

# **Half-Yearly Report**

## **(1.11.2002 – 30.4.2003)**

### **West Bengal Commission for Women**

**10, Rainey Park, Kolkata – 700 068.**

- **The Pre-litigation Counselling Cell**

The pre-litigation Counselling Cell of the Commission in functioning from 21<sup>st</sup> January, 1999.

The functions of the cell are central to the activities of the Commission. Apart from counselling, the cell tries to sympathetically consider the various complaints coming to the cell concerned with sexual harassment at the workplace, misunderstanding between husband and wife and cases where the woman's interest is under threat. Where the safety of the woman is concerned the cell can contact the concerned authorities to stir up an investigation, or the cell can arrange for police protection where it is necessary. In several cases, even if the police are informed they do not provide proper assistance. In that case, the can bring the matter under the notice of higher authorities.

9 legal experts are attached to the Commission. They are available on specific days and give their opinions to help out the complainants. A Counselling Cell Committee has been formed comprising some members of the Commission. This committee functions under the chairperson of the Commission and try to assess the complaints, to give advice and to supervise the counsellors.

The ill-treated woman or some one close to her can send written complaints to the Commission. The application has to be addressed to the Chairperson. Secrecy is maintained throughout the process of counselling.

The Committee carries out counselling on each Saturday.

From November 2002 to 30<sup>th</sup> April 2003 248 complaints have reached us. Most of the complaints have come from Kolkata, North and South 24 Parganas. Also from the remoter areas of Darjeeling, Jalpaiguri and other districts complaints have been

received.

The commission has referred 20 cases to the CID for investigation. In 26 cases the complainants have been helped to surmount their difficulties and to return to normal life again. We are giving a list of the cases.

**Six months report of P.L.C.C.**

**From 1.11.02 up to 30.4.03**

1. Number of cases registered  
: 248

(1.11.02 to 30.4.03)

2. Number of cases registered  
: 180

(1.1.03 to 30.4.03)

3. Nature of filled cases

(i) Dowry Death  
: 2

(ii) Dowry Torture  
: 18

(iii) Murder/Unnatural death  
: 8

(iv) Physical/Mental torture  
: 28

(v) Divorce / Maintenance  
: 9

(vi) Illicit Connection  
: 4

(vii) Rape / Molestation  
: 13

(viii) Family dispute

:	39
(ix)	Property dispute
:	5
(x)	Harassment / Security
:	49
(xi)	Sexual Harassment at work place
:	1
(xii)	Kidnapping / Missing
:	7
(xiii)	Miscellaneous
:	38
(xiv)	Recommendation / Referred
:	9
(xv)	Regret letter file
:	18
4.	Number of resolved cases
:	26
5.	Number of closed cases
:	28
6.	Referred to C.I.D. for proper investigation
:	10
7.	Petition under process
:	174

**DISTRICT – WISE NUMBER OF CASES**

**RECEIVED BY THIS CELL**

**(FROM 01.11.2002 TO 30.4.2003)**

1.	Kolkata	
...		82
2.	South 24 Parganas	
...		26
3.	North 24 Parganas	
...		47
4.	Howrah	
...		18
5.	Hooghly	
...		16
6.	Purba Medinipur	
...		8
7.	Paschim Medinipur	
...		6
8.	Bankura	
...		4
9.	Burdwan	
...		12
10.	Purulia	
...		3
11.	Nadia	
...		1
12.	Birbhum	
...		1
13.	Malda	
...		5
14.	Murshidabad	
...		1
15.	Uttar Dinajpur	
...		3
16.	Dakshin Dinajpur	

...	1
17. Jalpaiguri	
...	1
18. Cooch Behar	
...	-
19. Darjeeling	
...	3

**REFERRED CASES RECEIVED BY THIS CELL:**

(a) National Commission for Women		
...	8	
(b) Orissa		
...	1	
(c) Assam		
...	1	
(d) Tripura		
...	1	
(e) Bihar		
...	-	
(f) Bangladesh		
...	-	
(g) Sikkim		...
1		
		Total
	248	

- **The Half-yearly Report of the Library of the West Bengal State Commission for Women.**

The Library of the commission was set up in November 1998. This young library was already amassed most recent data on women and children books, newspaper

clippings and various journals. The library has sought to help interested persons working on problems relating to women and children.

Currently this library processes books numbering 1165. While selecting books for the library priority was given to the issues cited below:-

- 1) Books and publications dealing with women's and children's education, health, nutrition, advancement and the issue of women's empowerment.
- 2) Reports of various state commissions for women.
- 3) Publications and books which explore the legal dimension of women's problems.
- 4) Reports of different research projects and surveys conducted by the women's studies centres of the universities.
- 5) Reports concerning women and children brought out by UNICEF, UNIFEM, WHO and various departments of the West Bengal government.
- 6) Reports from several NGOs.

The library has subscribed to 9 daily newspapers – The Statesmen, The Telegraph, The Times of India, Anandabazar Patrika, Aajkal, Bartaman, Pratidin, Kalantar and Ganashakti. All the newspapers have been sorted out chronologically and efforts are made to preserve newspaper clippings on –

- 1) Law and Women
- 2) Violence on Women
- 3) Women's vacation and self-reliance
- 4) Women's education
- 5) Health and population policies connected with women and children
- 6) Women in politics
- 7) Women and media

Currently this library is providing books and papers to actively assist the project the Status of Women and Girl Child in West Bengal.

It is important to note that a CDS/ISIS has been obtained to facilitate the classification of documents in the library.

On March 2003, 2 CDs have been purchased from the Mazdur Kishan Shakti Sangathan, Rajasthan, these are :-

- 1) Right To Information: A Film On Corruption and Leakages in Rural Development Works and their Control.
- 2) Selective Writings on the MKSS and the Right to Information Campaign in India.

