



REPORT & RECOMMENDATIONS ON CRIMES AGAINST WOMEN IN **UTTAR PRADESH**



“...There is no tool for development more effective than the empowerment of women.”

Until the State pursues a policy of avowed determination to be able to correct a historical imbalance in consciousness against women, it will not be possible for men and indeed women themselves, to view women differently and through the prism of equality.....

Report of the Committee on Amendments to Criminal Law, 2013

Samagrah Foundation

and

Krishna Memorial Trust

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About

This report contains the findings of a study done at **Badaun U.P.**, the site of abduction, rape and murder by hanging of two girls, aged 14 and 15 years; **Bareilly U.P.**, the site of an acid attack killing and rape of a 22 year old girl and **Sitapur, U.P.**, the site of rape and hanging of a minor dalit girl.

The study findings are those of the researchers, Shefali Misra and Hema Badhwar Mehra.

The report also presents recommendations for addressing rising violence and serious crimes against women and girls.

These recommendations are endorsed by the signatories.



Executive Summary

This report is based on primary research conducted in Badaun, Sitapur and Bareilly districts of Uttar Pradesh; sites of the recent cases of rape, honour killing, sodomy, acid killing and molestation reported in the media. It presents ground realities and explores the root causes behind such crimes. The report finally closes with critical recommendations for policy makers and government personnel.

Findings:

The apparent surge in violence against women and girls are not one-off incidents but indicative of a much deeper form of disempowerment in Uttar Pradesh. On site assessments, interviews with interlocutors, administrative and police personnel, lawyers, social workers and other stakeholders led the researchers to conclude the following;

1. Government administration, especially the police were found wanting severely in their response to the crimes.

- Administrative apathy and an extent of lawlessness exists which is compounded by disconnected staff and lack of action taken by the police in registering and responding to crimes against women. There was an apparent nexus between the police, local goons, criminals and political elements.
- Sexual and other physical assaults on women are common.
- The police and administrative officers often ignore the law and take a biased view of a case at the onset thereby discouraging people to register cases.
- In registered cases, neglect was apparent in the form of poor case description, delay in gathering evidence, inadequate evidence gathered, attempts to coerce families to withdraw cases and in most situations delay in award of justice or denial of justice.
- Across all cases covered (except Badaun which was highlighted internationally due to media), the response time of the administration was too slow. What was worse is that such crimes occurred with little or no fear of consequences.

2. Status of police infrastructure was very poor

- Lack of / inadequate female police personnel, leading to most police stations not having women constables on site; or in some cases two women constables often covering 3-6 chowkis/check posts was witnessed.
- Lack of training with regard to handling sensitive cases.
- Lack of CCTV cameras or ticketing systems leading to improper monitoring of case handling.
- The women's helpline was found defunct and functioned as a reception desk and women constables in the field didn't even know of its existence.
- The Police expressed anguish at being forced to work 24X7 and having to cover chowkis too far away.
- Lack of vehicles and inability to access remote areas was often cited as a cause for delayed evidence gathering.
- The pace of police enquiry and attitude of the officers represented insensitivity, apathy and lack of urgency.
- The constable to citizen ratio is approximately 1:1000 and the police departments are found to suffer from poor deployment of human resources, especially women police.

3. Social fabric, crisis services and long term support is fragmented leaving victims and families very vulnerable:

- Gender stereotypes and traditional norms persisted in the areas visited. Girls were often married at about 11 and several become mothers at about 15 or 16.
- Easy access to pornography via smart phones was cited as the reason why women were being increasingly

seen as accessible objects of lust leading to an increase in sexual assaults.

- Several opined that women were misusing mobiles by indulging in more promiscuous behavior thereby inviting trouble.
- Violence against women was taken for granted, as was abuse of all manner and demands for dowry.
- Strong caste dynamics existed as a backdrop to all the incidents assessed.
- Families that had been bold enough to register cases, were found to be living in fear of retaliation.
- Women and families who had survived sexual harassment, molestation or dowry demands suffered very poor psycho-social health.
- Other than initial police protection, hardly any support system existed. Many families left the villages mid-way for fear of reprisal and hardly a handful of offenders were ever punished.
- Interlocutors indicated that courts were insensitive during proceedings and families feared stigma.
- Government infrastructure in situations of crisis response was non-existent and even the District Legal Service Authority mandated to extend necessary para-legal support, counseling to communities and flag human rights violations was found wanting in response.
- The local Panchayati Raj Institutions had very poor awareness of women's issues.
- In the political domain, a culture of announcing financial compensation to families in lieu of strict law enforcement seems to have emerged as a 'moral compensation' to respond to such crimes.
- Even basic services were found to be lacking, be it access to girls education, sanitation, electricity, poor entry roads, drainage systems or health care facilities.

The study opines that unless levels of government accountability and responsiveness increases and laws are implemented; that unless crimes are dealt with sans a nexus between power holders and gender stereotypes are addressed in pedagogy, such incidences will continue.

