

A Bangladeshi farmer tortured by BSF in Putkhali border, Jessore

Fact-finding Report
Odhikar

Name of the victim : Motiar Rahman
Father's Name : Amzur Rahman
Age : 28
Address : District: Jessore, Police Station: Benapole, Union: Putkhali,
Village: Kadamtola
Border
(Bangladesh) : Putkhali Border
Border
(India) : Angrail Border
Date of Occurrence : 25 January 2010



Motiar Rahman

Motiar Rahman (28), a farmer of the Kadamtola village under Benapole Police Station went to cut grass for his cows on 25 January 2010 at 7.30 am in a field near the border area. After 15 minutes, two BSF men came and arrested him on the accusation of intruding into India. They blindfolded Motiar and took him to the Angrail BSF Camp. In the camp, he was tied to a tree until 11.00 pm. He was beaten severely with a bamboo stick, on the back and feet following which he was kicked several times in his groin. He began to bleed from his penis as a result. At this point another soldier started beating him with another bamboo stick on his head. Torture went on for 45 minutes – soldiers jumped on his chest, and kicked him on the head and face with their boots. Motiar lost consciousness. The next day the drill was repeated. Finally on 27 January at 9.00 am he was handed over to the BDR after another round of ill-treatment. The BDR handed him to Sharsha Police Station where a case under section 11(c) of the Bangladesh Passport Order, 1973 was filled against him. He appeared before the court on 28 January and got bail on 29 January from Jessore Court. He was sent to Jessore Medical Collage Hospital on 27 January by police where he stayed till he was produced before the court on 28 January. The victim and his family and hospital sources stated that Motiar encountered severe injuries. A lot of money had already been spent for his treatment.

Odhikar conducted a fact-finding mission into the incident on 27 February 2010. During the fact-finding mission, Odhikar spoke with:

- The victim Motiar Rahman and his family
- Local doctor
- Concerned members of the BDR
- Concerned police officers

Motiar Rahman, victim

On 25 January 2010 at around 7.30 am Motiar Rahman went to cut grass from the field near the border. He said that he may have crossed the Bangladesh border while cutting the grass. After about 15 minutes two BSF soldiers captured him. After blindfolding Motiar, they took him to the BSF camp at Angrail. It took about 15 to 20 minutes to reach. At that time Motiar thought that the BSF were going to kill him. After reaching the camp, the BSF took his blindfold off and tied him to a tree which was just beside the camp. He was tied to the tree until 11 pm and was given some food (daal and rice) by the BSF. After finishing his meal, the BSF started torturing him. He was beaten severely with a bamboo stick, on his back and feet by the same soldier who brought him the food. Following that he was kicked several times on his sexual organ, as a result started bleeding from his penis. At this point another BSF soldier started beating him on his head with another bamboo stick. Torture went on for 45 minutes. The BSF men jumped onto his chest, and kicked him on his head and face with their boots. He recalled that he became unconscious due to severe torture.

Motiar also said that he was given breakfast in the morning of 26 January. He was tied to the tree for the whole day. At night, around the same time as the previous night, the BSF started torturing him again. They kicked him on his arms and about his ears. In the morning of 27 January 2010, a senior officer came, who slapped him on his face allegedly more than 10 times. Sometime after around 9.00 am of 27 January, he was handed over to the BDR. After that he was taken to the Jessore College Hospital by the police where was treated. A case was filed with the Sharsha Police Station against him for crossing the border. He had been produced before the court on 28 January 2010 and he was granted bail the next day.

Rashida Begum (25) victim's wife

Motiar's wife Rashida Begum (25) said that in the morning of 25 January 2010, after finishing breakfast her husband left home. Before leaving, Motiar told Rashida that he was going to a field to cut fodder for their cows. Rashida informed Odhikar that she noticed a number of bruises on his back, head, hands and face after he was released on bail and returned home on 29 January. Motiar had also bruises on his penis and groin in addition to occasional bleeding. She also stated that Taka 32,000 had already been spent for his treatment and lawyers fees. Moreover, he had been prescribed by the local doctor to take medicine daily, which costs Taka 300. They had to buy medicine on credit from the local pharmacy, because it was not possible for them to spend 300 Taka everyday for medicine. Furthermore, Motiar was scheduled to appear before the court on 28 March 2010. They also had to pay the lawyer. All these have put tremendous financial burden on the family. Rashida tearfully added that all of their savings had already been spent. Now they do not have any means to even provide proper food for their family.

Suriya Khatun (54) Mother of victim

Motiar's mother, Suriya Khatun (54) told Odhikar that Motiar left home on the morning of 25th January after having his breakfast. She saw her son on the morning of 29th January, when Motiar was released on bail from the Jessore court. She stated that there were two visible bruises in his head. His gums were also terribly damaged. He also had slash marks in his back. His hands and face were swollen. She also stated that two nights after returning home, Motiar had a nightmare that he was being tortured by the BSF. She said that she prays everyday: "May Allah punishes those who have tortured my son so."

BDR Camp, Putkhali

Motiar was handed over to the Putkhali BDR camp by the BSF on 27 January at 9.00 am. When Odhikar went to the camp to talk to the officials about the matter they were told that the Camp Commander was in another place. This is why the statement of the BDR camp commander could not be taken. Instead Odhikar talked with the Camp in Charge. He stated that the whole battalion joined Putkhali on 4 February 2010, so they [the BDR] were not in a position to give any information. The BDR official refused to comply when Odhikar asked to check the records.

Sub-Inspector Ali Ahmed Masud, Investigating Officer, Sharsha Police Station, Jessore

Odhikar talked to Sub-Inspector (SI) Ali Ahmed Masud who was the investigating officer in Motiar's case. He informed Odhikar that Motiar had been handed over to police on 27 January 2010 at 9.00 am from the Putkhali Border Camp under the command of Nayek Humayun Kabir. The same day, Motiar was arrested and a case numbered 11/2010 was filed under section 11 (c) of the Bangladesh Passport Order¹, 1973.

SI Ali Ahmed Masud claimed that Motiar was not admitted to Jessore Medical Collage Hospital. Moreover, no mark of injury even was mentioned in the FIR². On 28 January 2010 Motiar was produced to Jessore District Court and he was given bail on 29 January 2010.

Jotish Chandra Roy, a local doctor at Benapole Bazaar

Odhikar talked with the Doctor Jotish Chandra Roy who treated Motiar after he was released on bail. He stated that the victim had sustained severe physical trauma. His head showed signs of bruises. He had slashes on his back, which is evidence of beating. His face, ears, and hands were swollen and his gums were also damaged. In addition to that he had sustained damage to his penis, which showed signs of bleeding. The patient also was in a mental state of tremendous fear. The doctor also stated that Motiar may have had severe internal injuries, which could lead to internal bleeding. Motiar was prescribed painkillers and a high dosage of Antibiotics. He stated that Motiar will require long term and costly medical treatment.

¹ According to this section, "whoever fails to produce for inspection his passport or travel document (whether issued under this order or not) when called upon to do so by the prescribed authority shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to taka two thousand, or with both."

² FIR: First Information Report