

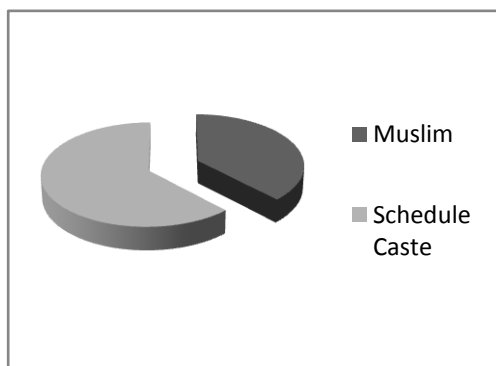
Miles to Go....



Monthly Report
May- 2018
Banglar Manabadhikar Suraksha Mancha

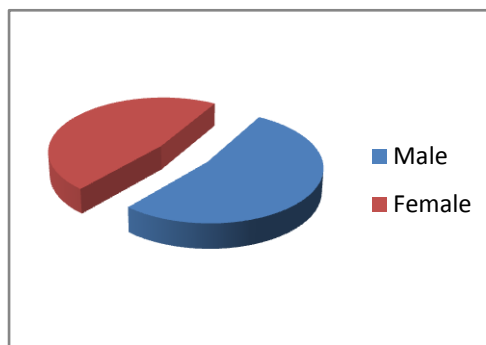
Banglar Manabadhikar Surakksha Mancha (MASUM) made 11 complaints before the relevant authorities and human rights institutions; especially National Human Rights Commission during the month of May 2018, during the period 7 replies and 1 update have been made to National Human Rights Commission. Out of 11 complaints; one about enforced disappearance of a person from BSF custody, one about torture by Border Security Force, one about illegal roping and handcuffing of accused during production before the court, one about custodial death and seven about marginalization of enclave dwellers. Total numbers of victims in regular complaints were 66; out of that 25 were Muslims, 41 belong to Schedule Castes community. 35 were male and 31 women. In complaints regarding marginalization of enclave dwellers and illegal roping and handcuffing; the numbers of affected was in numbers and not calculated as number of victim.

Social Classification



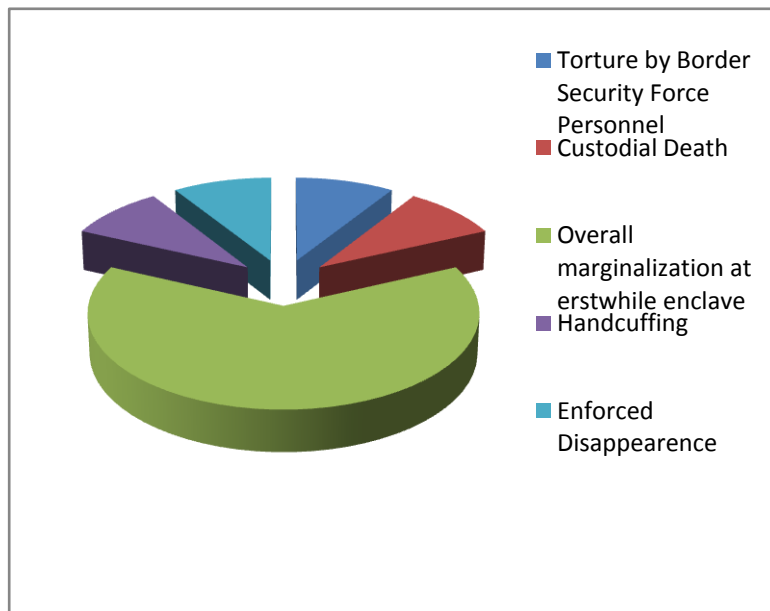
Muslim	25
Schedule Caste	41

Demographic Classification



Male	35
Female	31

Classification of violence and marginalization



Torture by Border Security Force Personnel	1
Custodial Death	1
Overall marginalization at erstwhile enclave	7
Handcuffing	1
Enforced Disappearance	1

I, the undersigned, beg to submit the present letter on behalf of the complainant Mr. Kirity Roy who lodged complaint on 29.11.2016 for the victim Mr. Billal Seikh from District-Murshidabad, West Bengal.

As a matter of record, it is submitted that I on behalf of the complainant Mr. Kirity Roy sent comments on the police enquiry report (Memo no.780/2017 dated 18.04.2017) of Shri Maqsood Hasan, WBPS, the Sub-Divisional Police Officer, Lalbagh, Murshidabad to the Commission on 05.07.2017.

Then again I on behalf of the complainant sent comments on another police enquiry report (Memo no.2278/17 dated 11.09.2017) of Shri Maqsood Hasan, WBPS, the Sub-Divisional Police Officer, Lalbagh, Murshidabad to the Commission on 13.03.2018.

The complainant Mr. Kirity Roy from the information available in the Commission's website in connection with the present case has come to know that the Commission has already observed that the enquiry report of the police made it clear that the victim Mr. Billal Seikh sustained grievous injuries by the act of the BSF personnel for which the state is vicariously liable. In this regard the Commission has already issued notice to the Under Secretary; Ministry of Home Affairs, Government of India as to why a monetary relief of Rs.50,000/- should not be recommended to be paid to the victim Mr. Billal Seikh; it was reported in NHRC website as action taken status on 23.08.2017. But the complainant and the victim are in dark regarding the position taken by the Ministry of Home; Government of India over the issue of monetary compensation to the victim, in between the victim made two subsequent applications to the District Magistrate of Murshidabad on 04.12.2017 and 22.02.2018, with a request to expedite the process of monetary compensation.

