

Monthly Report

January 2021

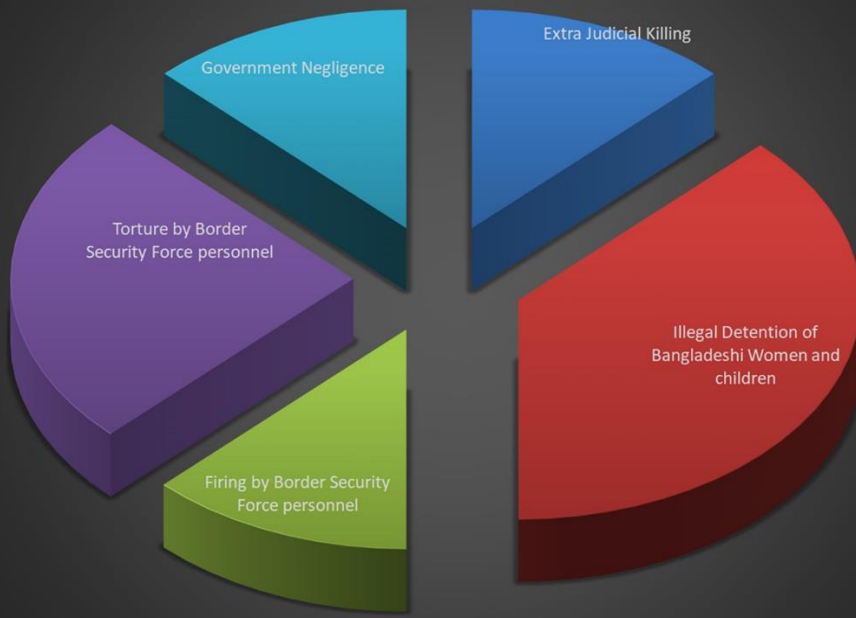
আমরা ছিটমহলবাসী
শিবপ্রাসাদ মুস্তাফি ছিটমহল
কমিটি

Miles to go...

**Banglar Manabadhikar
Suraksha Mancha**



Type of Cases

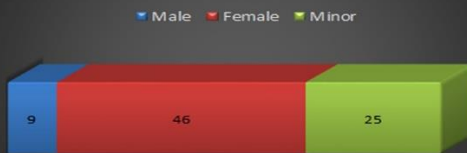


Banglar Manabadhikar Suraksha Mancha (MASUM) made 8 complaints of gross human rights violation before the relevant state authorities and different human rights institutions; especially the National Human Rights Commission during the month of January 2021. We made replies in 3 cases where the NHRC asked our comments. We have sent 2 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 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 22 cases.

Out of the eight complaints, three are on illegal detention of Bangladeshi women and children, two on torture by BSF personnel and one each on extra-judicial execution, firing by BSF personnel and Government Negligence.

Through these complaints we addressed the issues of 80 individual victims; among them 52 belong from the minority Muslim community, 18 from Hindu Scheduled Caste community and 10 from other communities. Among the victims 9 were males and 46 were females and 25 are minors.

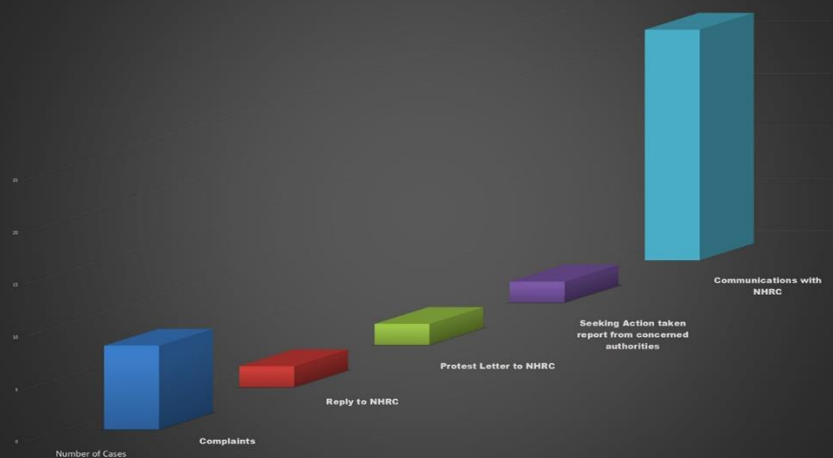
Demographic Classification



Social Classification



Communicative Interactions with HRIs



Upcoming Events:

MASUM will organise its 23rd Annual General Meeting (AGM) on Sunday, February 14, 2021 since 11:00 am. Members of our executive committee as well as general members of MASUM will be present at the Annual General Meeting 2021. The committee members will be addressed by our Secretary, Mr. Kirity Roy initially, followed by the other committee members. MASUM will also discuss the future plans, strategy and course of action for the organisation through the Annual General Meeting 2021.



