



Banglar

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To

The Chairman

National Human Rights Commission

Manav Adhikar Bhawan

Block-C, GPO Complex, INA

New Delhi-110023

Respected Sir,

Through this complaint, I again seek to draw your attention to the villagers of Mirapara and Golenahati village who have been suffering due to restrictions on their livelihood by the Border Security Forces. Lack of basic amenities in agriculture and undue, despotic restriction is a severe threat to the villagers. The village is situated under Sitalkuchi Block and Sitalkuchi Police Station, Gram Panchayat – Golenahati in the District of Cooch Behar. The village has about 3200 people out of which about 1760 people are male and about 1440 people are female. 55% people are belonging to Hindu and 45% are belonging to Muslim. The chief occupation in the village is farming and daily wage labour. About 200 families have their own agricultural land that lies beyond the barbed fences.

The villagers don't have proper drinking water facility from the government. There are 5000 bigha of agricultural land beyond the fences but no irrigation facility has been provided by the government. More so, the villagers have everyday experienced with acute restriction upon their lives and livelihood by the Border Security Force authority but that time BSF permitted the villagers to go to their own field for the purpose of cultivation.

Now, what is the most important fact is that during this time of nationwide lockdown due to spread of Covid 19 virus, the Border Security Force authority of Mirapara Border Out Post, Bivo Company, 47 Battalion BSF closed the fencing gates and thereby restricted the movement of the village farmers from going to their agricultural field for cultivation. From the middle of the 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 Mirapara Border Out Post, Bivo Company under 47 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.

Under Mirapara Border Out Post the area of three Mouzas' are covered namely Gachtala, Mirapara and Golenahati. The fencing was constructed in these areas somewhere 300 meter far, somewhere 500 meter and somewhere 700 meter far from the International Border Pillar.

When our District Human Rights Monitor talked with the villagers of Mirapara and Golenahati village, they expressed that in the agricultural field beyond the fence Boro paddy has been harvested about more than 500 bigha of land; Coffee, chili and other vegetables have been harvested within more than 10 bigha of land. As the Border Security Force authority not letting them go to their agricultural field beyond the fences, the crops are being wasted in the field due to lack of proper care. Boro paddies are completely destroyed without sufficient water. When the villagers requested to the on duty BSF personnel to open the fencing gate as the crops in the field are being destroyed, the on duty Border Security Force personnel did not listen to them. They told that they had nothing to do if the crops in the field are destroyed.

The villagers are very much disappointed as there is huge monetary loss upon them. Cultivation is the only source of income of these farmers and BSF directly imposed illegal restriction upon their farming. The value of their financial loss in this current situation is about Rs. 40,000/- to Rs.45,000/- per person along with the cost of cultivation of various vegetables within 10 bigha of land is about Rs. 80,000/- which are also wasted.

After a lot of requests and persuasions of villagers when the BSF personnel did not change their decision, then on 9th May 2020 the villagers were moved into sit in demonstration. They sit in front of the closed gate in protest. Company commandant of the said Border Out Post came to that place and listened their demands. He assured them to think about this matter and he took 7 days time for it. Many media personnel also came to that place and published the report in their news daily. After the assurance from company commandant the villagers removed their protest.

Sir, this restriction imposed upon the farmers by the Border Security Force authority of Mirapara Border Out Post, Bivo Company, 47 Battalion is completely illegal and violation of the order of Ministry of Home Affairs, Government of India. It is to be mentioned here that on 15 April, 2020 Ministry of Home Affairs, Government of India issued one order being Memorandum number 40-3/2020-DM-I(A) where it was clearly stated under point number 6 that all agricultural and horticultural activities to remain fully functional during this critical time of Covid 19 outbreak. But Border Security Force being an authority under the Home Department of the Government of India violated the order of its own department. Why a strict action should not be taken against those BSF personnel attached with Mirapara Border Out Post, Bivo Company under 47 Battalion BSF who without any reason illegally restricted the farmers of Mirapara and Golenahati village to go to their own field for cultivation.

Some of agrarian laborers who have their land beyond the fences in the abovementioned areas are:

1. Ramesh Chandra Burman, aged about 76 years, Dagah No. – 1928/1950, Khatiyan No. – 192 under Gachtala Mouza
2. Subhas Chandra Burman, aged about 50 years, Dagah No. – 394/225, Khatiyan No. – 385 under Mirapara Mouza

3. Harerai Burman , aged about 63 years, Dagh no. – 1177, Khatiyan No. – 195 under Golenahati Mouza
4. Jagram Burman, aged about 57 years, Dagh no. – 343/335, Khatiyan No.- 75 under Mirapara Mouza
5. Naresh Burman, aged about 40 years, Dagh no. – 2065, Khatiyan no. – 209 under Mirapara Mouza and many others

On 25.04.2020 the villagers jointly submitted one written application before the Block Development Officer, Sitalkuchi where they stated this problem and requested him to take necessary steps to open the fencing gates for the free movement of the farmers in their agricultural fields. The application was received by the office of the Block Development Officer, Sitalkuchi on the same date but till date no steps have been taken by the concerned authority.

This arbitrary attitude of Border Security Force authority of Mirapara Border Out Post, Bivo Company, 47 Battalion imposed upon the villagers of Rajarbari is not only challenging their life and livelihood but also violating the Article 21 and Article 19 of the Constitution of India which reads as “No person shall be deprived of his life and liberty except according to procedure established by law” and “All citizens shall have the rights to move freely throughout the territory of India” respectively and Article 12 of the International Covenant on Civil and Political Rights and the goal number 16 of the United Nations Sustainable Development Goals, which Government of India has taken pledge to adhere with.

I request your urgent intervention in this case by fulfilling these demands of the villagers:

- The Border Security Force should be posted at the zero point instead of in the middle of the village.
- Immediately opening of the fencing gate number 1, 2 and 3 by the BSF attached with Mirapara Border Out Post.
- BSF should not be illegally restricted the life and livelihood of the villagers particularly of the farmers.
- Farmers should be allowed to go their agricultural field beyond the fences and continue their agricultural work without any obstruction.
- BSF should follow the order of Ministry of Home Affairs, Government of India, Memorandum number 40-3/2020-DM-I (A) dated 15.04.2020.
- The villagers should be provided with agricultural support.
- Every farmers should be compensated Rs 50,000/- as their crops are destroyed and for huge financial loss for illegal restriction of the BSF attached with Mirapara Border Out Post.

Thanking you.

Yours sincerely

Dipyaman Adhikary

Assistant Secretary

Banglar Manabadhikar Suraksha Mancha (MASUM)

Attached documents

Picture of closed gate and sit in demonstration by the villagers





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সীমান্তে নষ্টের মুখে কয়েকশো বিঘার
বোরো ধান, বিক্ষোভ কৃষকদের

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এটিতে প্রায় ১৫টি প্রজাতির প্রাণী বাস করে। এছাড়াও প্রায় ১০০-১২০টি প্রজাতির পাখি বাস করে। এছাড়াও প্রায় ১০০-১২০টি প্রজাতির পাখি বাস করে।

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ਬੀਜਾ ਭਾਝਾਨ ਅਭਿਆਸ

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