

Two Bangladeshis were subjected to torture by Border Security Force (BSF)¹ at the Kolarowa border of Satkhira district

Fact Finding Report
Odhikar

Between 1.00 and 4.00 am on January 28, 2009, Alamgir Hossain (20), son of Abdul Aziz from the village of Keragachi, of Kolarowa, Satkhira, and Puto Hossain Pintu (16), son of Abdur Rashid, were bringing cattle from India. As they were crossing a field named Tarali inside India, they were arrested by BSF members. After torturing them, the BSF members left. Alamgir was found in a critical condition at the zero point on the bank of the river Sonai at dawn along the Bangladesh-India border, which was within the 3-River, Pillar 13/3 S are a, under Kakdanga BOP and Pintu had been dropped by the BSF unconscious, on the Uttar Keragachi Govt. Primary School field. At 6.00 am, they were picked up by the BDR and local residents and sent to the Kolarowa Upazilla Health Complex for treatment.

Odhikar engaged in a fact finding of the incident. During the fact finding, Odhikar spoke with,

- Alamgir Hossain and Puto Hossain Pintu
- Local representatives of the people
- Eyewitnesses
- The Hospital Doctor
- Members of the law enforcement agencies



Tortured Alamgir Hossain (20) and Puto Hossain Pintu (16)

Alamgir Hossain (20), tortured by BSF

Alamgir Hossain told Odhikar that he dropped out of school after 8th grade to find work because his family suffered from financial crisis. It was Anarul Islam, from Alamgir's village, who offered him a job where he would arrange for the purchase of Indian cattle at cheap rates and would bring cattle

¹ Border Security Force (BSF): Indian border guards.

over to Bangladesh. Anarul also said that Alamgir would be given Tk. 2000 per heard brought over. Alamgir agreed to Anarul's proposal and on January 22, 2009, at 5.00 pm, Alamgir set off with his neighbor Potu Hossain Pintu(16), as a helping hand. He said that they reached the village of Doharkanda in India at 9.00 am, after crossing the Choraghat Poddobeel at the Keragachi border. Anarul had told them that there was a cattle merchant at Doharkanda. He had been paid money in advance and that he had bought cows from him at cheap rates before. Anarul had also told Alamgir and Pintu that they would be able to return to Bangladesh with the cattle by nightfall. However, upon their arrival, they came to know that the said cattle merchant did not have any cattle. On that night, the cattle merchant took them all from Doharkandi to Munsur Ali's house in the village of Bithari. Since cattle could not be collected for sale, they all stayed at Munsur Ali's residence from January 22 to January 27, 2009. At 10.00 pm on January 27, 2009, the cattle merchant managed a cow. At 11.45 pm, Alamgir and Pintu set off to cross the Bangladesh border with it. At 1.00 am on January 28, 2009, they were arrested by 4-5 armed BSF members as they approached the Bangladesh border, while crossing a field in a locality called Tarali, within India. Following their arrest, Alamgir and Pintu were severely tortured. As Alamgir gave the account of the torture, he said that, the BSF members used their rifle butts and boots to beat them all over their body, and injured them. When the BSF members began to use the bayonets of their rifles on his head, hands and legs, he lost consciousness. When Alamgir came back to his senses, he saw that his head, hands and legs had been stitched and bandaged. The bayonet injuries included two 2.5 inch long wounds on top of the head, two 2 inch long wounds above the forehead, one 1.5 inch long wound above the right eye, two swellings on the neck, 2 inch long wounds on the left hand and elbow, swellings all over the back including the spinal cord and a bayonet inflicted 2 inch long wound below both knees. Alamgir was rescued by the BDR and the local residents from the hyacinth near the 'zero point', along the Bangladeshi bank of the Sonai river, which was 200 yards south of the 3- River Pillar of the 13/3 S Border Pillar at the village of Keragachi.

On 13 May 2009 Alamgir Hossain told Odhikar that he has not totally recovered from the torture. He still feels extreme headaches and pain in his body. The wounds are not healed and he feels as if he is burning when he goes into the sunlight. He said that he is out on bail in the case that was filed against him.

Hamida Khatun (40), Mother of Alamgir Hossain

Hamida Khatun told Odhikar that Alamgir was the eldest amongst her family of three children. Alamgir would work as a labourer because could not finish his studies. Hamida stated that Alamgir was missing since the afternoon of January 22, 2009. She looked for him in vain at all of her relatives' houses. At 8.00 am on January 28, 2009, she learnt from her neighbors that Alamgir and Pintu had gone to India to bring cattle and they had been severely tortured by the BSF members on their way back to Bangladesh. The BDR and local residents had rescued and admitted them to the Kolarowa Upazilla Health Complex. When Hamida and her husband went to see Alamgir at the hospital, she saw that his whole body had been stitched up. He was suffering of excessive blood loss. Pintu's heavily injured body was lying on the floor. Soon after, Hamida came to know that the BDR members of the Kakdanga camp had filed a case against Alamgir Hossain at the Kolarowa Police Station under the passport laws. It was on that very day that the police arrived and arrested Alamgir and handcuffed him, while providing treatment in the hospital.

