

Shirajul, Father of a Victim of Manpower Agents Killed by Police Beating in Cox's Bazar

Fact-finding Report

Odhikar

The family of Md. Shirajul Islam (45), a resident of the village of Villager Para at Chakaria Upazila¹ in the Cox's Bazar district, alleged that he was killed by brutal police beating on May 14, 2008. The allegation of beating was corroborated by a witness to the incident. The police authorities also confirmed that the allegation of beating had been proved through a primary investigation.

Odhikar conducted a fact-finding mission into the incident. During the fact-finding mission, Odhikar spoke with:

- The family and relatives of the deceased
- Eyewitnesses
- The doctor who conducted the post-mortem examination
- The concerned police authorities and other people

Nurjahan Begum (35), the wife of the deceased Shirajul

Nurjahan Begum told Odhikar that she and Mostafa Begum from the village of Ahonglari Para at Lama Upazila in Bandarban district made an oral contract with Shah Alam from the village Chhoinarmarghona to send her son, Nurul Amin (20) and Mostafa Begum's son, Kafiluddin (20) to Malaysia for work. She said that Shah Alam's brother, Monir Hossain was in Malaysia. Nurjahan said that Shah Alam told people that Monir would make the necessary arrangements for 50 people to go to Malaysia for work and took money in advance from various interested parties. She said that on May 29, 2007 Monir told them over the telephone from Malaysia to give the money to Shah Alam. She continued by saying that Nurul Amin and Kafiluddin then paid Taka 5, 000 each to Shah Alam. Shirajul's wife said Shah Alam took Taka 160,000 more from Nurul Amin and Kafiluddin on July 31, 2007 but he did not make any arrangements as per the contract. She said Shah Alam started to give lame excuses for the delay. She added that after 6 months, Shah Alam told them that he could not help them.

Nurjahan said that when Monir returned to Bangladesh on leave from Malaysia, Mustafa Begum and she along with some other people surrounded him and took him to the Yangchha Army Camp to make a complaint against him. She said that since Monir could not instantly return their money, his brother, Shah Alam signed a document there where he stated that he would return the money that was owed by Monir. Nurjahan said that Monir was released after Shah Alam signed

¹ Upazila is an administrative unit under a district.

the document. She also said that later on, Monir left for Malaysia and Shah Alam went into hiding without paying back their money.

Nurjahan informed Odhikar that many other people who deposited money with Shah Alam also kept searching for him. At last they came to know from a confidential source on May 10, 2008 that Shah Alam had been in hiding in the village of Baniachhara. She said that Kafiluddin's mother, Mustafa Begum caught Shah Alam at around 5.00 am on May 12, 2008 in Baniachhara and took him to her (Nurjahan's) house in Villager Para. On the order of Azimul Haque Azim, the Chairman of the Manikpur-Surajpur Union Parishad², three *Choukidars*³ came and kept Shah Alam in their custody at her home throughout the night.

Nurjahan said that they asked Shah Alam on May 13, 2008 to phone his wife Rohana and ask her to come with the money that Shah Alam promised to repay them. She said that Shah Alam's wife said that she would come with the money by the evening but she did not. She also said that on May 14, 2008 Chairman Azim asked them to take Shah Alam to the Union Parishad. When the Chairman told Shah Alam to return the money to Kafiluddin and Nurul Amin, he failed to do so. The the Chairman then told them to take Shah Alam to the Yangchha Army Camp. However, while they were taking him to the Camp at around 5.00 pm, the Chairman again phoned them and asked them to take him to the Chakaria Police Station. Nurjahan Begum said that, following the instruction given by the Chairman, her husband, son Nurul Amin and Kafiluddin under the supervision of the *Choukidars* took Shah Alam to the Chakaria Police Station at around 9.00 pm. She said that she did not receive any information at that night about what occurred at the Station.