From November 2002 to April 2003, 28 books have been obtained for the library:-

<b>Name of the Books Author</b>	<b>Name of the</b>
1. Ami Naari and  Haq.	Maleka Begum  Sayad Ajijul
2. Ila Mitra Begum	Maleka
3. India Education Report ed.	Govinda, R,
4. Asian Development Outlook , 2001	
5. The Hindu Widow in Indian Literature	Sogani, R
6. Indian Development Report, 2002	
7. Economic Review 2001-2002 Vol I + Vol II of West Bengal.	Government
8. Statistical Abstract India 2001	Government of India
9. Sarvekshana, NSS 52 round, No. 3, 82 Issue	
10. Researching Sexual Violence Against Women Martin D, ed.	Schwartz,
11. Women in the New Asia; Yayori &	Matsui,

From Pain to Power	Others <i>tr.</i>
12. The Book of the Courtesans	Griffin, Susan
13 Gil Child in India Society Mita, ed	Bhadra,
14. Global Social Movements Robin &	Cohen,
ed.	Rai, Shirin M,
15. 3 Generation, 2 Gender, 1 World: &	Chant, Sylvia
Women and Men in a Changing Century	M. Cilwaine,
Comp.	Cathy,

The books and documents of this library can be borrowed only by the Chairperson and the members of the Commission or members of the status group and government officers. Research not attached to the commission can not borrow books but can always use the reading room. It is open from Monday to Friday from 11 to 5 p.m. The library has a librarian, assistant librarian and a research officer who try their hardest to assist the reader.

- Reports through investigations carried out by the West Bengal State Commission for Women on incidents of violence against women.

Vice Chairperson Roma Das and members Shyamasree Das, Bharati Mustshuddi and Gairkia Ghosh were informed of an incident of violence against a woman in Gaighata. On 1.11.2002 they left for Gaighata and carried out a though investigation of the incident.

On 18.11.2002 the Commission discussed the Gaighata incident with the Chief Minister Sri Buddhadeb Bhattacharya. The Commission also brought to the Chief Minister's notice another incident in Jalpaiguri where a woman was brutally murdered because she was a suspected witch. The Chief Minister expressed his deep concern and assured the members of the Commission that the government had taken all measures as far as these incidents were concerned. He also said that the government would take every precaution to stall such incidents in the future

and would also see that the culprits got their due punishments.

The Commission received an information from the media on 5/6 February 2003 that on the Aismali Road under the Dhantala Police Station an appalling incident had taken place. Here a bus was waylaid and looted and the women passengers were sexually molested. On the 11<sup>th</sup> of February at the meeting of the commission the members condemned the incident and it was decided that the commission would independently investigate the incident, demand reports from the concerned police authorities and tap other sources of information.

On the 16<sup>th</sup> and 22<sup>nd</sup> February two teams on behalf of the commission carried out an investigation. They spoke with the local police and submitted their reports on 16<sup>th</sup> February Vice Chairperson Roma Das and members Bharati Mutsuddi, Shyamasree Das and Sarbani Bhattacharya and on the 22<sup>nd</sup> February members Bharati Mutsuddi, Bhagabati Mondal, Shyamasree Das and Sarbani Bhattacharyya went to Gaighata with a thorough investigation in view. On the 18<sup>th</sup> February the Commission received the F.P. report which stated that no FIR had been registered at the police were unaware of any incidents of sexual molestation.

On 22<sup>nd</sup> February the women stated clearly before the investigation team that they had never lodged a complaint and it was only before the members of the Commission that they first spoke of sexual assaults on them. They were persuaded to register a FIR in the presence of the Commission members, on condition that their identities would not be revealed. To facilitate the process of investigation and to keep intact the social security of the women concerned this secrecy was a necessary precondition. A local NGO took a commendable position in this matter.

The investigation brought several facts to light –

1. A vast stretch of the road was not covered by police patrol.
2. The police sources said that through the police camp was situated within ½ a Kilometre of the site of the incident they did not hear the shots or the sounds of screaming.
3. After the incident some of the accused were seen with the police people.
4. Immediately after the incident Subal Bagchi informed the local police Station of the sexual assault on women. But the police did not follow their unread in carrying out the investigation.
5. Though repeatedly questioned by the members of the Commission the O.C. persistently denied that any complaint had come regarding sexual assault. He also mentioned that the women were never dragged out of the bus.

6. Bus attendant Dilip Ghosh immediately after the incident had reported to the police station that the women passengers were dragged out of the bus and were sexually molested. The O.C. however did not reveal it to the Commission and from the testimony given by Mr. Ghosh this was omitted.
7. Of the 161 statements taken from the passengers each were framed in almost identical language.
8. It is known that to keep the wide stretch of area in Dattaphulia and ..... Under vigilance a single patrol van was thought to be effective enough. Moreover, according to the O.C., on every alternate night the van patrols Dattaphulia and Aismali respectively. On the day of the incident Aismali Road was left unguarded on the very night is an important question. The O.C. could not give a satisfactory answer to this question.

We have assumed from the data cited above that

- a) Vast stretches of the road are not covered by police vigilance.
- b) A liaison between a segment of the local police and anti-socials can not be ruled out.
- c) For some reasons or other the allegation of sexual assault on women are being played down by the police.

The demands of the Commission are --

- 1) It has to be ensured that the complaints immediately go through medical tests.
- 2) The culprits should be brought under the sections 376 and 354 of the Penal Code.
- 3) It has to be checked whether the local police shirked their responsibilities intentionally. If that is so, the guilty police men should get their due punishments.
- 4) It is essential to expedite the legal process and to e out exemplary punishments tot he guilty.
- 5) The complainants' identities should not be revealed and it ahs to be ensured that their families do not face further harassments.
- 6) The police have to be stopped from harassing innocent people on the

pretext of investigation.

