



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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February 01, 2019

To

Mr. Khaleel Ahmed

National Focal Point - Human Rights Defenders & Deputy Registrar

National Human Rights Commission

Manav Adhikar Bhawan,

Block-C, GPO Complex, INA,

New Delhi – 110 023

Email: hrd-nhrc@nic.in

Sub: HRD Alert - India – Urgent Appeal for Action – West Bengal - Harassment of WHRD Ms. Shila Bewa by the personnel of Border Security Force (BSF) in West Bengal - Regarding

Dear Sir,

Greetings from Human Rights Defenders Alert - India!

HRD Alert - India is a forum of Human Rights Defenders for Human Rights Defenders. It endeavours to initiate actions on behalf of Human Rights Defenders under threat or with security concerns.

We are now writing to express our grave concern regarding the harassment of a women HRD, Ms. Shila Bewa at Murshidabad district in West Bengal by Border Security Force (BSF) personnel.

Status of Human Rights Defender:

Ms. Shila Bewa's husband Mr. Imajuddin Mondal had died on 17.4.2015 in an extrajudicial killing and it is been alleged that her husband was killed by the BSF personnel and a case had been registered in connection to this in Jalangi Police Station bearing FIR No.-378/15. Her husband was the only earning member in her family. After his death Ms. Shila started taking part in different programs against human rights violations in the district and has continued to be work for the promotion and protection of human rights.

Ms. Shila Bewa was constantly threatened and harassed by personnel of Jalangi Police Station asking to withdraw all complaints lodged by her against the BSF personnel. But she refused to withdraw the complaint and continued her struggle demanding justice on the death of her husband.

Source of Information on the Incident:

- Regional Coordinator of HRDA for Eastern zone
- Media reports

Perpetrators:

- Mr Tejbir, DIB, Battalion number 43, Farajipara Border BSF Out Post
- Mr. Biplab Karmakar, Officer in Charge, Jalangi Police Station
- Mr. Shyamol Babu, Jalangi Police Station

Date of Incident:

January 25, 2019

Details of the Incident:

As per the sources, on January 25, 2019, at about 12 PM Ms. Bewa was sticking posters as part of human rights awareness campaign by an organization called 'Amra Simantabasi' (we the people of border) near the river bank areas of village Toltoli under Ghospara Gram Panchayat. One Mr Tejbir, DIB, Battalion number 43, under Farajipara Border BSF outpost, objected to paste the posters on the walls, and abused Ms. Bewa in filthy language and snatched away rest of the posters from her, but she protested and asserted that it is her right to campaign for lawful demands. But the said officer rejected her assertion and took all the posters forcefully from her and also used abusive used to Ms. Bewa and also had torn the posters.

Ms. Bewa, on the same day at around 3.30 PM went to Jalangi Police Station to submit a written complaint detailing the incident and urged to treat the same as FIR. Police officer Mr. Shyamol Babu though received the complaint but taunted her by saying that "this kind of incident happens only to you" The officer however assured her to give a receipt of the complaint the next day. The next day when Ms. Bewa arrived at the police station enquiring about her complaint, one officer Mr. Biplab Karmakar called Ms. Bewa to his room and threatened her by saying that "You cannot do anything against the BSF"

It is brought to your notice that even though the Jalangi police station received the written complaint from Ms. Bewa it did not register the complaint officially. More so, the police personnel used harsh & filthy language and threatened her by saying that BSF could do whatever they wanted to do. Since the police personnel at the Jalangi police station did not register her complaint, Ms. Bewa had sent the complaint to the Superintendent of Police through 'WhatsApp' on January 26, 2019.

Appeal:

We, therefore urge you to immediately take necessary steps to ensure that the Superintendent of Police and the District Collector and District Magistrate of Murshidabad District:

- Order an immediate, thorough, transparent, effective and impartial speedy investigation into the above-mentioned incident of harassment of Ms. Shila Bewa
- Guarantee in all circumstances the physical and psychological integrity of the WHRD Ms. Shila Bewa and her family members who are still under risk from the perpetrators and provide a re-assurance of not engaging in such acts against W/HRDs
- To ensure proper action against refusing to register Ms. Shila Bewa's complaint, which is a violation of Supreme Court's verdict ***Lalita Kumari v. Govt. of UP AIR 2012 SC 1515.***
- Ensure provision of reparation, compensation, an apology to the women defender for the psychological sufferings she is undergoing because of the threats and intimidation to her life.

Looking forward to your immediate action in this regard,

Yours sincerely,



Henri Tiphagne
National Working Secretary