



A Bangladeshi rickshaw van puller was killed by the BSF at the Tentulia Kazipara border under Panchagar District

Fact-finding Report Odhikar

Name of the Victim : Farid Hossain
Age : 28
Father's Name : Dobir Ali
Address : District: Panchagar, Police Station: Tentulia, Union: Tentulia Sadar, Village: Sharialjot
Border/Pillar (Bangladesh) : Tentulia Kazipara Border/ Pillar No: Main Pillar 442, sub pillar 6
Border/ Pillar (India) : Haptia Border/ Pillar No: Main Pillar 442, sub pillar 6
Date of Occurrence : 6 February, 2010



Farid Hossain (28), a rickshaw van puller, lived in the village of Sharialjot under Tentulia Upazila in Panchagar District. He had a wife, two children, mother, father and a grandfather. He also had one brother. He had been asked by a local resident Zahir, a cattle trader, to cross the Indian border and fetch cattle but he was not interested. On the day before the occurrence on 5 February 2010, he woke up late in the morning and went out to drive his rickshaw van at 12 pm. On that day he could not earn anything. At around 8.00 pm, he went to Zahir's shop where he agreed to cross the Indian border and fetch cattle. Farid, Zahir and 6/7 other persons went to

the Kazipara border at 1.00 am on 6 February 2010. On their return with cattle at 2.30 am on 6 February 2010, the BSF raided them and all of them fled. Farid Hossain tried to hide in a tea garden. The BSF used a trained dog to trace him and catch him. The BSF tortured him and then shot him. His body was found to be horribly disfigured and it was obvious that he had been tortured before he got shot. His arms were broken and the bones protruding out of his arm. His left leg was broken and a gun shot was wound found in his right chest.

On 6 February 2010 at 7.40 pm the BDR held a flag meeting with the BSF at main pillar 442, sub pillar 6 to receive the body of Farid Hossain. In the meeting the BSF said that he had been shot and killed and the local Chopra Police Station of India conducted a postmortem of Farid's body. The Indian authority handed over the postmortem report to the BDR. The Chopra Police Station of India had also filed a case against Farid which numbered 33/10 jointly under section 341, 353 and 307 of the Indian Penal Code and under section 25 (7) of the Arms Act.

The Bangladeshi police station at Tentulia did not file any General Diary. They also did not make an inquest report nor conducted any postmortem. Odhikar asked the Tentulia Police Station to give them the postmortem report of Farid Hossain provided by the Indian authority but the report was so hazy that Odhikar could hardly read it.

Odhikar conducted a fact-finding mission into the incident on 23 and 24 March, 2010. During the fact-finding mission, Odhikar spoke with:

- Farid Hossain's family
- Local residents
- Eye witness
- Concerned members of the BDR
- Concerned police officers

Rina Khatun (22), Wife of the victim

Rina khatun informed Odhikar that her husband used to drive a rickshaw van to earn a livelihood. They had two children— one son and one daughter. On 5 February 2010, Farid woke up late in the morning due to hard work the previous day. He woke up at 10.30 am and took his breakfast. He went to the nearest bazaar and got shaved. At around at 11.30 pm the same day, he returned home and took another meal. Rina Khatun stated that Farid told her that there was

a picnic party at Tentulia and he would go there to earn more money. He went out with his rickshaw van. That was the last time she met Farid. On 6 February 2010 at around 8.00 am, she started looking for him around the locality of Sharialjot. In the meantime she came to know through a rumor from the villagers that Farid of Sharialjot village had been shot dead by the BSF last night. Rina Khatun headed towards Dorjipara where she met her brother-in-law, Faruq, and she asked him whether the rumor was true. Faruq told her that he got the information about the killing of Farid from one Farhad who visited the bank of the river Mohananda to collect stones. The BSF called him and told him that one Farid Hossain from the Sharialjot village had been shot by them and asked him to inform the family.

Rina told Odhikar that her husband was merely a rickshaw van puller and was never engaged in cattle trading. However, he had crossed the Indian border once earlier and then had promised that he would never do so again. Rina stated that her husband met one Zahir, a cattle trader, in the evening and left his rickshaw van near Zahir's shop on 5 February. He moved towards the south western part of the Kazipara border with a group of 6/7 persons including Zahir.

After the incident, Zahir gave her a calf and now she is struggling to make ends meet with her two children.

