

To
The Judges of the Supreme Court of India
New Delhi

We, lawyers, scholars and members of women's groups and civil society are shocked at reading the contents of the complaint of sexual harassment and criminal intimidation suffered by a former employee of the Supreme Court of India. An affidavit was submitted by the aggrieved woman to the 22 judges of the Hon'ble Supreme Court detailing the sexual harassment faced by her from none less than the Chief Justice of India. The 29 pages-long affidavit explained how she was posted in the office of the Chief Justice, systematically pursued at her home and office through calls and messages, encouraged initially with compliments, favours and excessive attention, finally followed by sexual advances. The administrative persecution both by way of termination of employment, and registration of criminal cases against her and her family members came upon her when she rejected the sexual advances made by the Chief Justice.

While the allegations listed in the affidavit are shocking, equally worrisome was the response of the Chief Justice: apart from denying the charges, he constituted a Special Bench along with two other Judges at 10.30 am to hear a matter of "great public importance touching upon the independence of judiciary". In short, he constituted a Bench to hear his own case! Justice Arun Mishra and Justice Sanjiv Khanna, who were part of the specially constituted Bench, noted that they will not pass an Order, but nevertheless did so. Referring to the allegations as "wild and scandalous", they went on to say that such allegations negate the independence of the Judiciary. They also counseled the media to observe restraint. Strangely, the Order did not name the presence of the Chief Justice at whose instance the Special Bench was convened. Further, there was nothing in the Order which indicated that the Judges passed this Order based upon any investigation by a competent authority.

We are both shocked and saddened that the Chief Justice of India as well as the Special Bench have responded as most men, in public office or in positions of authority and power do, when accused of sexual misconduct. Denial of the allegations, maligning the complainant, citing past histories, imputing ulterior motives to the complainant are familiar and regular devices deployed by accused men. Equally common is the undertaking of vindictive measures including administrative harassment and suits of defamation against complainants.

Not only have the Chief Justice and the Supreme Court of India not set an example by their behavior, but they appear to have moved a step ahead to delegitimize women's complaints of sexual harassment – they have declared that the allegation is itself an attempt to tarnish the independence of the Judiciary. This is both indefensible and appalling. We fail to see what this has to do with the independence of the Judiciary, which we wish to uphold as conscientious citizens, but this ought not to be interpreted to mean immunity from investigation when allegations are made.

The Bar Council of India has rubbished the complaint as an attempt to malign the Judiciary and termed it politically motivated. In the absence of a duly conducted investigation or enquiry, we are puzzled about how the BCI, lawyers and judges are concluding with such haste that the complaint is false, baseless and motivated.

motivated.

On 24th April it has been reported that, Justice Bobde, the next senior most judge from Supreme court has been asked by the CJI to appoint a committee which will enquire into the allegations of sexual harassment against the CJI.

Justice Bobde has appointed a committee with himself as chair and Justice N V Ramana and Justice Indira Banerjee as members. The constitution of this committee with no external member is in complete violation of The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act 2013.

Media reports that this committee will start hearing on Friday 26th April 2019 and that it has no fixed time frame in which to finish the proceedings, will follow an in house procedure and will not allow legal representation to either parties. While the Mr Ranjan Gogoi may not need legal representation, this is tilting the balance against the complainant, again violating the spirit of the Vishakha judgement and The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act 2013.

In the given circumstances, keeping in mind the magnitude of the complaint we demand:

- a) A Special Enquiry Committee be constituted to conduct a thorough enquiry at the earliest and create an atmosphere of transparency and confidence for the complainant to depose.
- b) The Special Enquiry Committee should follow the norms of the ICC and accordingly conduct its enquiry.
- c) The Special Enquiry Committee should be presided by a retired woman Supreme Court judge with an understanding of women's rights, that 50% of the members of the Committee should be women along with a a senior representative from the women's movement.
- d) The Chief Justice of India should restrain from transacting official duties and responsibilities until the completion of the enquiry.
- e) The Complainant should be allowed legal assistance from lawyer of her choice.
- f) The enquiry should be completed within 90 days as stated in the law.

It is these measures which will uphold the dignity and independence of the Judiciary and more particularly, restore the faith of all women, indeed all citizens of the country, in the Judiciary.