A legal framework summarizing national and international statutes is presented in the report to which India is signatory. This is followed by 10 points of urgent recommendations as follows;

1. Engender governance through establishment of gender review protocols
2. Effective handling of complaints pertaining to child sexual abuse, molestation, eve teasing and rape and other serious crimes against women
3. Ensuring everyone has the rights to a fair trial and legal support
4. Establishment of justice protocols for fast tracking cases and issuance of judgments encompassing community-wide responses
5. Protection of families from intimidation & reprisals and of whistleblowers from retaliation
6. Handling of misconduct and lack of due diligence reported against police and administrative personnel pertaining to crimes against women
7. Police reforms necessary to ensure that crimes against women are registered, investigations are fair and gender sensitive
8. Establishment of third Party surveillance protocols at district and state levels
9. Enhanced readiness of administration to handle cases of violence against women
10. Initiation of Violence Perpetuator Programs and Media Monitoring

SECTION I: STUDY FINDINGS



BACKGROUND

Uttar Pradesh has recently seen a surge of crimes against women. Be it rapes, murders or sodomy, evidence reveals that these are not one-off incidents. Instead, are the indicator of a much deeper form of disempowerment. UP's Gender Development Index ranks the state second lowest in India. Records from the National Crime Bureau show that the maximum number of dowry deaths, murders and kidnappings occurred in UP in 2012. The highest number of complaints of harassment and crimes against women received by the National Commission for Women were also from UP (2853 out of 2889- 2011 figures). While 2012, saw over 2000 cases of rape being reported in the state, incidentally, irrespective of the government in power, crimes against women have been at a constant high here since over a decade.

On 27th May 2014, two girls were brutally raped and hung from a tree in Katra Siadatganj of Badaun District; on 2nd June 2014 a 22 year old girl was allegedly gang raped, forced to drink acid and strangled to death in Baheri of Bareilly District; In Sitapur District, on 2nd June 2014, a 7 year old girl was sodomised at Rampur Kalan, and on the same day a 5 ½ year old girl was abducted and sexually assaulted by a minor boy in Maholi; on 3rd June 2014, a 15-year-old girl, was found hanging from a tree in Beniyapur village, again in Sitapur District.

A two-member team undertook a study of these sites. The study methodology comprised a 360 degree assessment drawn from interviews with victims, their families, police, women police workers, social workers, lawyers, district authorities, the chief judicial magistrate, para legal workers, pradhan's and local citizens. Focussed Group Discussions were held with men and boys and separately with groups of women.

- Over 60 % of women are married by the age of 18 in rural Uttar Pradesh. (NHFS III).
- In Uttar Pradesh, a woman has 1 in 42 chances of maternal death.
- Decision making in the family and community is controlled by men (NHFS III)
- The average Female Work Participation Rate in UP is recorded at 17% i.e. 8 points lower than the national average

FINDINGS

The government administration, especially the police was found wanting severely in its response to the crimes.

Mothers of the victims who were allegedly raped and hung from a tree in Katra Siadatpur (belonging to the Muraon community), recounted their girls disappearing around 8 pm and the helplessness they felt at the subsequent inaction of the chowki constables when they reported them missing– the first

time at 8 pm followed by 10 pm, 12 am and finally 5.30 am. In an almost disbelieving response, **the families were apparently told by policemen at 5.30 am to go to the mango orchard and find their girls themselves.** The apathy, the disconnected attitude and inaction of the police was what was most

“Unfortunately justice is not swift. Hardened criminals are enjoying state facilities in jails. Speedy disposal of such cases is an absolute essential. Investigating officers must be held responsible for their submissions, and any officer found guilty of admitting false information must be severely punished because there is also the danger of misuse of laws

~ Shahid Azad, advocate, Delhi

worrying for the community– it indicated not just neglect but also lack of fear.

In Katra Siadatpur, Phoolan Devi (name changed), recounted the story of her little boy, kidnapped last year. Whose remains were found three weeks later tied up in a sack and thrown into a ditch. In some pagan ritual to a fertility God, the little child had been used as a *bali*. **The case was eventually registered and the family was later coerced into accepting a sum of Rs 3,000/- and asked to leave Katra village.** Phoolan had returned to the village to weep with her friends who had just lost their girls. She believes that there will be no justice in this new case as well and feels the families should leave the village soon.

In another case in Badaun, Rajiv (name changed) reached out to us for help in registering a case of kidnapping. **His sister had been missing for a month and the police station refused to register the case.** After the rape and hanging at Badaun, he had gone live on TV and spoken of his situation. His case was registered after public outcry - nearly 1 month after the incident occurred. Rajiv told us that the **police head constable "reminded" him of the dire consequences of going against the MLA who was named in the crime.**

In Bareilly, women social workers and students informed us that **sexual assaults on women were very common and uncontrolled.** Auto rickshaws and bus stops

seem to be a common point for harassment and that Baheri, the site of alleged rape and acid attack had a long history of eve teasing which went unaddressed by both the administration and the local panchayat. Several families were angry at the fact that despite reminders **no one took action to control rise in hooliganism in the area.**

So shocking is the state of affairs, that **crime even occurs under the nose of the districts highest ranking judicial officer- the Chief Judicial Magistrate.** We were told that recently, during a visit to Badaun jail, the CJM was informed that a woman hung herself while he was on the jail tour. He ordered an enquiry and found that the post mortem indicated death by external strangulation and not suicide. One can only imagine how facts would have been twisted had the magistrate not been present.