- 7) It is the responsibility of the government to engage the widow of bus driver Samir Ghosh in some remunerative occupation and also to provide free education for his daughters. Owner of bus WB512658 should also compensate the family of his employee who died while working.

We thank all women's organizations and media persons who have expressed deep anxiety to the Commission.

**Important Note:** We have suggested that widow of Samir Ghosh could be engaged in the ICDM project. We are trying to solve her problem.

### **Ghoksadanga, Coochbehar**

A 4 member team reached Ghoksadanga on 13<sup>th</sup> March 2003. On behalf of the Commission they were there to investigate a case of gang rape reported by Runu Roy. The 4 members were:

1. Rama Das (Vice Chair-person)
2. Gairika Ghosh (Member)
3. Bharati Mutsuddi (Member)
4. Shyamasree Das (Member)

They visited the SDO office of the Mathabhanga block and spoke to the S.P. Parveen Kumar. They also obtained the report of the incident of Runu Roy (Das), the complainant and had a confidential talk with her. They also visited the site of the incident at Cheramari village and met Runu Roy's uncles-in-law, mother-in-law and neighbours. They also called at the local police station and talked to Kamallesh Adhikary. From him and from the ODM of Mathabhanga SDO, they collected the necessary information. It can be gleaned from the reports of the authority that the allegation of gang rape has a core of truth.

The complainant states that currently she is sheltered in her paternal home. Her husband Jivan Das quarreled with her and left home. She was staying alone with her infant daughter for a whole month. On 12<sup>th</sup> February, Ajit Burman entered her house and molested her. She filed a case against him but did not think of registering a Fir. She informed her uncles-in-law of the incident. They told her to do what she thought was proper. Her uncle-in-law Gopal Das was later questioned by the members. He said he had forbidden Runu to stay alone in the house. On the 22<sup>nd</sup> of February, late at night, Ajit Burman and several others broke into the house, overpowered Runu and dragging her down to the floor the men raped her one by one. She could recognize two of them before she passed out. They were

Ajit Burman and Mrinal Das. Before she lost consciousness she could recognize some of the others who had broken into the house. They were Samruddin Mian alias Kalsa, Kshirod Burman, Samaranjan Malick. When she came to her senses in the morning she immediately went to her relative's place. But when she found that none of the men was at home she returned without telling anyone anything about the incident. She registered a FIR at the station herself. Kamallesh Adhikary was not sympathetic to her but the O.C. accepted the FIR. He also arranged for the medical tests. The 6 accused were arrested and currently they are in judicial custody, charged with rape. Runu Roy says that the police and local authorities are cooperating with her fully.

She also states some time back, she had a rift with Samruddin regarding some appointment for a Group D post at a local school. She said she was associated with the Ganatantrik Mahila Samity before this rift. But now she has broken off all links with the organization. In answer to a specific question she said that there was no political motivation behind the incident. A few party activists were involved in the incident. But it does not prove that the party itself was lost all credibility. She demanded that the guilty should not go scot free. She also said that she was expecting economic security for herself and her offsprings from the Commission.

#### **Our suggestions:**

1. It is evident that in the area there is no system of mobile security guards. This should be arranged for without delay.
2. The victim needs physical, emotional, social and economic security. It is essential to ensure her economic independence. The Commission appeals to the local authorities and also to social welfare organizations to lend a helping hand.
3. The legal process should be expedited and the guilty should receive exemplary punishment.

#### **Jahanara : Deganga Police Station**

The Commission talked to the OC of the Deganga police station Mr. Arun Hazra regarding the murder of Jahanara, a student of the Birati College. The incident took place in Fazilpur on the night of April the 2<sup>nd</sup>.

1. The police have filed a case under Sections 302, 34, 326, 307 IPC and Section 9 (BII) IEA.
2. The incident occurred on 2<sup>nd</sup> April. Early in the next morning Jahanara's father Maqsedur Haque registered a FIR at the Police station.
3. Within 10<sup>th</sup> April 10 person were arrested.

- (I) On 4<sup>th</sup> April: Zakir Hossain was arrested. (He had wanted to marry Jahanara and lived next door to her. He was about 30/32 years of age and was a hawker by profession).
- (II) On the night of 6<sup>th</sup> April 2. Saokat Ali, 3. Hafizur Rahman (Chantu), 4. Habibar Rahman (Mantu), 5. Endadul Rahman (Rintu) were arrested in Bhangar. 6. Jahangir Hossain (Zakir's brother) and 7. Abdul Rauf (Zakir's father) were arrested in Fazilpur.
- (III) On 8<sup>th</sup> April 8. Babur Ali (Guye), 9. Sirajul Islam (Khoka) were arrested in Fazelpur and 10. Rakibul (Raju) was picked up in Sohai.

Currently 7 are in jail custody and 3 in police custody.

- Except from Zakir and Jahangir all of the accused have criminal records.
- Zakir's father was a dacoit.
- Everyone involved in the crime has been arrested.

### **3. Incidents in the North 24 Parganas.**

Vice-chairperson Rama Das with members Shyamasree Das, Dr. Gairika Ghosh and Bharati Mutsuddi visited the North 24 Parganas police line on 13.4.2003. From there they went to Barasat police station. The I.O. read out two reports on two incidents in the villages of Nilgunge and Madhyamgram.

