



Banglar

Manab Adhikar Suraksha Mancha (masum)

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03.09.2020

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

Respected Sir,

I want to attract your attention towards the illegitimate restrictions imposed on the villagers of Nipujitari village under Sitalkuchi block and police station of Coochbehar district in West Bengal by the Border Security Force personnel attached with Goutam Border Out Post, 'E' Company under 47 Battalion BSF. The villagers are facing perpetual restriction pertaining to the gate timings, which restricts them for cultivating their lands resulting in heavy financial losses. Since 22.03.20 gate number 2 and 3 were completely closed for the villagers to pass into their agricultural fields due to which, all the crops eg. Jute, corn etc. cultivated by them were ruined. The BSF authorities are supposed to station at the zero point and even the barbed fencing should have been constructed at the zero point within 150 yards. But such regulations are not followed as a result of which, the villagers having agricultural lands across the fencing are facing severe illegal restrictions from the BSF. Apart from that the villagers do not have basic amenities in the village like proper roads or irrigation facilities and clean drinking water. The ration shops are 2 km away from the village. These basic requirements are not met violating Article 21 of the Indian Constitution stating the fundamental right to life and liberty. The Border Area Development Programme (BADP) funds are allocated for the development of the bordering areas but the living conditions of the bordering people are becoming worse with time.

Our fact-finding reveals that the farmers are facing severe restrictions in times of this worldwide pandemic. The farmers were restricted to cultivate their lands, hence incurring grave losses which is more than rupees one lakh. During the 'Aman' crop cultivation, the farmers again requested the BSF to open the gates stating that agriculture is their only occupation and they don't have any other livelihood option if agriculture is stopped. The BSF authorities responded to their plea and opened the fencing gates for cultivation but imposed severe restriction on the same. The gates were opened only for three hours a day, from 9:00 am to 12:00 noon. Usage of cattle and till or other agricultural equipment were banned. Anyone who was late in coming back from the field was harshly criticized using cuss words and filthy slangs in Hindi by the BSF. This is also revealed from the statement of villagers that, the villagers have to take one permit from the Block development Officer of Sitalkuchi to cultivate their own land. This illegal practice is continuing for ages. Under the circumstances the farmers incurred loss instead of income from their fields. However, they still continued agriculture. Gradually it was seen that the BSF are reducing the gate timings from three hours to two hours. The cattle from Bangladesh side often destroys the crops in their fields but the farmers have nothing to do in order to prevent that from happening as the fencing gates are closed then.

About 50 farmers from Nipujitari village lodged a written complaint to the District Magistrate of Coochbehar district on 23.08.20 via registered post regarding the continuous restrictions imposed on their livelihood and agriculture. It is to be mentioned here that on 15th 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.

Details of the farmers of Nipujitari village under Mahismuri – 1 gram panchayat, who have been restricted by the BSF authority:

- Mr. Khitish Chandra Roy, aged about 68 years; Dagh no. 2706, Khatiyani No. –280
- Mr. Subhash Barman, aged about 36 years; Dagh no. – 3368, Khatiyani No 749
- Mr. Harish Chandra Roy, aged about 67 years; Dagh no. – 1282/1450; Khatiyani no. – 546.
- Mr. Badal Barman, aged about 32 years; Dagh no. –Khatiyani no. - 6161.
- Mr. Uttam Roy, aged about 42 years; Dagh no. – 1282/1450; Khatiyani no. – 546.

This arbitrary restriction imposed by the Border Security Force personnel of Goutam Border Outpost upon the villagers of Nipujitany 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 2 and 3 for at least 12 hours by the BSF attached with Goutam Border Out Post.
- BSF should not restrict the life and livelihood of the villagers particularly of the farmers.
- 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.
- The farmers should be compensated as their crops are destroyed and for financial loss for illegal restriction of the BSF attached with Goutam BOP.

Thanking you.

Yours sincerely

DipyamanAdhikary

Assistant Secretary
BanglarManabadhikar Suraksha Mancha (MASUM)

Written deputation to District Magistrate by the affected villagers

Written deputation to District Magistrate by the affected villagers

কুচবিহার জেলা কমিটি

তারিখ

अनुसंधान-

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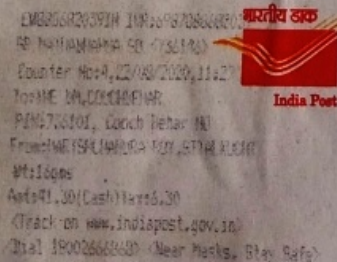
— ১৩০ —