Further interlocutors indicated that often the **police and administrative officers ignored the law related to crimes against women and took a biased view at the very onset of a case.** They acted as the judge and jury rolled into one; when in fact they should just be registering cases without any bias. This served as a disincentive to families when they came to register cases.

Affirming the existence of a **gunda raj**, **people we met across over 5 villages opined that it was difficult to break the nexus between the police and local hooligans** given that the police needed



them to extract hafta, extortion, crop stealing, land grabbing, creating local rifts etc. In several cases victim's families recounted having being asked to sit on the floor of the thana while the offenders (people from dominant communities- in this case Yadav's) were asked to sit on chairs.

Interculators also informed us that policemen were hungry for promotions and as a result several **failed to record complaints, especially those relating to women and girls in an attempt to keep their crime records low.** Families were advised to "manage" things at a local level to avoid answering insensitive questions in court. Facts such as shame and family honor were re-inforced when families went to government officers and police stations with complaints. **Across all the cases we covered, the response time of the administration was too slow.** In Bareilly the police and administration reached the crime scene very late and in Sitapur (Mohali) families had to literally beg the police to write the complaint and initiate action. In all three cases, delay, **neglect and a disengaged attitude was the common theme.**

In total 6 police stations and 2 chaukis were visited. The police was found wanting in response

1. The police station, closest to the Katra Siadatpur crime scene, in Usait **did not have a women constable** on site. We were informed that she was in Katra. Furthermore the SHO absolved himself saying he only got to know of the crime at 5.30 am in the morning when the bodies were found. The local municipality chairman in Usait informed us that such crimes were not uncommon - this one only happened to come into the limelight.
2. The one closest to the hanging in

Sitapur had just 2 women police constables when the station covered 6 chowkis. In Sitapur, the SHO told us that **he did not investigate rape as the initial panchayat-nama did not mention this.**

In total we went to police stations in Badaun, Ujhani, Bareilly, Sitapur, we visited a women's thana, the mobile helpline centre, and the police family reconciliation centre. Across all these sites we observed the following:

- a) No police station had CCTV cameras.
- b) Not all police stations had women constables and hardly any routinely visit villages for checks.
- c) Police stressed that they always registered complaints but had no proof to indicate they did.
- d) Constables (male and female) had never received training on handling cases pertaining to crimes against women.
- e) The women's helpline was defunct and functioned as a reception desk (many of the women constables in the field didn't even know of its existence).
- f) The police denied ever being influenced by political pressures (but were constantly answering phone calls from political parties while we were in the stations)
- g) They indicated that it's not their fault if the victims withdrew cases midway or the accused ran away.
- h) Police expressed anguish at being forced to work 24X7 and having to cover chowkis too far away. Lack of vehicles was often cited as a cause for their inability to reach crime scenes on time. Lack of manpower often cited as the cause for an inefficient work force. The

A true measure of crimes against women was unavailable to us as victims often suffered in silence and abuse went un-reported.

~ Chairman Municipal Corporation (location not disclosed)

In what seems to be the fastest ever response in the Badaun case, in just 24 hours the accused were sent to jail, constables were arrested, a fast track court established and a CBI enquiry ordered. Perhaps because of the media hype and the vast coverage given to this particular case.

Yet, no such action was seen in Bareilly or Sitapur where the pace of the enquiry and attitude of the officers represented insensitivity, apathy and lack of any urgency. – Finding of Focussed Group Discussion in Badaun, Sitapur and Bareilly

So pervasive is the violence against women and so apparent is its acceptance wherever we went that what seems as an aberration is in fact a daily reality for millions of women in the areas we went to.

constable to people ratio was approximately 1:1000.

A culture of announcing **financial compensation to families in lieu of strict law enforcement** and watertight police vigilance seemed to also be emerging as a 'moral compensation' and a political imperative to respond to crimes against women. This strongly diluted the seriousness of the crimes and led to such issues becoming a means of gaining political mileage.

Insufficient funding and **deployment of human resources, especially deployment of women para police and police force**, has resulted in a male dominated police force exhibiting a gender bias towards cases of violence and crimes against women.

Social fabric, crisis services and long term support is fragmented leaving victims and families very vulnerable;

The cases mentioned and covered in this report are mostly sub-judice thus no conclusions have been drawn on the outcomes of the investigation. What is, however stressed is the **deep sense of fear against retaliation sensed by victim's families. Women and families who had survived sexual harassment, molestation or dowry demands suffered poor psycho-social health.** Ranging from fear psychosis to post-traumatic stress disorder, melancholia and fear of abandonment, survivors and their families found themselves in a disempowered state.

Other than initial police protection, **hardly any support system was made available to them.** Those who had lost a loved one or were pursuing cases faced high anxiety and tremendous social pressures to withdraw their cases. Many left the villages mid-way for fear of reprisal. Several families we met were discouraged or forced not to report cases.

Social workers and lawyers indicated that from filing a case to punishment, **hardly a handful of offenders were ever punished.** Families backtracked from going into formal courts due to **insensitive attitudes of the courts and fear of stigma.** Girls who reported such incidents found it difficult to find husbands. Those who had the courage to fight cases were either coerced to withdraw or did not have the money to pursue them.

Evidence collection, central to any judgment was often collected late, lost, or not taken. Taking the example of the hanging in Mishrikh (Sitapur) where a dalit girl was found hanging, since **no women police force was available during the period, the examination was done by local women at the request of the police.** Additionally the police did not do a complete post mortem (assessing possibility of rape) and thus perhaps several aspects of the case were lost.

