

# Monthly Report

## November 2020

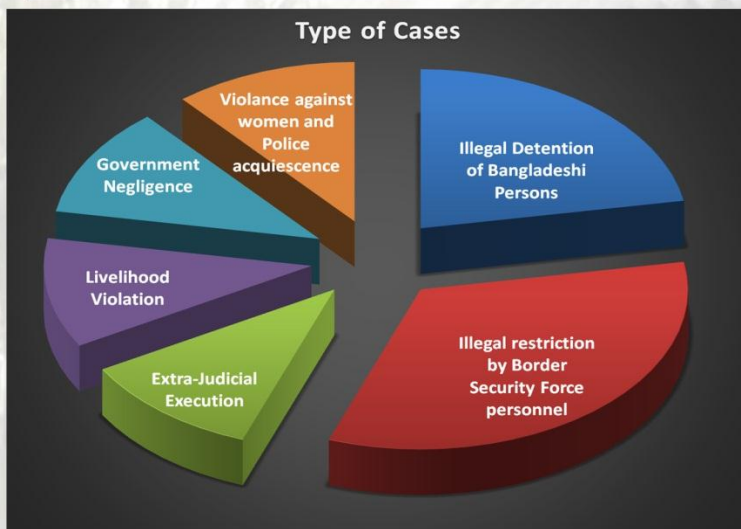


*Miles to go...*

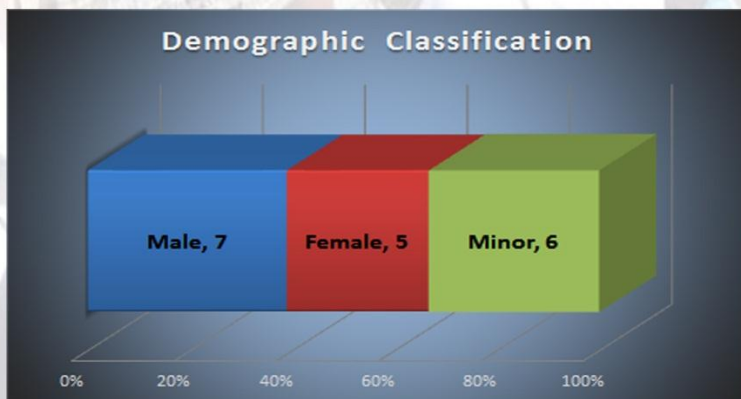
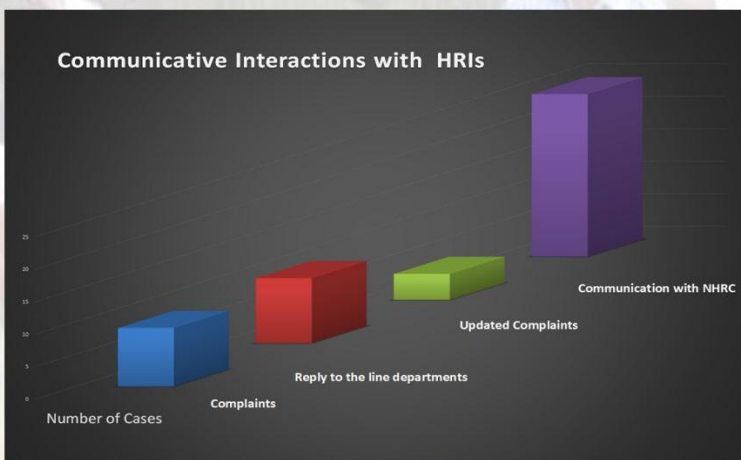
**Banglar Manabadhikar  
Suraksha Mancha**



