

Monthly Report

February 2021

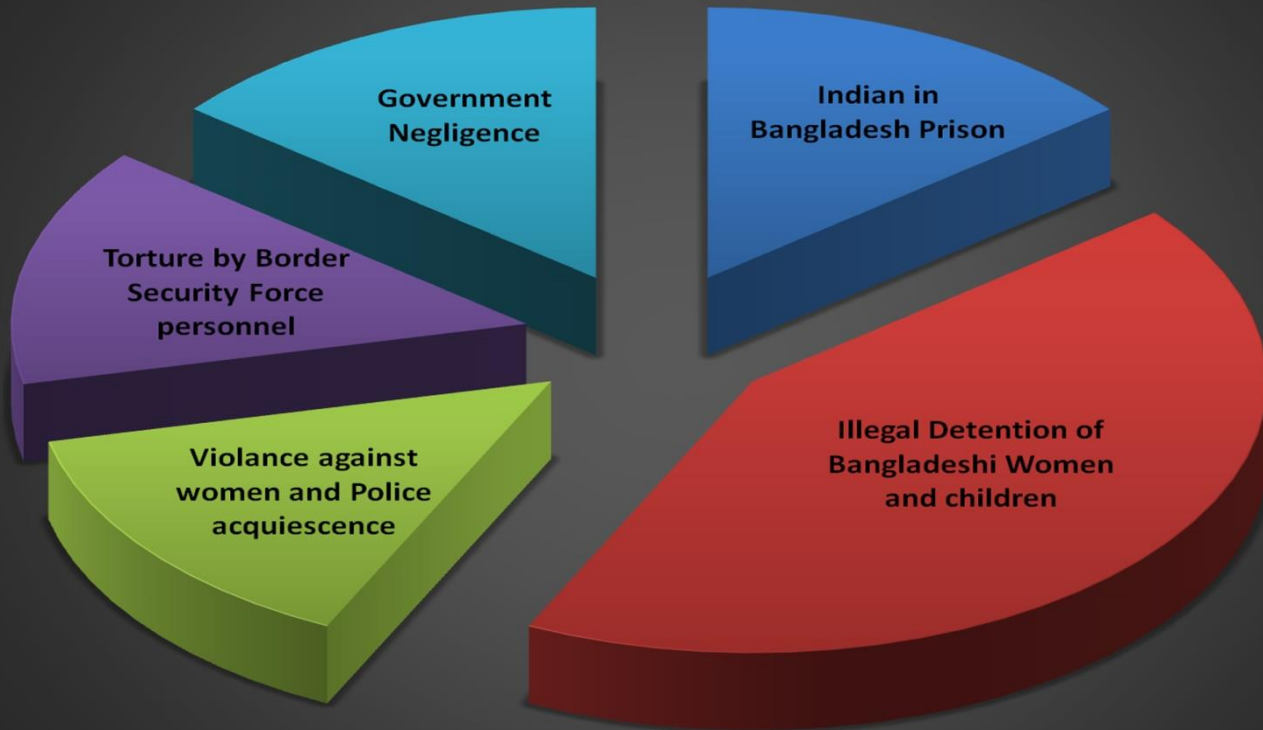


Miles to go...

Banglar Manabadhikar
Suraksha Mancha



Type of Cases



Banglar Manabadhikar Suraksha Mancha (MASUM) made 7 fresh complaints and 2 updated 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 February 2021. We made 1 reply in cases where the NHRC asked our comments. We have sent 6 protest letters to the concerned authorities, where they have closed a case or sent overdated summons to our victims. We have asked for action taken report from the concerned authorities in 10 cases where the NHRC have asked them to take necessary action and disposed of the case. During this month, we received directions from the NHRC in 26 cases.

