

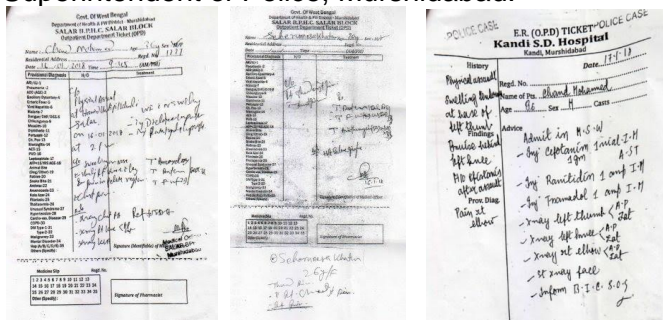
Miles to go.....

Banglar Manabadhikar Surakksha Mancha (MASUM) conducted 7 fact findings during February 2018 and made complaints before the relevant authorities and human rights institutions. Out of 7 fact findings and subsequent complaints; four about torture committed by Police, one about torture committed by Border Security Force personnel, one about overall marginalization of enclave dwellers and one about illegal roping and handcuffing of accused during production before legal courts. In one complaint regarding illegal roping and handcuffing, the affect was collective and numbers of victims in numbers. In complaints regarding individual violations, the numbers of affected in were 6; out of that 3 were Muslims and 3 belong to Schedule Castes community. 4 were male and 1 woman and 1 minor girl. A statement on sudden and untimely demise of Asma Jahangir was issued.

Complaint and Fact Findings**Details of Torture perpetrated by Police**

Mr. Chand Mohammad son of Late Babul Sk, aged about 26 years and his wife Ms. Seherunnesha Khatun, both residing at village-Hamidhati Pilkhundi, Police Station-Salar, District-Murshidabad, West Bengal and his wife Ms. Seherunnesha Khatun runs a partnership business of carrying on contractor business and doing construction work through submitting tender for last several years. There was call of dropping tender in connection with NIT no.01/BEUP/BH-II Dev. Block dated 03.01.2018 Sl. no.02, 05, 08 which was to be initiated through dropping of tender. The victim Chand Mohammad was personally threatened by the Officer-in-Charge of Salar Police Station, Joint BDO and Mr. Md. Azaharuddin @ Sijar to the effect that if he and his wife drop any tender in respect of the said tender he would face consequences and danger to life. On 16.01.2018 at noon Ms. Seherunnesha Khatun depositing tender form at Bharatpur-II Block Office. When she came outside the gate of Bharatpur-II Block Office, one Mr. Md. Azaharuddin @ Sijar, Mr. Rabi Seikh and their henchmen pounced upon her and assaulted by fists and blows and also outraged her modesty. She somehow escaped from the place and entered into her house, but the assailants chased her to her house. The incident was duly informed to the duty officer of Salar Police Station over phone, but the police came late and the miscreants managed to leave from the house of Ms. Seherunnesha Khatun. Then the Officer-in-Charge and other police personnel of Salar Police Station entered into the house of Ms. Seherunnesha Khatun and started to beat her husband Mr. Chand Mohammad by sticks. The police personnel forcibly dragged Mr. Chand Mohamad outside of his residence and brought him to Salar Police Station. In the police station he was again brutally assaulted by the police personnel and illegally detained inside the police station. He sustained severe bleeding injuries on his body. Ms. Seherunnesha Khatun went to the police station and requested the Officer-in-Charge to release her husband but the said police officer abused her and insulted her in humiliating voice. Later he was released from the police station by taking his signatures on some papers. Immediately Mr. Chand Mohammad was admitted at Salar Block Primary Hospital (BPHC) and from there he was referred to Kandi Hospital for better treatment as his condition was deteriorating. He was discharged from the hospital on 18.01.2018. His medical treatment records of the both the hospitals are proof the nature of the severe injuries sustained by him during the assault by the perpetrator police personnel. The local people and neighbours of Mr. Chand Mohammad witnessed the above stated incident as they had assembled in front of the house of Mr. Chand Mohammad and they protested against such illegal outrage of the police personnel of Salar Police Station. To numb their voice the police personnel including the Officer-in-Charge of the said police station started free lathicharge upon the people including women. In this regard about 612 local people with signatures submitted a mass petition before the District Magistrate, Murshidabad stating the incident of police torture and highhandedness upon Ms. Seherunnesha Khatun and her Mr. Chand Mohamad. In the mass petition they specifically alleged that Mr. Abdus Salam Seikh being the police officer of Salar Police Station in connivance with Md. Azaharuddin @ Sijar who is holding the post of the block president of the ruling party in Bharatput Block-II and Mr. Shanku Biswas holding the post Joint Block Development Officer of Bharatput Block-II carry out a racket of arranging government tenders of seven Gram Panchayats under Bharatput Block-II to their nominated persons by adopting illegal practice in government functionary by misusing their powers to have immoral monetary gains. In the mass petition they also stated Mr. Chand Mohammad has good reputation in the locality being a peace loving and respectable person. They also stated that the police also issued threats to to implicate the local people in false cases under the N.D.P.S. Act. They demanded proper legal action against