Erstwhile enclave dwellers demand land rights, employment and rehabilitation

On 13 January 2021, members of Amra Chitmoholbasi along with MASUM held a mass demonstration in front of the Office of the District Magistrate, Cooch Behar regarding the concerns of erstwhile enclave dwellers. More than a thousand people from different enclaves participated in the demonstration. Mr. Kirity Roy, Secretary, MASUM Mr. Dipyaman Adhikary, Assistant Secretary, MASUM, Mr. Bijendra Nath Burman, representative from Falnapur erstwhile enclave, Mr. Manik Adhikary, representative from Kuchlibari erstwhile enclave, Mr. Madan Mohan Roy, representative from Paschim Bakalir Chara erstwhile enclave and Ms. Monica Burman, representative from Karala erstwhile enclave, met with the Additional District Magistrate to discuss the three most prominent demands of the agitation. These demands were: 1. Official recognition of the citizenship rights of enclave dwellers and protection from the implications of the CAA 2019 2. Land documents for the residents who own land in the erstwhile enclaves 3. Employment opportunities/ 100-day work guarantee, especially for the youth of the erstwhile enclaves 4. Proper rehabilitation for people residing in settlement camps.



The ADM listened to the concerns and gave the following answers:

1. For citizenship rights, it was said that the names of enclave dwellers are already listed in the National Population Register (NPR). It was also said that the District Magistrate's office shall consider writing to the Ministry of Home Affairs to issue a gazette notification assuring the rights of citizenship to erstwhile enclave dwellers.



2. For land documents, it was said that they shall be finalized in the month of February. If this is not done, an agitation shall again be held in March 2021.

3. For employment opportunities, it was said that people eligible for/wanting work should give deputations to their respective Block Development Offices and the matter would be taken care of.

4. For rehabilitation for people residing in settlement camps, it was said that the flats for permanent settlement have been made and any problems related to construction are being taken care of. Our suggestion regarding providing lands to people for practicing

agriculture was noted by the ADM for further consultations.

The meeting was then adjourned after which Mr. Kirity Roy addressed the people and assured them that further steps shall be taken if these demands are not met by the end of February. The people appeared hopeful towards the end of the meeting and look forward to the anticipated resolution to their problems.



Our Activities

Village level meetings in Cooch Behar district

- On 09.01.2021 “Amra Chitmoholbasi” district committee organized one meeting at Cooch Behar. The main purpose of that meeting was to understand the exact situation of the village level committees and planning for the 13th January deputation event at DM’s office.
- On 10th January 2021 “Amra Chitmoholbasi” committee organized two meetings at Kachua and Shibaprasad Mustafi erstwhile Bangladeshi enclaves.
- On 11th January “Amra Chitmoholbasi” committee organized 3 meetings at the enclaves namely Jot Nijam, Balapukuri, and Kuchlibari respectively. The main agenda of these meetings to fix the future course of action plan for each village level committees.



Village level meetings in North 24 Parganas district



- On 09.01.2021 representatives of MASUM was present at the meeting with other NGO and CBOs at Basirhat. The main issues discussed in the meeting was the non-availability of social security schemes at the bordering villages.
- On 23.01.2021 representatives of MASUM organized one meeting with the victims of torture. The main purpose of the meeting was to know the current situation of the victims.

Village level meetings in Murshidabad district

In Murshidabad, total 6 meetings were held under the banner of “Amra Simantabasi” –

- On 17th January two meetings were held at villages Char Borderpara and Kaharpara.
- On 21st January one meeting was held at Khedurpara village.
- On 24th January one meeting was held with the women villagers at Char Saheb nagar village.
- On 26th January one meeting was held at Khamarpara.



Besides of these village level meeting on 25th January representatives of MASUM was present one meeting with other NGO and CBOs situated at Ialgola. In the village level meetings the villagers narrated their agony against the Border Security Force personnel posted there. At the end of the meeting the villagers agreed to form “Amra Simantabasi” village committee at respective villages.