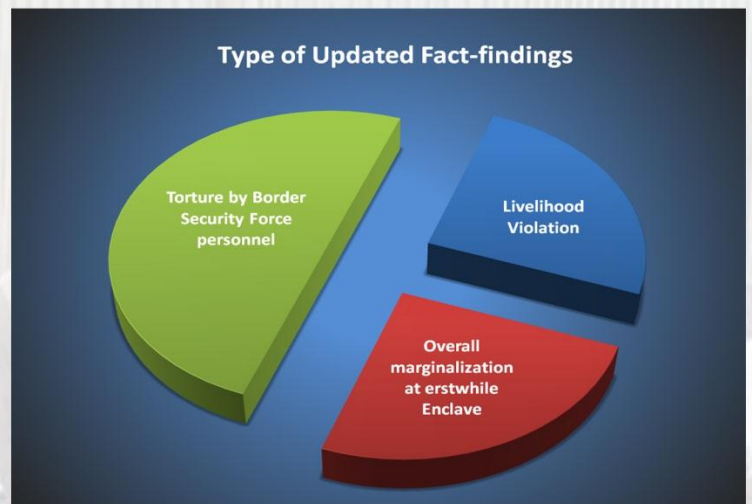




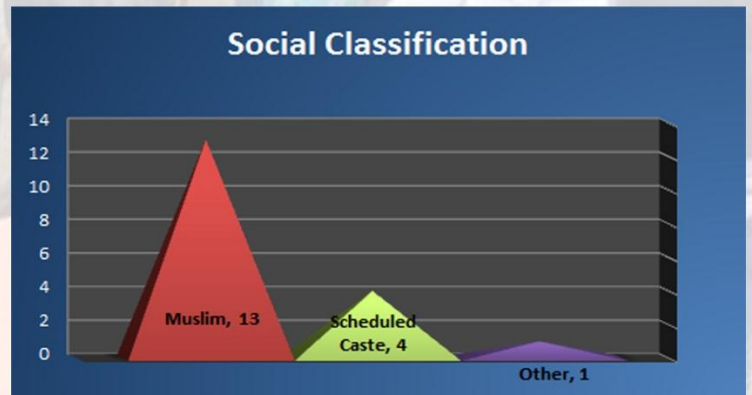
Out of the nine complaints, three are on illegal restriction by Border Security Force personnel, two on Illegal Detention of Bangladeshi Persons and one each on extra-judicial execution, livelihood violation, Violence against women and Police acquiescence and Government Negligence.



Banglar Manabadhikar Suraksha Mancha (MASUM) made 9 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 November 2020. We made 4 updated fact-findings on the complaints previously lodged, where the victims are still suffering. The type of updated complaints made this month are listed in the chart below. During this month, we received directions from the NHRC in 25 cases and provided feedback on the directions issued by the NHRC in 10 cases.



In the complaint regarding Illegal restriction by BSF personnel and Government negligence, the victimization was collective and does not reflect in the demographic and social classification of victims. Total numbers of victims in individual complaints were 18; among them 13 belong from the minority Muslim community, 4 from Hindu Scheduled Caste community and 1 from Hindu General community. Among the victims 7 were males and 5 were females and 6 are minors.



## Upcoming Events



On 10th of December, 2020, MASUM will observe the International Human Rights Day along with Human Rights Fair at Ranu Chhaya Mancha near the Academy of Fine Arts Mukta Mancha from 11:00 am; and will continue till the late evening.

On 6th of December, 2020, MASUM will be organising a protest demonstration near the Manashi Plaza auto stand, in Serampore, since 4:00 pm to 6:00 pm remembering the shameful event of the demolition of Babri Mosque 28 years back in 1992.





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# Monthly overview

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 -

Due to our continuous intervention District administration, Cooch Behar and Food & Supply Departments issued ration slip to the dwellers of Uttar Bansjani enclave with which they are currently getting 5 kg rice and 3 packets flour per head.

An inquiry was held by the Block Development Officer of Sitalkuchi Block in respect of our complaint that several villagers of Mahismuri village are still denied their ration card. After enquiry the Block Development Officer requested 64 villagers to make fresh application for their ration card.

During this time of nationwide lockdown due to spread of Covid 19 virus, the Border Security Force authority of Jamaladaha Border Out Post, Bravo Company, 140 Battalion BSF closed these three fencing gates and thereby restricted the movement of the village farmers of 202, Khasbos Darikamari village from going to their agricultural field for cultivation. From the middle of the 23 March, 2020 Border Security Force permanently closed the gate number 1, 2 and 3. It is to be mentioned that the villagers have to cross this fencing gates to reach their agricultural fields. More than one and half months they cannot go to the field for cultivation. Several times the farmers and villagers requested to on duty Border Security Force personnel attached with Jamaladaha Border Out Post, Bravo Company under 140 Battalion for opening the gate, but every time BSF personnel refused their request and told that they were not allowed to open the fencing gate. Based on our complaint Sub Divisional Officer, Mekhliganj Sub Division enquired the whole situation after coming into the village. From that time BSF open the fencing gates and high



restrictions upon the villagers is relaxed. When the villagers talked about compensation for financial loss in agriculture due to illegal restriction placed by BSF, SDO told to think about it and will inform the villagers later.