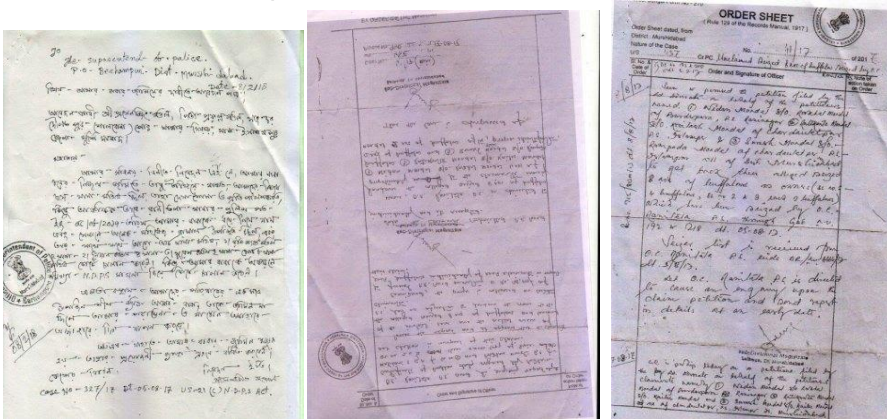
the guilty police personnel of Salar Police Station for perpetrating torture upon Mr. Chand Mohammad and his wife. The victim raised his voice against the illegal practice in allotting government tenders by unholy practice of the police personnel of Salar Police Station and a section of public servants under Bharatput Block-II by filing a writ petition in the High Court at Calcutta and the Court took due notice of such unholy practice and passed interim injunction order. As a result he became an eyesore to the police of Salar Police Station and the corrupt public servants and to gauge his voice he and his wife was subjected to torture by the perpetrator police personnel of Salar Police Station. Ms. Seherunnisha Khatun also filed a written complaint before the Officer-in-Charge of Salar Police Station stating the incident of physical assault and outrage of her modesty by Mr. Md. Azaharuddin @ Sijar, Mr. Rabi Seikh and their henchmen on 16.01.2018. The said complaint was registered as Salar Police Station Case no.3/2018 dated 17.01.2018 under sections 341/323/354/34 of Indian Penal Code. But police did not take any action against the accused persons considering the fact that the accused persons are influential persons and under the shelter of the present ruling party. On 17.01.2018 Ms. Seherunnisha Khatun also filed a written complaint before the Superintendent of Police, Murshidabad stating the incident of brutal physical assault and custodial torture committed upon her husband by the perpetrator police personnel of Salar Police Station seeking proper legal action against the perpetrator police personnel. But till date no action has been taken on her complaint. On 02.02.2018 the local people residing under the jurisdiction of Salar Police Station submitted a mass petition before the Superintendent of Police, Murshidabad stating that the local people are afraid to live peacefully because of the unholy nexus between the present Officer-in-Charge of Salar Police Station and the local notorious anti social elements. In this regard they referred example by stating that on 18.01.2018 a programme on "Save Drive Save live" was organized by the police of Salar Police Station where the Officer-in-Charge of the said police station was present in the programme with a notorious anti-social person Mr. Rabi Seikh and his henchmen. They referred that Mr. Rabi Seikh is an accused person in several criminal cases such as Salar Police Station Case no.3/2018 dated 17.01.2018 under sections 341/323/354/34 of Indian Penal Code registered on the incident of physical assault and outrage of modesty Ms. Seherunnisha Khatun, Salar Police Station Case no.210/2017 dated 16.12.2017 and Salar Police Station Case no.214/2017 dated 22.12.2017. They stated the Officer-in-Charge of Salar Police Station is not inclined to arrest the said anti-social persons in spite of the fact they are accused in non-bailable cognizable offences and not only that the Officer-in-Charge of Salar Police Station have been threatening the innocent local people to implicate them in false cases under the N.D.P.S. Act if they dared to protest. As a matter of fact the Superintendent of Police, Murshidabad in spite of receiving the said mass complaint against the Officer-in-Charge of Salar Police Station did not take any action till date. The victims stated that they are still helpless having no protection to their life and liberty due to deliberate inaction of the police from top to bottom and they are still reeling under threats. The victim Mr. Chand Mohammad previously on 18.4.2012 was arrested him with two other persons without maintaining any legal procedure. They had no clue as to the reason of their arrest and also no Memo of Arrest was issued at the time of arrest. At the time of arrest they were brutally tortured. Then they were also subjected to inhuman torture in police lock-up at Salar Police Station by the perpetrator police personnel and they were forced to do certain acts such as to suck each other's private parts. On 19.4.2012 they were produced before the concerned judicial magistrate and later on the same day they were admitted at hospital and their medical reports exhibited the gravity of the torture committed upon them. He had got no justice on that incident in spite of submitting written complaint before the Superintendent of Police, Murshidabad.