We are thankful to the Commission for the observation taken in the matter of the victim Billal Seikh and also for the concern regarding recommending monetary relief to the victim and request you to impart information over the position taken by the Ministry of Home Affairs, Government of India; if any or make adequate direction to accelerate the process of compensation to the victim.

I hope that the victim Billal Seikh would be able to get proper justice with the positive observation and recommendations from the Commission.

Thanking you
Yours truly

Biplab Mukherjee
Secretary, MASUM

Complaint and Fact Findings

Details of Enforced Disappearance



Mr. Samaun Seikh, aged about-30 years, son of Mr. Ohab Seikh, residential address at village-Char Munsurpur, Post Office-Akhreganj, Police Station-Ranitala, District-Murshidabad, West Bengal was an agricultural labour and belonged to a poverty stricken family. In his family he had responsibility to maintain his wife, four minor children. He was the sole earning member in the family. From his meager income as a day labour it was difficult for him to fulfill the family needs. To earn some extra money he sometimes worked as courier in cattle smuggling. As a courier he was tasked to carry cattle and cross such cattle

through the border from India to Bangladesh. On 07.12.2010 at night he went for such cattle smuggling from an area which was near to Binpara BSF Camp under Char Lobongola BSF BOP Camp. But he did not

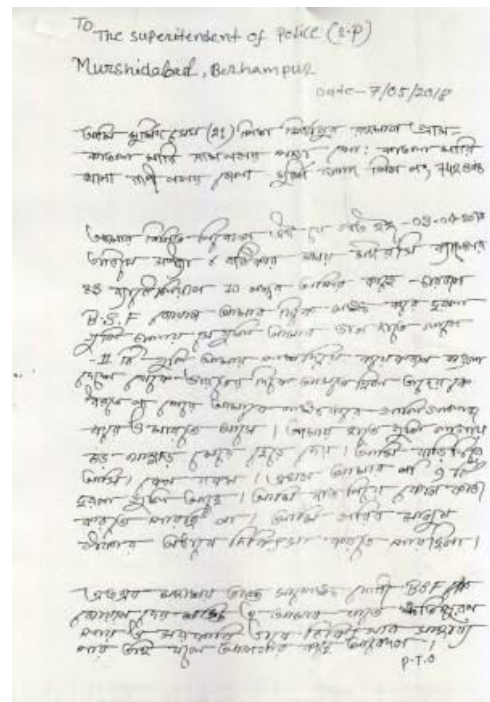
return home afterwards and his family did not get any information of his whereabouts till date. However, the family members of the victim heard in the locality that the victim was caught and killed by the BSF. The victim's family members searched for him continuously and they had several times approached before the local police and local authorities, but the police neither registered the matter nor took up any enquiry. The family members of the victim hopelessly waited for years for proper action. Ultimately, Ms. Fulbadam Bibi nee Bewa being the wife of the victim sent a written complaint to the Superintendent of Police, Murshidabad on 23.03.2018 by registered post stating that her husband had went to border for cattle smuggling on 07.12.2010 at night but since then he did not return home. In the written complaint she suspected that her husband was murdered by the then posted BSF personnel of Binpara BSF Camp under Char Lobongola BSF Camp and to conceal their crime the body of her husband was concealed or thrown into river and till date she did get her husband back. In the written complaint she prayed for a neutral inquiry into the matter and appropriate legal action. But till date no response has been made on her complaint. The situation remains the same till date.

Details of Torture perpetrated by BSF



Mr. Murshid Seikh, son of Mr. Mijanur Seikh, aged about-18 years, by faith-Islam, by occupation- Daily wage labour, residing at village-Katlamari, Ramnagarpara, Post Office-Katlamari, Police Station-Raninagar, District-Murshidabad. In his extended family, there are his parents and four siblings. He studied up to class-VIII. Due to poverty in his family he could not continue his study further. His father works as a day labour in other's lands. The victim also contributes in the family by working as a day labour in farming lands. On 03.04.2018, he was returning to his residence from agrarian land. He was returning with grass, which he cut for the domestic cattle in his house. When he was passing near BSF Out-Post no.10 under Mairosi BSF Camp he sustained injury due to firing by one of the BSF personnel of the said BSF

Out-Post. The victim sustained pellet injuries on his right hand due to firing by the perpetrator BSF personal of the said BSF Camp. The victim stated that the BSF personal arbitrarily fired on him when they failed to apprehend some 'intruders' who were coming to India from Bangladesh side. The BSF personnel caught him and assaulted him by fists and blows. They also abused him filthy language. After a while, they released him without providing any medical treatment. He on his own came to his house and disclosed the incident to his family members. As first instance, he was afraid of further harassment and not visited any medical facility but when his condition deteriorated he took medical treatment on 08.04.2014 from a registered medical practitioner. But he could not pursue further medical treatment due to his financial crisis. As doctor opined; till now nine pellets are inserted on his right hand and he is unable to do anything with his right hand. On 07.05.2018 the victim submitted a written complaint before the Superintendent of Police, Murshidabad narrating the incident as described above and in the written complaint he prayed for necessary legal action against the perpetrator BSF personnel. But till date no action has been taken on his complaint as stated by the victim.