In Sukarur Kuti village BSF restricted the agricultural activities of the villagers. We lodged complaint and for which pressure comes upon Seuti BSF camp. The Company Commander called a meeting with local people and farmers. In meeting the company Commander strategically wrote the resolution that the

people of the area do not want to cultivate jute. But the people and the farmers in the meeting did not sign on the resolution.

On 27.11.2020 Office of the District Legal Services Authority, Murshidabad called Ms. Rima Bewa, wife of Late Abdus Samad who was a victim of BSF killing for the purpose of her presence before the Criminal Injuries Compensation Board in respect of her compensation case under the Victim Compensation Scheme.

In the villages of Kaliyani, Amudia, Tarali, Hakimpur in the district of North 24 Pargana BSF restriction and torture upon the villagers are increasing in this month.

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## BSF official allegedly involved in cross-border cattle smuggling



On 17 November, 2020, Satish Kumar, ex-BSF Commandant of 36 Battalion in Malda District of West Bengal, was arrested by the Central Bureau of Investigation for being involved in illegal trade and smuggling of cattle. Kumar has been charged under Section 120 B of IPC and Sections 7, 11, and 12 of the Prevention of Corruption Act, 1988. According to the CBI enquiry, Kumar would sell the seized cattle at auctions to the smugglers in exchange of 2000 INR per cattle. He was also partner of international cross border trafficking business with kingpin. This investigation not only opens an enquiry into the corrupt practices of Mr. Satish Kumar, but also opens room for dialogue on the involvement of a nexus of public officials in the smuggling of cattle at the Indo-Bangladesh border.

For the past 20 years, Banglar Manabadhikar Suraksha Mancha (MASUM) has been claiming that the illegal cattle trade at the Indo-Bangladesh border is not possible without the aid of corrupt BSF personnel, Customs officials, a section of politicians and the police. This is a claim that has been corroborated

by the Ministry of Home Affairs itself, albeit not publicly. The Parliamentary Standing Committee on Home Affairs published a report titled, Border Security: Capacity Building and Institutions in April 2017 that addressed the problem of cattle smuggling at the Indo-Bangladesh border. The Committee published data received from the Ministry of Home Affairs wherein more than 100,000 cows were seized by the BSF annually from 2012-2016.[1] The Committee clearly states, “[...] there is a wide and deeply entrenched nexus due to which cattle smuggling has proliferated and the Government needs to strike at the roots of this nexus if it has to completely curb this problem.” For this ‘nexus’ the Committee holds the police, other public officials and the government accountable. The unwillingness of the government to deal with this problem reveals that public officials in the administration stand to make economic profits through the smuggling of cattle. Rather than attacking this cycle of corruption, the government has made a façade of the protection of cows by enforcing stringent legislation to prevent slaughter of cattle and supporting violent cow vigilantism throughout the country. While public officials fill their coffers with illegally obtained profits, the wrath of the administration falls on the poor, marginalized, socially and economically impoverished sections of society. On a daily basis, Muslims and Dalits at bordering areas are tortured, harassed and lynched on the suspicion of smuggling cattle by the BSF personnel stationed near the border and the vigilantes for cow protection empowered by the government. While cattle smuggling is a means to make economic gains for public officials such as Satish Kumar, for the poor residents of the Indo-Bangladesh border, it is often their only source of livelihood. Therefore, MASUM demands an acknowledgement from the government of this corrupt practice at the Indo-Bangladesh border and urges them to examine the nexus of public officials involved in this practice, rather than attacking the poor and marginalized residents of the border. We also demand that the BSF personnel be stationed at the zero point of the Indo-Bangladesh border to obstruct smuggling, rather than inside villages to inflict violence on ordinary citizens.