Demographic Classification

Male Female Minor

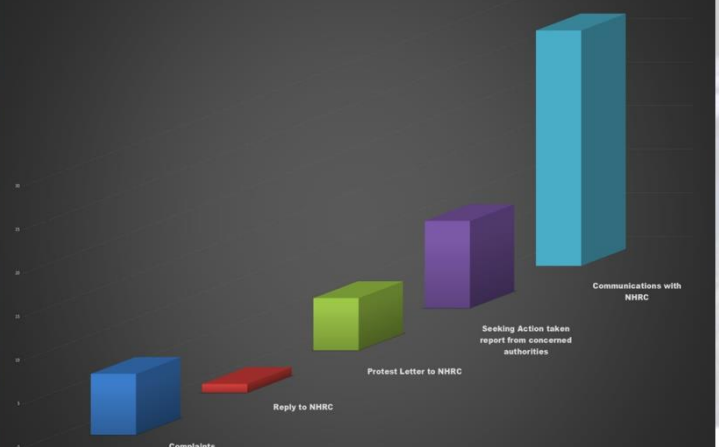


Muslim Scheduled Caste Hindu



Social Classification

Communicative Interactions with HRIs



Out of the seven complaints, three are on illegal detention of Bangladeshi women and children and one each on torture by BSF personnel, Violence against women and Police acquiescence, Indian in Bangladesh Prison and Government Negligence.

Through these complaints we addressed the issues of 26 individual victims; all of them belonged from the minority Muslim community. Among the victims 5 were males and 20 were females and 1 is minor.

Annual General Meeting, 2021

On 14 February 2021, MASUM organized its 23rd Annual General Meeting (AGM). Due to the extraordinary circumstances induced by the Covid-19, the AGM for the year 2020 could not be held as scheduled. Therefore, the AGM held on 14 February addressed the developments in the field of human rights and MASUM's initiatives during the period July 2019- December 2020.

The meeting commenced with an address delivered by Mr. Kirity Roy, who had been the Secretary of MASUM during the period under review. He spoke about the challenges facing human rights at the regional and national level. He also talked about MASUM's work during the past one and a half years, focusing especially on the achievements and drawbacks. There were some discussions regarding his address and the gathering gave their suggestions on how to improve MASUM's work and strategies.

A brief discussion was held on two initiatives introduced by MASUM during the period under review—Audio-Visual Documentation of case narratives and Research. Both these initiatives were appreciated by those present and suggestions were made in order to make them acquire a wider audience.

After the conclusion of this speech, MASUM's lawyer, Mr. Biswajit Mukherjee and accountant Ms. Sonali Ghosh gave individual reports on the organization's legal activities and financial status during the period under review. MASUM's colleagues on the field, the District Human Rights Monitors, shared their experience of working on the ground and the threats and challenges they face as HRDs. They also identified priority areas where more work needs to be done in the upcoming years.

In 2020, MASUM lost its dear friend and colleague Mr. Ramen Moitra. In the AGM, a small booklet containing obituaries from his loved ones about him was released by MASUM and handed over to his family. Many people in the gathering shared their experience of interacting with Mr. Moitra and remembered him fondly.

The AGM concluded after announcing the Committee-in-charge for the year 2021.

President: Ex-Chief Justice of Sikkim High Court, Malay Sengupta

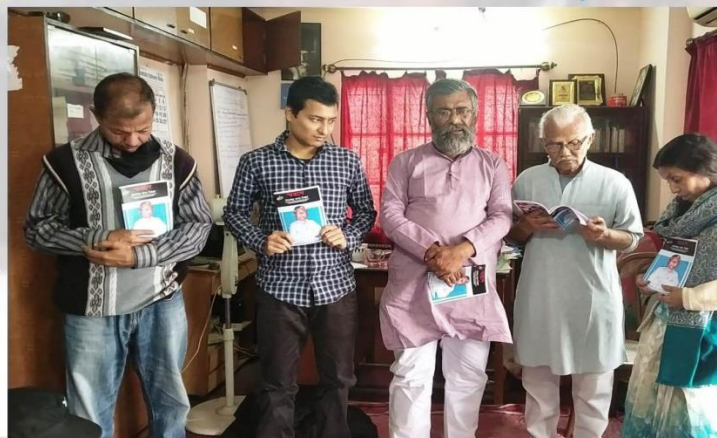
Vice-President: Mr. Dilip Chatterjee

Secretary: Mr. Kirity Roy

Assistant Secretary: Mr. Dipyaman Adhikary, Mr. Sujoy Singh Roy

Treasurer: Ms. Sovonita Dutta

Executive Committee Members: Mr. Satyanarayan Das, Mr. Mohor Ali Mondal, Ms. Supriti Roy, Mr. Naren Ghatak, Mr. Ajijul Haque