Details of Illegal Roping and Handcuffing



The complaint shows the continuing prevalent practice of handcuffing the detainees and/or roping and and/or chaining them, in clear and flagrant violation of the principles and/or guidelines of the Apex Court and the National Human Rights Commission and our organization firmly believes that until and unless the practice is strictly restricted by passing necessary orders and directives upon the concerned authorities by the Commission, the same would continue without end. In this regard our fact finding revealed that on 10.04.2018, few under trial prisoners were produced at the compound of Berhampore District Judges' Court, District-Murshidabad, West Bengal by police personnel and those prisoners were tied up with rope on their waist. The pictures attached with this present complaint confirm the incident. By filing this instant complaint we tried to bring to the notice of the Commission the plight of persons who are falling victims of a system wherein handcuffing 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 and is thus seeking appropriate directions upon the concerned authorities being part of our criminal justice system to ensure that they refrain from curtailing in any manner the liberty of people.

Details of Custodial Death



Palash Mondal (deceased), son of Mr. Swapan Mondal, aged about-22 years at the time of his death, residential address:-Kulipara, Police Station-Bidhan Nagar(South), District-North 24 Parganas, West Bengal was arrested by the police of Bidhannagar South Police Station in connection with Bidhanagar South Police Station Case no.17/2018 dated 30.01.2018 under sections 417/342/376/506/354 of Indian Penal Code on 30.01.2018. On the next day i.e. 31.01.2018 he was produced before the Court of Additional Chief Judicial Magistrate, Bidhannagar. The victim was sent to judicial custody at Dumdum

Central Correctional Home. On 07.02.2018 the family members of the victim received information from the authority of the aforesaid correctional home that the victim committed suicide by hanging inside the compound of the correctional home. On 08.02.2018 the mother and another relative of the victim went to the correctional home and they were allowed to enter into the correctional home. They saw the body of the victim. He was only wearing a pant and there was no cloth on upper portion of his body. They saw dust on his body. One unnatural death case was registered at Dumdum Police Station vide U. D. Case no.22/2018 dated 07.02.2018 over the death of the victim. The post mortem examination of the victim was done at Police Civil Morgue, Barrackpore, North 24 Parganas. The family members of the victim did not believe the official statement of the aforesaid correctional home that the victim committed suicide by hanging himself. The stated that they had regular contacts with the victim and he never told that he was under any mental depression. They suspected foul play in the death of the victim. Reportedly the local people staged agitation before the police when the victim body arrived to his residence for cremation and demanded a neutral probe into the death of the victim, but no enquiry by a judicial magistrate took place till date, under section 176(1-A) of the Criminal Procedure Code. The family members and the local people stated that the victim was falsely implicated in the criminal case in connection of which he was under detention. On 16.04.2018 Mr. Swapan Mondal, the father of the victim submitted a written complaint before the District Magistrate, North 24 Parganas stating that he suspects foul play in the death of his son i.e. the victim and in the complaint he demanded for neutral enquiry. However till date no action has been taken on his complaint. The father of the victim even submitted a similar written complaint before the Commissionerate of Police, Bidhanagar Police Commissionerate but again no action has been taken on the complaint till date.

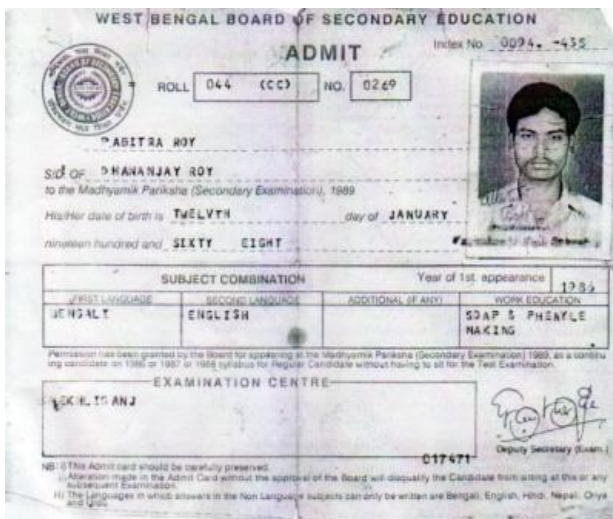
Details of Overall Marginalization of Erstwhile Enclaves



The complaint was regarding one helpless erstwhile Bangladeshi enclave dweller living in tremendous mental agony after execution of Land Boundary Agreement, 2015. Mr. Dhaneswar Roy Basunia who lived in Bangladeshi erstwhile enclave Balapukuri situated at Block-Mekhliganj, Police Station – Kuchlibari, District – Cooch Behar. After the execution of Land Boundary Agreement on 31st July, 2015, the geographical mass of 51 Bangladeshi enclaves included in India and vice a versa. The land owned by the erstwhile Bangladeshi enclave dwellers are now being property of the Indian Government. Though the Government of India has promised that the land will be transferred and handed over to the erstwhile enclave dwellers after some due procedure will done. The procedures are mentioned below-

