

# Monthly Report

## April 2023



*Miles to go...*

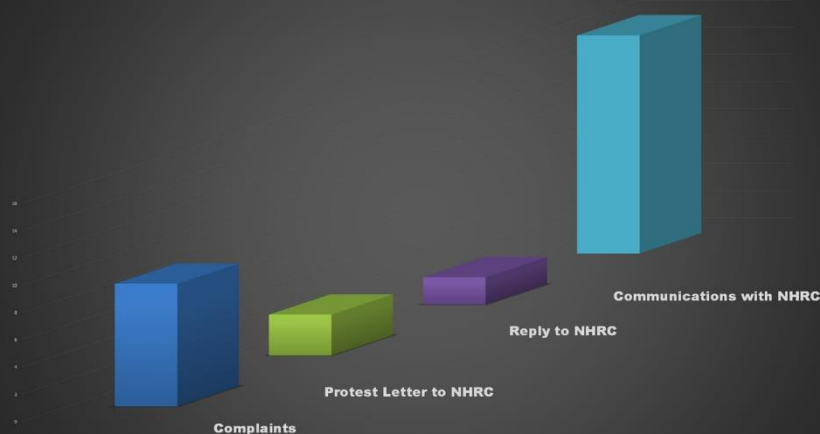
**Banglar Manabadhikar  
Suraksha Mancha**



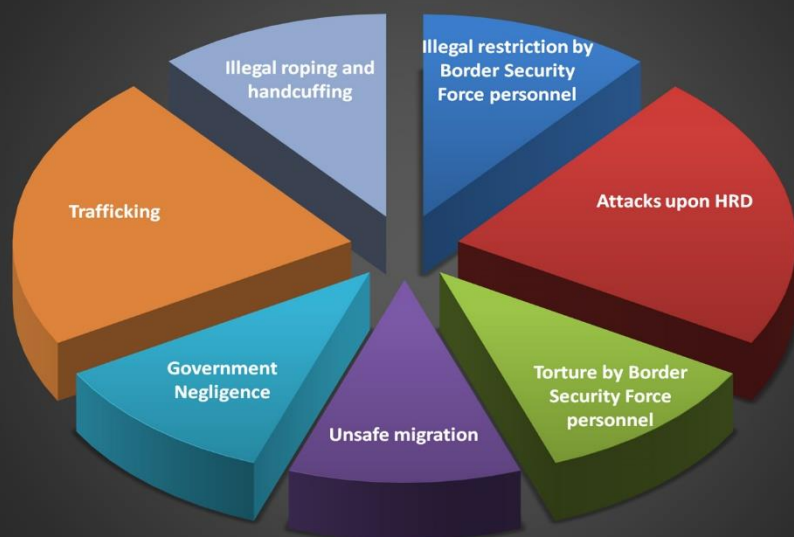


**Banglar Manabadhikar Suraksha Mancha (MASUM) made 9 fresh complaints of gross human rights violation before the relevant state authorities and different human rights institutions; especially the National Human Rights Commission during the month of April 2023. We have sent 3 protest letters to the concerned authorities, where they have closed a case or sent overdated summons to our victims and 2 replies to satisfy the queries of the NHRC . During this month we have received 16 directions from the NHRC in various cases.**

Communicative Interactions with HRIs



Type of Cases



Out of the 9 complaints, one is on torture by BSF, two on attack upon Human Rights Defenders, one on illegal restriction by the BSF, one on government negligence, two on trafficking and one each on unsafe migration and illegal handcuffing and roping. Through these complaints we addressed the issues of 29 individual victims; out of them 17 belong from minority Muslim community, 6 from Hindu (General) community and 3 from Hindu Scheduled Caste community. Among the victims 17 were males and 12 were females. Among these victims 1 was minor. In cases of restriction by the BSF, the victimization was collective and didn't reflect on the charts below.

Demografic Classification

Male Female



Social Classification

Muslim Hindu (Scheduled Caste) Hindu (other)





## Our Activities

### Cooch Behar district



In this month a total of 23 village level meetings were organized in the district. In those meetings, the future course of action of Amra Simantabasi was determined. On 12th April Mr. Kirity Roy, secretary of MASUM attended a meeting with the leadership of Amra Simantabasi of the district.