Nurjahan told Odhikar that a man from their village, called Uchhan Mia, informed her at around 5.00 pm the following day on May 15, 2008 that her husband Shirajul had been beaten to death by police and his body had been brought to Jiddabazar. She went to Jiddabazar at around 6.00 am and saw her husband's dead body inside an ambulance. After seeing the body, she went to the police station to inquire about Nurul Amin. She said that she saw hundreds of people demonstrating against the police in front of the police station. She also said that after the Upazila Nirbahi Officer (UNO)⁴ of Chakaria and the Additional Superintendent of Police (Additional SP) of Cox's Bazar, Md. Imam Hossain came to the scene at around 12.00 pm and assured the agitated people that they would try the perpetrators, the people calmed down and then the police took Shirajul's body to the Cox's Bazar district headquarters at around 2.00 pm. Nurjahan said that the police returned her husband's body at night but they did not bury it then.

² Union Parishad is the lowest level of the local government which is headed by its Chairman.

³ A *choukidar* works under a Union Parishad and assists in law-enforcing activities.

⁴ UNO is the head of Upazila (administrative unit under a district) civil administration.

Shirajul's wife informed Odhikar that after the incident, the police released her son and Kafiluddin who were in their custody and arrested Shah Alam and his wife Rohana, on May 15, 2008. She said that the Additional SP, Imam Hossain withdrew the accused police officer, Sub-Inspector (SI) Hafiz from the police station and suspended the Officer-in-Charge (OC)⁵, Ruhul Amin Siddiqui. She also said that after the Upazila Nirbahi Officer assured them of justice for what had happened, the body of her husband was buried at around 12.15 am on May 17, 2008. Nurjahan ended her interview with Odhikar by saying that she saw marks of beating on Shirajul's ribs, shoulders, forehead and legs.

Nurul Amin (20), son of the deceased Shirajul

During his conversation with Odhikar, Nurul Amin alleged that Sub-Inspector (SI) Hafiz detained him in the custody cell and beat his father to death on May 14, 2008. He informed Odhikar that he had filed a case regarding the incident under sections 406/420/326/325/302/109 of the Penal Code on May 26, 2008. He said that the case was numbered 1076/08 and accused the following people:

1. SI Hafiz, Chakaria Police Station
2. Azimul Haque Azim, Chairman, Surajpur-Manikpur Union Parishad
3. SI Abu Taher, Chakaria Police Station
4. Shah Alam, Chhoinarmarghona
5. Monir Alam, Chhoinarmarghona
6. Ruhul Amin Siddiqui, the OC, Chakaria Police Station
7. Rafique Ahmed
8. Md. Manik and some others

Kafiluddin (20), Yangchha Ahanglari, Chakaria

Kafiluddin told Odhikar that since Monir told them in 2007 that he would make arrangements for them to go to Malaysia for work and asked them to deposit money to Monir's brother Shah Alam for the purpose, they gave Shah Alam Taka 260,000. He said that as Monir did not keep his word, they caught Shah Alam at Baniachhara on May 12, 2008 and took him to Villager Para. Kafiluddin said that, as ordered by Chairman Azim, three *Choukidars* detained Shah Alam at Nurul Amin's house. On May 14, 2008, the Chairman asked them to take Shah Alam to his office. The Chairman told Shah Alam to give back the money that was owed to Kafiluddin and Nurul Amin by Monir. However, as Shah Alam could not pay the money back, he told them to take him to the Yangchha Army Camp. Kafiluddin said that when they were taking Shah Alam to the Camp under the supervision of the *Choukidars*, the Chairman again told them over the telephone at around 3.00 pm to take Shah Alam to the Chakaria Police Station. He said that no sooner had they reached the main gate of the police station, SI Hafiz pulled Nurul Amin and him by the collars of their shirts and pushed them into the lock-up. Kafiluddin said that SI Hafiz beat them in the lock-up. He continued by saying that after they were released at around 2.00 pm on May 15, 2008, they

⁵ OC is the head of police station in Bangladesh.

came to know from others that Nurul Amin's father Shirajul Islam had been killed by police beating.