Ms. Moly Mondal (name changed and her date of birth-13.03.2001), was residing under the jurisdiction of Jalangi Police Station, District-Murshidabad, West Bengal. On 09.11.2017 the father of the minor victim girl Moly Mondal (name changed) submitted information before the Officer-in-Charge of Jalangi Police Station informing that on 09.11.2017 at about 8am his daughter Ms. Moly Mondal (name changed) left home for taking private tuition but later she did not return home. He searched for her whereabouts but could not find her. The information was recorded as GDE no.563 dated 09.11.2017. The police took no action to recover the victim girl. On the next day(10.11.2017) the family of the victim girl received information that one Mr. Hafijur Rahaman @ Happy Mondal and his accomplices forcibly abducted the minor girl in a car and detained her in his (Mr.

Hafijur Rahaman @ Happy Mondal) house. On the same day the family members of the victim girl met the duty officer of Jalangi Police Station and disclosed him the entire incident. But the police officer did not take any action. On the next day i.e. 11.11.2017 the family members of the victim girl again went to said police station and pleaded to recover the victim girl and they with some police personnel left the police station to recover the victim girl. Soon thereafter Mr. Debasish Sarkar, a police officer of Jalangi Police Station informed the team to return back to the police station. Arriving at the police station the family members of the victim girl saw that she was sitting on a bench inside the police station but they were not allowed to meet with her. Then the aforesaid police officer informed them that the victim girl is major and he got document in this regard. She got married with Mr. Hafijur Rahaman @ Happy Mondal and happily residing with him in his residence. Then the said police officer asked another police officer to drop the victim girl at the residence of Mr. Hafijur Rahaman @ Happy Mondal and accordingly she was taken there. Later the family members of the victim girl visited the residence of Mr. Hafijur Rahaman @ Happy Mondal but they were abused and criminally manhandled by the Mr. Hafijur Rahaman @ Happy Mondal and his associates. With all those information, Ms. Basanti Mondal sent a written complaint to the Superintendent of Police, Murshidabad by registered post on 23.11.2017. In the complaint she also stated that her minor daughter was illegally detained in the residence of Mr. Hafijur Rahaman @ Happy Mondal and subjected to sexual assault. Ms. Basanti Mondal being the mother of the victim girl visited Jalangi Police Station for several occasions for lodging FIR against the accused Mr. Hafijur Rahaman @ Happy Mondal and his accomplices for forcibly abducted the minor girl but the police refused to register any FIR and the police took no step to recover the victim girl. After hopelessly knocking the door of the police station for several days, Ms. Basanti Mondal submitted a written complaint before the Superintendent of Police, Murshidabad on 27.12.2017. The Superintendent of Police, Murshidabad directed the Officer-in-Charge of Jalangi Police Station to take action as per law. On 08.12.2017 the complaint submitted before the Superintendent of Police, Murshidabad was registered as FIR at Jalangi Police Station vide FIR no.983/2017 dated 08.12.2017 under sections 363/365/366/34 IPC Mr. Hafijur Rahaman @ Happy Mondal and four others. However no penal provision under the POCSO Act was added in FIR against the accused persons though in the complainant Ms. Basanti Mondal had stated in her complaint that her daughter was aged about 16 years and 6 months at the time of the incident. As a matter fact the accused Mr. Hafijur Rahaman @ Happy Mondal is a Civic Police Personal working at Jalangi Police Station. On 19.12.2017 Ms. Basanti Mondal submitted a written complaint before the Superintendent of Police, Murshidabad alleging that the Investigation Officer of the case has been convinced and influenced by the accused Mr. Hafijur Rahaman @ Happy Mondal and in such circumstances if he continues his duty as Civic Police personal at Jalangi Police Station the merit of the case will be nipped in the bud and there will be no protection of the merit of the case. It was also intimated in the said complaint that the accused Mr. Hafijur Rahaman @ Happy Mondal and his fellows have been threatening Ms. Basanti Mondal and her family members for lodging complaint against them. In spite of receiving the said complaint, the Superintendent of Police, Murshidabad did not take any action on her complaint till date. On 26.12.2017 Ms. Basanti Mondal, submitted a written complaint before the District Magistrate, Murshidabad giving copy of the same to the Superintendent of Police, Murshidbad, the Sub-Divisional Police Officer, Domkal and the C. I. of Police, Domkal. In the complaint she stated that her daughter aged about 16 years and 6 months was kidnapped the accused Mr. Hafijur Rahaman @ Happy Mondal and his accomplices. She submitted the birth certificate as well as the hospital discharge certificate proving the age of her daughter. But the accused persons managed to procure a school certificate showing the age of her daughter about 18 years. In the complaint she also stated that Investigation Officer of the case (mentioned above) has been influenced by the accused Mr. Hafijur Rahaman @ Happy Mondal who is a Civic Police personal at Jalangi Police Station and the government pleader attached with the Chief Judicial magistrate Court, Berhampore has also been influence by the police. However no action has been taken on the said complaint till date by the authorities. The family members of the victim girl have been still waiting for legal action so that the victim girl is being recovered from the custody of the accused Mr. Hafijur Rahaman @ Happy Mondal and proper punishment of the accused persons. But they stated that there is no hope for them due to deliberate inaction of the police of Jalangi Police Station and also the higher authorities of the police department in the district.

was registered against GDE no.217 dated 05.08.2017 at Ranitala Police Station. The victim's son Mr. Prosenjit Mondal submitted a written complaints before the District Magistrate, Murshidabad on 02.02.2018 and before the Superintendent of Police, Murshidabad on 08.02.2018 stating that his father Mr. Prafulla Mondal (the victim) was falsely implicated in the aforesaid criminal case under the N. D. P. S. Act by the police of Ranitala Police Station by stating the above mentioned facts and circumstances. But till date no action has been taken on those written complaints.