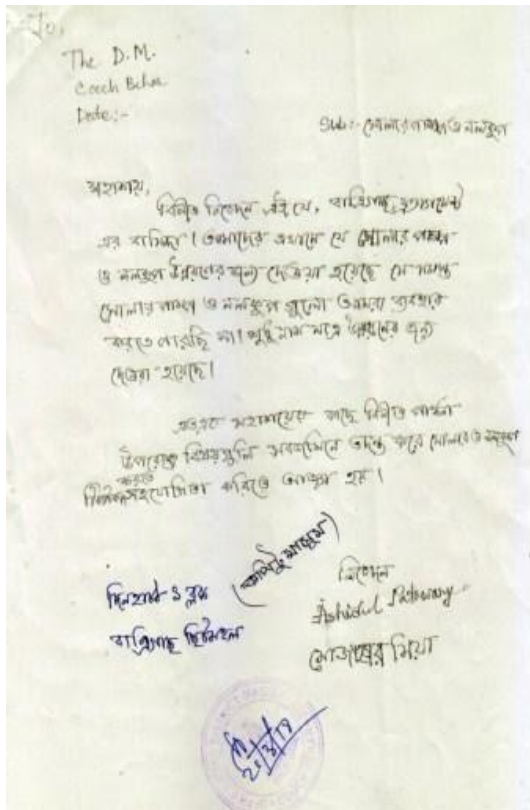
- i) First the official of land department will survey and calculate the total amount of land.
- ii) The officials will check all the papers and documents from the dwellers who/whose ancestor lived there.
- iii) After successfully completion of previous two steps, they register the land in the name of the dwellers.

It was revealed from our fact finding that after more than a year of Land Boundary Agreement execution, the officials from Land department started land survey. Mr. Dhaneswar Roy Basunia got the rights of his land from his grandfather Late Sashikanta Roy Basunia. He possessed all the land documents regarding this land. When officials from the land department have visited the mentioned erstwhile enclave for doing land survey; few other residents of that enclave (1. Mr. Rabi Roy, 2. Mr. Tribeni Mohan Roy, 3. Kamini Mohan Roy, son of Late Bhadrakanta Roy 4. Mr. Monoranjan Roy, 5. Mr. Pradip Roy, 6. Mr. Niranjana Roy son of Mr. Jogesh Chandra Roy 7. Mr. Dinabandhu Roy son of Rajani Roy 8. Mr. Mohadev Roy, 9. Mr. Sukdev Roy son of Mr. Dhananjay Roy) claimed the rights of the land. The victim protested their unlawful claim and showed all land documents to the officials. On the other hand the persons made false claims failed to do so. After that those officials left the place and did not survey the land due to the disputes. After few month, on 16.03.2017 Mr. Dhaneswar Roy Basunia submitted one application to office of Additional District Magistrate, District Land & Land Reform Officer of Cooch Behar, District Magistrate of Cooch Behar, Office of the Sub Division Land & Land Reform Officer of Mekhliganj, Office of the Block Land Reform Officer of Changrabandha, Block Development Officer and Sub Divisional Officer of Mekhliganj, where he attached the copy of his land document and requested before them to re- survey the piece of land. Almost 1 year passed, not a single Government official visited at his land. Victim is apprehending that he might lose his right upon his ancestral land as the persons falsely claimed ownership are mighty and influential.



The complaint was regarding a person from marginalized section, who lost his job due to his identity as erstwhile enclave dweller. He was recruited by the Assam Rifles but he was terminated. Due to different historical and geographical disputes a number of enclaves were included in the country of India and Bangladesh. Since independence 51 Bangladeshi enclaves were situated in India and 111 Indian enclaves were situated in Bangladesh. Though 51 Bangladeshi enclaves were situated in this country but the dwellers of those erstwhile enclaves were in “Personae non grata” status. They did not possess the citizenship of this country. Mr. Pabitra Roy is the resident of one erstwhile Bangladeshi enclave namely Balapukuri, situated at Village – Balapukuri,

Block- Changrabandha, Police Station- Kuchlibari, District- Cooch Behar. From 1968 he resided at that place. At the time of his growing age he understood that he was unable to go any Indian school for education with his identity as enclave dweller, but he get admitted in one of the school situated at nearest Indian village hiding his proper address. On 1989 Assam Rifles published one recruitment notice. He applied for the job. He went to Shalugara at Siliguri for physical and medical test. After clearing all hurdles he got the appointment letter. On 21.07.1989 he joined Assam Rifles camp situated at Siliguri. After few months he was transferred to Dimapur for his training. His training was for 10 months. After completing the training he came back to Siliguri and took a leave for 7 days to visit his home. At that time on 07.08.1990 he received termination letter from Assam Rifles. He was shocked. After that he rushed to Siliguri and asked the officials for the reason of his termination. They told him that after police verification it was found that he was not a citizen of India so he was not eligible to get this job. Several times Mr. Pabitra Roy narrated his helplessness for being an enclave dweller. But due to fixed rules and policies of job recruitment he lost his job.