Photo courtesy: The Quint

Hindustan Times news link [here](#)



Photo courtesy: The Quint



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## In memory of...

### **Ramen Moitra**

Ramendranath Moitra was an employee of the Indian Post Office by profession but his proficiency was not limited to his profession alone, rather his excellent communicative skill with a huge range of people from different fields of the society was remarkable. Ramendranath Moitra, better known as Ramen Da was well-known for his social endeavours and hospitality. He has selflessly worked for the people residing at the Indo-Bangladesh border. He has openly protested against state torture, has been a pillar standing by the people who had lost their houses to erosion or floods. Ramen Da is a name that resonates selflessness, immense personality, humanity and a human rights activist. But sadly, his journey came to an end on 13th November 2020 at the age of 62 as he succumbed to cardiac arrest. He has been an active friend of MASUM since its inception and has played a crucial role in helping MASUM on the field. His heartfelt humour will be missed among the people close to him. We at MASUM mourn his demise and will always cherish the relationship we had with him. Ramen Da will always keep inspiring us to strive and work for the people who need our help.



### **Avishek Mookherjee**



Born on 14th July, 1983 Avishek Mookherjee was a dynamic young adult who believed in the Leftist ideology. He graduated as a lawyer and dedicated his work towards ensuring Human Rights to the marginalized and the downtrodden as an employee of MASUM. His stint in MASUM was cut short due to a sudden accident after which he went to China to pursue his Ph. D. Even while pursuing his academics, he had continued to support MASUM through his posts and writings. He was an avid author with many publications to his name. Sadly, when he returned from China in 2020, he contracted COVID-19 and breathed his last on 24th October 2020 at the ripe age of 37. Even when he was in the hospital fighting COVID, his determination and philosophy towards life portrays the robustness of his character. We will miss his energetic conversations and lively debates over times. We at MASUM mourn his death and stand by his family during these trying times.

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## Our Activities

### village level meetings in Coochbehar district

- On 14.11.2020 Amra Chitmoholbasi committee organized one meeting with the women dwellers of the mentioned erstwhile enclave. The main purpose of that meeting to form one Pramila Bahini (Women Group) to fight for their rights.
- On 15.11.2020 Amra Simantabasi committee organized one village level meeting at Jhaukuthi village. On that meeting the villagers narrated their agony against the posted Border Security Force personnel. They also planned the future course of action against those perpetrator BSF personnel.
- On 18.11.2020 had a village level meeting at the Uttar Bansjani erstwhile enclave with committee members. The discussion revolved around the badly constructed roads of the enclave and the other government negligence the villagers are facing on a regular basis. A plan of action was set for December and January.



- On 19.11.2020 a village level meeting with the Amra Chitmoholbasi committee of the Batrigachh Fragment erstwhile enclave. The main issues discussed during the meeting were the registration of the families in the citizen survey, citizenship documents, Land documents, defunct social security schemes and the way forward to ensure these rights.



- On 20.11.2020, Amra Simantabasi committee of Kalamati, Mathargan organized a village level meeting where they discuss the steps which need to be taken to protest against the illegal and immoral construction of new wired fencing on the IBRR.

- On 21.11.2020 there were 4 village level meetings at 42 Nistrob village, 125 Khorkhoria village, 124 Lothamari village and 202 Khasbos in the Mekhliganj Sub-Division. The main agenda of the meetings were to introduce the villagers to the working and processes of MASUM and form the Amra Shimantabashi committee to cater to the problems of the villagers.

- On 22.11.2020 there was a village level meeting of the Amra Chitmoholbasi committee of the Nolagram Fragment erstwhile enclave and Folonapur erstwhile enclave. The main intention of the meeting was to discuss the future events that need to be done to ensure the citizenship rights of the villagers. Additionally, the committee talked about issues regarding citizenship, Land documents and defunct social security schemes.

- On 23.11.2020 Amra Simantabasi committee organized one village level meeting at Krishnapur village. On that meeting the villagers narrated their agony against the posted Border Security Force personnel. They also planned the future course of action against those perpetrator BSF personnel.

- On 28.11.2020 Amra Simantabasi committee organized one village level meeting at Dhaphrahat village. On that meeting the villagers narrated their agony against the posted Border Security Force personnel. They also planned the future course of action against those perpetrator BSF personnel.