Mr. Saifuddin Seikh, son of Abdus Samad,, aged about-25 years, by religion-Muslim, by occupation-Farm labour, residential address at village-Debipur, Police Station-Raninagar, District-Murshidabad, West Bengal lost his minor son Akash. His said son was a cancer patient and passed away on 02.01.2018. On 18.12.2017 the victim was scheduled to take his son to Kolkata for medical treatment. On 17.12.2018 at about 6.30pm the victim was returning from his relative's house situated within the jurisdiction of Raninagar Police Station. He visited his said relative's house for arrangement of money for treatment of his son Akash Seikh. But he was arrested by the police personnel of Islampur Police Station when his location was on Bilkandir Road about one and half kilometer away from his relative's residence. He was taken to Islampur Police Station where he was subjected to custodial torture. At about 9pm the Officer-in-Charge, the second officer and other police personnel of Islampur Police Station took the victim to his house in three police vehicles. The victim was at that time under police captivity having handcuffs on his hands and rope on his waist. The police personnel forcibly entered into the house and started breaking the household articles whichever they saw in front of them. There was no male person inside the house at that time. Only the victim's wife Ms. Sahina Bibi, mother Ms. Firdousa Bibi and sister-in-law Ms. Sefali Bibi were present. The police personnel jointly assaulted all of them by fists and blows and also by sticks and threatened to kill them by using abusive languages. They searched everything inside the house and also the surroundings of the house. During the search they shattered the household articles, bed-beddings, clothes, kitchen utensils and also committed mischief by breaking the household properties. Then they moved to the house of the sister of the victim which is adjacent to the house of the victim. They broke open the entrance gate of the house and forcibly entered into the house. One of the police personnel caught holds the neck of the sister of the victim. She tried to say something but could not, however the police personnel present there threatened her saying that she would be raped by one after another police personnel. The police personnel again in the name of search started ransacking and damaging the household properties. At the end of their atrocities they took away Rs.20, 000/-(which was kept for the treatment of the victim's ailing son), one motor-cycle and one mobile set with them without issuing any seizure list. They also took away the victim with them without giving any intimation to the victim's family members the reason of his arrest and detention. On 18.12.2018 the victim was produced at the Special Court at Berhampore by implicating him in a criminal case vide Islampur Police Station Case no.501/2017 dated 18.12.2017 under the N. D. P. S. Act. Since then the victim has been in detention in jail. The family members of the victim stated that he was falsely implicated in the aforesaid criminal case. On 02.01.2018 the victim's son Akash Seikh passed away at the age of four years. The victim's wife and her family members struggled between saving the life of the victim's son and arranging legal support for the victim. On 03.01.2018, the victim's wife submitted a written complaint before the District Magistrate, Murshidabad and the Superintendent of Police; Murshidabad stating the above stated facts and circumstances. In the written complaint she also alleged that her husband (victim) was a supporter of the present ruling party but he left the party due to difference of opinion and joined another political party and she stated her apprehension that her husband became a victim of vengeance of the present ruling party and the police for which he was falsely implicated in the criminal case under the N. D. P. S. Act to rot him behind the bar. In the written complaint she prayed for an independent inquiry against the false implication of her husband in the criminal case under the N. D. P. S. Act and also adequate punishment of the perpetrator police personnel. But till date no action has been taken on her complaint.



Handwritten text in Bengali, likely a complaint or report, with some underlined words and a date '15.02.2018'.

Handwritten text in Bengali, including a signature 'The Magister Murshidabad' and a circular official stamp.

