. (MEDICINE)
Regn. No. 73813 (WBMC)

Name: Majed Gazi
Age: 60 Sex: M
Address: Cobra

BP: 134/78

C/D
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