

**Bangladeshi youth Md. Badsha killed by BSF where they manufactured fenciful story. Please stop killing**

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The Chairperson  
National Human Rights Commission  
Manav Adhikar Bhawan  
Block –C, GPO Complex, INA  
New Delhi- 100023

8 September 2020

Respected Sir,

I want to draw your kind attention towards another incident of brutality by the Border Security Force (BSF). It was revealed from a report published by a Bangladeshi media agency that on 05.09.2020, a Bangladeshi national named Mr. Mohammad Badsha (22 years) was brutally killed by the BSF personnel posted at Golapnagar Border Out Post in Malda District.

According to the statements from local residents, Mr. Mohammad Badsha, son of Mr. Mohammad Rafique, was resident of Telkupi village situated under Shibganj Upazila in Bangladesh. He was involved in cross border smuggling, as alleged by BSF. On the fateful day at around 11.30 pm, he was coming to the Indian mainland due to this cross border activity. Tozammel Haque, Chairman of Shahbajpur Union Parishad of Bangladesh, said that BSF personnel of Gopalnagar camp opened fire on Badsha when he, along with some other people, was crossing the border into India around 11:30pm. He also said that on the next day at around 9.30 am, BSF personnel along with local police took the victim's unconscious body.

BSF officials from Gopalnagar BSF camp also confirmed the news and said that the victim was a "Smuggler". He was killed by a BSF team near Gopalnagar Out Post in Malda district of West Bengal when he was trying to smuggle bottles of Phensedyl. At least 75 bottles of Phensedyl have been seized from his possession, the officials said in a statement. The said statement also said that

On other side, Lt. Col. Mahmudul Hasan, Commanding Officer of Rohonpur 59 Battalion of Border Guard Bangladesh said, "We heard sounds of two gunshots near the border last night. We confirmed that a dead body was in the custody of Gopalnagar camp under Malda 24 BSF Battalion in West Bengal. Whereas BSF South Bengal Frontier said in their statement said " a Bangladeshi smuggler was shot down with single fire in self defence from a non-lethal weapon"; "Despite challenged by the jawan on duty, the Indian smugglers thrown over the head loads on the fence and ran backwards", "Meanwhile Bangladeshi smugglers approached the fencing and attacked on the BSF trooper with sharp edged daah. Due to which the jawan received minor injury near the ear. He while exercising the right to self-defence fired one round of Non Lethal weapon called Pump Action Gun to disperse the Bangladeshi smugglers."

So definite questions arises:-

Ø Victim, Badsha died due to bullet injury received from lethal weapon used by BSF. Why BSF authorities are saying that they used Pump Action Gun (pellets)?

Ø BGB stated they heard two rounds firing, whereas BSF is saying they fired one round. What is truth?

Ø It is proved that BSF troopers were posted behind the fencing, in Indian territory, from there they were guarding Indian territory. So why BSF troopers on duty did not apprehend "10-12 Indian smugglers" who were seen moving towards the international boundary with head loads. Why?

Ø How Bangladeshi smugglers reached at border fencing at about 9.50 pm on 5 September 2020 in Indian territory without any obstacle at crossing the international border?

Ø As per BSF statement “Bangladeshi smugglers approached the fencing and attacked on the BSF trooper with sharp edged daah”. How it is possible, when BSF troops were post well inside the fence? Sharp edged daas were thrown by the BD smugglers over the high rise fencing?

Ø Had the wounded jawan of BSF was examined by the doctor? Was that injury report collaborated with the story made by the BSF?

Ø According to statement issued by BSF, firing was after 9.50pm on 5 September 2020 and the body of Mr. Badsha was recovered next day (6 September 2020) morning after 9am. Why body of Mr. Badsha left alone, not recovered, not treated in time? Who is responsible?

Ø Lastly, who, where and when declared the body of M. Badsha is dead? Did the civil authority of Malda followed the guidelines of NHRC in encounter deaths?

Our fact finding team came to know that Kaliachak Police Station has started one specific criminal case against the deceased. Beside this, Englishbazar Police Station registered Unnatural Case No. 724/20 dated 6/9/20 regarding this death, where one A.S.I. Somdeb Goswami is acting as Investigating Officer. Badsha was shot by rifle bullet below his left ear.

This incident is yet another example of the cruelty of BSF. Ain O Salishi Kendra, one of the leading human rights organizations in Bangladesh, alleged that from January 2020 to June 2020, 25 Bangladeshi nationals have been murdered by BSF. Merely 15 days ago, a similar incident happened at Jalangi- Kusthia border. (Both the news links are attached). In MASUM’s experience, a large number of Indians have also lost their lives due to the extra judicial executions committed by the BSF personnel. The ‘trigger happy’ BSF continues to kill innocent civilians and manufactures some absurd narrative to justify their actions. Through the statement of the BSF officials, it is clear that they have violated the Right to life and liberty which is enshrined in Article 21 of the Constitution of India. The duty of the BSF is to monitor the India – Bangladesh border and in order to prevent any illegal activity. If miscreants are found, they should follow regular procedures of arrest and hand them over to the local police station. But the BSf personnel seldom follows this procedure and instead subjects people to torture, extrajudicial executions and other human rights violations.

Therefore, I request your urgent intervention in this case to bring justice to the victim and his family by taking necessary steps:

- The incident must be investigated by an independent investigating agency of the Commission.
- The body of the deceased should be handed over to the family members after the required examination.
- The guilty Border Security Force personnel involved in committing the offence must be adequately charged and prosecuted.
- The victim’s family should be duly compensated.
- Stop killing in India – Bangladesh border with impunity.

Thank You,

Kirity Roy

<https://www.thedailystar.net/backpage/news/bsf-shoots-bangladeshi-dead-1956973>

<https://www.uttarbangasambad.com/bangladeshi-trafficker-killed-in-bsf-firing.html>

<https://www.thedailystar.net/bangladeshi-killed-by-bsf-chapainawabganj-border-1956745>

<https://www.bbc.com/bengali/news-53245326>

<https://www.thedailystar.net/bangladeshi-killing-by-indian-bsf-returns-dead-body-after-15-days-1952817>

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**Pic courtesy - BSF**