Abdul Mannan (30), the man who rescued Alamgir

Abdul Mannan told Odhikar that at dawn on January 28, 2009, as he crossed the Beri Dam over the River Sonai along the border, he saw someone lying among the water hyacinth of the Sonai River on the Bangladeshi bank. Abdul began to shout and this drew the attention of the local residents and BDR members. Taking the verbal consent of the BDR members, he and the other local residents rescued the man and took him to the nearby field of the Uttar Keragachi Government Primary School. The man then, under the direction of the BDR members took the injured person to the Kolarowa Upazilla Health Complex for immediate treatment.

Touhiduzzaman (40), Member, Keragachi Union Porishodh

Touhiduzzaman told Odhikar that at 7.00 am on January 28, 2009, he went to the field of the Uttar Keragachi Government Primary School, which was near his house, after hearing a great deal of noise and commotion coming from there. Upon his arrival he saw an unconscious and injured man on the field who had been brought there by BDR members and local residents. As per the advice of the BDR members, Touhiduzzaman took the injured Alamgir Hossain to the Kolarowa Upazilla Health Complex. He later learnt that the BSF members had severely tortured Alamgir Hossain while he was on his way back to Bangladesh after bringing a cow from India and after the torture, the BSF members thought that Alamgir had died, which was why they left the injured Alamgir on the Bangladesh side of the River Sonai.

Puto alias Pintu (16), victim of torture inflicted by BSF

Pintu told Odhikar that he was employed as a day labourer. As he searched for jobs, he met Anarul who told him to help him get cattle from India. On that note, they left for the village of Doharkandi in India along the Choraghat Poddobeel of the Keragachi border on January 22, 2009. When there was no cattle to be bought, they stayed at Munsur Ali's house in the village of Bithari in India till January 27, 2009. On that day after being able to get one cow, Pintu left for Bangladesh with Alamgir and the cow. They were caught by a few armed members of the Indian Border Security Force (BSF) as they were crossing a water body in an area called Tarali near the Keragachi border at about 11.45 pm. Pintu and Alamgir were tortured. The BSF injured Pintu's elbows, legs and face. Rifle butts were used to strike various parts of his body. Then 4-5 BSF members trampled on him with their boots. Soon after, Pintu lost consciousness. When he regained his senses, Pintu found himself on a bed at the Kolarowa Upazilla Health Complex.

On 13 May 2009 Puto Hossain Pintu told Odhikar that he was still suffering from pain and headaches.

Abdur Rashid (45), Pintu's Father

Abdur Rashid told Odhikar that it had not been possible to ensure Pintu's education because his family was always in need. On January 22, 2009, Pintu went to work with Anarul of the same village. On that night, Anarul sent Alamgir and Pintu to India to acquire cattle. On January 28, 2009, Abdur Rashid came to know that the BSF had severely beaten Pintu and injured him and that Pintu was at the Kolarowa Upazilla Health Complex. Upon his arrival at the Health Complex, Abdur Rashid found him unconscious. When Pintu's condition deteriorated, the Doctor sent Pintu to the Satkhira Sadar Hospital on January 29, 2009. Pintu was brought home on January 30, 2009 but is still in in-house treatment.

Md. Atiyar Rahman (55), eyewitness to Pintu's rescue

Md. Atiyar an assistant teacher of the Uttor Keragachi Government Primary School told Odhikar that at 6.00 am on January 28, 2009, he heard that a severely injured man had been left at the school premises by the local residents and came to the school field. He saw that the unconscious man's condition was alarming. There were numerous wounds all over his body. He immediately summoned Abul Kalam, who was a rickshaw-van driver, from the village of Uttor Keragachi and sent the injured man to the Kolarowa Hospital.

Abul Kalam Ajad, (30), son of Abdul Alim Morol, Uttor Keragachi

Abul Kalam Ajad told Odhikar that on the morning of January 28, 2009, Master Atiyar Rahman came to him and told him to bring along his rickshaw-van. He went with him to the Bangladesh bank of the River Shonai which was near his house close to zero point. He was told to take an unknown injured man to the Kolarowa Upazilla Health Complex for treatment. Ajad then took the man onto his van and went to the hospital. According to Ajad there were numerous wounds all over the man's body. On arriving at the Upazilla Health Complex, he came to know that the injured man was Pintu, son of Abdur Rashid from the village of Shobariya. The BSF members had tortured Pintu who was on his way back from India with a cow.