### Advocacy initiatives

This month a huge mass gathering happened out-side the district magistrate office on 27.04.2023. More than 1000 people attended the gathering under the leadership of Amra Simantabasi. Mr. Kirity Roy and other leaders of Amra Simantabasi committees addressed the gathering and raised issues related to the problems of the border population. Later a team of representatives of five members under the leadership of Mr. Kirity Roy met the ADM (G) and submitted the deputation. A meeting happened between the team of Representatives and the ADM (G), and the ADM (G) assured that actions will be taken by the concerned BDOs and SDOs regarding the specific complaints of violations within one month.



### North Dinajpur district



In this month a total of 5 village level meetings were conducted with the village level Amra Simantabasi committee under Hemtabad Block and Raiganj. One new committee was formed in Fulbari village of Goalpokhor block. On 23rd April Mr. Kirity Roy, secretary of MASUM attended a meeting with the leadership of Amra Simantabasi of the district where 46 people attended. The future course of action was determined in the meeting.

### North 24 Parganas district

During April, 2023, our work in North 24 Parganas was re-evaluated and new plan of action was created for future course of work. The village committees and volunteers working in the district were re-organized during this month. For the purpose, Mr. Kirity Roy, on 30.04.2023, attended a meeting and discussed the matter with representatives of 19 village committees, and determined the future course of action.



## Achievements

On 04.04. 2023, a written complaint against irregularities in the rationing system in Makarhat village of North Dinajpur was lodged to the BDO, SDO and district ration sub-controller. On 17.04.2023, an officer from the food supply office held a meeting with the Pramila Bahini and the ration dealers of the area, and resolved the issues.

On 16.03.2023, MASUM gave a deputation to the district magistrate of North Dinajpur regarding immediate renovation of a ICDS center of Dakkhin Paharpur village. On 6th April, they took steps to develop the water facility in the center and assured other renovation works.

### 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 11.04.2023 a medical camp was held at Swarupnagar, North 24 Parganas, where 31 survivors and family members availed the treatment under the supervision of Dr. Anasuyak Roy. On 28.04.2023 another medical camp was held at Utsav Hotel, Dinhata of Cooch Behar where 38 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.





## Case Briefs: April 2023

• **Torture by BSF personnel:** This month we have encountered one case of BSF torture. The case has been encountered in North 24 Parganas. A landless peasant named Mr. Rakesh Mondal was attacked by on-duty BSF personnel Mr. Jaffar Hossain Khan, a G branch officer attached to Hakimpur BOP during a commotion between BSF and the villagers about the erection of an fencing through the agricultural field. On 29.03.2023 the victim Mr. Rakesh Mondal lodged one written complaint to the Officer-in-charge of Swarupnagar Police station which was registered vide Swarupnagar Police Station case number 206/2023 dated 29.03.2023 but till date the concerned police did not take any action to apprehend the perpetrator. We have lodged a complaint on this incident to NHRC and made a submission to UN special procedure.



• **Illigal restriction by the BSF personnel:** This month we encountered a case of BSF restriction. The case came from Jayantipur of North 24 Parganas. In our fact-finding, we found out that the lands have been acquired from the villagers for putting up fencing two years back. But, the plan didn't proceed. The make-shift arrangement put in place by the BSF is putting the life and livelihood of the villagers in harm's way. The continuous restrictions on movement in place is violating the freedom of movement of the people of this village. For a long time, the villagers have been demanding the BSF to be posted on the border instead of inside the village. But, nobody has paid much attention to their demands. Due to the presence of the BSF inside the village instead of the border, the villagers are being continuously subjected to various violations, abuses etc. For the houses inside the makeshift fencing, the BSF has assigned numbers to each house. If anybody wants to visit the village from outside, they need to mention the name of the owner of the house and the number of the house to get access. Due to the sporadic accessibility of the road the economic life of the villagers are also getting choked. These whimsical actions are carried out under the instruction of the company commander, Mr. Akhil Aktar. We have lodged a complaint regarding this to NHRC.

• **Government Negligence:** This month we received a case of Government negligence from North 24 Parganas. Boaldah in Bongaon is a remote village with a sizable Scheduled Caste population (approximately 30% of the total population) and primarily depend on agriculture and other daily wage jobs for their sustenance. The persons referred to under have applied for Scheduled caste certificates but till date have not received the same despite their constant requests before the relevant duty bearers.

• **Attack upon HRD:** This month we have encountered two cases of attacks on Human Rights Defenders. One case came from North 24 Parganas, where the attack came from BSF, and another case was from Kolkata, where the attack on the HRD came from the State police forces. In the case of Mr. Pranab Roy, He was targeted by border security forces due to his activities on the atrocities of BSF by the villagers. A complaint about this attack was sent to the NHRC and individual submission was made to UN special procedure. In the other case, Mr. Arkadeep Goswami was intimidated by police personnel due to his activities related to human rights. Both of these activists are associated with MASUM.