The complaint was on deprivation of erstwhile enclave dwellers from institutional benefits. They were not allowed or not included in education, medical treatment, ration and other social security schemes. After execution of Land Boundary Agreement (31st July 2015), Government of India included the lands of erstwhile Bangladeshi enclaves in India. The dwellers of 51 erstwhile enclaves were promised to get citizenship and other benefits of social security schemes but till date the deprivation continuing. Batrigach and Kachua are two erstwhile Bangladeshi enclaves among 51 erstwhile Bangladeshi enclaves situated in India. After a year of the execution of Land Boundary Agreement, people from Public Health Engineering Department (PHED) visited the mentioned enclaves to survey water and power requirements and subsequent delivery of those facilities. After few days of the survey, PHED constructed two solar pumps for agricultural requirement of water and few deep tube wells for requirement of drinking water. At the time of construction the PHED said that approximately 40-50 *bighas* of land would be catered for irrigation through these solar pumps but after few days from installation of solar pumps, the dwellers found that only 4-5 *bighas* of land was getting water through the newly installed solar pumps and after 5-6 months most of the tube wells were not functioning. They visited to PHED and narrated their problems verbally but the department was unresponsive. On 13.03.2018 the dwellers of Kachua

erstwhile enclave and on 20.03.2018 the dwellers of Batrigach erstwhile enclave submitted mass deputations to the office of the District Magistrate, Cooch Behar and narrated the situation of water scarcity and installation of sub standard solar pumps and deep tube well at their respective erstwhile enclaves. But till date no administrative actions have been taken to rectify the solar pumps and tube wells for the benefit of the dwellers.

The complaint was on continuous marginalization and deprivation of erstwhile enclave dwellers from basic rights as citizen. Historically they were being excluded from all kind of social security schemes for years. On 31st July 2015, Governments of India and Bangladesh executed the Land Boundary Agreement. After this geo political development, the erstwhile enclave dwellers hoped for a normal citizenry life inside India but after 3 years of execution of Land Boundary Agreement, the scenario has not been changed and lives of the dwellers are still marred with constant neglect and under distress. Here I am narrating the typical scenario of an erstwhile Bangladeshi enclave, in this case the enclave is Kachua situated under Post Office – Kumarganj, Police Station – Dinhat, District – Cooch Behar. The said enclave is without any medical facility available in the vicinity like all other erstwhile enclaves. The only health facility available is at Najirhat Rural Health Center; which is nearly 5 kilometers away from the said erstwhile enclave. The said erstwhile

Basunia were present. They narrated that how their property was captured in the name of development without their consent. The BDO and SDO of Mekhliganj assured them to compensate and requested to withdraw the obstruction. After getting the assurance of compensation, mentioned erstwhile enclave dwellers withdrew their protest. The Sub Divisional Officer of Mekhliganj also told them to send application letters for adequate compensation to his office. On 09.01.2017 and 10.01.2017 Mr. Dhaneswar Roy Basunia and Mr. Aswini Roy Basunia sent application letters demanding compensations at the office of Sub Divisional Officer, Mekhliganj. One year passed after these applications made and PWD finished the construction of roads at their property but till date they have not received a single penny as compensation. A number of times they visited the SDO office, but they were ignored. They revealed their frustration to our fact finding team and also said the administration befooled them.

The complaint drew the attention on the women named herein below are aged persons and widow and excluded from widow pension. They are not getting widow pension and other benefits under the government schemes in spite repeated applications before the administration. The administration is silent in giving them proper relief. Moreover these women are the erstwhile Bangladeshi enclave dwellers of Nalgram, Falnapur, Jongra, situated under Mathabhanga Sub Division, Sitalkuchi Block, Cooch Behar District. They were living a non-citizenry life during 68 years since independence and before the execution of Land Boundary Agreement. After the said execution of Land Boundary Agreement almost 3 years passed but still they are neglected from all kind of social security entitlements. On 13.12.2017 and 17.05.17 they applied individually before Social Welfare Department of Government of West Bengal and Block Development Office of Sitalkuchi Block respectively. But till date no action has been taken by any of the above stated authorities. There are several schemes of the Government both at the Central and State levels for the development of women; especially the widows like Indira Gandhi National Widow Pension Scheme and West Bengal Widow Pension Scheme, 2010. Information about them is not available at the ground level.

The names of the victim widows are mentioned herein below:-

SI No	Name	Name of Erstwhile enclave	Date of Application to Social Welfare Section	Date of Application to BDO
1	CHAMINA BEWA	NALGRAM - SATIMARI	13.12.2017	17.5.2017
2	MINATI BARMAN	NALGRAM - SATIMARI	13.12.2017	17.5.2017
3	MINATI BARMAN	NALGRAM - SATIMARI	13.12.2017	17.5.2017
4	JOSODINI BARMAN	FALNAPUR	13.12.2017	17.5.2017
5	RAFIJAN BIBI	NALGRAM - SATIMARI	13.12.2017	17.5.2017
6	DHONOBALA BARMAN	NALGRAM - SATIMARI	13.12.2017	17.5.2017
7	MARJINA BEWA	NALGRAM - SATIMARI	13.12.2017	17.5.2017
8	AJIMA BEWA	NALGRAM - SATIMARI	13.12.2017	17.5.2017
9	SAFIA BEWA	NALGRAM KHANDO	13.12.2017	17.5.2017
10	MONOARA BEWA	NALGRAM - SATIMARI	13.12.2017	17.5.2017
11	EKADASHI BARMAN	FALNAPUR	13.12.2017	6.12.2016