MASUM in support of farmers’ protest

On 20 January 2021, Serampore Nagrik Udyog, which is a platform for civil society organizations and activists in Serampore, West Bengal organized a sitting demonstration in support of the farmers protesting against the three controversial farm bills. The demonstration was organized at Benco Mod, Serampore and went on for the entire day. As a member of Serampore Nagrik Udyog, MASUM participated in the event. Our team also delivered some speeches and sang songs in support of the farmers.



On 26 January 2021, civil society members from Chinsurah to Uttarpara in Hooghly District of West Bengal, organized a rally in support of the tractor rally that the farmers had given a call for in the national capital. A large number of supporters along with MASUM joined the rally on two-wheelers, cars and e-rickshaws.

[Video link](#)

Medical Assistance

On 27.01.2021 MASUM organized a medical camp at Noor Medical Hall, Swarnapara, North 24 Parganas. 34 torture victims were treated by Dr. Anasuyak Roy. Some of the victims were also provided psychological assistance by psychological counselor, Mr. Mohit Ranadip. All the victims were provided with the necessary medicine and pathological expenses from MASUM.

On 23.01.2021 MASUM organized a medical camp at Shibsankar Medical Clinic, Dinhata, Cooch Behar. 37 torture victims were treated by Dr. Champak Banerjee. Victims were also provided psychological assistance by psychological counselor, Mr. Mohit Ranadip. All the victims were provided with the necessary medicine and pathological expenses from MASUM.



Case Briefs, January 2021

• **Firing by Border Security Force Personnel:** Mr. Asidual Mia of Satkorpatti village under the jurisdiction of MathaBhanga Police Station was brutally tortured and shot by Border Security Force personnel attached with Boromoricha Border Out Post of 'E' company, 100 Battalion. Till date, the victim has not been properly treated and the duty doctors at the hospital have yet not removed the bullet from his rib.



• **Torture by Border Security Force Personnel:** in January, MASUM lodged two cases of brutal and barbaric torture of men, women, minors as well as elders. The first case is of brutal and unethical torture of a Muslim woman of Other Backward Caste and a resident of Nityananda Kati Village under the Balti Panchayat of Swarupnagar block in North 24 Parganas District. The victim, Jesmina Mondal, was harassed and brutally beaten by Sanjay Kumar, Company Commander attached to Tarali Border Outpost, 112 Battalion, 'E' company, G. Branch Officer and two constables. In another case, Kached Ali Sk and his wife Ms. Mahiran Bibi, Ms. Rahima Bibi, sister-in-law of Kached Ali, her daughter Ms. Mamoni Bibi and his husband Mr. Rafikul Sk were brutally tortured and even voluntary causing grievous hurt with dangerous weapons by the Border Security Force personnel including the Company Commander attached with Kalaighati and Sachinandan Border Out Post, 'C' Company, Battalion number 129. They even attacked minor girl Banicha Khatun, aged about 12 years, granddaughter of Mr. Kached Ali and even showed their barbaric attitude towards a new born baby of Ms. Mamoni and Mr. Rafikul.



Video of Jesmina Mondal

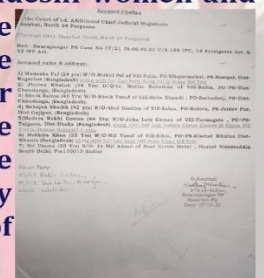
Video of Gorbodanga Villagers



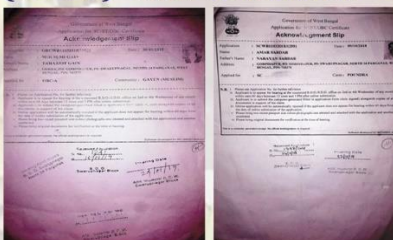
• **Extra Judicial Killing:** This month also saw an incident of brutal torture and killing of a poor marginalized Muslim minor boy from 25 Tista Payasthi village, under Mekhliganj Block and Police Station area of Cooch Behar district, by the perpetrator Border Security Force personnel attached with Battalion no. 143 of Bhojlipara BSF Border Out Post. The victim Samser Pramanik was severely beaten up by 5/6 on duty BSF personnel with bamboo sticks and rifle butts. Later, when he became unconscious from the beating, he was shot in the chest.



• **Illegal detention of Bangladeshi Women and Children:** A total number of 59 Bangladeshi women and minors were arrested where there were 40 women and 19 minors were arrested while crossing the border under Section 14 of the Foreigners Act. Each victim was taken to the Swarupnagar Police Station and later sent to the to the Dumdum correctional home for 14 days after appearing at the Basirhat Additional Chief Judicial Magistrate's court. None of the victims have been released and are still at the said Correctional Home. The prosecution case was registered against them were merely on the allegation that they entered into India without any valid documents. Most of these women are victims of trafficking or brought to India being promised of better job opportunities.