Shah Alam (35), Chhoinarmarghona, Chakaria

Shah Alam, who was detained in the Cox's Bazar District Jail during the fact-finding mission, told Odhikar that he was a grocer. He said that his brother Monir was in Malaysia. Monir returned to the country on leave towards the end of 2007 and took money from various people on the condition that he would make arrangements for them to go to Malaysia for work. However, since Monir did not make any arrangements, the people who gave him money got tired of waiting and started pressurising Shah Alam to return their money. Shah Alam said that on May 12, 2008, Kafiluddin and Nurul Amin along with some other people picked him from Baniachhara and took him to Villager Para. They asked Shah Alam to return their money. He said that since his wife could not collect the money to return to them, she informed the Chakaria Police Station of what had happened to her husband on May 14, 2008 and, as advised by the police station, filed a case for the abduction of her husband against Kafiluddin, Nurul Amin and some other people. With the cooperation from the Chairman, the Chakaria Police called him to the police station at around 9.00 pm. After hearing both the parties, the police let Shah Alam go at around 11.00 pm and put Nurul Amin and Kafiluddin in the lock-up. Shah Alam said that SI Hafiz asked him and his wife over the telephone to go the police station at around 10.00 am on May 15, 2008 and SI Hafiz arrested them and put them into the custody when they went to police station.

Nurul Afsar (28), Baniachhara, Chakaria

Nurul Afsar told Odhikar that in the morning of May 14, 2008, he heard from others that Shirajul had been killed by police and then went to Jiddabazar to see Shirajul's body in an ambulance under the custody of three *Choukidars*. He claimed that he saw marks of beating on Shirajul's stomach and forehead.

Md. Azimul Haque Azim, witness to the beating and Chairman, Surajpur-Manikpur Union Parishad

Chairman Md. Azimul Haque Azim told Odhikar that Nurul Amin informed him over the telephone on May 14, 2008 that they had taken Shah Alam captive in order to get their money back. The Chairman said that since he was in Bandarban district at that time, he phoned Chakaria and arrangements for three *Choukidars* to go to the place where Shah Alam was confined. He said that SI Hafiz from the Chakaria Police Station requested him to take Shah Alam, Kafiluddin and Nurul Amin to the police station. Chairman Azim said that he phoned Kafiluddin and Nurul Amin and told them to take Shah Alam to the police station and he himself also went to the police station. He told Odhikar that when Kafiluddin and Nurul Amin along with Shah Alam, under the supervision of the three *Choukiars*, reached the police station at around 9.00 pm, SI Hafiz released Shah Alam and began severely beating Kafiluddin and Nurul Amin with a stick, putting them into the lock-up. As Nurul Amin was crying out loudly while getting

beaten, Nurul Amin's father, Shirajul requested the OC of the police station to ask SI Hafiz to stop beating. The OC, in response, told him to request SI Hafiz. When Shirajul requested SI Hafiz to stop the beating, he left Nurul Amin and started beating him. The Chairman said that when SI Hafiz hit Shirajul in his stomach with his elbow, he fell to the ground. He added that there was a quarrel between him and the OC and SI Hafiz when he protested against the beating.

Chairman Azim told Odhikar that when Shirajul got severely injured, he was sent to Chittagong for medical treatment under the custody of the three *Choukidars* who brought Shah Alam to the police station. He said that when he was told over the telephone by the Chakaria Police Station at around 9.00am on May 15, 2008 to receive Shirajul's body, he replied that he would not receive the body until the post-mortem was conducted and action was taken against those who were responsible for Shirajul's death. The police sent Shirajul's body to the Zila Sadar Hospital, Cox's Bazar for post-mortem at around 2.00 pm.

The Chairman said that the police left the body with a Member of the Union Parishad at around 9.00 pm on May 15, 2008. However, the body was not received or buried until 9.00 am the following day when the Upazila Nirbahi Officer, Shah Alam came to assure the agitated people of justice for the incident.

SI Md. Moshir Rahman, Second Officer, Chakaria Police Station

SI Moshir Rahman said that at around 2.00 pm on May 14, 2008, a woman called Rohana Begum from the village of Chhoinarmarghona came to the police station. He said that in the presence of the OC, Ruhul Amin Siddiqui, SI Hafiz and himself, Rohana said that her brother-in-law, Monir was in Malaysia. She said that Monir took money from various people through her husband Shah Alam, committing himself to make arrangements for them to go to Malaysia for work. Monir returned to Bangladesh on leave and again left the country with the money that Shah Alam collected from those interested to go to Malaysia, without making the promised arrangements for none of them. He continued by saying that Rohana also told them that those who deposited money with her husband for going to Malaysia abducted him in the morning of May 12, 2008. He again referred to Rohana as saying that two of the abductors were Nurul Amin from Villager Para and Kafiluddin from Yangchha Ahonglari.