The **DLSA (District Legal Service Authority) chaired by the CJM**, mandated to extend necessary para-legal support, counseling to communities and flag human rights violations was grossly understaffed



and under-funded and did not have the wherewithal to respond to such crimes. Further, awareness of their existence and their utility is completely unknown in the district due to their inability to spread their message. While the local DLSA at Badaun said they had conducted some awareness camps, they hardly received any complaints. Surprisingly they were not involved in the Katra or Bareilly cases at all, In Sitapur, the DLSA did not even take complaints and was functioning as a family reconciliation centre, much against their TOR.

Our interactions with men and boys revealed that pervasive **stereotyping of women as sex objects especially by the media** and the easy access to **blue films via smart phones has lead to an increase in acts of sexual assault** and has influenced the local discourse to view women as accessible objects of lust. It seems to have enhanced a sense of entitlement among young boys and led local elders to opine that women themselves were misusing mobiles by indulging in more promiscuous behavior thereby inviting trouble.

Girls in these areas are **married at about 11 and the gauna (namely the act of the boy taking the girl home) occurred when she was about 15-16**. The elders denied this vehemently but conversations with young girls across about 8 villages confirmed this fact. In essence, girls become women early in UP. Several we met were mothers at about 15 or 16.

People differed in their opinion about **what should be done to keep their women and girls safe**. While several young boys and men we met at richer / thakur villages vehemently asked for the offenders to be hanged so that a strong message is sent to the community; in more poorer areas, we were told (often in metaphors) that even dogs won't come sniffing if bones were not thrown to them. Several others expressed

their displeasure regarding girls becoming promiscuous due to mobile phones and body hugging clothing. A police man we met in Badaun told us that the case was a cover up for a love relation gone sour. **A mixed and confused sense of gender stereotyping was observed.**

We were told that a combination of **local equations such as caste, class, tradition and patriarchy increased the prevalence of violence against women. We were also informed by locals that strong caste dynamics existed as a backdrop to all these incidents**. Most attackers were from the Yadav community against dalit / OBC (muraon).

Even **basic services** are lacking in these areas ranging from lack of education, especially for girls, lack of sanitation facilities, minimal electricity (just 4-5 hours a day), poor entry roads to villages, non existent drainage systems and pathetic health care facilities. Babies are birthed at home by the local Dai (surprisingly several do survive). **Violence against women is taken for granted**, as is abuse, demands for dowry and the fact that girls are often still sent back home if dowry demands are not met with.

The local **Panchayati Raj Institutions have also de-fragmented and relegated themselves to another hegemonic power structure within the village**. Irresponsible governance and inability to extend basic services to the village (which is the mandate of the PRI) was quoted as a key contributor to crimes against women in Katra and Sitapur. In both cases, the local pradhans were not available for interviews. The ward committees were defunct and **many ward members didn't even know of their roles**.

While gender based violence in Uttar Pradesh continues to represent one of the most pervasive forms of human rights violation, the abysmal quality of institutional response, lack of crisis protocols and absence of a code of conduct lead to very apparent neglect and unpreparedness on part of the state to respond systematically and swiftly to such heinous acts. ~ Lawyer, Sitapur

What occurred in Katra, Bareilly and Sitapur seems to be an outcome of a systemic rot. It has happened before –maybe not in this defiant and intrusive way, but it has happened and it will continue to happen unless the level of accountability and responsiveness of the government changes, caste divides disappear, unless laws are implemented and obsolete ones change, unless education removes fear from people's minds, unless politicians stop making a mockery of these crimes and internalise its seriousness and unless our rural areas begin to imbibe the active conscience of a changing and more equitable society. ~ Social worker, Badaun

SECTION II: RECOMMENDATIONS FOR ACTION



LEGAL FRAMEWORK

Crimes against women are serious violations of several human rights demanding zero tolerance and strict punishment. The following legal framework forms the basis of action;

India is signatory to several international human rights instruments which includes the **Convention on the Rights of the Child** which emphasizes the rights to life, survival and development of the child making it obligatory for the State to ensure the survival and development of the child.

The **Universal Declaration of Human Rights**, reaffirming faith in the dignity and worth of the human person and in the equal rights of men and women, envisaged the enjoyment of such rights without any distinction of any kind, including discrimination on the basis of sex.

India has also committed to the **Convention on the Elimination of All Forms of Discrimination Against Women**, (CEDAW). Its ratification of the **International Covenant on Economic, Social and Cultural Rights** 1966, makes it liable to ensure special protection to mothers during a reasonable period before and after child birth.

The **UN Declaration on the Elimination of Violence Against Women** 1993, affirms that the state must act against any forms of 'violence against women' which is defined as any act of gender based violence that results in or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or

arbitrary deprivation of liberty, whether occurring in public or private life.

The **International Convention on the Elimination of All Forms of Racial Discrimination** places justice and equality for all especially women as paramount.

The **Indian Constitution** propagates the spirit of equality before law through Art. 14 and mandates the State, not to discriminate between citizens on certain grounds, including the sex of the person. Art. 15(3) is an ameliorative provision which authorises the State to make special provision for women and children.

