

Jan Baithak

*A Public Meeting on Ending Violence Against Women
30th September 2009
Bawana*



*Thanks to all the women who presented their testimonies in the
Jan Baithak
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Supported by: DCA*

About JAGORI

JAGORI is a women's documentation, training and communication centre based in Delhi. Established in 1984, it has its roots in the women's movement. Over the past 25 years, Jagori has been part of major campaigns on issues such as domestic violence, dowry, rape, sati, personal laws, sexual harassment, rights of single women, and reproductive health rights. It has been working in two resettlement colonies of Delhi: Madanpur Khadar (in South-East Delhi) and Bawana



(on the border of Delhi and Haryana). Our work in Bawana started in 2004 with the community that was newly evicted from Yamuna Pushta, East Delhi. Our focus is primarily on women and adolescent girls; we also build partnerships with youth and men in order to create an enabling environment and support for ending violence against women.

Bawana: A Background

JAGORI's landmark participatory action-research undertaken in Bawana tells the experiences of the community, especially women. The study entitled "Towards a world class city: The politics of eviction and resettlement in Delhi" encapsulates India's 'growth story'. The experiences of women here are representative of many other poor communities across India. There are issues of losing assets, depleting savings, and lost livelihoods. Even as these communities subsidize the middle-class economies with their invisible work, eviction is an indication that this city is not theirs by right. They are seen as outsiders, clubbed with criminals, and must deal with existing caste and communal prejudices.

The study found that eviction and poverty result in an atmosphere of uncertainty. Loss of opportunity, lack of any venting mechanisms, combined with persistent hunger leads to increased drug use and violence against women. Evictions also disturb people's sense of social security. There are other fall-outs such as girls dropping out of school as families don't want to send them too far.

Given this, JAGORI supported the education of girls in Bawana and also initiated direct community interventions. Issues related to basic services and entitlements (food from government shops, lighting in public places, water and sanitation, education, health, compensations when houses get burned down, etc) have been addressed. Jagori's intervention in Bawana includes counseling clinics, youth and adolescent programmes, and recently, addressing the issue of women's access to water and sanitation.

Objective of Jan Baithak

Jagori's work with women survivors of violence over the last few years has clearly shown that creating safe public and private spaces for women and girls is not only the responsibility of the community. It also requires support from relevant government agencies to ensure redressal and enforcement of legal rights.



A *Jan baithak* was organised to help women from the Bawana community raise their concerns with select government agencies and civil society. This would give them an opportunity and platform to interface with key allies. It would help them plan future strategies to find effective solutions.

JAN BAITHAK REPORT

A public meeting on violence against women was held in JJ colony Bawana on 30 September, 2009, 2:30-4:30 pm. The objective of the meeting was to raise consciousness about issues of violence against women in the community. State functionaries and stakeholders such as the police department, government hospital, DLSA¹, were invited to respond to women's concerns. (**Annexure 1: Agenda**)

Women from the community gave testimonies to highlight their issues. These ranged from destitution and physical abuse from husband; to eve teasing and harassment faced by adolescent girls. Girls complained about public spaces being used for alcohol and drug use. "There are no places to play, the parks and open spaces are used for gambling and *nasha*," they said. Forced marriage was also discussed.

The meeting saw active community participation from men and women across age groups. A separate area for children ensured they were kept entertained through the 2-hour long meeting.

Welcoming the community, Seema of Jagori said stopping violence against women is the responsibility of the State and society. "Violence is not a personal issue but a public issue." She said Jagori started working in the community four years ago when the resettlement happened. The first issue Jagori intervened in was the ration and PDS programme. "Today, a watch group has been set up; community women are monitoring ration, fighting adulteration and corruption, ensuring equal distribution under the PDS programme." Jagori intervention has now expanded to include addressing violence issues

¹ District Legal Services Authority

and safety of young women; empowerment and awareness on rights. Today, women are filing RTIs.”

Moderator Khadija of Jagori shared the overview of the meeting and thanked everyone for their cooperation.

The meeting opened with members of *sathi samooch* – adolescent girls’ group – singing a song from the Jagori song book, ‘*Par laga liye hai humne...*’ Written by Kamala Bhasin. The song spoke of the girls’ resolve to free themselves of repression.



Women’s testimonies:

Women from the community presented their testimonies.



Shahnaz, a frail woman of about 40, said her husband used to earn and support her when they were in Pushta but has taunted to alcohol and drug use since they moved here. She has four daughters and does some odd jobs to sustain herself. Her husband has not given her any maintenance for the last four years. There has been violence and abusive. To add to it, she herself has been very sick. Shahnaz came to Jagori for support. With help from Jagori and the community she has been able to protect

herself from her husband. Shahnaz’s husband had taken a loan from a drug peddler after mortgaging the house. The money lender is threatening to evict her. With support from the police she has been able to keep the money lender at bay.

Moderator’s comment: This is a representative case where women have become vulnerable because of a government policy of not including the wife’s name as co-allottee while issuing plots to men. However, in case of allotment in the wife’s name, the husband’s name is included as a co-allottee.