1. Rama Melkote, Prof.(Retd) Osmania University
2. Amita Dhanda, Professor, Nalsar, Hyderabad
3. S Jeevan Kumar, Human Rights Forum
4. Flavia Agnes, Advocate

5. Labia, A Queer Feminist LBT Collective Mumbai
6. Chayanika Shah, FAOW
7. V.Geetha, Writer, Chennai
8. Vasudha Nagaraj, Advocate
9. Jayasree Subramanian, Visiting Faculty, HBSE, Mumbai
10. Veena Gowda, Advocate
11. N. Vasanti, Professor of Constitutional Law, Nalsar, Hyderabad
12. Mary E John, New Delhi
13. Veena Shatrugna, Former Deputy Director, National Institute of Nutrition
14. Uma Chakravarti, Historian
15. Sandhya Gokhale, Mumbai
16. Ammu Abraham, Mumbai
17. Nandita Shah, Akshara, Mumbai
18. B. Girija, State Project Manager, Sakhi Telangana
19. Kabi Sherman, Mumbai
20. Meena Gopalan, Mumbai
21. Hasina Khan, Mumbai
22. Shals Mahajan, Mumbai
23. Rohit Prajapati, Vadodara
24. Forum Against Oppression of Women, Mumbai
25. A. Suneetha, Anveshi Research Center for Women's Studies
26. Susie Tharu, Prof.(Retd) EFL University
27. K Sudha, Assistant Professor, DSNLU, Member, Human Rights Forum
28. K Anuradha, Human Rights Forum
29. Janaki Nair, JNU
30. Sujata Patel, Indian Institute of Advanced Study
31. Sukla Sen, Mumbai
32. Kamayani Mahabal, Mumbai
33. Lara Jessani, Advocate, Mumbai
34. Dr J Vijayalakshmi, Advocate
35. Archana Pydah, Advocate
36. K. Kiran Mayee, Advocate
37. V. Naga Lakshmi, Advocate
38. Sneha Bhogle, Advocate
39. M. Mandakini, Advocate
40. Mohammed Shakeel, Advocate
41. Sherin. B.S, EFL University, Hyderabad
42. Ranjana, Women against Sexual Violence and State Repression, Bhubaneswar
43. Kalpana Karunakaran, IIT Madras
44. B. Girija,
45. Kavitha Muralidharan, Journalist, Chennai
46. Meera Velayudhan, Policy Analyst, Kochi
47. Prema Revati, Educationist
48. Rachana Mudraboyina, Telangana Hijra Intersex Transgender Samiti
49. Karuna, Researcher, Chennai
50. Dr Rukmini Rao, Gramya Resource Centre for Women, Hyderabad
51. Saheli, Women's Resource Center, New Delhi
52. Vasudha Katju, Researcher, New Delhi
53. K. Satyavati, Bhumika, Hyderabad
54. Aisha Farooqui, Prof. (Retd) Osmania University

55. Swathy Margaret, Researcher
56. S. Ashalatha, Social Activist
57. Sajaya. K, Caring Citizens Collective
58. Vyjayanti Vasanta Mogli, Telangana Hijra Intersex Transgender Samiti
59. Asma Rasheed, EFL University, Hyderabad
60. Tejaswini Madabhushi, Hyderabad for Feminism
61. Uma Bhrugubanda, EFL University, Hyderabad
62. Radhika Khajuria, New Delhi
63. Purwa Bharadwaj, Delhi
64. Yenna Deepa Sai, Advocate
65. Ketki Ranade, Mumbai
66. Asha Achuthan, Mumbai
67. Vineeta Bal, Pune.
68. Anjali Rawat, Law Researcher
69. Anubha Rastogi, Lawyer, Mumbai
70. Madhu Bhushan
71. Aatreyee Sen, Forum for Human Rights and Justice, Himachal Pradesh
72. Pragnya Joshi, PUCL, Udaipur
73. Dr. Albertina Almeida, Advocate, Goa.
74. Vennela Madabhushi, Lawyer, Bangalore
75. Harini Karnamadakala, Content Writer
76. Nari Samata Manch
77. Anuradha Pati, Development Professional
78. Soma KP, Independent Research Scholar
79. Lata Singh, JNU
80. Urmilla Chandran, Principal Technical Writer
81. Sarah Mathews, Sankalp Women's Support Alliance
82. Nari Samata Manch, Pune
83. North East Network, Assam, Meghalaya, Nagaland
84. Kaneez Fatima, Activist and Librarian
85. Kalyani Menon-Sen, Feminist Learning Partnerships
86. Masooma Ranalvi, We SpeakOut
87. Srinivas Vellikad, Senior Manager, Documentation.
88. S. Seethalakshmi, Researcher
89. Lakshmi Lingam, Professor, Mumbai
90. Sunkara Rajendra Prasad, Advocate, Vijayawada
91. Supriya Jan, CORO India
92. Arundhati Dhuru, NAPM
93. Vahida Nainar, Mumbai
94. Karuna DW, Chennai
95. Sumi Krishna, Independent Scholar, Bangalore
96. Laxmi Murthy, Journalist, Bangalore
97. Meena Seshu, Sangram
98. Jayasree.AK., Professor, Community Medicine, Govt. Medical College, Kannur, Kerala
99. Shaitan Singh, Law Student, Visakhapatnam
100. Anjana Ramanathan, Advocate
101. Piyoli Swatija, Advocate
102. VS Krishna, Human Rights Forum
103. Smita Gupta, New Delhi