### village level meetings in North 24 Parganas district

- On 22.11.2020, Amra Simantabasi committee organized one village level meeting at Kaliyani petropol village. This village is situated adjacent to Indo-Bangladesh border. On that meeting the villagers talked about their experience about torture and livelihood restriction by Border Security Force personnel. People from local press also present at that meeting and observed their agony against BSF personnel. At the end of the meeting the committee planned for their future activities.

- On 23.11.2020 Amra Simantabasi committee and MASUM organized two meetings at the village Doharkanda. The first meeting was arranged to form the Block level committee of Amra Simantabasi at Swarupnagar Block. The second meeting was held with the victims of torture who resides at the mentioned village. On that meeting representatives of MASUM talked with the victim about their updated status.

- On 26.11.2020 Amra Simantabasi committee organized one meeting at pipli village with women to form "Pramila Bahini" (Women group). The main purpose for this meeting was to place the women power in the



### Medical Assistance

On 18.11.2020 MASUM organized a medical camp at Noor Medical Hall, Swarupnagar, North 24 Parganas. 36 torture victims were treated by Dr. Anasuyak Roy. All the victims were provided with the necessary medicine from MASUM.

On 19.11.2020 MASUM organized a medical camp at Boting Para Clinic, Dinhata, Cooch Behar. 31 torture victims were treated by Dr. Champak Banerjee. All the victims were provided with the necessary medicine from MASUM.



### Legal Assistance

On 13.11.2020 complaint was lodged to the Superintendent of Police, Bangaon Police District under section 154 (3) of the Code of Criminal Procedure by Mr. Rahamatulla Mondal, a victim of BSF torture. On the same day another complaint was lodged to the SP, Bangaon Police District under section 154 (3) of the Code of Criminal Procedure by Mr. Hassan Ali Mondal, victim of BSF torture.

Anticipatory bail application (CMS 2600/2020) was filed in the Session Judge Court, Barasat for Ms. Mina Biswas who was falsely charged by the BSF in Swarupnagar Police Station Case number 208/2020 dated 16.04.2020. Hearing of the anticipatory bail application was fixed on 04.12.2020.

In this month we provided legal support in 4 defense cases in Basirhat Court, North 24 Pargana.

On 28.11.2020 complaint was lodged to the Superintendent of Police, Murshidabad under section 154 (3) of the Code of Criminal Procedure by Mr. Anarul Biswas, a victim of BSF torture.





## Case briefs: November, 2020

• **Illegal Detention of Bangladeshi Persons:** A Bangladeshi woman along with her two sons was arrested while crossing the border under Section 14 of the Foreigners Act on 19.10.2020. Another similar incident in the same district saw two women along with their two children getting arrested on the same day, 19.10.2020, by the BSF at Hakimpur BOP, 112 Battalion. There have been two more cases where in the first one, a Bangladeshi woman with her two daughters and two men were arrested by the BSF of Battalion 112, Hakimpur BOP on 18.10.2020. The second incident includes the arrest of a Bangladeshi woman and her daughter with two Bangladeshi men on 18.10.2020 by the BSF personnel of Bithari BOP, Battalion 112. Each of the victims were taken to the Swarupnagar Police Station and later sent 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.