Details of Torture perpetrated by Border Security Force personnel

Mr. Babar Ali, son of Mr. Nur Mohammad Seikh, aged about-30 years, by religion-Muslim, residing at village-Char Gopalpur, Police Station-Islampur, District-Murshidabad, West Bengal. He was cutting grass in a field on 31.12.2017 at about 8.00 PM for its use as fodder for his domestic cattle. The field was located on the west side of BSF Out-Post no.7 under Harudanga BSF Camp. At that time he saw that five unknown persons were running into Indian side and six BSF jawans were chasing them. Being unable to apprehend those five unknown persons, the BSF personnel came to the victim and asked him the identity of those five persons. The victim replied that he did not know those five persons. The BSF personnel became angry and abused him in filthy languages. They began to assault him by fists, kicks and beating by sticks and rifle butts on his face, hands, legs, back and chest. He sustained bleeding injuries on several parts of his body and also sustained fracture on his left leg and lost hearing ability. The BSF personnel left the place by committing such murderous assault upon the victim. He was lying there on the ground without any medical attention. After about one hour, the co-villagers of the victim namely Mr. Rabiul Sk and Mr. Sajal Sk were passing from that place. They saw him lying on the ground and withering in pain. They brought him to his home. On 31.12.2017 the victim received medical treatment. He had undergone surgical operation on his left knee and he is still under medical treatment of his ears. On 15.02.2018, the victim himself sent a written complaint through registered post to the Superintendent of Police, Murshidabad stating the incident of torture and custodial violence committed upon him by the perpetrator BSF personnel. The written complaint was delivered to the Office of the Superintendent of Police, Murshidabad on 16.02.2018 but till date no action has been taken by the Superintendent of Police, Murshidabad. The written complaint disclosed information of commission of cognizable offences by the perpetrator BSF personnel, but in spite of this, the Superintendent of Police, Murshidabad failed to discharge his lawful duty by not recommending the written complaint to be treated as F. I. R. till date. The victim was the only earning member in the family, but at present he lost his ability to work. He used to work as day labour in farming lands. He has four dependants on him such as his father Mr. Nur Mohammad Seikh(aged about-60 years), mother Ms. Minara Bibi(aged about-50 years), wife Ms. Sabina Bibi(aged about-25 years) and son Master Tusar Seikh(aged about-03 years). They are secondary victims as they have been reeling under extreme financial crisis due to loss of earning of Mr. Babar Ali. Besides that the family incurred huge expenses in the medical treatment of the victim Mr. Babar Ali.

Medical certificate from Dr. T. K. Das, Health Point, dated 15.02.2018, mentioning 'Laceration of ear' and 'Hearing loss'.

Handwritten medical notes and prescriptions in Bengali, including a signature 'Dr. A. R. Das'.

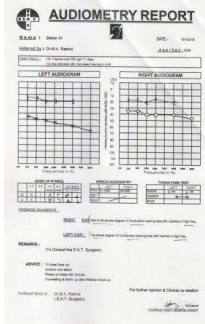


Table with columns: Sl. No., Gender, Age, Height, Weight, Date, Time, and Remarks. It contains handwritten entries for a patient.

Complaint on Victimization of erstwhile enclave dwellers

The complaint was on an incident of medical negligence and non deliverance of medical attention to a middle aged woman; who came to India with her family, after the signing of instrument between India and Bangladesh, which is called Land Boundary Agreement. After 31st July 2015 when Land Boundary Agreement became functional 958 erstwhile enclave dwellers from different erstwhile Indian enclaves (situated inside Bangladesh territory) came to India. They left all their movable and immovable property behind. After reached here they were settled in 3 rehabilitation camps situated in Dinhatra, Mekhliganj and Haldibari in Cooch Behar district. The Government of India promised to extend all citizenry rights and living facilities to these people. Mrs. Annabala Roy; wife of Mr. Ranjan Roy aged about 35 years came to India with her husband and only son. They were settled at Haldibari rehabilitation camp room number – A3. Her husband Mr. Ranjan Roy was working as daily labor in Bangladesh. After settling here they faced numerous hardships like insufficient ration, contaminated drinking water, medical negligence etc. They had no idea about their permanent rehabilitation and compensation schemes; planned by the government of India or West Bengal provincial government. In this situation of utter helplessness; the family forced to live in sub humane conditions with other settlers. After few days from their entry to India; Mrs. Annabala Roy fell sick. She was not provided with any medical care at medical unit situated at Haldibari rehabilitation camp because most of the days the unit was running without any doctor or nurse. When her health condition was deteriorated, her husband took her at Shiliguri General Hospital. At that hospital doctors diagnosed the she was suffering from breast cancer and needs an immediate surgery. After coming back to Haldibari Camp; Mr. Ranjan Roy; husband of the deceased, narrated the situation these to the medical unit at the camp. The attending medical professional suggested him to take her to Bangalore for surgery but shown their inability to extend any financial assistance. Mr. Ranjan Roy was living in penury and did not have required amount for the surgery. He visited Block Development Officer of Haldibari and requested for financial help. Without helping him the BDO suggested him to visit office of the District Magistrate of Cooch Behar. Mr. Roy went to Cooch Behar to meet the District Magistrate but he did not have the chance to meet him after a day long wait. Mr. Roy then borrowed some amount of money from his neighbor and took his wife to Bangalore for surgery. On 28.10.2016 the surgery was performed but attending doctor opined that cancer cells were spread to other organs of her body due to delay. So she needs an immediate chemotherapy which required a big amount. Mr. Ranjan Roy does not have any idea that how he will continue his wife's treatment. For staying at rehabilitation camp he did not have any scope for earning moreover he owed a big amount for repayment which he borrowed for his wife's treatment. Till date the family not received any governmental help and assistance.

The image shows three medical forms from the Kidwai Memorial Institute of Oncology, Bangalore-29. The first form is a 'SURGICAL CASE RECORD' with handwritten notes. The second form is a 'FOLLOW-UP - NOTES' form with handwritten notes and a signature. The third form is another 'FOLLOW-UP - NOTES' form with handwritten notes and a signature.

