



Banglar

**Manabadhikar Suraksha Mancha (masum)**

40A, Barabagan Lane, Serempore,  
Hooghly - 712 203 West Bengal, India

Phone : +91-33-2622-0843 /45,  
Tele Fax : +91-33-2622-0843  
E-mail : masumindia@gmail.com  
Web : www.masum.org.in

**28.01.2022**

To  
The Chairman  
National Human Rights Commission  
Manav Adhikar Bhawan  
Block – C, G.P.O. Complex, INA  
New Delhi -110023

Respected Sir,

This is to inform you another incident of harassment and threat upon the constitutional rights of the citizens by the Border Security Force authority. Mr. Rasidul Islam, an Indian citizen residing at the bordering village of 113 Upen Chowki Kuchlibari under Kuchlibari Police Station and Mekhliganj Sub Division in the district of Cooch Behar who tried to construct his own house but the Border Security Force personnel attached with B.C. Ma Border Out Post 40 Battalion objected the construction and issued letter to the District Magistrate to stop the construction work.

In the village of 113 Upen Chowki Kuchlibari there are fifteen families residing in the space between the International Border Pillar and border fencing. The distance between the barbed wire fence and the international border pillar is about 615 yards. Total 75 people are staying there among which the numbers of males are 40 and female 35. There are 19 minors aged below 18 years present in this area. There is no electricity in this village. Even here are no facilities of drinking water and irrigation. The road condition is very bad. In the monsoon season, when it rains, people cannot use this road smoothly. People have to cross the fencing gate number 24 of B.C. Ma Border Out Post for going to the market, schools, Anganwadi centre, hospitals etc. This fencing gate is opened three times in a day for only one hour in each time. The people residing in this area are facing a lot of trouble for this unnecessary restriction.

Mr. Rasidul Islam, son of Late Iyajuddin Miyan, aged about 33 years residing in this village. He has six members in his family. The distance from the International Border Pillar and his house is 65 yards. The khatian number of his landed property is 881 under 113 Upenchowki mouza. The house had been constructed on this land long ago. Mr. Rasidul Islam and his family have been residing in that house since the time of his grandfather. Now the condition of the house is very bad. It is almost ruined. Therefore, Mr. Rasidul tried to renovate the house. Previously, when 48 Battalion BSF was posted in this area, they gave permission to Mr. Rasidul for construction of his house but 40 Battalion BSF who are now being posted in this area objected of the construction of his house.

Mr. Rasidul gave prior permission from the B.C. Ma Border Out Post and make entry in the outpost for buying bricks, sands, cement for construction of his house from the market of Kuchlibari Dhaphrahat. Even during the time of entry of those materials (bricks, sand, and cement) through the fencing gate number 24 BSF did not raise any objection. Now, the Border Guard of Bangladesh (BGB) first objected to the construction of his house as the same is within 150 yards of International Border.

But there are many houses situated within 150 yards from the International Border Pillar but BGB never protested for the construction of those houses. Even in the Bangladesh side the house of Raju Islam, son of Ichahar Ali was situated within 110 meter distance from the International Border Pillar; Mr. Babar Ali made permanent construction of his house within 100 meter distance from the International Border Pillar; Mr. Nur Islam, son of Mr. Rajib Miyan and

Mr. Isradul Haque also made the permanent construction of their houses within 65 -70 yards distance from the International Border Pillar. But BGB and BSF did not say a word for them.

Mr. Rasidul ia a poor migrant labour. Six months in a year he worked in different states in India and rest of the months he worked as an agricultural labour. He tried to renovate his house by saving money little by little but now BGB and BSF jointly pressurize him to demolish the brick wall of his house which has constructed a few days ago. Even Mr. Sanjay Pant, Deputy Inspector General, Jalpaiguri Sector BSF lodged one complaint to the District Magistrate, Cooch Behar and Block Development Officer, Mekhliganj Block for dismantle the constructed structure of Rasidul Islam's house. In connection with this matter on 28.12.2021 Block Development Officer, Mekhliganj came to the house of Mr. Rasidul Islam and inquired the whole incident. But till date BGB and BSF are continuously pushing him to dismantle the construction of his house.

This whimsical actions by the Border Security Force personnel and Border Guards Bangladesh upon Mr. Rasidul Islam is challenging his constitutional right to life mentioned in Article 21 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 which also included right to proper residence. The action of the BSF is also violating Article 12 (1) of the International Covenant on Civil and Political Rights. The incident also violates Article 11 of the International Covenant on Economic, Social and Cultural Rights.