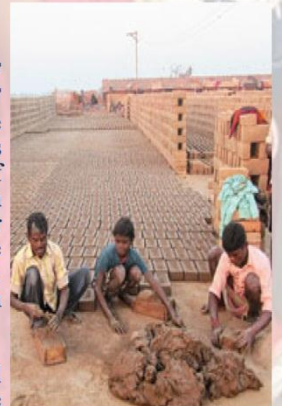


• **Illegal restriction by Border Security Force personnel:** The villagers of 77 Nichtorof Bhotbari villages situated under Mekhliganj Block and Police station in Coochbehar, face illegal restrictions and arbitrary demands from the BSF personnel at the Changrabanda Border Outpost, 148 Battalion. They had constructed an open fencing wire towards the village on the IBBR road, which is restricting the movement of the villagers and also make arbitrary requests for bamboos and other personal items to the villagers while threatening that if not provided, they will not open the doors. The illegal and whimsical restrictions in movement immensely affect the movement of the villagers and hamper their agricultural activity. Another case talks about the plight of the residents of Jhaokuti village, under Tufanganj Block and Police Station, Balabhat Panchayat, Cooch Behar. The BSF of Jhaokuti BSF camp, 62 Battalion had illegally closed of all the culverts at the fences with boulders and stones; the culverts were made to pass water to prevent flooding in the village when the river Kaljani overflows. Due to this blockage, the flood water does not drain away from the fields and destroys crops every year. Protap Sarkar, a poor farmer belonging to Toltoli village under Domkol sub-division and Jalangi Police Station is facing illegal restrictions from the BSF personnel of Farajipara BSF camp, 141 Battalion. He supports himself by rearing cattle. The BSF has imposed illegal restrictions and is not allowing the victim to collect grass to be used as cow fodder.



Watch video of [Jhaokuthi villagers](#)

• **Extra Judicial Execution:** On 30.08.2020 Bikas Kumar, a 28 year old BSF constable of the 99 Battalion, Chauatia Border Outpost, Magurkona BSF was shot dead in Chuatia, Bagdah. As per the reports of the BSF, the victim was shot in the neck with his own gun and the body was found lying on the road by his colleagues. He was taken to the hospital later and was announced dead and registered under the case of Unnatural Death. On the other hand, the wife of the victim, who is also a BSF personnel placed in Murshidabad, has alleged that her husband was murdered by the other fellow jawans. She said that her husband was mentally traumatized regularly by the authority of Makurkona BSF camp. Moreover, the camp authority did the post mortem without the consent of the family. There has been a case where Mr. Satish Kumar, an ex-BSF Commandant of 36 Battalion in Malda District was arrested by the CBI in connection to illegal trading and cattle smuggling.



• **Violence against Women and Police Acquiescence:** Puja Khatun (name changed), a 16 year old girl belonging to the marginalized Muslim community was abducted and trafficked to Bangladesh by some local touts. She was a resident of 147 Bhotbari village, Mekhliganj Block and Police Station, Cooch Behar district. When the family went to lodge a complaint at the Mekhliganj Police station, the Sub-Inspector behaved in a hostile manner with the family and also accused the family of orchestrating the trafficking and refused to lodge an FIR for the case. It is also alleged that the Sub-Inspector has connections with the RSS and is also known to discriminate against Muslims.

• **Government Negligence:** The residents of brick fields in West Bengal are living in dire conditions where even the basic needs for living are not provided to them. This case is of the residents of the 8 brick fields at Uttarpara under Uttarpara Kotrang Municipality under the jurisdiction of Uttarpara police station under Chandannagar Police district of Hooghly. These brick fields have been home to more than 750 workers and their families for 3 generations. Being Scheduled caste, they are ostracized from basic establishments like ICDS, schools, marriage halls and sports event. The government has not provided them with basic sanitation, drinking water or electricity facilities. Most of them still do not have personal identification documents and the government has been continuously neglecting them for decades.

• **Livelihood violation:** Mr. Ganapati Mondal, a resident of Char Rajanagar village under Raninagar Police station and who is a herdsman and also have possession of 32 cows. BSF Company Commander attached with the Rajanagar BSF camp, Battalion 117 along with other BSF personnel from the same camp had forcefully taken away all his cows and it is also alleged that he has handed over these cows to smugglers in exchange for money. On the same day itself, the BSF illegally confiscated 52 cows from Mr. Ganesh Mondal and Mabakumar Mondal, without showing any reason or possessing a seizure list.





## Activities at a glance



**A memorial of Ramen Moitra and Avishek Mookherjee organised in MASUM's office**



**MASUM team visited the Serampore SDO to discuss on the issues of the brick-field dwellers of Uttarpara**



**Medical camp at Swarupnagar for torture victims of North 24 Parganas district**



**A village level meeting organised by Amra Simantabasi at the Kaliyani-Petrapol village of North 24 Parganas**



**A village level meeting at Batrigach enclave organised by Amra Chitmahalbasi committee in Cooch Behar**



**A village level meeting at Daharkanda village organised by Amra Simantalbasi committee in North 24 Parganas**