Complaint on illegal roping and handcuffing of accused during production

The complaint was to redraw the attention on the ongoing practice of roping and handcuffing of prisoners during their production before courts. I made two consecutive complaints over the issue in recent times on 23.10.2017 and 26.12.2017, respectively. The first complaint dated 23.10.2017 has been registered as NHRC Case No. 1569/25/15/2017; where the place of incident was Bongaon Additional Chief Judicial Magistrate's Court in district 24 Parganas (North), West Bengal and next was from Lalbagh ACJM Court; district-Murshidabad. On 27.11.2017, the Commission through a communiqué informed us that regarding the NHRC Case No. 1569/25/15/2017 has made following direction "The grievance raised in the complaints' listed above, relates to the matters, which are subject of the State. Let the complaints be transferred to the concerned State Human Rights Commission u/s 13(6) of Human Rights Act, 1993, for disposal in accordance with the provision of the Act." Though, we have informed NHRC that the State Human Rights Commission in West Bengal has failed to address the issues of human rights violation incidents in commendable manner. Our observation further corroborated by the fact that the State Commission has not informed us that the complaint has been

redirected at their end by NHRC. Our recent fact finding revealed that on 04.01.2018 the prisoners tied up with rope on their waist and were produced at Lalbagh Sub-Divisional Court, District-Murshidabad. There are several courts under Lalbagh Sub-Divisional Court dealing with criminal cases such as the Additional Chief Judicial Magistrate Court, Judicial Magistrate Courts and Additional Sessions Court. The prisoners were either under trial prisoners or first time produced in court. The police personnel remove the ropes before their (prisoners) entry into the court room. But after hearing is over, they were again tied up with rope and taken back to court lock-up or correctional home in prison van. The captured pictures on 04.01.2018 are proof of the ongoing practice of tying the prisoners with ropes in the excuse of securing their custody. From the pictures taken, it is visible that tying the prisoners with ropes is carried out by the police personnel as a general practice and occurring in majority of the Sub Divisional Courts in West Bengal . Such practice is against the guidelines issued by the Supreme Court of India in several verdicts on using handcuff and other fetters on prisoners during transit from jail to court and back. Despite the Supreme Court of India ordered prohibiting using handcuffing and other fetters, flagrant violations continue in West Bengal. Handcuffing and roping of detainees and prisoners remains widely prevalent despite judicial interpretation clearly establishing that it is against the protection of right to life guaranteed under Article 21 of the Constitution of India. It is very painful when the relatives and the children of the prisoners see them with ropes and handcuffs in court premises



Statement on sad and untimely demise of Asma Jahangir



Demise of Asma Jahangir: A tragic loss for human rights initiatives in South Asia and the world

Banglar Manabadhikar Suraksha Mancha (MASUM) is dismayed by the sudden demise of Asma Jahangir in Lahore, after a cardiac arrest on 11 February 2018. Asma Jahangir was known for her

commitments and involvement in the field of human rights, democracy, gender equality, peace and justice globally in general and South Asian region in specific.

Born in 1952 and raised in Lahore, Asma Jahangir studied at the Convent of Jesus and Mary before receiving her B.A from Kinnaird and LLB from the Punjab University in 1978. In 1987 she co-founded the Human Rights Commission of Pakistan and became its Secretary General until 1993 when she was elevated as commission's chairperson. Ms. Jahangir was also co-chair of South Asians for Human Rights. She was appointed United Nations Special Rapporteur on Extrajudicial, Arbitrary or summary executions and later as the United Nations Rapporteur of Freedom of religion or belief. She was put under house arrest and later imprisoned in 1983 for participating in the movement for the restoration of political and fundamental rights during the military regime. She was again put under house arrest in November 2007 after the imposition of emergency rule in Pakistan. She penned two books: Divine Sanction? The Haddud Ordinance (1988) and Children of a Lesser God: Child Prisoners of Pakistan (1992).

Democracy, human rights and resistance against oppression lost a great soldier in South Asia and MASUM lost a friend; who had enthusiastic interest over our activities, success and failures, joy and despairs. Banglar Manabadhikar Suraksha Mancha (MASUM) expresses deep condolences to the family and human rights fraternity. She will be remembered by us for her commitment, energy and in-depth understanding on human rights.

(Biplab Mukherjee)

Secretary- MASUM

Legal Activity Report-February, 2018

During the month of February, 2018 the following cases came up for hearing in courts

1. C. R. Case no.782/2016- Gopal Mondal vs. BSF personnel

Mr. Gopal Mondal (District-Murshidabad) with the legal support of MASUM filed the said criminal case in the Court of Additional Chief Judicial Magistrate, Lalbagh, Murshidabad stating that he was brutally tortured by the accused BSF personnel on 06.06.2016. He belongs to Scheduled Caste community. The Superintendent of Police; Murshidabad did not take any action in spite of receiving a written complaint from him in compliance of section 154 of Criminal Procedure Code. The case was fixed on 01.02.2018 in the court for examination of the complainant Mr. Gopal Mondal and his witnesses.