Our Activities

Village level meetings in Cooch Behar district

- **08.02.2021** - Amra Simantabasi committee organized two meetings with the bordering populace at Shalmara and Sukarurkuthi village. These villages are situated under Dinhata Sub Division. The villagers are narrated their pain and agony against the Border Security Force personnel posted there. From their statements it was revealed that BSF personnel harassed and tortured the poor villagers in doubt of smugglers. Sometimes these BSF personnel destroyed the household of those villagers. The representative of MASUM was present at that meeting and narrated about the way out of their issues. The action plan is also prepared to combat against these issues.
- **09.02.2021**- Amra Simantabasi committee organized three meetings with the bordering populace at Garbhadaga , Atiyaldanga and Motherganj. These three villages are situated under Dinhata Sub Division. Here the villagers mostly complained about the illegitimate livelihood restriction imposed by Border Security Force posted there. The representative of MASUM was present at that meeting at narrated about the way out of their issues. The action plan is also prepared to combat against these issues.
- **10.02.2021** - Amra Simantabasi committee organized two meetings at 56 hemkumari and 94 Fulkadabri. Both these villages are situated under Mekhliganj Sub Division. Here also the villagers are complained about the illegitimate livelihood restriction imposed by BSF personnel. The representatives of MASUM discussed about the way out from these issues and also made an action plan for it.
- **11.02.2021**- Amra Simantabasi committee organized three meetings at 108 Kuchlibari, 113 and 114 Upanchowki . Both these villages are situated under Mekhliganj Sub Division. Here also the villagers are complained about the illegitimate livelihood restriction imposed by BSF personnel. The representatives of MASUM discussed about the way out from these issues and also made an action plan for it.
- **19.02.2021**- Amra Chitmoholbasi district committee organized one central meeting with their committee members at Cooch Behar. On that meeting they evaluate their work in previous month and prepared a new plan of action for coming months.
- **20.02.2021**- Amra Simantabasi district committee organized one central meeting with their committee members at Cooch Behar. On that meeting they evaluate their work in previous month and prepared a new plan of action for coming months.
- **21.02.2021**- Amra Chitmoholbasi organized one block level meeting at Mekhliganj block, situated under Cooch Behar district. Representative from MASUM also present at the mentioned meet. Mainly the discussed topic was to make plan of action to get their Citizenry rights and land rights.
- **22.02.2021**- Amra Chitmoholbasi district committee organized one press meet at Cooch Behar press club. On that meet they announced that if Government will not give their rights then they will also not participate in upcoming assembly election.



Village level meetings in North 24 Parganas district

- **07.02.2021**- Amra Smanatabasi committee organized one central meet at Basirhat Sub Division. The committee members along with the villagers from border nearing villages participated on that meeting. The representatives of MASUM discussed about the way out from these issues and also made an action plan for it.
- **08.02.2021** - Amra Smanatabasi committee organized one central meet at Bangaon Sub Division. The committee members along with the villagers from border nearing villages participated on that meeting. The representatives of MASUM discussed about the way out from these issues and also made an action plan for it.
- **09.02.2021**- Amra Simantabasi committee organized one street corner meeting at Hakimpur village. Mainly the speakers were the affected villagers and representatives of MASUM. On this the speakers narrated how they were victimized due to illegitimate restriction of BSF personnel.
- **28.02.2021**- On this day Amra Simantabasi organized one village level meeting at Boaldaha village. Here the villagers mostly complained about the illegitimate livelihood restriction imposed by Border Security Force posted there. The representative of MASUM was present at that meeting and narrated about the way out of their issues. The action plan is also prepared to combat against these issues.