**Shanti Biswas:** Shanti Biswas wife of Santosh Biswas worked as a day-labourer in Nilgunge. She met Shambhu Ghosh, a builder, in this connection. Shambhu Ghosh was married to Alo Ghosh. When Shanti was 2 months pregnant her husband abandoned her. Her son is now 23 years old. In-laws of Shmabhu Lulu and Sushanto somehow learned that a relationship has developed between Shanti and Sambhu. They also managed to locate the dwelling place of the two. They confronted them at their hide-out and force fully took them to Nilgunge where Alo Ghosh lived. The local inhabitants instigated by Alo Ghosh, her mother Sandhya Ghosh and Alo's 2 brohters beat up Shanti Devi right on the road, adjacent to the house of Gopal Saha, who is the Chairman of the Colony Committee. They also cut off Shanti's hair. Shanti received injuries inside an ear. She also complains that though for a short while she was paraded round the village with shoes tied around her neck. Shanty maintains that Alo was the one who cut off her hair. But Alo's mother says that as everybody was accusing her she had to take the blame even though she was innocent. Bablu Bahttacharya who is a member of the Panchayat lives just a stone's throw away from Gopal, but he says he was unaware of the group-on till 7 p.m. The incident took place on 5 p.m. Even when he learned of the incident he did not send word tot he police till after 9. Shanti is currently in

Devpukur. We visited her there, Shanti's statement conforms to the police reports. The accused have been put under Section 341, 342, 325, 354 IPC and Section 34.

**Shyama Das:** Shyama was 13/14 when she was sent to Debojyoti Mitra's house to work. On 25.3.2003 Debojyoti's wife Sarvani sent Shyama to a downstairs flat where her brother-in-law Debashish lived. Shyama was sent with a cup of tea. At that time neither Debashish's wife nor his son was at home. Finding Shyama alone Debashish sexually molested her Shyama complained to Sarvani and Debojyoti. They told Shyama to keep quiet about it. On 26.3.2003 Sarvani missed her gold bangles and asked Shyama to search for it. Shyama knew nothing about the piece of jewellery and was naturally unable to find it. (According to Shyama). On 27.3.2003 they beat up Shyama and forced her to confess to the theft. Shyama was taken to the shop and though it remained closed (it is being a Thursday), she was forced to confess to the theft as a grocer's shop next to it. Then she was taken to the police station and again forced her to own up before the officer on duty. Though the I.O. advised Debojyoti to register the allegation he did not take the advice. On 28.3.2003 the entire household went out after having locked Shyama up in the flat. They wanted to ensure that she did not get in touch with her own people. But Shyama managed to contact her mother and described the incident to her through the grills. On 31.3.2003 Debojyoti and his family came back and taking her to a separate room this time recorded her confessions on a cassette.

On 1.4.2003 Shyama was admitted to government hospital and it came out that she had taken phenyl. According to Shyama she was down with fever and when she asked for water the family mixed phenyl with her water. According to Debojyoti however Shyama herself took phenyl. But he insisted that she had taken no more than two spoonful of Phenyl. He offered to show the members this bottle from which only a few drops of phenyl had been tipped out. On 4.4.2003 Shyama was released from the hospital. Now she has sought shelter from her foster-father. When he was interrogated Debojyoti said Shyama had talked to him on 31.3.2003. When they were asked for further details Debojyoti's nephew said Shyama's mother kept saying that even if they had beaten you why did you confess to the theft?

When the members went to meet Debojyoti they were kept waiting for 30 minutes in a room. The accused have been put under Sections 354, 341, 374 IPC and Section 34. It has been advised to put them under sections 302, 164. Police has sought to cooperate with us.

## **Report of the Maheshtala Incident**

### **Gardenreach Police Station**

The Commission members went to a primary school in Maheshtala, P.O. Rabindranagar under Metiabruz police station, to question the local women and to confirm the complainants made by Chandrabala Devi Srivastav.

1. This area has 47 brick-kilns supervised by the Housing

Department of the state government. The idea was to supply bricks to the local people on a moderate price. However, when the brick price shot up it was difficult to supply bricks on such a moderate price. As a result the kilns were closed down. However, the place is strewn with government brick worth Rs. 30 billions. Now it has come about that the middlemen who dealt in land have occupied the entire area. Their intention is to seek illegal settlements to make money. The place has also become a heaven for illegal gamblers. During the 3 years that the kilns have ceased to function the people dependent on brick-manufacturing in this area have become jobless. A segment of these people have been lured away by the antisocial to make easy money. Antisocials have been splashing a lot of money lately in the locality.

2. The O.C. of the Metiaburz police station Samiran Roy told the Commission members that Maheshtala, Phultala, Dhanksheti Khaldhar, Rabindranagar and adjacent localities can be termed as disturbed areas, prone to criminal activities. There is a police camp at Rabindranagar. 2 Sis, 2 ASIs and 30 constables are in charge. This area is also covered by round the clock vigilance. The O.C. visits the locality everyday. Persons like Mahesh Singh, Nathuni Singh make illegal contracts for selling the bricks. But they themselves never produce any money. They illegally extract Rs.4000/5000 from the local grocers shops. Namu, Gajen, Sajan, Kumar are all engaged in antisocial activities. However each has his own small following. Each group vies with the others in an effort to gain control over the area. Drinking bouts and illegal gambling flourish in the area. The locality is inhabited by drivers and porters who carry bricks and sand. There are licensed liquor shops which carry out legal and illegal sale of alcohol. Police are trying their best to bring back normalcy. Women of the locality are always quarrelling among themselves.
3. Local women like Aflema Bibi, Munidevi, Gouri Haldar, Chandrakala Devi, Sushma Devi, Chhaleha Bibi, Madina Bibi, Girija Devi, Sohagi Devi made their statements before the members of the Commission.