2. C. R. Case no.874/2016- Joydeb Mondal vs. BSF personnel

The victim Mr. Rajkumar Mondal, son of late Bishu Mondal, aged 32 years, is a poor village dweller and a resident of village Char Saheb Nagar, under the jurisdiction of Raninagar Police Station and Borderpara Post Office in Murshidabad district. On 21st August, 2016 he was soaking his harvested jute stems into a pond along with other farmers just like any other day. But at around 11:30 am in the morning, two Border Security Force jawans from Border Outpost No: 4, affiliated to Battalion No: 83 appeared from nowhere and started beating him without any prior intimidation. Then they took him to the said Border Outpost. There he was again brutally tortured and beaten. After that he was taken to Harudanga Camp in a BSF Gypsy van. Meanwhile, family members of the victims, his neighbours along with respective Panchayat members reached the said BSF Camp to meet him. But there they received outright denial from BSF personnel that no one was tortured or has been taken into custody. The family and others had no option but to return home empty handed. Raninagar Police station officials denied registering any complaint against BSF jawans. Both BSF personnel and officials of Raninagar Police Station are denying about the whereabouts of Mr. Rajkumar Mondal.

Mr. Joydeb Mondal, the elder brother of the victim filed the criminal case (CR Case no.874/2016) before the Additional Chief Judicial Magistrate Court, Lalbagh against the accused BSF personnel on the above stated

incident The case was fixed on 06.02.2018 in the court for examination of the complainant Mr. Joydeb Mondal and his witnesses.

3. C. R. Case no.865/2015- Rubina Bewa vs. BSF personnel

On 9.11.2015 Ms. Rubina Bewa filed one criminal case being CR Case no.865/2015 in the Court of Additional Chief Judicial Magistrate, Lalbagh, Murshidabad therein bringing allegations under sections 302/34 of Indian Penal Code against the accused BSF personnel allegedly involved in the murder of her husband Alamgir Sk(deceased). The case was fixed on 06.02.2018 in the court for report from state agency.

4. C.R. Case no.317/2014- Najera Bewa vs. accused police personnel of Islampur Police Station

Ms. Najera Bewa(District-Murshidabad), a widow and aged about-68 years filed the above stated criminal case before the Additional Chief Judicial Magistrate Court, Lalbagh against the accused police personnel of Islampur Police Station on the incident of torture upon her happened inside her house on 15.01.2014. The case was fixed on 09.02.2018 in the court for examination of the complainant Ms. Najera Bewa and her witnesses.

5. C.R. Case no.819/2014- Mr. Nirmal Kumar Mondal vs. accused police personnel of Police Station

Mr. Nirmal Kumar Mondal(District-Murshidabad) filed the above stated criminal case in the court of Additional Chief Judicial Magistrate, Lalbagh, Murshidabad against the accused police personnel on the incident of torture committed upon him and his family members by the accused police personnel of Raninagar Police Station. The case was fixed on 13.02.2018 in the court for further examination of the complainant Mr. Nirmal Kumar Mondal and his witnesses.

6. C.R. Case no.6848/2014 Mr. Abdul Rashid Sk vs. Surajit Thakur & others

Mr. Abdul Rashi Sk (District-Murshidabad) filed the above stated criminal case against accused police personnel of Raninagar Police Station on the incident of atrocities committed inside his house, illegal seizure of his motor cycle, illegal arrest and detention of his relative Saddam Sk which happened on 20.07.2014. The case was fixed on 16.02.2018 in the court for report from state agency.

7. C.R. Case no.15455/2015- Srikrishna Kabiraj vs. accused police personnel

Mr. Srikrishna Kabiraj (District-Murshidabad) filed the criminal case (CR no.15455/2015) against the accused police personnel of Katwa Police Station in the court of Chief Judicial Magistrate, Lalbagh, Murshidabad on the incident torture upon him committed by the accused police personnel. The case was fixed on 26.02.2018 in court for further proceeding.

8. C.R. Case no.127/2017 Lilabati Bibi vs. BSF personnel

9.

Mr. Ebadul Haque(District-Murshidabad) from village-Nirmalchar Ghoshpara, Police Station- Ranitala was physically assaulted by the perpetrator BSF jawans on 05.04.2016. He lodged written complaint before the Superintendent of Police, Murshidabad seeking appropriate action against the perpetrators but no action was taken. Since the police did not take any action, his wife **Ms. Lilabati Bibi** filed the aforesaid criminal case in the court of Additional Chief Judicial Magistrate, Lalbagh, Murshidabad with the help of the legal assistance provided by MASUM.

The case was fixed on 21.02.2018 in court for further examination of the complainant Ms. Lilabati Bibi and her witnesses.

10. C.R. Case no.269/2017- Golam Mujtaba vs. accused BSF personnel

Mr. Golam Mujtaba(District-Murshidabad) filed the said case in the Court of Additional Chief Judicial Magistrate, Lalbagh, Murshidabad against the accused BSF personnel for committing torture upon him. The case was fixed on 20.02.2018 in court for further examination of the complainant Mr. Golam Mujtaba and his witnesses.

Besides the above mentioned cases, MASUM also provided legal support to the victims accused in criminal cases launched against them by the perpetrators in uniform.