12	SUSHILA BARMAN	NALGRAM KHANDO	13.13.2017	27.12.2016
13	MOSLEMA BIBI	NALGRAM KHANDO	13.12.2017	27.12.2016
14	KIRANBALA BARMAN	NALGRAM KHANDO	13.12.2017	6.12.2016
15	RAHELA BEWA	NALGRAM KHANDO	13.12.2017	27.12.2016
16	BINOBALA BARMAN	NALGRAM KHANDO	13.12.2017	6.12.2016
17	NAMITA ROY CHOUDHURY	FALNAPUR	13.12.2017	27.12.2016
18	DEBESWARI BARMAN	MAHISHMARI - JONGRA	13.12.2017	6.12.2016
19	JOYMONI BARMAN	FALNAPUR	13.12.2017	6.12.2016
20	SUNDARBALA BARMAN	MAHISHMARI - JONGRA	13.12.2017	6.12.2016
21	RENUKA BARMAN	MAHISHMARI - JONGRA	13.12.2017	6.12.2016
22	NAMITA BARMAN	FALNAPUR	13.12.2017	6.12.2016
23	BINODINI BARMAN	FALNAPUR	13.12.2017	6.12.2016
24	SISHUBALA BARMAN	FALNAPUR	13.12.2017	6.12.2016
25	BULO BARMAN	MAHISHMARI - JONGRA	13.12.2017	6.12.2016
26	FULOTI BARMAN	FALNAPUR	13.12.2017	6.12.2016
27	RENUKA ROY	FALNAPUR	13.12.2017	27.12.2016
28	ANITA BARMAN	NALGRAM KHANDO	13.12.2017	27.12.2016
29	DINMONI BARMAN	FALNAPUR	13.12.2017	27.12.2016
30	MOTEJAN BEWA	NALGRAM KHANDO	13.12.2017	27.12.2016
31	KOKILA BARMAN	FALNAPUR	13.12.2017	27.12.2016

The above mentioned women are all eligible for widow pension. The district officers play the role of a catalyst and mobiliser on whom implementation and coordination of all programmes of government depend. But in the present situation it seems that the district officer in Cooch Behar district are silent in providing the social safeguard to the widows in securing just and humane conditions of living.

The present complaint was on the fact that the elderly persons named below herein are being excluded from old age pension. They are not getting old age pension and other benefits under the government schemes in spite of repeated applications before the administration. The administration is silent in giving them proper relief under governmental scheme. Moreover these persons are the erstwhile Bangladeshi enclave dwellers from Nalgram, Falnapur, Jongra, Nalgram Khanda situated under Mathabhanga Sub Division, Sitalkuchi Block, Cooch Behar District of West Bengal and being denied any assistance from government from ages. They lived a non-citizenry life during 68 years after independence. After Land Boundary Agreement, they hoped for betterment in life but though almost 3 years passed after execution of LBA, but still they are being neglected by every corner of administration and government. On 17.05.17 and 13.12.2017 they applied individually before Block Development Office of Sitalkuchi and Social Welfare Department of Government of West Bengal respectively. But till date no action has been taken by any of the mentioned authorities. There are several schemes of the Government-both by the state and union for the socio-economic advancement of old age persons but information about these schemes are not available

at the ground level. It is essential that this situation should be corrected and the reason for old age persons getting isolated from the mainstream is question reckon with.

The names and other details of the old age persons made application before administration are mentioned herein below:-

SI No	Name	Age	Name of Erstwhile enclave	Date of Application to BDO	Date of Application to Social Welfare Section
1	KAPURUDDIN MIAH	65	NALGRAM KHANDO	17.5.2017	13.12.2017
2	SAHAALAM MIAH	61	NALGRAM - SATIMARI	17.5.2017	13.12.2017
3	GAJENDRA BASUMIA	70	NALGRAM - SATIMARI	17.5.2017	13.12.2017
4	HARISH CHANDRA BARMAN	75	NALGRAM - SATIMARI	17.5.2017	13.12.2017
5	BIJIN BARMAN	60	NALGRAM - SATIMARI	17.5.2017	13.12.2017
6	BISWESWAR BARMAN	64	NALGRAM KHANDO	17.5.2017	13.12.2017
7	TAIYAB ALI MIAH	67	NALGRAM KHANDO	17.5.2017	13.12.2017
8	ACHER ALI MIAH	74	NALGRAM KHANDO	17.5.2017	13.12.2017
9	JOYNAL ABEDIN	66	NALGRAM - SATIMARI	17.5.2017	13.12.2017
10	SHUK NARAYAN BARMAN	75	FALNAPUR	27.12.2016	13.12.2017
11	RAHAMAN MIAH	60	NALGRAM - SATIMARI	17.5.2017	13.12.2017
12	FAJUDDIN MIAH	77	NALGRAM KHANDO	27.12.2016	13.12.2017
13	MOJAMMEL HAQUE	72	FALNAPUR	27.12.2016	13.12.2017
14	HARISH CHANDRA ADHIKARY	85	NALGRAM KHANDO	6.12.2016	13.12.2017
15	MAHESH CHANDRA BARMAN	69	FALNAPUR	6.12.2016	13.12.2017
16	ANIL BARMAN	74	FALNAPUR	6.12.2016	13.12.2017
17	ENTAJ ALI MIAH	77	NALGRAM KHANDO	6.12.2016	13.12.2017
18	BIJENDRANATH BARMAN	62	FALNAPUR	6.12.2016	13.12.2017
19	CHANDRADHAR BARMAN	85	FALNAPUR	6.12.2016	13.12.2017
20	JOGESH CHANDRA BARMAN	75	FALNAPUR	6.12.2016	13.12.2017
21	KHITISH BARMAN	72	NALGRAM KHANDO	6.12.2016	13.12.2017

