

One poor woman was tortured by BSF - Complaint lodged but Police is inactive. Systematic impunity continues

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23 February 2020 at 07:17

To: NHRC1 <cr.nhrc@nic.in>, NHRC <chairnhrc@nic.in>, Surajit Dey <registrar-nhrc@nic.in>

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Banglar

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

22.02.2020

Respected Sir,

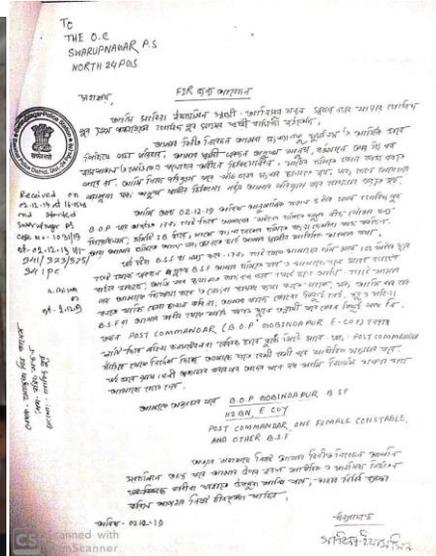
Here I want to draw your kind attention towards an incident of brutal torture by the Border Security Force personnel that once again victimized one marginalized woman villager from Indo-Bangladesh bordering areas of West Bengal, who are also belonging to Other Backward Class community namely Mrs. Sabina Yasmin, aged about 32 years, of Gobindapur village under Gobindapur Gram Panchayat and Swarupnagar Block and Swarupnagar Police Station area in the district of North 24 Pargana. In this incident the victim lady was inhumanly beaten up by the perpetrator Border Security Force personnel attached with 112 Battalion, E Company of Gobindapur Border Out Post without any reason. Mrs. Sabina Yasmin lodged a written complaint against the perpetrator BSF personnel in Swarupnagar Police Station on 02.12.2019 for proper legal action. An FIR being number 1031/19 dated 02.12.2019 was registered under section 341/323/325/34 of Indian Penal Code against the perpetrators based upon the complaint of the victim Mrs. Sabina Yasmin but the perpetrator is roaming freely enjoying impunity till date as no action has been taken against them.

The perpetrator Border Security Force person not only violated the rights guaranteed in Article 21 of Indian Constitution but also the premise of Article 7 of International Covenant on Civil and Political Rights as well as the Goal number 8 and 16 of Sustainable Development Goal earmarked by United Nations and in both these international instruments; the government of India is a party and have agreement. The incident and subsequent impunity legitimize our long standing demand for immediate ratification of United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment. Hence, I request your urgent intervention in this matter with the following demands –

- BSF should be posted in the actual border and not inside the villages.
- The whole incident must be investigated by investigation wing of the Commission.
- The FIR lodged on 02.12.2019 before Swarupnagar Police Station must be investigated under the appropriate penal provision.
- The guilty Border Security Force person involved in committing such torture must be booked and prosecuted.

After that at about 2.15 pm the victim lady was taken to Sarapul Block Rural Hospital where in the emergency ticket issued by the Sarapul Rural Hospital it is clearly written that Mrs. Sabina was physically assaulted and there was 'injury over chest and back'. Then they went to Swarupnagar Police Station and lodged a written complaint which was registered as First Information Report being number 1031/19 dated 02.12.2019 under sections 341/323/325 and 34 of Indian Penal Code but till date the perpetrators are enjoying complete impunity as they are not arrested and no action has been taken by the police.

1. Attached Documents
2. Pictures of victim and her family
3. Complaint to Swarupnagar Police Station
4. First Information Report
5. Medical Documents



W.P. Form No. 27
FIRST INFORMATION REPORT
5885

A cognizable crime reported under section 154 Cr. P. Code, 1973

1) Date, Time, Day, Month, Year: 02.12.2019
2) Police Station: Sarapul Block Rural Hospital
3) Other Area & Sections: 341/323/325/34

4) Name of Offender: ...
5) Information Received Date: 02.12.2019
6) Place of Occurrence: ...
7) Particulars of Property stolen / involved: ...

10. Total value of Property stolen / involved: ...
11. Injured reported: ...
12. FIR Category: ...

Signature of the Officer-in-Charge, Police Station: ...
Date: 02.12.2019

15324

EMERGENCY TICKET
SARAPUL RURAL HOSPITAL
Sarapul, Swarupnagar Block, North 24 Parganas

Reg. No. ... Dt. 02.12.2019
Name: Sabina Banerjee Age 32yrs.
Address: ... Sarapul
Provisional Diagnosis: ...
Time: 2:15pm

MOE = physical assault
DOE = 21/12/19
TOT = 9 Am
DOT = Gobindapur.

Injury over chest and back.
- Injury over cervical region.
- no h/o vomiting
- no h/o ENT bleeding

49 Tag PCM Itab Tros
- Tag I bn (uo) 1r md
- Tag Am (uo) 1r omc
- H of compression
- chest x-ray for PA view.

21/12/19