• **Trafficking:** This month we have found two cases of trafficking from North 24 Parganas. One case is of one minor girl named Sumi Shaikh (name changed) went missing from her house on 19.03.2023, who was reportedly lured by one Alamgir Mondal. On 21.03.2023, the mother of the victim lodged a complaint at the Basirhat P.S. Against the complaint a FIR was registered numbered 185/23. Since then one month has passed. The police visited the house of the victim once, apart from that any progress has not been seen. A week ago Mr. Ajar Ali Mollah, the relative of the victim, called the Basirhat police station but was informed that no further development on the case was made. In the other case, two minor boys were trafficked to Bangladesh. They are now lodged at Shishu Unnayan Kendra, Bangladesh awaiting repatriation.



• **Unsafe migration:** This month we encountered one case of unsafe migration and death of migrant worker named Mr. Raju Mondal. The family of the victim was staying in Mumbai for the last five years working as migrant workers. Mr. Raju Mondal was working as a mason with Kaneria PVT LTD. On 02/11/2022 he went to work in the morning and while climbing to the third floor with the help of a pulley he fell down due absence of proper safety measures. When he was taken to hospital, he was declared dead due to head injury by the attending doctor Nishart R Thacker at Rajawali Hospital, Ghatkopar. On 04.11.2022 the dead body of the deceased victim reached the house of the victim at Gobindapur, North 24 Parganas.

• **Handcuffing and roping:** This month we encountered a case of hand-cuffing and roping from Raiganj, North Dinajpur. On March 27, 2023 at around 1:30 pm it was noticed that one prisoner, who was taken inside the Additional Chief Judicial Magistrate's Court, Raiganj, Uttar Dinajpur from the Raiganj court GRO locked up by one police and one civic volunteer (not police). The accused was tied with rope from his waist. The case was reported to NHRC.





## Legal Activities Report: April 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 26.04.2023 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 of the above mentioned cases. Hereunder, one list of pending criminal revision cases before the High Court at Calcutta is annexed



Case number	Case title	Nature	Date of filing	Last status
CRR 783/2020	Reba Bewa vs. State of West Bengal & others	Criminal Revision case challenging the order of the ACJM, Lalbag Court from where the perpetrator police was acquitted from the charges of custodial death of the victim	28.02.2020	On 19.05.2022 the Court called for lower court record from the concerned court.
CRR 1447/2022	Kirity Roy vs. State of West Bengal & others	Quashing the false criminal case against the human rights defenders	26.04.2022	On 05.05.2022 the Judge directed the State parties to submit case diary
CRR 2129/2021	Kirity Roy vs. State of West Bengal & others	Quashing the false criminal case against the human rights defenders	05.10.2021	On 11.11.2021 directed to list the matter on 6.12.2021

### Sub-divisional Courts



This month we provide legal support in 05 prosecution cases in the Lalbag court among which two cases are in the statement recording stage of the victim and witnesses and three cases are pending for the report submitted by the concerned authority. In this month MASUM also supported 13 victims in the Lalbag court, Murshidabad where the false case against them was started. In the court of Basirhat, we provide legal support in 04 prosecution cases and 6 defense cases.

District	No. of Prosecution Cases	No. of Defence Cases
Murshidabad	25	15
North 24 Parganas	14	13

### New Case Filing

Isarul Dafadar is a victim of BSF torture. On 18.06.2022 BSF personnel attached with Bithari Border Out Post, 'Naga' Company, Battalion number 112 committed brutal torture upon the victim when he was returning from the field with his bullock. On 21.06.2022 Mr. Dafadar lodged one written complaint to the Superintendent of Police, Basirhat Police District but no action has been taken by the concerned police authority. On 24.04.2023 one complaint case was filed before the Court of Additional Chief Judicial Magistrate, Basirhat, North 24 Parganas but on the same date the magistrate rejected the petition and directed the petitioner to file the complaint before the local police station at first.



## Activities at a glance



**Deputation at Cooch Behar District Magistrate's office by members of 'Amra Simantabasi'**



**Meeting with the leadership of 'Amra Simantabasi' committees of North Dinajpur district**



**Meeting with the village level leaders of Cooch Behar district**



**Drinking water facility installed at ICDS center of Dakkhin Paharpur village after our complaint**



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



**A vounteer putting up poster against illegal BSF restrictions in North 24 Parganas district**