According to **Durga Devi**: When Rajendra Mahato ill-treated Praval Devi she and 14 other women complained to the police. Rajendra's mother and sisters are now threatening her and Rajendra's mother Sarala Devi has also beaten her up. Now that Rajendra has been released from jail she is in grave danger.

**Muni Devi**: lives in Phultala. Her unmarried daughter Buli was molested by 10/20 youths associated with the Nagmandir Committee. They were apparently drunk. She filed a diary at the police station. Diary number is 1645 28/10/02. But the police were trying to persuade her to settle the matter unofficially. Santosh Singh was one of the youths who molested Buli. While he is at large somebody else has been arrested in his name.

**Duleha and Madina:** Around the No. 11 slums youths on motor-bikes are terrorizing the inhabitants. They are quite unknown to the local people and invariably they are drunk. Because of drunken brawls the women are afraid to move out of the house to bring water. The girls have stopped going to school.

**Girija Devi:** Nathuni Singh took away her cow 3 months ago. When she told the police they said that the cow actually belonged to Nathuni Singh. Baby, a 16/17 years old girl was raped by Nanu, Raju and Manoj. The Diary No. is Care No – 128/02 GDE-309/6/11/02. Baby's mother Pyar Jan says Nanu's father Keval Majhi tried to abduct and violate Baby. The diary NO. is 16/8/02 GDE – 1070. Even then Nanu was not arrested. The leader of this gang is 'Sajan'. The police are holding him. But Baby and her family know nothing about the charges against him.

**Rajmata Devi :** Amidst the festivities of 'Chhat Puja' Navin Jayswal and his drunk companions from Akra Phatak threatened them. They were demanding that they vacate the house. The people of the locality bear the brunt of the internal conflicts between the antisocial groups.

Recently a major conflict between the groups of illegal gamblers of the area. The gamblers around the no. 17 brick-kiln wanted the local people to side with them. When the people refused to do it they began terrorizing the population.

Abha Dugar who is the councillor of No. 7 ward of Maheshtala Municipality is trying to combat these anti-social forces. Democratic Women's Association is also reaching out to the distressed people.

The recommendation of the Commission the possibility that a Section of the police has a liaison with the antisocial elements can not be ruled out most people of the locality are illiterate and enmeshed in poverty. The police (and it can be said that the security in a broader sense) is indifferent to the problems faced by the local people. That the people are not being able to grope their way back to normal can be partly explained by this.

The problems have to be seen in the context of the socio-economic milieu. This area is inhabited by people engaged in a variety of occupations. A large chunk of the population is engaged in the work of loading and unloading. Most people earn their livings through back-bending labour. Illiteracy is the other factor which complicates the situation. The problems of the women have to be explained and tackled against this backdrop.

- **Initiatives taken by the Commission on the basis of newspaper reports: putting pressure on the police and the authorities for cooperation and investigation.**

During the last 6 months the Commission has learnt of several acts of violence against women from various newspaper reports. On the basis of such reports the

Commission had made contact with the concerned district authorities and the police and had demanded through investigation of the incidents. The Commission had also asked for the reports of the investigations from the local authorities.

- a) On 13<sup>th</sup> February 2002, 4 housewives were admitted to the Durgapur Redcross Hospital, Burdwan.

The newspaper reports say that they were sexually abused at the hospital.

The Chairperson of the Redcross did not respond to our written enquiry. To learn the true fact of the case we wrote to the S.D.O. in February. But we received no answer.

- b) On the 14<sup>th</sup> of March it was flashed in the newspapers that a tribal woman in South Dinajpur was raped and murdered. In response to the inquiries of the Commission the villages of Manpukur, Kupkhandi and the Superintendent of police, South Dinajpur reported that the main accused and some of his associates have already been arrested.

- c) A 90 year old woman was murdered because she was suspected of practicing witch craft. The incident occurred in Bero Gosuda village, North Dinajpur.

The district authorities and the police have sent their reports. 3 persons have been arrested while 2 have surrendered.

- d) In Hore village under Habibpur P.S. in the district of Banda a tribal girl was publicly insulted and ill-treated. It is reported that some miscreants shared her head.

In reply to our inquiries the district authority and the police have sent their reports. They say that the accused were already in police custody. A police camp has been set up in the village.

- e) The Janasamachar Patrika reported the alleged murder of a housewife in Burdwan. We wrote to the Superintendent of Police. But as yet we have received no answer.

- f) On 12/4 Aajkal reported an incident of gang rape in Bainadanga village under Kolkata P.S. We wrote to the district authorities of Burdwan. He reported that 2 persons have been arrested in connection with the incident. But the medical tests undergone by the woman revealed nothing.

- g) On 16/4, the Anandabazar Patrika reported that a minor girl was raped in Kansona village, under Gopalnagar P.S. We wrote to the

district magistrate. But received no response from him.

- h) A 15 year old girl was murdered and probably raped in Taranipur village, under Swarupnagar P.S. We telephoned the Superintendent of Police. He said that the accused was absconding. The police were still trying to locate him.
- i) A 50 year old tribal woman was murdered under suspicious of practicing witch craft. The incident occurred at Sajnadighi village, P.S. Habibpur, Dist. Malda. The district authorities said over the telephone that all the accused have been arrested.

It is important to note that the district authorities and the police promptly sent us the reports. However, there are a few exceptions.

- **Inspection Visits to the Districts.**

On 29/11/02 and 4/12/02 respectively the Commission members went on a visit to the districts of Jalpaiguri and Darjeeling. On 30.11 the members participated in a meeting. District officials, women's organizations, NGOs, representatives of various centres for women's studies, MLAs, MPs and members of other organizations were present at the meeting. At the Kilkot tea-garden several women were murdered accused of practicing witch craft. The members wanted to know the details of the case and the measures taken by the authorities. Representatives of the tea Planters' Association were also present at the meeting. Their opinions were also discussed. Detailed discussions were held to chalk out a consciousness building programme to put a stop to such incidents in future. The other issues that cropped up were-violence on women, the law to ban pre-natal diagnostic test, marital counselling, trafficking in women.