The Indian Penal Code has propounded a battery of pro-women acts including inter-alia; the **Prohibition of Child Marriage Act, 2006**, the **Protection of Women from Domestic Violence Act, 2005**, **Criminal Law (Amendment) Act 2013**, the **Sexual Harassment of Women at Workplace (Prohibition, Prevention and Redressal) Act, 2013**, the **Protection of Women from Domestic Violence Act, 2005**, the **Indecent Representation of Women (Prohibition) Act, 1986**, the **Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989**, the **Dowry Prohibition Act, 1961**, the **Commission of Sati (Prevention) Act, 1961**, the **Immoral Traffic (Prevention) Act, 1956** and the **Bonded Labour System (Prohibition) Act of 1976**, The **SC/ST (Prevention of Atrocities) Act 1989** and **Section 376 of the Indian Penal Code on rape**.

RECOMMENDATIONS¹

Ensure that gender issues are prioritized within governance and administrative systems;

1. Creation of a Prime Minister's Inter agency Council on Women encompassing working groups that focuses on women's social, economic, political and legal empowerment chaired by the PM.
2. Creation of an Inter-Departmental Council on Women covering nodal departments – Department of Women and Child Welfare, Department of Home Affairs, Department of Health, Department of Rural Development, Police etc at the State level chaired by the Chief Minister.
3. Establish a Gender Review group within the Planning Commission to provide a Gender Perspective on Government Policies, Plans and Programs.
4. Ensure that the Annual Confidential Reports (ACR) of police and administrative persons should include a Column to record their sensitivity to women issues.
5. Initiate a nation-wide effort to ensure that all Police stations across the country are staffed by women officers.
6. Ensure that each police station has a separate women's desk manned by at least two police women. Initiate a nation-wide effort to set up women's toilets in government establishments and quasi-government institutions.
7. Establishing a clear cut line of responsibility and accountability in the event of any system failure pertaining to issues relating to crime against women and female children.

Effective handling of complaints pertaining to child sexual abuse, molestation, eve teasing and rape and

1. References for this section include:

1. Report of the UN's Special Rapporteur on violence against women, its causes and consequences, 2014
2. Verma Committee Report on Criminal Law Amendment, 2013
3. National Human Rights Commission, Cases Related To Children / Women



other serious crimes against women:

Given the sensitive nature and severity of the case, the complaint;

1. Must be investigated in a time bound manner as per pre approved guidelines. Ensure fast tracking of prosecution and conviction in serious acts of violence against women.
1. Must be recorded immediately and accurately. Delays result in socio/economic/political/caste pressures coming into play that vilify the investigative procedures.
2. Reinforce that these can be filed at a police station or to the Chief Judicial Magistrate
3. Reinforce and publicize the fact that complaints can be filed by the victim, an eyewitness or anyone, including a representative of non-governmental organization, who has received information of offence.
4. Reinforce and publicize the fact that recordings need not be in police station but can also be at the residence of the victim.
5. The complaint recording should be verbatim/transcribed and without interpretation of the complaint receiving officer.
6. The complaint should be accepted suo moto and investigation ordered within 12 hours of receipt.
7. Commission a national level study to assess the usefulness of state helplines such as 1471 in Uttar Pradesh which was found in near defunct state.
8. Improve the mindset of the police through training and education in gender sensitivity

Rights to fair trial and legal support;

1. Amend the Indian Evidence Act which puts the burden on women and their bodies to prove the occurrence of an assault on them.
2. Set up a wing under the DLSA (District Legal Service Authority) with a special mandate to cover crimes against women thereby ensuring timely legal aid, counselling and para-legal support at the initial states of the crime.
3. Set up a financial assistance committee in each district under the District Magistrate mandated to provide financial assistance to economically weak families to fight cases pertaining to crime against women.
4. Commissioning of free lawyers competent in cases pertaining to crimes against women wherein the women's integrity needs to be protected throughout the judicial process, facts and incidences need to be represented correctly and ethically; ensuring at all times that the dignity, sobriety or identity of the victim and his/her family is protected.

On justice protocols for fast tracking and embedding judgments as part of a community-wide response

1. Special courts headed by lady magistrates be set up in every district to try crimes against women.
2. Specialist courts proficient in activating a community wide response by combining issuance of justice with rehabilitation orders to police, prosecution service, district magistrates and specialist support services for victims and their families.
3. Improve the mindset of the judiciary

There is a District Legal Service Authority headed by none other than the Chief Judicial Magistrate. It is meant to function as a centre for legal aid and awareness. However in reality it is understaffed, poorly equipped, non-responsive and relatively unknown. No one knows of what they do or its purpose. DLSA which is mandated under the NALSA Act has immense potential, currently unharnessed.

~ Legal Service Provider, Sitapur

through trainings and education in gender sensitivity.

Protection of families from intimidation, reprisals and of whistleblowers from retaliation

1. Ensure that any person reporting or bearing witness in a case of crimes against women is free from any act of intimidation, threat or harassment, and that protection is provided free of cost.
2. Ensure that there is a quiet, peaceful place within the Police Station complex where specially trained police persons deal with and speak to the victim and her family.
3. Ensure that a complaint to the police should be followed by counselling of the victim/family so that they can view themselves as aggrieved party and not the those whose battle begins after filing a complaint. Make Safe shelters available to victims/ families complaining of backlash as a first priority.
4. Establishment of adequate support

measures, available through social workers, trauma counseling workers, para legal professional etc.

