

### 3 Dalit villagers were physically assaulted by BSF personnel - Police took no action till date

**MASUM** <masumindia@gmail.com>

27 March 2020 at 17:54

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Banglar

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

27.03.2020

Respected Sir,

Here I want to draw your attention towards the incident of physical assault and harassment on three marginalized residents from Scheduled Caste (Dalit) community in Kalmati village under Sahebganj police station area of Coochbehar district in West Bengal by the perpetrator Border Security Force personnel attached with 192 Battalion, 'D' Company of Kalmati Border Outpost. The victims, Mr. Sibendra Nath Burman, Mr. Shyamal Chandra Burman and Mr. Harish Chandra Burman, were beaten up and verbally abused for no particular reason by the BSF personnel near Khasbil area.

The victims were going to visit an agricultural field, when they were stopped by the perpetrators on the road and verbally abused as well as assaulted. The victims complained to the Company Commander of Kalmati BSF BOP right after the incident but no action were taken by him. A written complaint was also lodged to the Saheb nagar police on the next day but no actions against the perpetrators are taken yet.

The incident violates the rights guaranteed in Article 21 of Indian Constitution and also the premise of Article 6, 7 and 12 of International Covenant on Civil and Political Rights as well as the Goal No. 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.

Under the circumstances we demand:

- BSF should be posted in actual borders and not inside villages
- The whole incident must be investigated by a neutral agency appointed by the commission
- The guilty Border Security Force personnel involved must be booked and prosecuted
- The victim must be duly compensated
- Security and safety of the victim must be protected.

Thanking You,  
Yours sincerely

Dipyaman Adhikary  
Assistant Secretary  
Banglar Manabdhikar Suraksha Mancha (MASUM)

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**Details of the victims –**

1. Mr. Sibendra Nath Burman, son of Late Sharat Chandra Burman, Age - 40 Years, Village – Kalmati, P.S. – Sahebganj, Coochbehar, West Bengal
2. Mr. Shyamal Chandra Burman, son of Late Gajendra Nath Burman, Age - 40 Years, Village – Kalmati, P.S. – Sahebganj, Coochbehar, West Bengal
3. Mr. Harish Chandra Burman, son of Mukunda Burman, Age - 60 Years, Village – Kalmati, P.S. – Sahebganj, Coochbehar, West Bengal

**Details of the Witnesses –**

1. Mr. Gajen Burman, son of Deben Burman, Village – Kalmati, P.S. – Sahebganj, Coochbehar, West Bengal
2. Mr. Pradip Burman, son of Benimadhab Burman, Village – Kalmati, P.S. – Sahebganj, Coochbehar, West Bengal
3. Mr. Asadul Sheikh, son of Abul Sheikh, Village – Kalmati, P.S. – Sahebganj, Coochbehar, West Bengal

**Details of the perpetrators –**

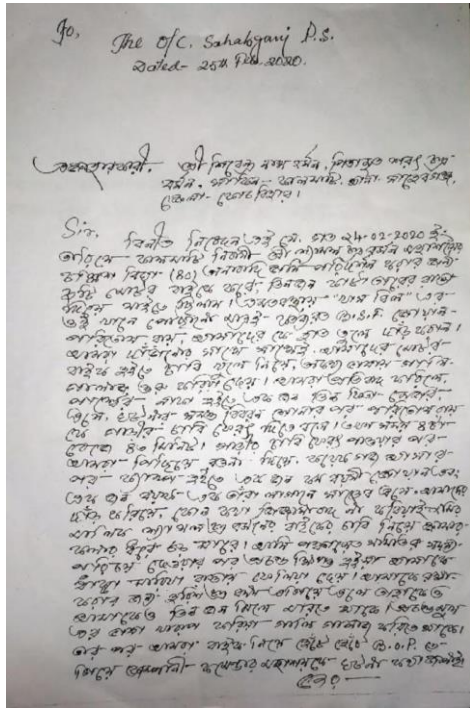
1. Poritosh Roy, Constable attached with 192 Battalion, 'D' Company of Kalmati Border Outpost
2. An Officer with one stripe, attached with 192 Battalion, 'D' Company of Kalmati Border Outpost
3. On duty BSF constable attached with 192 Battalion, 'D' Company of Kalmati Border Outpost

**Date, time and place of the incident –** 24.02.2020 at around 04:30 pm on the IBBR near Khasbil area.

**Details of the incident –** Shyamal Chandra Burman, a farmer by profession has a 40-Bigha land beyond the barbed wire international border fencing, where he was cultivating fish in a water body. Since the last few months, all his fish were dying as some unknown person was poisoning the water body. He repeatedly talked to the Panchayet Samiti member, Mr. Sibendra Nath Burman regarding the matter and asked him to investigate on the same. Accordingly, on 24.02.2020, Mr. Sibendra Nath Burman along with Mr. Shyamal Chandra Burman and another local, Mr. Harish Chandra Burman was going to visit the field in two motorbikes at around 4:30 pm. Suddenly they were stopped by the on duty BSF constable, Mr. Poritosh Roy, who was guarding near Khasbil area. Mr. Poritosh Roy confiscated the keys from Sibendra Nath Burman's motorbike and started verbally abusing them using cuss words. When they protested, another BSF officer with three stripes in his uniform came along from the nearby post and asked Poritosh Roy to return the keys to them. He also asked the victims to go to the Kalmati camp and talk to the Company Commander. But as they were returning back they were again stopped by another on duty constable and an officer with one stripe in his uniform. With no formal exchange, the constable again seized the motorbike keys and started slapping Mr. Shyamal Chandra Burman holding his shirt's collar. When Mr. Sibendra Nath Burman protested and informed them that he is the member of the panchayet samiti, the BSF personnel thrashed him into the ground as well and started beating him up. When Mr. Harish Chandra Burman came to his rescue he was also severely beaten up by the perpetrators. The victims somehow collected themselves and went to see the Company Commander in order to complain regarding the incident. But despite the verbal complaint no steps were taken against the perpetrators. On 25.02.2020, Mr. Sibendra Nath Burman lodged a written complaint against the perpetrators in the Sahebganj police station but no actions were taken by the police as well. The Officer-in-Charge informed Mr. Sibendra Nath Burman that he will investigate the matter. But after returning from the place of incident he called Mr. Sibendra Nath Burman and asked him to come into a settlement with the BSF and drop the case. He also informed him that BSF has complained that the victims had assaulted the on duty personnel. As Mr. Sibendra Nath Burman denied to withdraw the case, a 'G' branch officer from the BSF visited his house and asked him to withdraw the case. He asked him to visit the BSF camp on 26.02.2020 at 8:00 am or else face dire consequences. Mr. Sibendra Nath Burman informed the OC, Sahebganj over phone that he will not withdraw the case whatever the consequence may be. On 24.02.2020, Mr. Sibendra Nath Burman informed the DIG, BSF Mr. Ram Karan of the incident through a telephone call. On 25.02.2020 at around 8:00 pm BSF Int. officer, Mr. Satyen came to Mr. Sibendra Nath Burman's house and pursued him to withdraw the case. On 27.02.2020, at 11:56 am, Mr. A.T. Singh from BSF's 'G' Branch called Mr. Sibendra Nath Burman in his mobile phone (from Number: 8116690090) and met with him along with Mr. Satyen. They again pursued him to withdraw the case against BSF. But to all these intimidation and threatening, Mr. Sibendra Nath Burman hold his stand and said that he didn't do anything wrong and therefore will not leave his stand but fight on legal grounds.



Picture of victim



Complaint to Officer in Charge of Sahebganj Police Station

