

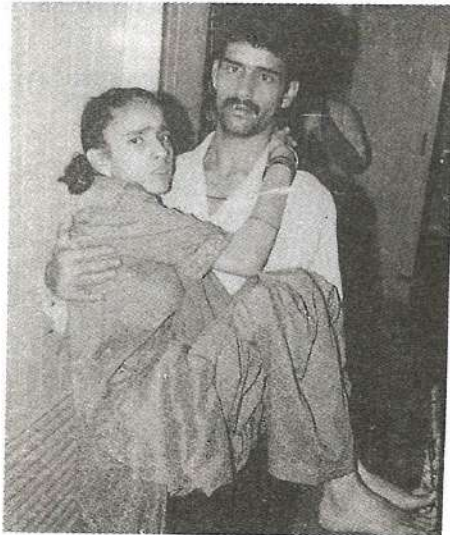
SENDING LAMBS TO THE SLAUGHTER?



The rate at which cases of wife- and daughter-in-law battering are coming to light, the time to bring up docile 'adjusting' girls is long past. The need of the hour is to raise an army of women who are capable of understanding and protecting their rights and interests against all comers, say Gauri Karuna Das & Gitanjali Malviya...

For Devi Bai, marrying off the older of her two daughters in 1995, was not easy. Having lost her husband early on, she had been given a job on compassionate grounds as a Class IV employee at the General Post Office. With six children to raise, life was and still is tough.

Sixteen-year old Jyoti's marriage to Vinay Dhawan, a cable television operator who lived in Raghbir Nagar, Rajoyai Garden, brought Devi Bai more trouble in its wake. She bore the constant dowry demands and her daughter's harassment in silence until December 1998, when she lodged



On the Jyoti Dhawan case and more

Interview

Assistant Commissioner of Police Suman Nalwa

Crime Against Women Cell, New Delhi

Jyoti's mother first filed a complaint in December 1998. Why did it take one-and-a-half years for the police to take action?

Jyoti felt unable to come forward with any complaints against her husband or her in-laws because of the photographs which Vinay Dhawan took of her and threatened to show everybody. Instead, she gave statements to the police that her mother and brother were disrupting her marital life. And this tied our hands.

What was Jyoti's physical and mental state when she was rescued?

She was in a state of complete shock, very weak and unable to walk or stand. She had lost the use of her limbs.

The doctors had identified this

as tenderness of the body and wasting of muscles that were beginning to cease to function due to prolonged starvation and the ensuing malnutrition. She was also physically in a bad shape because of the beating, which was targeted



at her knees and hips. The Crime Against Women Cell has a provision to provide medical, monetary and legal assistance. We are providing Jyoti with the necessary medical assistance.

Violence against women is on the rise, are the laws adequate?

We do not have laws to protect women inside the marital home, for example against an alcoholic husband or if he is having an affair with another woman.

There is no way such a woman can be protected, unless she decides to leave her husband and matrimonial home.

When a woman lodges a complaint she has to leave her matri-

"We do not have adequate laws to protect women inside the marital home.... It is a sad fact that most Indian women are unaware of their legal or human rights."

her first complaint with the Crime Against Women (CAW) Cell. The CAW Cell called in both parties and a compromise was arrived at, wherein Vinay Dhawan and his parents agreed that they would not ill-treat Jyoti and would allow her to meet her mother and brothers as and when she or they (Jyoti's family) wanted. However, the cruelty was to now escalate.

"Somewhere between January and March 1999, Vinay took nude photos of his wife and threatened to show these to others if she ever supported the claims of her mother and brothers," recalls ACP Suman Nalwa, who heads the CAW Cell.

Dhawan and his parents, in complete secrecy, also moved the

by now frail 20-year old from her matrimonial home to a tiny room about a kilometre away. The only ventilation was through one very small window. There were no toilet facilities. She was fed once a day, when Vinay Dhawan brought her something to eat. The beatings and harassment continued unabated.

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(interview contd.)

monial home. She has no choice, either she lives with the trauma or leaves her husband.

There is no scope to protect her while she is living there. If she leaves home, there is no real support system — especially for violence victims, where they can be taken care of or feel safe.

What are the methods of rehabilitation available?

There are very few rehabilitation homes to give support to women victims over a long period of time. We have only short-stay homes (six months to a year). There are not enough working women's hostels.

The CAW Cell has a Crime Victim Welfare Organisation which interacts with NGOs, gives vocational training, teaches tailoring etc., but that is not enough. If the victims have nowhere to go they are referred to short-stay homes.