**Report from Nadia:**

The Commission sought to assess the situation in Nadia through 2 programmes held on 5/4 and 6/4.

On 5/4, the members met the officials in administration, officers in Law, health and Education Departments, members of NGOs and Chairpersons and Secretaries attached to various women's organizations.

The magistrate reported that the committee's set up to discuss the problems faced by the local people met from time to time but not as frequently as they should. But they set their agenda keeping in mind the local problems such as dowry, trafficking in women and problems in marital relationships.

The SP was of the opinion that the law alone was not enough to wipe out all these problems. Legal support was essential to help women trapped in oppressive marital relationships, to stop trafficking in women and such other problems.

Officer-in-charge of Health said that the legal band on pre-natal diagnostic tests has been more or less accepted by the population.

Various women's organizations and principals of local girl's schools said that the police were reluctant to accept FIRs. So that the police often hassled the complainants. Eve-teasing appear to be another problem which was barely recognized.

The PP said that the women suffer from inhibitions especially when they have to report an incident like rape.

The Chairperson of the Nadia Zilla Parishad was also present.

In Nadia, the anti-dowry committee receives no lists of gifts. Also there are many cases of late birth-registration.

On 6/4, an interactive workshop was on the agenda. The issues discussed in the workshop mainly had to do with legal awareness. Representatives of various organizations such as Sashibhushan Karmakendra, West Bengal Women's Association, Women's Association (Trinamul), Agragani Mahila Samiti, Nikhil Banga Mahila Samiti, Ushagram Trust, Gramin Mahila Krishak Kendra took part in it.

The DM, ADM, PP, several advocates and officers were present at the workshop and took part in the discussions.

Commission member Bharati Mutsuddi stressed on the need to expedite legal process. Member Shyamashree Das said that it was necessary to form a common forum comprising representatives of different women's associations.

Member Gairika Ghosh gave a brief summary of the proceedings of the meeting. She was of the opinion that unless the government law and NGOs joined hands to tackle women's problems, these problems could never be solved.

Vice Chairperson Roma Das mentioned the relevant issues and proposed a vote of thanks.

This programme spreading over two days was chaired by the honourable Chairperson Jasodhara Bagchi. Against the present socio-economic backdrop now the authorities could work dynamically through various committees was her area of focus.

- **District Based Activities**

Legal Literacy Workshop.

On 8.2.2003 the Commission organized a legal literacy workshop in the Joka – Gram Panchayat area. This workshop focussed on the issue of domestic violence

faced by women and if tried to bring forth a few solutions to this problem. The discussions took off from a questionnaire prepared by the Commission. Almost 60 members of various women's associations and panchayat members were present and sought to answer the questions using their experience. The Chairperson, Vice-chairperson and other members also participated. The Block Development Officer Gargi Ghosh and eminent persons of the locality also stirred up a lively discussion.

Human Rights and Awareness camp and the Vice-Chairperson in Hooghly.

A camp on Human Rights and Awareness was organized by legal Aid Services and several NGOs. In Chunchura Ray Bazar on 2/3. District inspection and efforts to gauge the collaboration between district authorities and the police, were main items on the agenda. A few things came to light through the discussions. It was decided that the district had no specific problems. It was beset with the common social problems which plagued the other district. Problems of dowry and domestic violence were most conspicuous. This inspection visit confirmed it. The discussions conducted at the camp were carried on by eminent judges of the High Court, eminent lawyers, social activists and the vice-chairperson.

- **Inspection visit to Government Homes and Reformatory.**

**Inspection visit to Liluah Home.**

On 0//203, a team under the leadership of the Chairperson Jasodhara Bagchi went on an inspection visit to the Liluah Home. The other members of the team were Shyamashree Das, Bhagabati Mandal and Sarbani Bhattacharya. They called to the assistant superintendent of the Home and learnt that the Home has provision for 223+3 persons. Currently the Home has 223 residents. There were 71 women in Observation Home, 9 in the Foundling Home, 8 in the After Care home and 135 in the Rescue Home.

It is noticeable that though at the other sections women residents were not numerous at the Rescue Home the number of women has risen alarmingly. The Commission members were deeply stirred by this discovery.

The Commission was going for a solution that would fit the magnitude of the problem. It is true that the number has shot up due to the concern of the authorities to keep the women in safe custody. But it was also necessary to maintain discipline in the establishment. Specific measures have to be thought out in this connection.

An NGO is working at the establishment. They are guiding the women in becoming self-reliant. The girls who have drifted away from family protection and mainstream social life can prove themselves through these programmes. Interested in handicrafts, looking after the garden and clay modeling is very manifest among the women. The girls take equal enthusiasm in their studies, singing and dancing. Some girls were also bale to shine at the annual sporting events. Now facilities for medical treatment have been introduced girls under severe depression can avail

themselves of psychiatric counselling and medication. A glaring problem however has to be mentioned. The girls who are to be taken care off by the Juvenile Board are sent here by the Court. They are transferred to the care of the Board only when the order arrives. The Commission thinks that this long drawn out process which brings about hopeless complications has to be sorted out.

We know that the women who come to this institution are more or less cut off from mainstream social life. But they always yearn to return to normal family life and social activities. We who participate in normal social life have a few responsibilities. But it seems that for some reason or other we tend to forget these responsibilities.