~~आश्विन~~ अश्विनु राश

—अनन्तर—

subhosh ch Roy

பெரிய நெய் சாறு



গ্রাম- চর বালাডুত, ব্লক- তুফানগঞ্জ-১, থানা- তুফানগঞ্জ, জেলা- কুচবিহার

1 Subhas Basma

2 ଶରଣୀୟ ଆଶୀର୍ବାଦ

3 ଶୁଭକାମି ବସନ

4 ଶିଖର ବସନ

5 ଶିଖର ବସନ

6 ଶୋଭାମାଳା ବସନ

7 ଶାନ୍ତ ବସନ

8 ଶିଖର ବସନ

9 ଶୁଭକାମି ବସନ

10 ଶୁଭକାମି ବସନ

11 ଶୁଭକାମି ବସନ

12 ଶୁଭକାମି ବସନ

13 ଶାନ୍ତ ବସନ

14 ଶୁଭକାମି ବସନ

15 ଶୁଭକାମି ବସନ

16 ଶୁଭକାମି ବସନ

17 ବସନ - ଆଶୀର୍ବାଦ

18 ଶରଣୀୟ ଆଶୀର୍ବାଦ

19 ଶୁଭକାମି ବସନ

20 ଶୁଭକାମି ବସନ

21 ଶୁଭକାମି ବସନ

22 Swapan pramanik

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ফুলগান প্রামানিক
24/ Sayit Pramanik

25/ Hrishabh Roy

26/ ~~সুমতি রায়~~

27/ সুমতি রায়
অসিন - প্রামানিক

28/ অসিন - প্রামানিক

29/ অসিন + অসিন

30/ অসিন - প্রামানিক

31/ অসিন - প্রামানিক

32/ অসিন - প্রামানিক

33/ অসিন - প্রামানিক

34/ অসিন - প্রামানিক

35/ অসিন - প্রামানিক

36/ অসিন - প্রামানিক

37/ অসিন - প্রামানিক

38/ অসিন - প্রামানিক

39/ অসিন - প্রামানিক

40/ অসিন - প্রামানিক

41/ অসিন - প্রামানিক

ଅବସ୍ଥା ବିବରଣ

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43) ଅବସ୍ଥା ବିବରଣ

44) ଅବସ୍ଥା ବିବରଣ

45) ଅବସ୍ଥା ବିବରଣ

46) ଅବସ୍ଥା ବିବରଣ

47) ଅବସ୍ଥା ବିବରଣ

Permit from Block Development Officer of Sitalkuchi Block

Sl. No. 1861 21/08/2016

GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK DEVELOPMENT OFFICER
SITALKUCHI

TO WHOM IT MAY CONCERN

This is to Certify that Sri/Smt. Gulabast Barman Son
of wife of Ajita Barman of Village Mahishmuri P.O. Mahishmuri
Holding, the Land/Mouza Mahishmuri Khatian No. 199 Dag No. 9368/9417
others, quantity 0.24 acre, His/Her/ father/Mothers name has been enlisted
in the existing electoral roll part No. 51/139 Sl. No. 198 Under P.S. Sitalkuchi
in the district Coochbehar on the basis of voter Identity card (Applicants / Gurdians). Land
documents issued by the B.L. & L.R.O. Residential certificate by the concerned G.P. Prodhans
& School leaving certificate in case of minor.

7/9/16

Arif/18
BLOCK DEVELOPMENT OFFICER
SITALKUCHI

Phone No. (03583) 261931

Government of West Bengal
Office of the Block Development Officer
Sitalkuchi

Serial No. 1205 27 Date.

TO WHOM IT MAY CONCERN

This is to certify that Shri/Smt. RADAL B...

Phone No. (03583) 263231

Government of West Bengal
Office of the Block Development Officer
Sitalkuchi



Serial No.

Date

1199

SAITALKUCHI P.O.
TO WHOM IT MAY CONCERN

This is to certify that Sri/Smt. H. T. D. D.

Son / Daughter / Wife of F. D. D. D.

Vill. ... P.O. ... holding the land

Mouza ... Khaitian ... Dag No. ... Quantity ...

P.S. Sitalkuchi Dist. Cooch Behar is a permanent resident of the above address.

Signature of the applicant

Block Development Officer
Sitalkuchi

Sl. No. 7820

GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK DEVELOPMENT OFFICER
SITALKUCHI



TO WHOM IT MAY CONCERN

This is to Certify that Sri/Smt. KSHITISH CHANDRAKAR Son
of wife of IT. RATANI MOHAN of Village MAHISH MUKI P.O. MAH
Holding the Land/Mouza MAHISH MUKI Khaitian No. 280 Dag No. ...
others, quantity ... acre, His/Her/ father/Mothers name has been enlisted
in the existing electoral roll part No. 5/ ... SI. No. 2110 Under P.S. Sitalkuchi
in the district Coochbehar on the basis of voter identity card (Applicants / Gurdians). Land
documents issued by the B.L. & L.R.O. Residential certificate by the concerned G.P. Prodhans
& School leaving certificate in case of minor.

BLOCK DEVELOPMENT OFFICER
SITALKUCHI

 **ভারত সরকার**
GOVERNMENT OF INDIA


বাদল বর্মান
BADAL BARMAN
পিতা : দেবেন্দ্র বর্মান
Father : DEBENDRA BARMAN
জন্ম সাল/Year of Birth: 1987
পুরুষ / Male
9416 2351 2349



আধার - সাধারণ মানুষের অধিকার

 **ভারত সরকার**
GOVERNMENT OF INDIA


উত্তম রায়
UTTAM ROY
পিতা : হরিশ চন্দ্র রায়
Father : HARISH CH. ROY
জন্ম সাল/Year of Birth: 1987
পুরুষ / Male
9950 6243 4610



আধার - সাধারণ মানুষের অধিকার