104. North East Network, Assam, Meghalaya, Nagaland
105. Saheli Women's Resource Center, New Delhi
106. Geeta Seshu, Journalist
107. Lakshmi Krishnamurthy
108. Reva Yunus, Azim Premji University
109. Ritu Dewan, Vice President at Indian Society of Labour Economics
110. Sarojini.N, New Delhi
111. Brinelle D'souza, TISS
112. Deeptha Achar, Professor, Baroda
113. Shilpaa Anand, BITS- Pilani, Hyderabad campus
114. Shefali Jha, University of Hyderabad
115. M. Madhavi, Assistant Professor, Presidency University, Bangalore
116. Kumar Shubham Raj, Advocate, Bihar
117. Vedula Chitralekha, Advocate
118. Bushra Quasmi, Asst Prof, DSNLU, Visakhapatnam
119. Madhumeeta Sinha, EFL University
120. B Syama Sundari, Dastakar Andhra
121. Abha Bhैया, Jagori
122. Ambika Tandon, New Delhi
123. Anandhi.S, Researcher, Chennai
124. Dr. M. Ajay, Dermatologist
125. Sumitra, Ankuram
126. Shalini Gera, Advocate, Bilaspur High Court
127. Meera Sanghamitra, National Alliance of People's Movements, Telangana
128. Smita Gupta, New Delhi
129. Govind Kelkar, Senior Advisor - Women, Land & Productive Assets
130. Sharmila Sreekumar, IIT, Bangalore
131. P V Srividya, Journalist, Krishnagiri
132. Jayasree Subramanian, Visiting Faculty, HBSCE, Mumbai
133. K. Katyayani, Prof (Retd), Kakatitya University, Warangal
134. Deepa V health Activist, Delhi
135. Sunita Sheel, Forum for Medical Ethics Society, Mumbai; and Vidhayak Trust, Pune
136. Anuradha Kapoor, Kolkata
137. Veena Johari, Advocate, Mumbai
138. Mumtaz Sheikh, CORO Mahila Mandal federation Mumbai
139. Rohini Hensman, Writer & Researcher
140. Dr Sagari R Ramdas, Veterinary Scientist
141. Tashi Choedup, Buddhist Monastic, Human Rights Activist
142. Poushali Basak, Mumbai
143. Aditi Joshi, Mumbai
144. Amarjit Singh, Mumbai
145. Kaveri Dadhich, Mumbai
146. Padma, Independent Researcher , Mumbai
147. Abhay. S
148. Cleophas. B
149. Leena. M
150. Sonakshi.K
151. Loshua. S
152. Anurita.P