5. Establish emergency telephone hotlines (pre and post registration services) at state/district levels.
6. Create central Government funding for local domestic and sexual violence services/ Referral Centers (complemented by locally funded services if available)
7. Ensure that the administration does not falter on its duty to protect the confidentiality of the individual's identity and monitors all communications (print, social media and electronic media) to the maximum extent possible to retain this confidentiality.

Dealing efficiently with cases of misconduct and lack of due diligence pertaining to crimes against women

1. Administrative personnel must fulfill their obligation to uphold the highest standards of efficiency, competence and



integrity in the discharge of their duties. All officers and staff who report a serious act of misconduct, corruption or ineptitude must be provided cover under the India Whistleblowers Protection Act of 2011 (when implemented).

2. Define misconduct and neglect in cases pertaining to serious crimes against women and prepare Standard Operating Procedures (SOPs) and management protocols pertaining to these categories of crimes.
3. Punish the station in charge who fails to register the case in line with the 84th recommendation of the Law Commission Report.
4. Establish specially trained officers within the department focusing on identifying and punishing administrative lapses committed by officers in dealing with serious crimes against women.

Police reforms necessary to ensure that crimes against women are registered, investigations are fair and gender sensitive

Operationalization of the Verma Committee report on reforms, including inter-alia;

1. Establish the State Security Commissions in every State to ensure that the state government does not exercise unwarranted influence on any case and to ensure that the police acts according to the laws of the land / Indian Constitution.
2. Establish the Police Complaints Authority at the district level to look into complaints against police officers of and up to the rank of Deputy Superintendent of Police.
3. Establish the Police Accountability Commission setup as an appellate authority to review all disciplinary cases wherein the complainant is not satisfied with the outcome of the departmental enquiry.

On establishing third Party surveillance protocols at district and state levels;

1. Expand the TOR of the National Commission of Women and the National



Human Rights Commission providing them rights to independent investigations into alleged crimes against women.

2. Establish an independent national inquiry committee to review the current situation and challenges with regard to the fulfilment of women's human rights
3. Institutionalize civilian oversight mechanisms enhancing administrative response and creating greater transparency by;
 - a. Piloting (in high risk areas) the practice of appointing public complaints commissioners.
 - b. Establishing ex-army men as citizen monitors and designating young people's advocates as part of the function of the Municipal Cooperation and Zila Panchayats.
 - c. Enhance the mandate of the Lok ayukt and build their capacity to focus on crimes against women.
 - d. Form citizen-police violence monitoring committees in every Mohalla and Ward. Ensure that more than half the members of these committees are women.
3. Based on the records from the National Crimes Bureau prepare a high risk atlas and assess the level of risk and develop safety plans for each site, as well as advice on longer-term solutions
4. Establish posts of women protection officers funded by central government and recruitment of women police across the state
5. Address the patriarchal attitudes of police officers, prosecutors, judicial officers and other relevant civil servants, with regard to the handling of cases through training and sensitization.
6. Ensure that training and sensitization programs for police personnel be on going and not a one time activity. These programs should cover the law relating to crimes against women and the punishment thereof and should be followed with examinations. The marks on these exams should be counted towards the person's records/prospects.
7. Focus on the social, economic and political rights of women including inter-alia the effective delivery of centrally sponsored schemes for women and establishment of well lit roads, streets, sanitation, transport and other common spaces to women.

Readiness of administration to handle all cases of violence against women and establish specific gender mechanisms, where possible;

1. Ensure that all police stations have CCTV's at its entrance, in police cells and in the questioning room. All PCR vans should also contain CCTV's.
2. Ensure that all district web sites display a section through which crimes against women can be checked and tracked. Ensure that every case is mentioned on the District website within 3 days of the FIR being filed.

Initiation of Violence Perpetuator Programs and Media Monitoring;

1. Reduce the sense of entitlement over women by making men and boys aware of the law. Roll out public awareness programmes focusing on sexual offenses, remedies and punishment for the same via mobile, TV and posters.
2. Review of the 1986, the Indecent Representation of Women (Prohibition) Act and strict censorship of advertisements that represent women as sex objects which is currently abysmally lacking.



I AM STRONG

because i know my weakness

I AM BEAUTIFUL

because i am aware of my flaws

I AM FEARLESS

because I learn't to recognise, illusion from real

I AM WISE BECAUSE

i learn from my mistakes

I AM A LOVER

because i have felt hate

AND

I CAN LAUGH

because i have known sadness



Section III: SIGNATORIES/ENDORSERS



Institutional



Rural Litigation and Entitlement Kendra (RLEK) is a premier Non Government Organization works at all the three levels i.e. micro, macro and meso levels. RLEK has derived its nomenclature from its deep rooted work of supporting rural people in claiming their legal, constitutional and human rights based entitlements to land, property, non-polluting environment.

The United Nation's Economic and Social Council has accredited RLEK in 2008 with "Special Consultative Status with Economic and Social Council of United Nations for having special competence in empowering Indigenous Groups, Marginalized Population, Women and Children in claiming their entitlements".