• **Government Negligence:** Even after repeated visits to the Additional Inspector of Backward Class Welfare in the Swarupnagar BDO office, they have been continuously refusing to issue Other Backward Class (OBC-A) and Scheduled Caste certificates to the bonafide applicants of Gobra, a village near Indo - Bangladesh border under Swarupnagar Block of North 24 Parganas, West Bengal. One of the applicants is from Gayen (Muslim) community and the other is from Poundra community. Both their names are mentioned in the official updated List of Other Backward Classes in West Bengal as per Schedule of West Bengal Backward Classes Act, 2012. Their serial numbers are 78 and 53 respectively in 'EGIYE BANGLA' official web portal.



Legal Activities: January, 2021

Calcutta High Court



For MASUM's continuous intervention Chief Justice of Calcutta High Court listed up our two long pending Habeus Corpus cases. Suchitra Mondal vs. State of West Bengal & others [WPA 19791 of 2018] was listed up on 25.01.2021 and Rejjak 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. On 25.01.2021 in the case of enforced disappearance of Sukumar Mondal, the said double bench disposed off the matter on perusing the report submitted by Deputy SP, CID, West Bengal and directed to the jurisdictional Criminal Court to take appropriate action in this respect.

On 05.01.2021 Rima Bewa vs. Union of India & others [WPA 11905/2020] was listed up before the bench of Sabyasachi Bhattacharya but as the matter was in the type of new motion item number 135, the case was not come for hearing on the said date. Next date of hearing is not fixed up.

District Courts

Murshidabad

In this month we provide legal support in 08 prosecution cases in the Lalbag court among which 3 cases are pending for report from the concerned authority, 3 cases are for recording the statement of witnesses and 2 cases for final order. We also supported 15 victims in the court of law where false case against them was started.

On 06.01.2021 with the assistance of MASUM Mr. Anarul Biswas, victim of BSF torture filed one complaint case before the court of Additional Chief Judicial Magistrate Court, Berhampore bearing CR case number 9/2021. Next date was fixed on 16.04.2021 for the appearance of the victim.

On 18.11.2021 complaint was lodged to the Superintendent of Police, Murshidabad under section 154 (3) of the Code of Criminal Procedure by Mr. Ganapati Mondal, a victim of BSF torture.

North 24 Parganas

In this month we provide legal support in 02 prosecution cases and 05 defense case in Basirhat Court, North 24 Pargana.



Monthly Overview: January, 2021

Our activities in various districts of West Bengal have had a strong impact on the different line departments of the government that consequently facilitated several marginalized villagers with their rightful demands. Here are few visible impacts of our initiatives during the month of November, 2020 -

For the permanent rehabilitation of the people who had been brought back from Indian enclaves in Bangladesh after the Land Boundary Agreement in 2015, the government had constructed flats. However, they were made of cheap construction material as a result of which cracks had started to appear in the building. After MASUM's complaint to the National Human Rights Commission, a central investigating team inspected the site in January 2021. Within a week of the inspection, the cracks have been repaired.

In the Balapkuri, Kuchlibari and Dhabalsuti Mrigipur erstwhile enclaves in Cooch Behar, solar pumps installed by the government were defunct. After MASUM's complaints to the NHRC, they have been replaced by the government.

In the Char Parashpur village in Murshibabad, the BSF conducted strict checking at the Border Outpost and harassed villagers through various means. After MASUM's intervention, harassment has reduced while inspection still goes on at the checkpoint.

In the Rajangar village in Murshidabad, BSF personnel had illegally seized the cattle of a villager and had thrown them in the river. MASUM's complaints made a stir in the village and unfortunately, the BSF personnel have become more hostile and have responded by putting restrictions on even grazing cattle in the fields. We condemn the harassment caused to the villagers by the actions of the BSF.

In Nirmal Char village of Murshidabad, BSF personnel had put strict restrictions on movement of villagers including forbidding fishermen to carry out their businesses. After MASUM's complaints, this harassment has reduced.

Activities at a glance



MASUM team performing at a demonstration in Serampore in support of farmers' protest



A meeting with the members of NGOs and CBOs of North 24 Parganas district



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



Medical camp at Cooch Behar



Meeting with the 'Promila Bahini' (women group) of Char Sahebnagar village in Murshidabad



MASUM members participating in a motorbike rally in support of farmers' protest