Anarul Islam (35), Village: Keragachi

Anarul Islam told Odhikar that he occasionally went to India to bring cattle. On occasion he would be chased back to Bangladesh by the BSF. He was aware of the fact that Alamgir and Pintu had gone to India. However, he had told them both not to go. Anarul knew that Alamgir and Pintu had been caught, tortured and released by the BSF members on the night of January 28, 2009, as they were crossing the border. When Odhikar inquired as to whether he had employed Alamgir and Pintu as his aids and sent them off to India, Anarul refused to comment.

Md. Abdul Kader, Lance Navek, Kakdanga BOP, Kolarowa, Satkhira

Md. Abdul Kader, according to the complainant's disposition at the Police Station, told Odhikar that he was on his regular patrol duty with fellow BDR colleagues Jakir Hossain and Rafikul Islam at the Standing Post near the border of the Kakdanga BOP on January 28, 2009. At 7.30 am, he saw two men from India coming on a boat towards the bank of the River Sonai which went along the Keragachi village in Bangladesh, 200 yards south of the 3-River Pillar of the 13/3 S Pillar. The two men stopped along the bank and left a body there. With the help of the local residents, Kader went to the place and saw a man in extremely injured condition. He identified the injured man as a Bangladeshi. Kader immediately informed the authorities about the incident and summoned Touhiduzzaman, who was a Member of the Keragachi Union Porishod². Through Touhiduzzaman, he arranged for the man to be sent to the Kolarowa Health Complex for treatment. At one point, Kader went to the hospital to check on the injured man. It was there that he learnt of the identity and address of the man from his relatives. He also came to know that Md. Abdul Qaiyum, from the village of South Bhadiyali of Shonabariya and Md. Samshu, from the village of Baksha, Hotathganj, had seen Alamgir go to India without a passport. On the basis of this information, Abdul Kader filed a case at the Kolarowa Police Station against Md. Alamgir, Md. Abdul Qaiyum and Samshu. The case was numbered GR 20/09 and dated January 28, 2009 at 6.35 pm. The case was filed under Sections 11(1) (ga)/11(2) of the Passport Ordinance 1973. The crime for which the case was filed was based on going to and abetting in travel to India without a valid passport and travel documents. About Pintu, he told Odhikar that he had heard from Alamgir that there was

² Union Porishod is the lowest tier of local government in Bangladesh.

another person named Pintu along with him while coming from India who was also tortured. However, the statement could not be verified since Pintu was not rescued by BDR or Police. Hence he did not file any case in Pintu's name.

Lt. Colonel AKM Samsuddin, Captain, 41st Rifles Battalion, Satkhira

Lt. Colonel AKM Samsuddin told Odhikar that he was aware of the torture of Alamgir and Pintu by the BSF. As per the law, the BDR had filed a case. He also stated that he would not be able to take any other initiative without permission from higher authorities.

Sub Inspector (SI) Mejbah Uddin, Investigation Office, Kolarowa Police Station, Shatkhira

SI Mejbah Uddin told Odhikar that he was entrusted with the investigation of the case filed by BDR member Abdul Kader on January 28, 2009. On January 29, 2009, he went to the bank of the River Shonai which was along the border at the Keragachi village. There he came to know from Dulal Chandra (40), Enamul Huq (38), Kamrul Islam and others that, at 7.20 am on January 28, 2009, members of the BDR and local residents found the injured Alamgir Hossain who was later on sent to the Kolarowa Upazilla Health Complex with the help of Union Council Member Touhiduzzaman. Mejbah went to the Kolarowa Health Complex to inquire about the accused persons of the case. At the hospital Mejbah saw the defendant Alamgir Hossain in a severely injured state. He also informed that the other two defendants included in the complainant's statement, i.e. Abdul Qaiyum and Md. Samshur were found to be innocent through investigation. On 13 May 2009, SI of Kolarowa police station Mejbah Uddin, told Odhikar that he gave a charge sheet in the court as the BDR filed a case against 3 persons, including Alamgir.

Mohammed Abu Sufiyan, Police Super Intendent, Satkhira

Mohammad Abu Sufiyan told Odhikar that he was aware of the incident that took place on January 28, 2009 at Keragachi and the case which was filed in relation to it. He stated that the security of the border is entrusted to the BDR Jawans. A BDR member had filed a case at the Kolarowa Police Station because the case involved someone coming from India to Bangladesh without a passport. He informed that the Investigation Officer of the case would carry a thorough investigation and submit a report to the Court.

Doctor Md. Habibullah, Health Officer, Upazilla Health Complex, Kolarowa

Doctor Md. Habibullah told Odhikar that at 9.05 am on January 28, 2009, Alamgir was admitted to the hospital in a seriously injured state. There were four large and bleeding wounds on his head. There were three deep wounds on Alamgir's left hand and left leg. After the completion of Alamgir's treatment, he was released from the hospital with the necessary paperwork and a release order on February 1, 2009. On the same day, at 9.25 am, Puto was admitted to the hospital in an unconscious state. There were wounds on Puto's hands, legs and face. On January 29, 2009, Puto was transferred to the Satkhira Sadar Hospital for medical care.

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