SI Moshir said that some time later the woman received a phone call. He said they all listened to the caller using the loudspeaker of her handset. The police officer said that they listened to somebody, who introduced himself as Shah Alam, telling Rohana that Kafiluddin and Nurul Amin and their accomplices had confined him from May 12, 2008 and had been beating him to get back the money they payed to him for going to Malaysia. SI Moshir said that following the phone call, Rohana filed a case under the sections 364/34 of the Penal Code for kidnapping Shah Alam.

The case was numbered 09 and was filed on May 14, 2008. The police officer said that those whom Rohana accused in the case were:

1. Nurul Amin (18), son of Shirajul Islam,
2. Jamal Uddin (28), son of Ali Ahmed,
3. Nazir Ahmed (35), son Kala Mia,
4. Kafiluddin (20), son of Jager Ahmed,
5. Saleh Ahmed (40), son of the late Abdul Sobahan and others who remained unidentified.

SI Moshiar said that when SI Hafiz informed Chairman Azim of the allegation made by Rohana, the Chairman told him that he had already been made aware of the matter. He said that when Nurul Amin, Kafiluddin and some others together took Shah Alam to the police station at around 9.30 pm on May 14, 2008, SI Hafiz immediately put Nurul Amin and Kafiluddin into custody. The police officer said that Shirajul Islam was caught by a heart attack on his way to the police station and was taken to the hospital by his relatives. He told Odhikar that in the morning of May 15, 2008 Shirajul's relatives brought his body to the police station and alleged that he had been beaten to death by the police. After the agitated people blocked the Chakaria-Moheshkhali road, there occurred incidents of chase and counter-chase between the police and the agitated people. He said that the Additional Superintendent of Police (Additional SP) of Chakaria district came to the scene at around 12.00 pm and calmed down the crowd. He also said that they returned Shirajul's body to his family after the inquest and the post-mortem were done. SI Moshiar finished his talk with Odhikar by saying that he filed a case against the agitated people for injuring the OC and obstructing the police in the course of their duty.

SI Abu Taher, the investigation officer of the case the demonstration, filed by police, Chakaria Police Station

The agitated crowd laid siege to the police station and injured the OC, Ruhul Amin Siddiqui and another police officer by pelting bricks. He said that SI Moshiar Rahman filed a case on May 15, 2008 under sections 332/353/427/323/34 of the Penal Code for injuring the OC and obstructing the police in the course of their duty. He said that the case was numbered 10. SI Taher said that 150 people have been accused in the case, two of whom had been arrested and sent to jail. He continued by saying that the investigation of the case was in progress.

Md. Imam Hossain, Additional Superintendent of Police (Additional SP), Cox's Bazar

The Additional SP, Md. Imam Hossain said that since the allegation of Shirajul being killed in the Chakaria Police Station was primarily proved, SI Hafiz was withdrawn from the police station. He also said that as the incident might have happened due to the negligence on the part of the OC, he was suspended from his job. The police officer said that Assistant Superintendent of Police (ASP) Sarwar Alam, the officer for the concerned police circle, was assigned with the investigation of the allegations against SI Hafiz and OC Ruhul Amin Siddiqui. He

went on to say that if the allegations were proved through the investigation, they would take punitive action against them according to the law.

Dr. Ataur Rahman, the doctor who conducted the post-mortem into Shirajul's body, Zila Sadar Hospital, Cox's Bazar

Dr. Ataur Rahman told Odhikar that he led the medical board that conducted the post-mortem of Shirajul's body on May 15, 2008. He said that Shirajul's arms and legs bore marks of injury. He continued by saying the condition of his shirt with its buttons torn out gave him an impression that he was dragged and pulled about while he was still alive.

Note: Odhikar asked for permission to talk to SI Hafiz and OC Ruhul Amin Siddiqui. However, Md. Imam Hossain, the Additional SP, did not permit Odhikar to interview them.

-The End of Report-