Medical Assistance

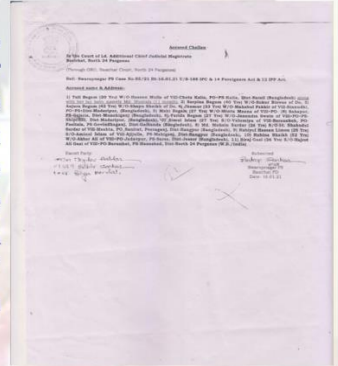
On 10.02.2021 MASUM organized a medical camp at Noor Medical Hall, Swarupnagar, North 24 Parganas. 33 torture victims were treated by Dr. Anasuyak Roy. All the victims were provided with the necessary medicine and pathological expenses from MASUM.

On 27.02.2021 MASUM organized a medical camp at Shibsankar Medical Clinic, Dinhata, Cooch Behar. 35 torture victims were treated by Dr. Champak Banerjee. Victims were also provided psychological assistance by Mr. Mohit Ranadip, psychological counselor. All the victims were provided with the necessary medicine and pathological expenses from MASUM.



Case Briefs, February 2021

• **Illegal detention of Indian Nationals in Bangladeshi prison:** Two Indian citizens, Firdous Haque and Nur Islam, were arrested in Bangladesh on 10.05.2019 for entering Bangladeshi territory without valid documents. They were sentenced to imprisonment for three months, after which their families in India have been consistently demanding for their release and repatriation but to no avail. The release papers of the two Indian citizens are in the Office of the District Magistrate of Cooch Behar, in spite of which their release has not yet been sanctioned. A prison term for three months has been inadvertently extended to 1 year and 7 months, merely due to the recklessness of the District administration of Cooch Behar.



• **Torture by Border Security Force Personnel:** The BSF personnel of C Company, 129 Battalion, harassed and threatened a marginalized Muslim family in the District of Cooch Behar. The personnel suspected that the victim was involved in cattle smuggling. They forcibly entered the victim's house, ransacked property and harassed the female members of the house. The Sahebganj police station also refused to lodge any complaints against the BSF. The Company Commandant of the BSF also threatened the villagers when they tried to report the incident to him. He also threatened to shoot them if they were seen on the border road. The villagers submitted a mass petition to the Superintendent of Police of Cooch Behar but no action has been taken till now.

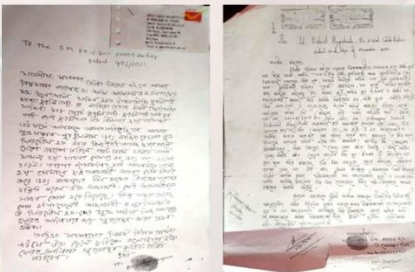


Video of Shahiahhan Sheikh

• **Trafficking and exploitation of a Bangladeshi minor girl:** In 2018, a minor girl from Bangladesh was sold by her parents' friends into the forced labour trade. The girl started working as a domestic servant in an Indian household where she was sexually exploited and also became pregnant as a result. She now lives in a shelter home in Kanpur, and no steps have been taken to repatriate her to her family in Bangladesh in spite of repeated appeals by her parents and civil society organizations.

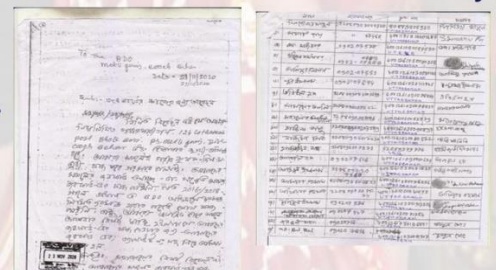


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• **Government Negligence:** Villagers on 124 Lothamari in Cooch Behar District have not received any benefits under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), in spite of having job cards. During the pandemic in 2020, the villagers faced several restrictions of practicing agriculture by the Border Security Force personnel. Due to the lack of 100 day - employment under the MGNREGA, the poor villagers face extreme conditions of starvation, and lack of access to basic facilities. In spite of submitting mass petitions to various authorities, no action has been taken.

Video of 124 Lothamari Villagers



Legal Activities: February, 2021

Calcutta High Court



For MASUM's continuous intervention Chief Justice of Calcutta High Court listed up one long pending Habeus Corpus case. Rajjak Sk vs. State of West Bengal & others [WPA 19785 of 2018] was listed up on 01.02.2021 before the Double Bench of Chief Justice and Arijit Banerjee. But on the said date the Division Bench was not heard the matter. On 08.02.2021 15.02.2021 22.02.2021 the matter was listed but hearing was not conducted. Lastly the matter was listed on 01.03.2021 before the Division Bench of Chief Justice and Justice Arijit Banerjee.