The founder and Chairperson of Rural Litigation & Entitlement Kendra (RLEK) is Padmashree Avdhash Kaushal a passionate environmentalist and renowned Human Right Activist. Kaushal worked as a faculty member at the Lal Bahadur Shastri National Academy of Administration, Mussoorie, was instrumental in the drafting and enactment of the Bonded Labour Abolition Act, Environment Protection Act, and Narcotic Drugs & Psychotropic Substances Act (NDPS).

KRISHNA MEMORIAL TRUST

Krishna Memorial Trust (2014) has been recently set up by the Badhwar family in Ujhani, Distt. Badaun, in answer to the crying need for a charitable and humanitarian organisation completely lacking in the area. Founded on the principle of equal rights for women, the Krishna Memorial Trust will concentrate on providing much needed assistance and guidance at every level, addressing issues that seriously affect all women in rural India and which have been addressed in this report.



**Voluntary Health
Association of India**

VHAI is a non-profit organization working for the last four decades through 27 State Voluntary Health Associations, 4500 member organizations and more than 1,00,000 grass-root level health workers across the country. VHAI advocates people-centered policies for dynamic health planning and programme management in India. VHAI promotes health issue of human right and development. The beneficiaries of VHAI's programme include health professionals, researchers, social activists, government functionaries and media personnel. It is the largest network of voluntary organizations working on making health a reality in India.



The Centre for Advanced Research & Development (CARD) is a non-government agency established in Madhya Pradesh. The field projects of the Centre are scattered over the states of Madhya Pradesh and Chhattisgarh. Its main areas of interventions include; watershed rehabilitation, sustainable agriculture, women's empowerment, skill development, rural enterprise promotion and adaptation of rural technologies. CARD is also associated with nationwide research, documentation and evaluation of projects carried out by central and state governments and other civil society organizations.

SAMAGRAH FOUNDATION

Samagrah Foundation is a non-profit organization working in Uttar Pradesh to promote peoples empowerment. It has been working in the field of poverty reduction, income generation, health and women's empowerment since 2004. We have collaborated with the Government of India on skill development and in the design and marketing of handicraft products. The foundation adopted has collaborated with the Government of Uttar Pradesh on reproductive child health, family planning and epidemiology. Where facilities were not available we lobbied extensively with the health authority's to make health centers functional. The foundation has recently co-partnered on public accountability initiative with the Lok Sangrah Abhiyan a consortium of Harvard, LSE, IIM, IIT and MSW alumni focusing on citizens rights and entitlements.



Bharat Abhyudaya Foundation (BAF) is a non-profit organization that works closely with the Government of Uttar Pradesh in development matter especially education and health. BAF is an all India level society registered in Lucknow in 2012 under the Society Registration Act 1860. Our mission is to build an education model that makes quality education accessible to every child while re-defining 'quality' from rote-based to learning-oriented that encourages experiments, creativity and innovation. We have also been advising PATH on an Encephalitic project aimed at saving children's lives from JE/AES in UP since 2013.



Astitva is one of India's foremost transgender organisation working on issues of development and human rights for all, Astitva has nationally and interanationally rallied for the rights of transgender, sexual minorities, sex workers and people living with HIV



Sakhi Charchowghi Trust is a community based organisation working in Maharashtra, it works in the areas of health and gender equality, it was recently part of the petitioners in Supreme Court Judgment on Transgenders.



The Aarju Foundation (AF) is a nonprofit, registered with the charity commissionerate of Mumbai as a community based organization that would essential working on marginalized populations and those affected and living with HIV, specific focus is provided on issues of Men who have sex with Men population inclusive of transgender and hijra population in Mumbai and other district of Maharashtra.



YMNA works across Bihar and Uttar Pradesh on issues of treatment and rehabilitation of alcoholics and drug addicts. It provides family counseling services and is engaged in various welfare programs for women, children and physically challenged people.



The foundation works on health issues and runs medical services for the needy and those living in congested part of New Delhi. It has a full time charitable OPD providing all modern services, two charitable homeopathic dispensaries. The foundation also works on education and skill development and runs a primary school with a feeder Nursery Class having a strength of over 300 children and vocational training classes for young boys and girls.

Lalit Mehra is the Chairman of the Taravati Ramgopal Mehra Foundation and former Governor of Rotary International, Delhi & NCR region



HRFFSD is a voluntary organization registered in January 2007. It comprises distinguished members in the field of human rights and human development. HRFFSD focuses on mainstreaming a rights perspective within the development process and works towards an increased awareness of rights and entitlements. It provides legal aid counseling to victims of violations.

Individuals



Lalita ramdass

She is the Convenor of Aam Admi Party's committee on Sexual Harassment; she is a concerned citizen, activist and feminist.



Jyotsna Brar

Ms. Brar is the Principal of Welham Girls School, Dehra Dun



Admiral L Ramdas (retd)

He served as the Former Chief of the Naval Staff and is a Magsaysay Awardee for Peace.



Admiral L Ramdas (retd)

Mrs Shanti Varma, educationist and social worker, retired as Principal of Welham Girls' School and is a member of the Board of Governors of various schools.



Madhuri Dass

She is an independent social worker and a communications specialist with over 15 years of experience in Asia and Africa. Today, she lives in Lucknow and advises on several development initiatives across the country and outside.