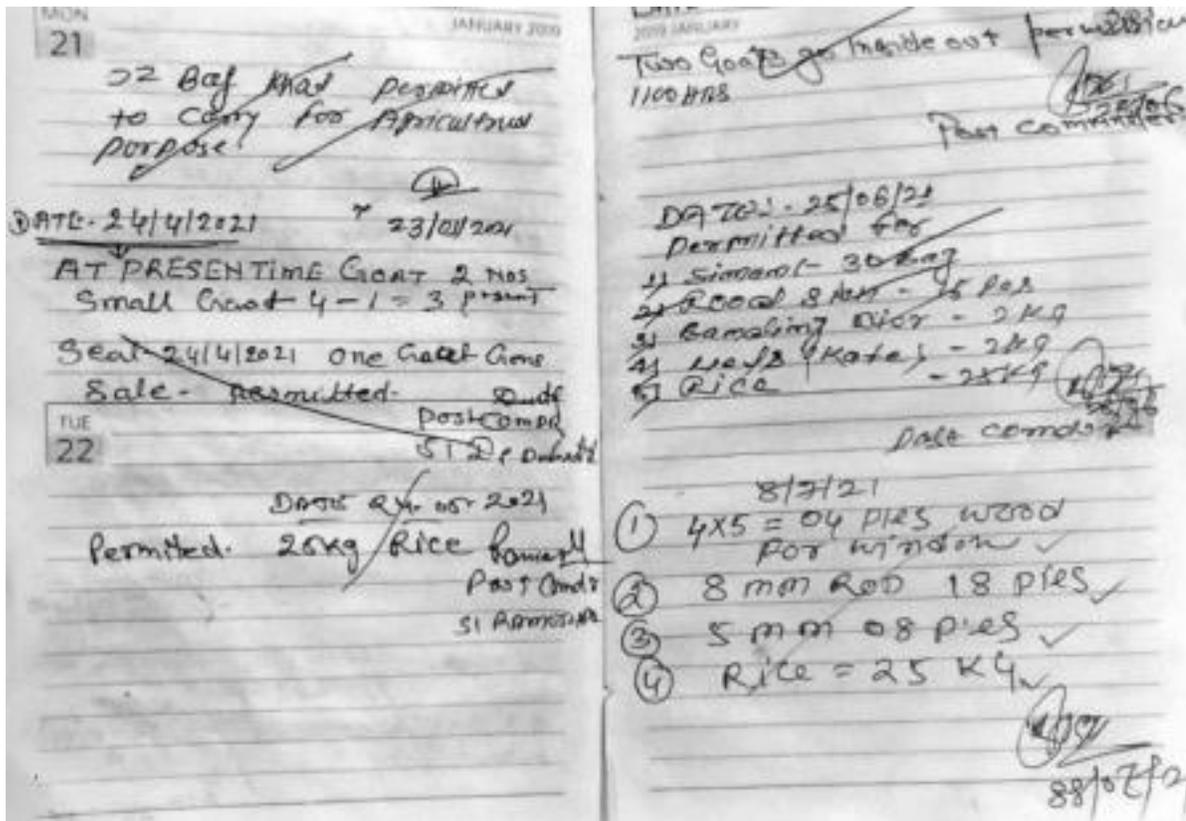
Therefore, I appeal to your authority kindly start an independent and impartial inquiry in this regard and take any positive action thereby the half constructed house of Mr. Rasidul Islam will not be dismantle by the joint force of BGB and BSF and he and his family peacefully reside in this house by completing the full construction of the house.

Thanking you,  
Yours truly

Dipyaman Adhikary  
Assistant Secretary  
Banglar Manabadhikar Suraksha Mancha (MASUM)

Attached documents

Copy of proofs of prior permissions (From register book maintained by BSF personnel)





Government of West Bengal  
Office of the Sub-Divisional Officer  
Mekliganj, Cooch Behar - 735304

Phone: (03584)255297 Fax: (03584)255193/ 255252 E-mail: [sdmkg@gmail.com](mailto:sdmkg@gmail.com)

Memo No.: Q3D2

Date: 7.12.21

From: The Sub-Divisional Officer,  
Mekliganj, Cooch Behar

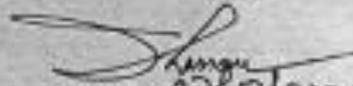
To The BDO, Mekliganj  
PO + PS, Mekliganj  
Dist. Cooch Behar

Sub-legal Construction ahead of Fence by Md. Rashidul  
Islam, VII Upendheki, Kuchlbari (Taliyapara).

With reference to the subject as mentioned above the undersigned is sending  
Herewith an original Letter received from Additional District Magistrate, Cooch Behar  
Dt. 01/11/2021 bearing letter No-ops/SHQ-JPG/2021/22751-53, which speaks for itself  
in details.

You are requested to look in to the matter immediately and take necessary action  
for the same as the matter is highly sensitive.

Encls:-As Stated

  
07/12/2021  
Sub-Divisional Officer,  
Mekliganj

*Order S.E.  
by case in enquiry  
and report accordingly  
R.D.*

The copy forwarded from Sub Divisional Officer, Mekhliganj to Block Development officer, Mekhliganj



Government of West Bengal  
Office of the Sub-Divisional Officer  
Mekhliganj, Cooch Behar - 735304

Phone: (03584)255287 Fax: (03584)255183/ 255252 E-mail: [sdmkg@gmail.com](mailto:sdmkg@gmail.com)

Memo No.: Q.202

Date: 7.12.21

From: The Sub-Divisional Officer,  
Mekhliganj, Cooch Behar

To The BDO, Mekhliganj  
PO+PS, Mekhliganj  
Dist. Cooch Behar

Sub-Illegal Construction ahead of Fence by Md. Rashidul  
Islam, VII-Uperchoeki, Kuchibari(Tallyapara).

With reference to the subject as mentioned above the undersigned is sending  
Herewith an original Letter received from Additional District Magistrate, Cooch Behar  
Dt. D1/11/2021 bearing letter No-ops/SHG-JPG/2021/22751-53, which speaks for itself  
in details.

You are requested to look in to the matter immediately and take necessary action  
for the same as the matter is highly sensitive.

Encls:-As Stated

  
23/12/2021  
Sub-Divisional Officer,  
Mekhliganj

*Order S.E.  
By name as enquiry  
and report accordingly  
R.D.*

