



Banglar

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10.07.2020

To

The Chairman

National Human Rights Commission

Manav Adhikar Bhawan

Block-C, G.P.O Complex, INA

New Delhi-110023

Respected Sir,

This complaint is lodged in the matter of the minor victim Master Sahanur Mondal, from District Murshidabad who faced severe physical assault and torture in the hands of the perpetrator BSF personnel on 29.06.2020. The victim received medical treatment at Sadikhar Diar Hospital. Till now he is under mental trauma and his health condition is not good.

On 30.06.2020 the father of the victim Mr. Chhiyaruddin Mondal sent one written complaint stating the incident to the Officer in Charge of Jalangi Police Station, Murshidabad but the complaint of the victim's father was not treated as First Information Report. Such inaction is a blatant violation of section 154 of the Code of Criminal Procedure and the guidelines issued by the Supreme Court of India in the case of Lalita Kumari vs State of U.P. & others (reported in AIR2014SC187).

The incident shows the gross violation of the human rights of the victim as defined in the Protection of Human Rights Act, 1993 by the perpetrator BSF personnel. It is also violation of the right to life, security of a person and the safeguard from torture or cruelty. The brutal act of torturing by the perpetrator BSF personnel was in violation of Article 21 of the Indian Constitution and also Article 2, 5, 6 and 8 of the United Nations Code of Conduct by the Law Enforcement Officials. The perpetrator also violated United Nations Convention on the Rights of Child and also guilty under section 23 of the Juvenile Justice (Care and Protection of Children) Act, 2000.

Hence, I demand your urgent intervention in this matter regarding the following points:-

- The whole incident must be investigated by the Commission's own investigating wing.

- The accused BSF personal must be booked under the law and be charged with appropriate penal charges for their offence.
- The perpetrator should be booked under the Juvenile Justice (Care and Protection of Children) Act, 2000
- The complaint lodged by the father of the victim to the Officer in Charge of Jalangi Police Station, Murshidabad must be treated as an FIR.
- The victim and family members must be provided with adequate security and protection.
- The victim must be duly compensated.

Thanking you,

Yours truly

Dipyaman Adhikary

Assistant Secretary

Banglar Manabadhikar Suraksha Mancha (MASUM)



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Particulars of the victim: - Master Sahanur Mondal, son of Mr. Chhiyaruddin Mondal, aged about 14 years, by religion- Islam, read in class IX of Dakshin Ghoshpara Sarbopally High School, residential address at village- Parashpur Colony, Post- D.Parashpur, under Ghoshpra Gram Panchayat and Jalangi Police Station in the district of Murshidabad.

Date and time of the incident: - On 29.06.2020 at about 11 am and subsequent thereafter

Place of the Incident: - Near BSF Out Post number 3 Parashpur under Farajipara BSF Camp and under the jurisdiction of Jalangi Police Station in the district of Murshidabad..

Particulars of the perpetrators: - Two on duty Border Security Force jawans at Out Post number 3 Parashpur who are attached with Farajipara BSF Camp under 141 Battalion, 'C' Company.

Fact finding details: - It is revealed during the fact finding that the victim Master Sahanur Mondal who is a minor lives with his father Mr. Chhiyaruddin Mondal and mother Ms. Renu Bibi. The family is a poor Muslim family and the victim is a school student read in class IX of Dakshin Ghoshpara Sarbopally High School.

On the date of incident i.e. on 29.06.2020 at about 8 am, the minor victim Master Sahanur Mondal went to Roypara Market (Ghoshpara) to buy his shoe. When the victim was returning from the market with new shoe in his hand, the two on duty Border Security Force personnel at Out Post number 3 who are attached with Farajipara BSF Camp under 141 Battalion, 'C' Company came in front of him and in the name of search they started to beat the minor victim with stick made of bamboo and rifle butt. Those perpetrator BSF personnel hit the minor boy at his chest and back and even slapped on his mouth. BSF started to beat the victim without any reason. Even they just asked the minor victim to search him and after that they started to beat him mercilessly. As result of inhuman torture, the victim injured seriously and bruise was stained upon his eye side and mouth. When the victim did not bear the pain and became senseless at that time he was released. Ms. Renu Bibi, mother of the victim told that some village people brought his son to their house.

As the health condition of the victim was worrisome at that time, his mother took him to the Sadikhardiar Hospital and he was admitted and received treatment there. In the Emergency Ticket which was issued by the Sadikhardiar Hospital, there the doctor did not mention the clinical findings and therefore, it violates the guidelines set by the Indian Medical Association and Tokyo Declaration by the World Medical Association adhered by India as the on duty doctor who checked the victim in emergency lined up with the perpetrators did not mention the cause of ailment, age of ailment, clinical findings, notes after clinical examination, diagnosis, which are supposed to be mentioned in the injury report by the doctor.

On 30.06.2020 the father of the victim Mr. Chhiyaruddin Mondal lodged one written complaint to the Officer in Charge of Jalangi Police Station. The duty officer on that day did not receive his complaint against perpetrator BSF personnel at first. He told the victim's father to wait for some time. He also informed him that without talking to the Officer in Charge, he cannot receive the complaint. Mr. Chhiyaruddin Mondal waited for long time and at last his complaint was received bearing General Diary Entry number 1822 dated 30.06.2020 but the complaint of the victim's father was not treated as First Information Report which was clear cut violation of section 154 of the Code of Criminal Procedure. Till date neither any action has been taken by the Police nor registered the written complaint as First Information Report, however the complaint disclosed information on commission of cognizable offence by the perpetrator BSF personal and the perpetrator is enjoying complete impunity. Till now the minor victim is under a mental trauma.

Attached Documents

Picture of victim



TREATMENT SHEET

Sadikhan's Dearh Rural Hospital, Msd.

Name :- Bahannu Monday

Age :- 14 Sex :- M

Regd. No. :- 9152

Address :-

Caste :-

Date of admission :- 29/06/20

Ward :-

Disease :-

Under :-

Date	Treatment
40-9/A	In Dieto - in the in Rensal IV. Pan Bm / RD x3d Anm

Medical Officer
Sadikhan's Dearh Rural Hospital
Sadikhan's Dearh, Murshidabad

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ନିମ୍ନରେ ଦିଆଯାଇଛି

ଆମର ସମସ୍ତ
ସମ୍ପର୍କ କାର୍ଯ୍ୟ ଆମ ନି
ମ୍ନ ପ୍ରକାଶନ କରାଯିବ
ଆମର ସମସ୍ତ କାର୍ଯ୍ୟ
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General Diary Number against the complaint of victim

