

To  
The Superintendent of Police  
Murshidabad  
Berhampore

15 June 2009

Sir,

It is revealed during our fact finding upon information received that on 10.5.2009 at about 9.30 am Mr. Nrisingha Mondal, District- Murshidabad was reportedly collecting woods for fuel in the nearby places of Khasmohal BSF Camp, Police Station-Jalangi but he was held under captive inside the said BSF Camp by the perpetrator-BSF jawans and subjected him to murderous assault. If the collecting of woods by the victim was an offence, he should have been handed over to police but instead of doing this, the perpetrator-BSF jawans by dint of their own rule of impunity became the prosecutor and executor of punishment.

The police of concerned Police Station (Jalangi Police Station) did not take any effective action till date against the perpetrators-BSF personnel though one criminal case has been registered by the said police station against them. Our attached fact finding report gives details of the incident.

The victim is in extreme financial crisis for which he could not afford proper medical treatment. He is yet to recover fully well from the injuries caused due to the physical torture.

The right to life and liberty of the people residing in the nearby villages in Indo-Bangladesh Border area is at peril in the hands of the Border Security Force and the present incident added another feather to this continuing culture of impunity enjoyed by the Border Security Force.

Hence we seek your urgent intervention in this matter in the following manner:-

- There must be a neutral and thorough investigation in the criminal case (Jalangi Police Station Case no. 166/09 dated 25/05/09) lodged against the accused BSF jawans and the Criminal Investigation Department (CID) must be charged with the investigation of the said criminal case.
- An independent inquiry must be taken up against the perpetrators-BSF jawans under the provisions of Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Act, 1989 for committing atrocities and be punished accordingly.
- The delinquent police personnel of Jalangi Police Station must be cautioned and reprimanded for adopting dilatory tactics in the matter of investigation and not taking any action against the accused BSF jawans till date by apprehending them in connection with Jalangi Police Station Case no. 166/09 dated 25/05/09.

- Steps must be taken to ensure that the judicial process initiated from the victim against the perpetrators must be freed from any coercion and/or influence by the perpetrators by dint of their powers and position they hold.
- The victims must be provided with adequate compensation and protection and all the necessary expenses of medical treatment of the victim must be incurred by the perpetrator-BSF personnel.

Thanking You,  
Yours truly,

Kirity Roy  
Secretary, MASUM  
&  
National Convener, PACTI

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**Name of the Victim:-** Mr. Nrisingha Mondal, aged about- 45 Years, son of Late Faki Mondol, by caste- Schedule Caste, by occupation-day labour, residing at village- Khasmohol, Police Station- Jalangi, District- Murshidabad, West Bengal, India.

**Name of the perpetrators:** - (1) Mr. Bidwan @ Bidyadhor; (2) Mr. Manoj Singh, both from Khasmohal Border Out-Post Camp, Battalion-90, Company-A, Border Security Force, Police Station-Jalangi, District-Murshidabad; (3) the Officer-in-Charge of Jalangi Police Station; (4) Mr. Milan Dutta, Sub-Inspector of Police and Investigating Officer in connection with Jalangi Police Station Case no. 166/09 dated 25/05/09.

**Place of incident:** - At Khasmohal Border Out-Post BSF Camp, Police Station-Jalangi, District- Murshidabad, West Bengal.

**Date & time of incident:** - On 10.5.2009 at about 9.30 am.

**Case Details :-**

On 10.5.2009 at about 9.30 am Mr. Nrisingha Mondal went out of his house to collect woods for using as cooking fuel. At that time he was cutting woods by a *dah* (sickle) near Khasmohal Border Out-Post Camp of Border Security Force.

Mr. Bidwan @ Bidyadhor and Mr. Manoj Singh, two BSF jawans from the said BSF Camp came and without sounding any reason they forcibly took him inside the said BSF camp. In the said camp the said two BSF jawans took his knife from his hand and soon he was subjected to sever torture on

allegation that he was cutting trees inside the Camp. The said BSF jawans mercilessly beat him with their wooden sticks and boots using filthy languages. He was mercilessly beaten up from top to bottom by the perpetrators-BSF jawans. The victim could not bear the assault and soon he became senseless. There were numerous marks of bleeding injuries and also marks of hematoma on several parts of the body of the victim caused by the inhuman assault by wooden sticks and the boots of the said BSF jawans.

Ms. Saptamee Mondal, wife of the victim and other local villagers upon getting information about the victim rushed to the said Camp. Upon reaching at the BSF Camp, the wife of the victim pleaded before the said BSF jawans to release her husband as he was innocent. Then upon intervention of the local villagers, the victim was released from the custody of the said BSF jawans. The police officers of Jalangi Police Station reportedly also went to the said BSF Camp and asked about the incident of assault upon the victim but the said BSF jawans denied the fact of torture upon the victim before the police.

The victim was taken to Sadikhardiyar (Block Primary Health Centre) Hospital for treatment and he was admitted there. But the victim had to come back home on the next day as he was unable to continue with the treatment due to extreme financial crisis. But in the home, there was no sign of improvement in his physical condition as he had no financial capacity to get proper treatment. His condition deteriorated day by day and he was again admitted in the said hospital on 24/05/09 for treatment.

Ms. Saptamee Mondal, the wife of the victim lodged one written complaint at Jalangi Police Station on 25.5.2009 and upon the basis of the said complaint one criminal case was registered against the involved Border Security Force personnel vide Jalangi Police Station Case No. - 166/09 dated 25/05/09 under sections 341(wrongfully restraining any person)/325(voluntarily causing grievous hurt)/506(criminal intimidation) of Indian Pinal Code. But there is no sing of progress till date either in the matter of investigation or arresting the involved BSF personnel.



Lying at verandah of Sadhikhan dear's hospital without any mattress, medicine & care