ADVOCACY, SENSITISATION AND CAMPAIGN

On 13th February 2016, a medical camp has been organized at Swarupnagar (North 24 Parganas) on the aegis of UNVFVT to provide medical assistance to victims of torture. 25 victims received medical assistance and required medicines were distributed and other pathological and other medical tests have been done. Dr. Dipak Moitra was the attending doctor.

MASUM organized an in- house training workshop on digital security and security assessment from 6th February to 8th February 2018. Ms. Nayantara R was the trainer.

MASUM facilitated a legal workshop on Legal Assistance to Accused at Domkal Law College on 11th February 2018. Mr. Kirity Roy was the trainer from MASUM. Nearly 200 law students, ex- judge, magistrates and teachers of the said law college participated.

A series of meetings were organized from 16th February to 28th February 2018 at different places of Murshidabad district on Child Marriage and Other Atrocities upon Minors. The meetings were attended by students, teachers, Asha workers, community members, PRIs, Health Workers and NGO- CBO activists. The venues and dates were:-

Katlamari High School- 16th February

Lochanpur High School- 22nd February

Mohangunj High School- 23rd February

KM Para High School- 25th February

Biddupur Girls High School- 26th February

Jalangi Biswaspara Primary School- 26th February

Kaharpara Flood Center- 27th February

Ramnagarpara ICDS Center- 27th February

Char Sanjatpur- 28th February

Islampur Chowk SCM High School- 28th February (procession, debate and cultural programme)

Three village level meetings were organized at Taltali, Kaharpara and Raijothpur of Murshidabad district on 26th and 28th February 2018 respectively. The meetings were participated by villagers and the issues of BSF atrocities, affects of river erosion and false accusation of NDPS Act were discussed.

New volunteers of MASUM from different villages of Murshidabad district met on 27th February 2018 at Domkal and discussed future course of action.

A street corner meeting on ill effects of Border Protection Grid and suggested Bharatmala road building and resulted illegal land acquisition was held at Hathatgunj market in 24 Parganas (North).

A central fact finding team visited at Islampur in North Dinajpur and Gajol in Malda district to assess the situation on forcible land grabbing by State and private agencies. The report of the said fact findings are awaited.

COMMUNITY MEETINGS

In February 2018, volunteers of Banglar Manabadhikar Suraksha Mancha (MASUM) organized a number of meetings in different districts of West Bengal. District wise detail report is given below.

Murshidabad

On 12th and 13th February 2018 volunteers of MASUM organized two village level meeting at village- Char Parashpur and Taltali respectively. On those meetings different issues were discussed, mainly torture of Border Security Force personnel, increasing rate of child marriage at bordering areas, violation of livelihood rights etc were the issues.

On 20th February another meeting was organized with the member of different NGO, CBO and health workers on false implication of Narcotic Drugs and Psychotropic Substances (NDPS) Act. In each of the meeting a good number of participants were present.

North 24 Pargans

On 14.02.2018 a village level meeting was organized by volunteer of MASUM at Pipli FP School at Ramnagar GP, Gaighata Block, North 24 Parganas district. Mainly the villagers of Pipli participated on that meeting. The villagers narrated their grievances against Border Security Force personnel and discuss the illegal; restriction by BSF personnel on their movement and agricultural activities.

Cooch Behar

From 16th to 20th February volunteer of MASUM organized one village level meeting every day. The meetings were organized at different erstwhile Bangladeshi enclaves namely Balapukuri, Fulkadabri, No.15 Fulkadabri Dhabalsuti, Nolgram, Falnapur and Jongra. On those meetings mainly livelihood problems, nonfunctional social schemes issues were discussed. Apart from that they also discussed about future course of action of their protest.





PICTORAL GLIMPSES OF OUR ACTIVITIES

Secondary Documentation

Brief report on news documentation (internet), some important news, February, 2018

1. Arsenic Contamination- 1 (Basirhat demands arsenic free water-ABP)
2. Early marriage- 4 (Kanyashri Girls stopped minor's marriage-ABP)
3. Post Mortem- 1 (New Rule for Post mortem in the State-ABP)
4. Police Torture- 2 (Civic Volunteers atrocities in different parts of state-Uttarbanga Sangbad, ABP)
5. Right to Education- 5 (Kanyashri at University level, declared by CM- Uttarbanga Sangbad)
6. Right to Health- 4 (No caesarian operation in Sunday, Jhargram-ABP, As there are no medical staffs - ABP)
7. Violence against Children- 3 (Raped and murdered at Ketugram-ABP)
8. Violence against Women- KUSHMONDI (A 28 years old woman gang raped and faced cruelty like Nirbhaya by penetrating metal subject in her private part at Kushmondi, South Dinajpur), other news on VOW- 4 (A mentally challenged girl was raped in Canning- Uttarbanga Sangbad)
9. Syria- 8 (U.S. Says Troops Can Stay in Syria without New Authorization- Syria Times; Violence rages in Syria as U.N. calls to stop 'hell on Earth'- Washington Post;

*Source of News- Ananda Bazar Patrika, Ei Somoy, The Dawn, Syria Times, Washington Post.