A vast stretch of land is lying waste at the Liluah Home. No concrete plan have been drawn up to utilize this land. If flowers and vegetables could be grown here, the women could help to tend the gardens. They could derive pleasure and the place could be made more beautiful. The D.M. of Howrah had promised to carry out this project. But it is very unfortunate that he has taken no steps as yet.

The home has become more comfortable for the residents. The quality of food has improved. But problems do crop up in running the establishment. Appointment of 2 assistant Supars have ensured us smoother running of the administration. The problems that still remain especially the role of the Juvenile Board in relation to the girls at the Rescue Home are to be taken up by the Commission and to be referred to the proper quarters.

### **Inspection of the Hooghly Jail: Report of the Vice-Chairperson.**

On 2.3.2003 I arrived at the Hooghly Jail at around 4 p.m. the establishment provisions for about 400 people. Currently there are 330 prisoners, male and female combined. Most of the women prisoners are accused of ill-treating newly married brides. Among the men, some are accused of theft, some have been involved in family feuds, and some are accused of various anti-social activities, 3 children are staying with their mothers. Women have televisions in their rooms. Men while away the hours at the playground. Every room has a fan in it. A room has been signed out for recreational activities. The prisoners are given fish 2 days a week. They are also given meat and eggs. The residents have no complaints about food. The women were allowed to take part in the Shivratri festivities. No training programmes have been introduced because the prisoners only stay here for  $\frac{3}{4}$  months. However, the prisoners do receive a sprinkling of education during their stay at the institutions.

### **Inspection of the Krishnanagar Reformatory.**

On  $\frac{3}{4}$  and  $\frac{5}{4}$  the Commission members went on an inspection visit to the district of Nadia. On  $\frac{5}{4}$  a team led by the chairperson Jasodhara Bagchi and comprising Vice-Chairperson Toma Das, members Girika Ghosh, Bharati Mutshuddi, Bhagabati Mondal and member secretary Bindu Zutshi went to Krishnanagar to inspect the residential block of the female prisoners and to take note of some of

the facilities that they are supposed to receive.

The team met the female prisoners and also talked to the officials in charge of the establishment. Members have been able to take note of a new fact –

1. The female residential block is very old and dilapidated.
2. Its maintenance is not up to the standard.
3. On the day of the inspection the building contained 47 women and children. But they were a single lavatory to use between them.
4. The tank attached to the lavatory is in a bad state due to lack of maintenance. Filthy water passes through the open drainage channels adjacent to the building. This could easily bring about infections diseases.
5. The floor of the building has cracked at several places. Sometimes clay has been used to fill in the holes. It is a most unhealthy place to live in as at any time the community could be struck down with infections diseases.
6. The women receive 5 blankets in the winter to make their beds. In the summer they are given 2 blankets. It is most improper to provide blankets as bedding in summer.
7. The female prisoners take their bath under the open sky. This arrangement flouts the directives of the Honourable Supreme Court.
8. For specially convicted women a separate ‘condemned cell’ has been set up. There is no partition between the cell and the lavatory. For reasons of hygiene and decency a partition should be built immediately.
9. For the 41 women and the children it is a tight squeeze in the cell.
10. The prisoners do not get filtered drinking water.
11. The facility of regular check-ups by female doctors has not been introduced.
12. The idea of training the women in various handicrafts or to provide facilities for recreational activities for them do not seem to have occurred to the authority.

It has been revealed that though the female section is separated from the men’s cells; one has to enter it through the male residential blocks.

The authorities have told the members that a new block to accommodate the female prisoners, complete with all the modern facilities is under construction. But

it can not finish for the lack of a meager sum of Rs300000.

By carefully assessing the facts the Commission has put forward several recommendations:

1. The remaining Rs.300000 to finish the new building should be immediately put at the disposal of the reformatory.
2. Until the building is completed the old building should be repaired.
3. 2 more lavatories should be built.
4. The tank would have to be repaired and measures should be taken to enable the prisoners to maintain hygienic practices.
5. Filtered drinking water should be made available for the inmates.
6. Proper beddings should be provided for summer.
7. The new building should have a separate entrance. To ensure the safety of the inmates the female cells should be kept apart from men's blocks.
8. It should be arranged that female doctors pay regular visits to the prisoners.
9. Facilities for recreational activities have to be provided.

- **International Women's Day**

On 7<sup>th</sup> March the Commission organized a programme to observe the International Women's Day. The minister of the department of Minority Welfare, Mr. Mohammad Salim, celebrated author Nabanita Dev Sen and representatives of various organizations grace the occasion. Mohammad Salim analyzed in detail the problem of gender-equality in the context of the contemporary world. Nabanita dev Sen shared her personal experience as an author with the audience. She was felicitated on the occasion. In the next phase Maya Neyogi, Bharati Ghosh and Nupur Sanyal described some of the gruesome experiences of women moving out to take their place in the public sphere. On behalf of the Commission Malini Bahtacharya gave an outline of the programmes conceived by the Commission to combat these difficulties. Jayati Basu's performance in a playlet and Usha Ganguly's street drama 'Beti ayee' marked the end of the programme.

- **Seminars an Workshops Organized in Collaboration with**

## **other Organizations.**

To celebrate the fortnight against violence on women the Commission collaborated with Samparka, the joint project of the 2 Women's Studies Centres at Jadavpur University and Calcutta University. On 8<sup>th</sup> December 2002, at the Institute of Chemical Engineers auditorium at Jadavpur University a discussion on Communalism and violence against women was held. Swati Joshi and Kavita Panjabi explored and analyzed the recent mass-killing in Gujrat and the brutality faced by the women there. In the next session it was Samparka's turn to trace out the gendered vocabulary of the communal agenda. Ways were also sought to resist this campaign couched in a language which bluntly denied any strivings towards gender-equality. The women bauls Tulika and Subhadra whose performance marked the end of the programme with songs of Lalan and other Mahajans brought to mind the alternative model of composite culture which has always acted as a counterforce to communal politics in the Indian scenario.