Neelam Khanna

Ms. Khanna is the Founder Director of the Ananda Spa Institute in Hyderabad



Lalit Nirula

Lalit is the Founder Director of Nirulas' Food Chain, New Delhi . He studied at St. Stephen's and the Cornell University



Inderjit Badhwar

Mr Badhwar is a senior journalist and Editor in Chief for India Legal Magazine



Jyotsana Shourie

Ms. Shourie is a Dancer, Choreographer and Founder Director of the Dance Centre

Dayita Dutta

Diyita Dutta is the Vice Principal of Welham Girls School, Dehra Dun

Baljit K. Jain

Mr. Jain is the Owner for Bariki Apparel for Women

Sanghamitra Singh

Ms. Singh is a jewellery designer and owner of the Roopsi Gallery

Ila Loomba

Ms. Loomba is the President of Laksh Foundation Education Society

Renee Chandola

Renee is the Consultant – Chief Programme Coordinator for NDTV India

Geeta Gujral

Ms. Gujral is a Social Worker with Shakti

Romesh Chopra

Mr. Chopra is a senior advertising & marketing consultant at O & M (retd)

Arti Vakil

Arti Vakil is a solicitor. She is involved with several non profits and is on the board of several societies. She is the Director-Projects for Project Vahana, Mumbai

Divya Gupta

Ms. Gupta is a Development Practitioner, former journalist and member of the the Aam Admi Party

Deepika Sondhi

Ms. Sondhi is a social activist and member of the Aam Admi Party

Brig. N.L. Badhwar

Mr. Badwar is a concerned Citizen of India from New Delhi

Nohar Malhotra

Ms. Malhotra is a concerned Citizen of India from Mumbai

Tania Soni

Ms. Soni is a concerned Citizen of India from New Delhi

THE RESEARCHERS:



Shefali Mishra

Shefali is a non-profit sector professional, former international civil servant, human rights activist and writer. She has over 14 years of experience in strategy formulation, programme implementation, evaluation, policy dialogue and knowledge management. She has managed programs for bi-lateral and multi-lateral agencies in some of the most backward regions of the country including insurgency and post disaster affected areas of Kashmir, Gujarat, Orissa and North East India. She serves on the board of several NGOs and foundations and has a strong volunteer and community base across several states in India. She is an active writer and is passionate about women's empowerment and agriculture. Shefali contested the 2014 Lok Sabha elections and is a strong promoter of citizen rights.

She is a recipient of the TATA fellowship for promising women professionals & IS a distinction holder from the London School of Economics (UK), has studied at the Henan Agriculture University (China) and the University of Delhi.



Hema Badhwar Mehra

Hema Badhwar Mehra grew up in the small town of Ujhani in Badaun District. A product of Welham Girls School 1971, and Isabella Thoburn College, Lucknow 1974, she grew up in a fiercely independent thinking all girls environment where vociferous debate for women's rights were strongly encouraged by equally independent minded Educationists. She learnt to participate in public life, espouse causes and live and breathe the nuances of rural India through her late father Purushottam Lal Badhwar of Ujhani, a District Judge and an Independent Legislative Assembly member in UP, who was deeply loved and admired by the people of the District for his fairness of delivery and fierce honesty.

Hema's inborn creativity, natural love for communication and espousing social causes has given her an eclectic career graph encompassing Textile Design, Writing & Journalism, Documentary Film Making, Marketing Communications, Alternative Healing, Education & Social Counselling, working with Charitable Institutions and last but not least as a member of and Lok Sabha candidate for AAP from Badaun. Hema is currently actively involved in working for the social upliftment of the area and fighting for womens' causes.

HOW CAN YOU HELP

1. Prioritise this issue in your developmental or political agenda. Be vocal about the status of women in India and benchmark some indicators you intend to change during your tenure.
2. Hold a talk within your community, office, resident welfare association, group or family about women's issues. Share some of the findings and agree on some concrete actions to take in your area.
3. Take a picture of yourself with a placard titled " # SAVE OUR WOMEN INDIA" and put it on facebook, twitter and any other social networking site you are on. Ask your friends to do the same.
4. Use the hashtag #saveourwomenINDIA condemning violence against women in UP and India.

HOW CAN WE HELP

Write to us at saveourwomen1@gmail.com with any suggestions or help you need in operationalizing the above. We will respond with suggestions.



लड़की
वह नहीं जानती उसका होना
इतना दुष्कर होगा
वह नहीं जानती
वह आदमी कब उसके शरीर में जा छिपा
जो निरन्तर उसे अपमानित व परास्त कर रहा है
उसका उत्साह
निश्चित ताकतवर है
वह जानती है
उसकी आ-मक मुद्रा में
कौनसा डर दुबक गया है
जो उसे अन्दर तक खाली कर रहा है
बार बार उसका विश्वास
जीने के मोह के बाहर
उसप व्याकुल बनाता है
उसका अर्न्तमन
साफ साफ दिख रहे समय के भीतर
दिलचस्प झूठ में लथपथ होकर
जो बन रहा है वह कितना भयावह होगा उसकी कल्पना
मे प्रसन्न चित्रों के रंग किस कदर रयाह हो जुके हैं
वह नहीं जानती।
वह नहीं जानती
अपने विरुद्ध अपने को तैयार करना
कितना दुख भरा साहस है

Save our
women