There is no alternative where we are able to keep the victim till she becomes economically independent. If such a support system were available, then more women would be able to walk out of their matrimonial homes and lodge complaints against their husband and in-laws.

How supportive are the parents, in your experience?

Most women come to the CAW Cell or the police to lodge a com-

plaint when the parents agree to keep them. Otherwise, they stay at the matrimonial home and bear the torture and humiliation, as they have nowhere else to go.

Like I said earlier, what we have are only short-stay homes and there these women cannot stay forever.

How aware do you think most women are of their rights?

It is a sad fact that most Indian women are unaware of their legal and human rights. Equally, lack of opportunity or choice compels them to live with a toxic situation. In Jyoti's case for instance, her husband threatened to show the photographs of her to others, and so she quietly went to court and signed her divorce petition. Also, she had been and is severely traumatised.

There are other cases where women sign away their share of paternal property to their brothers, because they are not financially or otherwise independent and, therefore, succumb to the pressure that is put upon them.

Who are the women who come to you?

All types, but mostly from the middle and lower middle class.

Do you think our police force is sensitive to these issues and towards victims of such violence?

Constant exposure to crime every day causes you to lose your

sensitivity, besides there are too many violence victims, too many crimes and too few police personnel. Therefore, all are under pressure and over burdened. There is a great need, no doubt, while dealing with these problems, but the entire police force needs to be sensitized and this includes both male and female police officers.

Don't you agree that there is a need for counsellors?

Yes. There is a need for counsellors and psychiatrists in the CAW Cell because they would be able to give professional help to emotionally traumatised, battered women.

Finally, do you think this is a public health issue and are we living in a sick society?

In such cases, most definitely. Moral values have degenerated and because of the stress the only outlet is violence, perpetrated on women as they are the weaker sex. The impact occurs on both the physical and mental health of the victim. The person committing the crime is mentally sick. Secondly the community no longer plays a deterrent role. On the other hand its passivity and silence encourages those who perpetrate violence. Increase in battering can be also attributed to this lack of community control. Neighbours used to interfere, earlier.

Jyoti became increasingly weak — even when the Dhawans forgot to lock the room, she was unable to crawl out and escape.

The neighbours were aware that she was in the room—apparently two old ladies used to occasionally push food through the window. However, nobody bothered to tell the police and Jyoti's physical and psychological trauma continued unabated.

Meanwhile, the CAW Cell as is its practice with couples who have entered into a compromise through its intervention, called Jyoti, her husband and her in laws in for routine counselling. Though ACP Nalwa had not yet been posted to the CAW Cell, she recalls that a lady inspector present at the occasion told her that though Jyoti was brought in wearing finery and heavy make up, something seemed very wrong.

However, Jyoti's statement at the meeting tied the police's hands. Afraid that her photographs

would be made public she stated, (as directed by the Dhawans) that her mother and brothers were "interfering and spoiling her marriage".

Devi Bai refused to believe this and intensified her visits to the CAW cell and the Rajouri Garden police station, stating that the Dhawans were not letting her meet her daughter and that she was afraid for her child's life. It was this that prompted the CAW Cell to take action, despite Jyoti's statement.

Recalls ACP Nalwa: "We felt action had to be taken as this was very serious. We observed the Dhawan home and followed them to the room in which Jyoti was being held. Her condition was pitiful, it was evident things were very wrong here. But Dhawan was very clever," she continues, "he said that her mother, brother and the police officers who went with them, could only take Jyoti if they gave in writing that she was being taken for treatment of ill health, so that later nobody could say that

the girl was being taken away because of ill treatment."

Thus did Jyoti finally reach her mother's home—carried in a brother's arms because she could no more walk. Two days later says ACP Nalwa, "they came to us to register an FIR. It was then that Jyoti told us the whole."

Meanwhile, Vinay Dhawan had applied to the court stating that the couple had been living apart for about six months already—whilst Jyoti was being kept imprisoned.

To sign her agreement to the proposed divorce, Jyoti had been taken from her prison room to court. The lawyer engaged by Vinay Dhawan, fearing the consequences were the girl to die because of ill treatment, informed Devi Bai about the impending divorce, prior to the Second Motion in February 2000.

Jyoti's husband Vinay, mother-in-law Daeshna Rani, sister-in-law, brother-in-law were finally arrested on May 16, 2000.