## **Seminar on Peoples' Movements and Women's Movements.**

On 21<sup>st</sup> and 22<sup>nd</sup> February 2003, the Commission in collaboration with Sachetana organized a seminar on Peoples' Movements and Women's Movements, at the Jadavpur University. Dr. Phulrenu Guha was felicitated on the occasion. Nirmala Bandyopadhyay in her inaugural address briefly touched upon some important issues which were to be fleshed out and discussed in detail as the day progressed. On the first day of the seminar Aruna Roy of the Mazdur Kisan Shakti Sangathana, Eileena Sen of Chattisgarh Mukhti Morcha, Jugnu and Shabnam Ramaswami on behalf of the Street Survivors India, Journalist Mrinal Panday and General Secretary of All India Democratic Women's Association Brinda Karat Graced the occasion. On the 2<sup>nd</sup> day, Jaya Mitra, Vasudha Joshi, Arunima Chowdhury, Aishika Chakraborty, Anita Agnihotri spoke on the difficulties faced by women in the context of cultural movements. Ruprekha Burma from the University of Lucknow, Shamita Sen from the Calcutta University and Malini Bhattacharya and Shefali Maitra of the Jadavpur University spoke on Women's Studies as a discipline.

## **Workshop and Seminar Organized in Collaboration with the National Commission for women.**

On 14<sup>th</sup> and 15<sup>th</sup> March West Bengal State Women's Commission jointly with the National Commission for women organized a workshop and a seminar. On the first day in collaboration with the Women's Studies Centre of the Calcutta University a workshop was organized at the Great eastern

Hotel, Kolkata. Discussion centred round the activities of various self-help groups. Apart from the representatives several experts were also present. The chairperson of the National Commission for Women, Poornima Advani the member secretary was present throughout the 2-days. On the 2<sup>nd</sup> day the seminar focussed on family laws. The national University of Juridical Sciences, Kolkata collaborated with the Commission in organizing this seminar. Both Jasodhara Bagchi and Poornima Advani in their inaugural addresses touched upon the discriminatory nature of family laws as far as women were concerned. The Honourable Minister-in-charge of the department of Law, West Bengal Government, Nishith Nandan Adhikary, Chairperson of the State Human Rights Commission Justice Mukul Gopal Mukhopadhyay, Professor N.R. Madhav Menon, Vice Chancellor of the NUJS, Gangotri Chakraborty, Registrar of NUJS, and member of the commission Bharati Mutsuddi, G.Ajay, Rukmini Sen, Nilanjana Gupta, Joy Das Gupta and others took part in the discussion.

- **Survey Conducted Jointly with Voluntary Organisations.**

The Commission conducted a survey based project jointly with Action Aid and Samhita. The survey covered all the ministries of the West Bengal government situated in Kolkata. Within its purview were government officers and several institutions. In confirmation to the directive of the Supreme Court, anti-sexual harassment committees were to function in different layers of the government. The survey intends to throw light on the progress attained so far in these institutions in making these committees active.

## **Our recommendations**

1. After visiting the district on so many occasions we have reached the conclusion that on the local level the police system has to be made more efficient.
2. The local police stations are often reluctant to receive complaints concerned with women's problems. The OCs and IOs should be trained to be more receptive to women's problems.
3. It is essential to build up an awareness campaign to make the citizens conscious of the criminalization of society through different types of sensitization programmes. These will help to ensure the safety of women and children in the state.
4. The seat reserved for the Scheduled Tribes in the Commission

should be filled up as soon as possible.

5. Though the Commission has made several trips into the districts, our links with the districts are still not as strong as they should be. For this reason we propose that each district should be brought within the purview of a 2 member task force. The members should look after the specific problems of the districts concerned. If possible they would also visit the districts once in 3 months.

We have a special recommendation. Each district has a committee to protect the rights of women. The commission members should be included in these committees. When the taskforce members visit the districts they could at the same time participate in the meetings of these Committees. If the government could send an order in these terms to the District Magistrates this arrangement could be made quite easily. It can also increase the interaction between the Commission and the districts. We are sending our proposal on the formation of a district-based task force.

### **West Bengal Commission for Women Proposed Task Force**

#### **Districts**

#### **Names**

- **Burdwan Division**

Bankura  
Mutsuddi

Roma Das, Bharati

Birbhum  
Bhagabati Mondal

Malini Bhattacharya,

Burdwan  
Bhattacharya

Shyamasree Das, Sarbani

Hooghly

Roma Das, Miratun Nahar

Midnapore (East)  
Ghosh

Bharati Mutsuddi, Gairika

Midnapore (West)

Roma Das, Miratun Ahar

Purulia

Roma Das, Bhagabati

Mondal

- **Jalpaiguri Division**

Cooch Bihar  
Shyamasree Das

Gairika Ghosh,

Darjeeling  
Shyamasree Das

Gairika Ghosh,

Dakshin Dinajpur  
Miratun Nahar

Bhagabati mondal,

Uttar Dinajpur  
Mutsuddi

Bhagabati Mondal, Bharati

- **Presidency Division**

Howrah  
Bhattacharya

Gairika Ghosh, Malini

Nadia  
Shyamasree Das

Sarbani Bhattacharya,

North 24 Parganas  
Miratun Nahar

Malini Bhattacharya,

Murshidabad  
Bhattacharya

Gairika Ghosh, Malini

South 24 Parganas

- **Kolkata**