Fazila Khatun (45), Mother of Farid Hossain

Fazila Khatun told Odhikar that she saw her son last on 5 February 2010 in the morning when she took her meal with him. Farid went out for work and did not return home at night. On 6 February 2010 at around 8.30 am she came to know from Rina Khatun that her son had been killed by the BSF near the Kazipara border. She told Odhikar that his body was brought home at around 9 pm on 6 February from the police. She was not allowed to see his body. On 7 January 2010 at around 9.00 am, Farid was buried in the local graveyard.

Mohammad Niyat Ali, Grandfather of Farid Hossain

Mohammad Niyat Ali is not the real grandfather of Farid Hossain. He is the brother of his real grandfather. On 6 February 2010 he came to know from Rina that Farid had been killed by the BSF. Hearing that he went to the nearest Tentulia Sadar BDR Camp at around 9.30 am and informed them about the killing of Farid Hossain. He was also present at the flag meeting held at main pillar 442, sub pillar 6 between the BDR and BSF. At around 7.30 pm, the BSF handed

over the body of Farid to the BDR. At that flag meeting the BSF said that the Indian local police conducted a postmortem of the body and no further postmortem would be required. The local police of Tentulia Police Station handed the body over to them at around 8.30 pm on 6 February 2010. He told Odhikar that even though the BSF said that he had been shot dead for crossing the Indian border illegally, Niyat Ali stated to Odhikar that both Farid's arms were found broken and his left knee was also broken. Niyat Ali suspected that Farid had been tortured and then the BSF shot his body. He said that the gun shot wound was on the right side of his chest.

Mohammad Zahir (26), witness

Odhikar was told by Zahir that on 5 January 2010 at around 6.00 pm Farid came to him and wanted to go to bring a cow from the India. Zahir, Farid and five other persons crossed the Indian border through the south western Tentulia Kazipara border near the main pillar 442, sub pillar 6 by a cutting fence and then went in to Haptia village near the Indian Haptia BSF camp. On their return, when the BSF raided the party they started to run away. All of them were able to escape but Farid hid in the tea garden. On 6 February in the morning, he came to know that Farid had been shot to death by the BSF. Later at 2.00 pm he was called by the BDR Camp Commander where he admitted all the facts. Zahir told Odhikar that he did not want to disclose the names of the others who were with them at that time. He also stated that he gave a calf to Farid's family as compensation.

Narendra Nath Sarkar, Officer-in-Charge, Tentulia Police Station

On 6 February at 11.00 am Narendra Nath Sarkar was informed by the BDR camp Commander Nipen Chandra about the killing of Farid Hossain by the BSF. He stated that on receiving information, Sub Inspector Obaidul Kabir went to the Tentulia BDR camp to investigate the matter. The BDR Camp Commander informed him that a flag meeting with the BSF would be held in the evening. At 7.30 pm he was present at the flag meeting along with the Investigation Officer Obaidul Kabir. The BDR received the body of Farid Hossain from the BSF Camp Commander Nirodh Kumar at 7.40 pm. OC Narendra Nath Sarkar told Odhikar that Officer-in-Charge, Manoj Kumar Jha of the Chopra Police Station, told him that they had filed a case against Farid numbered 33/10 under sections 341, 353 and 307 of the Indian Penal Code and under section 25(7) of the Arms Act. Chopra Police Station also conducted a postmortem and found a gun shot on the right side of the chest of the body. The postmortem report was handed over to the BDR and a copy was sent to the police but the report was too hazy to read out.

The Officer-in-Charge of Tentulia Police Station also stated that they did not file any General Diary from their part. They did not even make any inquest or postmortem report.

Nayek Subedar Abu Bakar Siddique, Camp Commander, Tentulia Sadar BDR Camp

Odhikar interviewed the BDR camp commander Abu Baker Siddique who had replaced Nayek Subedar Nipen Chadra who was the BDR camp Commander on the eve of the incident. Abu Bakar informed Odhikar that on 6 February 2010 at 7.40 pm the BSF handed the body of Farid over to them through a flag meeting held at main pillar 442, sub pillar 6. The BSF Camp Commander Nirodh Kumar told the BDR that 6/7 persons were crossing the Indian border by cutting the fence. From then on, the BSF were ready to grab them. While the BSF chased them the group scattered and ran away. While all of them were able to escape only Farid hid in a tea garden. With a view to tracing Farid, the BSF used a trained dog and they caught him and shot him. According to the BDR's finding, the body had severe scratches all over his face caused by dog. The body was also disfigured. In the meeting, the BSF also handed over the postmortem report to the BDR. A copy of which had been given to the Tentulia Police Station.

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