22	ABDUL RAHIM	69	NALGRAM KHANDO	27.12.2016	13.12.2017
23	SAHIDAR MIAH	69	NALGRAM KHANDO	27.12.2016	13.12.2017
24	AMAL BARMAN	60	FALNAPUR	6.12.2016	13.12.2017
25	MOKTAR ALI	66	NALGRAM KHANDO	27.12.2016	13.12.2017
26	ABUL HOSSAIN MIAH	75	NALGRAM KHANDO	27.12.2016	13.12.2017
27	AJIJAR RAHAMAN	62	NALGRAM KHANDO	6.12.2016	13.12.2017
28	NIRODA BARMAN	70	FALNAPUR	27.12.2016	13.12.2017

The district officers play the role of a catalyst and mobiliser on whom implementation and coordination of all programmes of government depends. But in the present situation it seems that the district officer in Cooch Behar district are silent in providing the social safeguards to the old age persons in securing just and humane conditions of living.

Monthly Legal Activity Report-MASUM, May 2018

In this month the following important legal activities took place where MASUM provided legal assistance to the victims of human rights violations. Be it mentioned that due to summer vacation district and sub-divisional courts remained closed from 21st of May, 2018 to 28th May, 2018.

With the legal assistance from MASUM, Mr. Alamgir Gazi(from district North 24 Parganas) and Ms. Jharna Khatun Bibi(from district Murshidabad) had filed writ petition in the High Court of Calcutta in the month of November, 2017.

Mr. Alamgir Gazi was the petitioner in the Writ Petition being no.29457/2017 wherein he sought for justice against the non responsive attitudes of the police department in North 24 Parganas district on his complaints and for adequate compensation. He is a victim of illegal arrest, false implication in criminal case and custodial torture in the hands of the perpetrator police personnel of Swarupnagar Police Station and the Sub-Divisional Police Officer, Basirhat.

Ms. Jharna Khatun Bibi was the petitioner in the Writ Petition no.29456/2017. Her husband Minarul Molla was a victim of extra-judicial killing in the hands involved police personnel of Murshidabad district. On the fateful night of 26.07.2017, he was killed in police firing and the killing was later on plotted as an encounter by the involved police personnel. Ms. Jharna Khatun Bibi made a written complaint on 31.07.2017 to the Superintendent of Police, Murshidabad stating about the killing of her husband by the involved police personnel and requested for immediate legal action against the police officials, who were a part of such heinous murder. But no action has been taken on her complaint till date.

Unfortunately the conducting advocate of the above stated two writ petitions withdrew the writ petitions without giving any information to the petitioners as well as to our organisation. Our organisation put strong objection to the conducting advocate for such clandestine move to withdraw the writ petitions without taking any consent from the petitioners. The petitioners Mr. Alamgir Gazi and Ms. Jharna Khatun Bibi sent written communication to the conducting advocate raising their protest of withdrawing the writ petitions without their consent and in absence to their knowledge. In response through letter dated 15.03.2018 the conducting advocate inter alia informed that under overwhelming circumstances at the time of hearing the writ petitions were withdrawn but fresh writ petitions can be filed on the self same subject once again and the conducting advocate expressed to render necessary assistance in this regard.

Our organization decided to provide legal assistance for restoration of the above stated two writ petitions. Accordingly on 17.05.2018 the applications for restoration of the above stated two writ petitions were filed in the High Court of Calcutta by the petitioners Mr. Alamgir Gazi and Ms. Jharna Khatun Bibi.

Our District Human Rights Monitors Mr. Sanjit Mondal and Mr. Najrul Islam in Murshidabad district have been falsely implicated in criminal cases under the N.D.P.S. Act at the instance of police and BSF in

Murshidabad district. They need immediate legal assistance for their anticipatory bail under section 438 of Criminal Procedure Code. In this regard Mr. Kirity Roy (the Vice-President of MASUM) along with Mr. Ramendranath Moitra went to Berhampore District Judges Court, Murshidabad on 31.05.2018. There they consulted with the advocate Mr. A. S. Md. Firoj who will move anticipatory bail application for Mr. Sanjit Mondal and Mr. Najrul Islam in Berhampore District Judges Court.

Besides the above stated cases, MASUM provided legal assistances to the other pending criminal cases against the accused perpetrator in uniform filed by the victims and also in the cases where the victims have been falsely arrayed as accused persons.