153. Hitesh. F
154. Shakun Doundiyakhed, Ooty
155. R. Alphonso, Mumbai
156. Neha Singh, Mumbai
157. Shewli Kumar, Mumbai
158. Bharati Kapadia, Mumbai
159. Bindhulakshmi Pattadath, Mumbai
160. Bharathi. G
161. Catrinel Dunca, Ahmedabad
162. Sudhanva. V
163. Nirja Vasavada, Ahmedabad
164. Shumona Goel
165. Mani A., Kolkata
166. Kamaxi Bhate, Mumbai
167. Ariane. B
168. Mehernosh. B
169. Dhruvika. J
170. Haresh. T
171. Rajeev. C
172. Mridul Dudeja, Mumbai
173. Persis. S
174. Pallavi. G
175. Chandanathil. G
176. Lavanya.J
177. Pratishtha. P
178. Satjot. L
179. Margaret. G
180. Jogitha. J
181. Ajit. P
182. Eshvendar. R
183. Aapyayani. K
184. Kavinder. R
185. Doris. L
186. Moruni. M
187. Kavya. S
188. Jayaram. N
189. Ekta. S
190. Samir. P
191. Nandini Rao, Activist, New Delhi
192. Rakhi Sehgal, Labour Activist, New Delhi
193. Gayatri, Faculty, TISS, Hyderabad
194. Abhiti Gupta, Legal Activist, New Delhi
195. Maneka Khanna, Advocate, Delhi
196. Surabhi Dhar, Advocate, Delhi
197. Zeba Sikora, Advocate, Mumbai
198. Rupali Samuel, Advocate, Delhi
199. Payoshi Roy, Advocate, Mumbai
200. Archit Krishna, Advocate, Chattisgarh
201. Satnam Kaur
202. Reethika Ravikumar

203. Mini Mathew, Advocate
204. Sadhna Arya, University of Delhi
205. Fatima N, Tamil Nadu
206. V Rukmini Rao, Hyderabad, Telangana
207. Poorva Rajaram, Researcher, New Delhi
208. Vanessa Chishti, Jindal Law University, Sonipat
209. Esther Moraes, New Delhi
210. Niti Saxena, Lucknow
211. Tusharika Mattoo, Advocate, Delhi
212. Maulshree Pathak, Advocate Delhi
213. Shreya munoth, Advocate, Delhi
214. Sayali Kadu, Advocate, Delhi
215. Shuchi Dwivedi, Advocate, Delhi
216. Rhea Goyal, Advocate, Delhi
217. Sowjhanya Shankaran, Advocate, Delhi
218. Anushree Malviya, Advocate, Delhi
219. Sonal Sarada, Advocate, Delhi
220. Sanya Kumar, Advocate, Delhi
221. Shreya Rastogi, Advocate, Delhi
222. Harshita Reddy, Advocate, Delhi
223. Sanjana Srikumar, Advocate, Delhi
224. Avantika, Advocate Delhi
225. Ninni Susan Thomas, Advocate Delhi
226. Nidhi Rao Gummuluru, Advocate, Delhi
227. Vasundhara Majithia, Advocate Delhi
228. Meghana Sengupta, Advocate Delhi
229. Shailiza Sharma, Advocate, Delhi High Court
230. Kanika Sood, Advocate Delhi
231. Kruti Venkatesh, Advocate, Bombay High Court
232. Bhavana Sunder, Advocate, Bombay High Court
233. Rhea Jha, Advocate, Bombay High Court
234. Devyani Kulkarni, Advocate, High Court, Bombay
235. Khusboo Agarwal, Bombay
236. Sara Ahmed, Bombay
237. Surabhi Singh, Advocate, High Court at Bombay
238. Ronita Bhattacharya, Advocate, High Court, Bombay
239. Jahnavi Vishwanath, Chennai
240. Janaki Abraham, Delhi University
241. Dimple Oberoi Vahali
242. Vandana Mahajan, A Feminist Practitioner
243. Lalita Ramdas, Educator and Citizen, Alibag, Maharashtra
244. Bebaak Collective
245. Chitra Sinha, Centre for Gender Research, Uppsala University, Sweden
246. Sana Contractor, Public Health Researcher, New Delhi
247. Vasudha Sawaiker, Social Justice Action Committee, Goa
248. Amita Kanekar, Writer, Goa
249. Adsa Fatima, Health Activist, Delhi
250. Mira Shiva
251. Dr. Saswati Ghosh, Academic and Activist, Kolkata
252. Amita Pitre, Consultant, Public Health and Gender Justice, Mumbai

253. Gayatri Sing, Senior Advocate, Bombay High Cout