District Courts

Murshidabad

* In this month we provide legal support in 09 prosecution cases in the Lalbag court among which 3 cases are pending for report from the concerned authority, 5 cases are for recording the statement of witnesses and one case for final order. We also supported 15 victims in the court of law where false case against them was started.

* On 02.02.2021 with the assistance of MASUM Ms. Poli Bibi, victim of BSF torture filed one complaint case before the court of Additional Chief Judicial Magistrate Court, Berhampore. On 04.02.2021 after hearing the Magistrate rejected the petition on the ground that the names of the accused are unknown.

* False and concocted case was lodged against the victim by the Jalangi police officials under section 120A (Criminal conspiracy)/186 (Obstructing public servant in discharge of public duty)/189 (Threat of injury to public servant)/504 (Intentional insult with intent to breach of peace) and 505(1) (Public mischief) of Indian Penal Code. In respect of Jalangi Police Station case number 95/2019 in connection with GR number 465/2019 Mr. Asir Mondal was arrested by the police officials of Jalangi Police Station on 24.02.2020. On 25.02.2020 Mr. Asir Mondal was granted bail from the Chief Judicial Magistrate's Court, Berhampore Court with bond of one thousand rupees.

* In the same case warrant was issued against Mr. Rintu Mondal. On 26.02.2020 an anticipatory bail application was moved before the Session Judges Court, Berhampore and he was granted anticipatory bail on condition of providing bond of one thousand rupees.



North 24 Parganas

In this month we provide legal support in 04 prosecution cases and 04 defense case in Basirhat Court, North 24 Pargana.

Cooch Behar

On 09.02.2021 the Additional Chief Judicial Magistrate, Mekhliganj ordered to submit the police report as early as possible in respect of complaint case filed by Mr. Fulet Burman.

Monthly Overview: February, 2021

For our consistent effort and lodging complaint to various concerned authorities regarding the matter of matter of BSF restriction upon the life and livelihood of the villagers of Kashipur, on 01.02.2021 an inquiry was conducted by the Assistant Commissioner, Presidency Division and his team in respect of this case. Mr. Kirity Roy presented during the time of inquiry and submitted his comments. Representative of the Border Security Force also put their submission before the enquiry officers. They also visited the place of fencing gates where some of the villagers narrated the incident how the Border Security force personnel arbitrarily restricted their agricultural activities and create a reign of terror within the village.

On 15 February, 2021 the officers from the Border Security Force personnel came to the house of Ms. Poli Bibi who is a victim of BSF torture and recorded the statement of the victim. But after that they requested to withdraw the complaint of the victim. The victim did not agree with their proposal. After that the victim is being continuously restricted and harassed during the time of her agricultural work in the field and intimidated to withdraw the complaint against the perpetrators.

On 23.02.2021 the BSF official Mr. J.C. Pant, Assistant Commandant, 112 Battalion BSF recorded the statement of Ms. Mina Biswas who was physically assaulted by the Border Security force personnel at Hakimpur Bus Stand BSF Check Post, North 24 Pargana. The victim narrated the whole incident of torture inflicted upon her by the perpetrator BSF personnel.

Upcoming Events: The bordering populace of Cooch Behar district will be organising a protest demonstration in front of the Cooch Behar District Magistrate's office on 25th March, 2021 since 10:00 am demanding equal rights for themselves as any other Indian citizen. Apart from that the long standing demand of the people of the border to post the BSF in actual borders rather than inside villages will also be upheld in their protest.

Activities at a glance



Meeting with members of a CBO in North 24 Parganas district



Assistant Commissioner, Presidency Division and his team conducting an enquiry in Kashipur village of North 24 Parganas district



Erstwhile enclave dwellers at a protest in front of the Cooch Behar district administrative building



Medical camp at North 24 Parganas district



Meeting with the bordering populace and erstwhile enclave dwellers of Mekhliganj, Cooch Behar



'Amra Chitmahalbasi' members from Cooch Behar meets the press and refuses to participate in the upcoming elections