ADVOCACY, SENSITISATION AND CAMPAIGN



MASUM organized three regular and monthly medical camps on the aegis of United Nations Voluntary Funds for Victims of Torture (UNVFVT) for torture victims and family members of extra judicially killed persons. On 19.05.2018, medical camp for Cooch Behar district was organized at Dinahata, where 36 patients were treated and provided with medicines. Dr. Champak Bannerjee was the attending doctor. Just



after the medical camp, a Victims Meeting was organized, where victims strategies their future course of action. Similarly, medical camps and subsequent Victims Meetings were held at Islampur for Murshidabad district and Swarupnagar for 24 Parganas (North) districts on 12.05.2018 and 26.05.2018. The numbers of patients were 52 and 35 respectively and Dr. Priyabrata Biswas was attending doctor for both the camps.



Consultation on Justice for Victims of Mass Atrocities

MASUM representative; Mr. Kirity Roy attended the Consultation on Justice of Mass Atrocities at Imphal on 5th and 6th May, 2018. The consultation was on topics of 'The journey of the EEVFAM case and its impact on AFSPA', Mass atrocities and sharing of experiences of advocacy, Witness and HRD Protection and Future Strategy. Mr. Roy was the moderator for the session on Mass atrocities and sharing of experiences of advocacy.

Meeting at Erstwhile Enclaves and Bordering Villages at Cooch Behar

11.05.2018



On 11.05.2018 Banglar Manabdhikar Suraksha Mancha organized an interface with the villagers of Kurshahat, Tharaikhana situated under block- Dinahata-II, District Cooch Behar. On that meeting the populace of mentioned bordering villages narrated

that how their livelihood has been affected by the Border security Force personnel of Seuti Border Out Post – ‘C’ Company of Battalion Number- 38. It was reported that the villagers are restricted from visit to their agricultural field. They are being restricted to use tractor and other machinery used in agriculture. They have to get permission to BSF for using pesticides. They complained to different government authorities but no action has been taken till date.

12.05.2018



On 12.05.2018 erstwhile enclave dwellers of Kachua, Uttar Bansjani, Nalgram, Falnapur, Jongra, Nalgram Khanda, Bhandardaha submitted one mass deputation to District Magistrate, Cooch Behar. The erstwhile enclave dwellers announced to boycott the panchayet election due to non fulfillment of their demands. 3 years have been passed after execution of Land Boundary Agreement; till the

developmental work at erstwhile enclaves not completed. Many erstwhile enclaves are deprived from the facility of health care, drinking water, electricity, roadways etc.

13.05.2018



On 13.05.2018 Banglar Manabdhikar Suraksha Mancha organized one meeting with erstwhile enclave dwellers of Nalgram, Falnapur, Jongra at Falnapur. The erstwhile enclave dwellers discussed on strategies of abstinence from ensuing panchayet election. Some of them complained that they were receiving threats from different political parties. After the meeting MASUM made complaint to Sitalkuchi police station on threats by the political parties.

Darjeeling

On 15.05.2018 Mr. Kirity Roy met the Deputy Superintendent of Police at Darjeeling during an enquiry process on two extra judicial killing cases of Late Asish Tamang and Late Samir Gurung. MASUM made the complaints and enquiring agency requested MASUM's Secretary and complainant Mr. Biplab Mukherjee to attend. The DSP of Darjeeling recorded Mr. Roy's statement.

Murshidabad



Banglar Manabdhikar Suraksha Mancha (MASUM) organized a number of village level meetings in Murshidabad District. The erosion affected villagers formed one group namely “Amra Bhangon Durgato” in Murshidabad district. Under this platform, they are organizing their struggle and pressing demands for adequate resettlement and compensations. The group organized a

series of meetings on 20.05.18, 21.05.2018, 24.05.2018 and 25.05.2018 at Bidupur, Tiktikipara, Natun Rajapur and Kajipara villages of Murshidabad district. Activists of Banglar Manabdhikar Suraksha Mancha

were invited as main speakers. At the meetings incidents of BSF torture, Border violence and restrictions by BSF were raised. At the end of the meetings future course of action were planned.

Secondary Documentation

Brief report on number of News documentation (on internet version), some important news, May, 2018

Brief report on number of News documentation, some important news, May, 2018

1. Beef victim- 1 news (In Madhya Pradesh one Muslim was murdered for alleged cow slaughter - ABP)
2. Rights- 1 news (Wife has the right to know the salary of her husband, Madhya Pradesh High Court's verdict-ABP)
3. Mass Movement: Anti Starlite Protest- 4 news (Just like Jalinwalabag massacre, opposition criticized Tutikorin massacre -ABP ; Mass Killing for environment movement-The Hindu)
4. Political Violence: Violence in Panchayet Poll- 18 news (9 Deaths, Bombs, Ballot Box- Burning In Bengal Panchayat Polls- NDTV)
5. Refugee: Rohingya - 1 news (Two thousand hand pump not functioning, Rohingya camp in water crisis- Prothom Alo)
6. Violence against child- 2 news (Four children injured in Bengal Panchayat Poll- India TV)

MASUM documented important media reports related to human rights abuses published in 4 regional as well as national media during the month of May 2018. During this period 4 incidents of extra judicial killing have been documented, 10 incidents of police torture from West Bengal have been documented. 48 media reports on violence against women have been documented for the month, 55 incidents of child rights violations recorded during this timeframe. 2 incidents of atrocities upon Dalits have been documented as well 2 news items on mass lynching were recorded.