Zulekha Begum, about 50, said her daughter’s husband is very violent and his family used to abuse her physically and mentally. She has five children and has come back to her maternal home because of the violence. When she approached Jagori for help, her

husband was sent a notice to come for counseling. He stays outside of Delhi, but came and stayed in the neighborhood for a month. He is a drug user. When Jagori started building pressure on him, he gave talaq and went away.

Moderator's comment: This a representative case of behavior pattern of men that they give talaq to evade legal or social pressures. Women's access to Crime Against Women Cell and police station is restricted due to the distance and economic constraints. The problem is more when matrimonial home is out of Delhi.



Shahnaz, barely 20, said her husband took away her one-year-old child. “Jagori helped me talk to the police. They came with me and helped me get my child back. My husband phones me and threatens me. My mother-in-law abuses me.”

Moderator's comment: In cases of violence in a marriage, when the woman fights back the husband uses the child as a weapon. Police support in addressing these cases in the community has been extremely strong. But in cases of husband living outside Delhi it becomes impossible for women to get custody due to distant location of CAWC and courts.



Members of the *sathi samooh* were asked to share their concerns. Zayeda, 15, highlighted the issue of public toilets. “They charge money for use of toilet when they are not supposed to. Boys hang around there; they drink and smoke, whistle and sing songs. If we confront them they say we are not saying anything to you, what's your problem. We are not able to do anything.” Jamina said young girls don't have a place to play. Playgrounds are used for gambling and smack consumption. “The places are very dirty and it is impossible to play there,” she said.

Anita raised the issue of eve teasing. “If we fight back, the boys beat us. If our parents intervene, the boys beat them as well. If we seek police help they say it is a very small thing. Shouldn't the police find out what the matter is, why the fight happened? How can they just say it is a small thing,” she asked. Rekha said even the small shops are selling ganja. People smoke and drink publicly. They pick up blades to fight.

The Moderator added that girls report a lot of cases like these where blades are used in fights. The police don't recognize this as a criminal offence, and there is no FIR. “It may

seem a small offence, but it is a very big matter for these young women. It curbs their freedom, inflicts fear, some even drop out of school out of fear,” she said. The problem of drug use is also very high in the community with people selling clothes and utensils; men beating wives and spending all their income on drugs. This leads to increased hunger and violence in the house.

Community Stakeholders

Other community stakeholders were asked to present their issues of concern. Community watch group member Shahani Begum said the group has been working on ration, sanitation and violence issues. Umesh from NGO Nirman Sangathan that works on labour issues raised the concern of safety. “Over 100 girls have drowned in the nearby canal since we came here four years ago. It is not safe for men and women to go for work in the industrial area. They are robbed and beaten on the way. If they call the police there is no response. Labour should be given protection to go to work.”



There was some discussion on a case of forced marriage. A woman whose daughter has accused her of forced marriage and is now living in a shelter home tried to raise the issue. Clearly, she was hostile that Jagori and the community has taken the side of her daughter. She was interrupted and told the case is subjudice and therefore it is not possible to discuss the matter. The police ACP refused to comment. Elaborating on the case, Jagori team shared that her adolescent daughter was married against her wish. Her husband was much older than her; she was not told anything about her husband. She did not want to get married. She has given a legal statement that she wants to live separately from her husband and her parents. She is now in a shelter home and pursuing her studies. Parents are putting pressure to get her back. But the girl is not a minor; she has her legal rights. “Parents cannot force adult children,” was stated clearly by Jagori.

Stakeholders’ response:

Addressing stakeholders, Jagori team elaborated that the community feels that when they seek police help they get it, but in some cases seeking help in itself is difficult because of the distance and access. Women complain of discrimination at the Valmiki hospital, the closest government hospital residents can access. In cases of domestic violence, they say the doctors say it is not a big wound and refuse to give the MLC² which is very important to file a case under the Domestic Violence Act.

² Medico legal certificate

Drug trade and abuse in the community; poor access to services of the Crime against Women Cells (CAWC) and police stations; as well as poor access to legal aid are other major issues that impact women's vulnerability to violence.



Mr Atul Katiyar, DCP, Outer Delhi district:

Representing the police, DCP Atul Katiyar said the Police plays an important role in addressing domestic violence. According to him, social inequality among men and women was the root cause of violence against women. “Parents don’t give equal rights to daughters; then send her to in-laws. There, she gets half rights. In-laws have not given equal rights to their daughters and hence give the same less rights to daughters-in-law. The root cause is inequality of rights to men and women since childhood. Girls and boys should be given equal rights in families.”

He said it is easy for the community to say that when a woman’s husband leaves, or there are violence or maintenance issues, the police don’t help. “But the police cannot provide for sustenance. The solution to this is that at the time of marriage half the property that is her husband’s should come to her. The same must happen in maternal home as well.”

He advised that in a case of violence, the MLC should be taken as it can be used as evidence when the case is filed. Also, if there is a problem of access to the police, they can send a postcard to the ACP and the police will respond. “You may need to come again and again until you are heard but you will be heard,” Katiyar said. He told women that rights are got not by asking but by fighting for them. “There are platforms like Jagori that help you fight for your rights. We are there to support you in your fight and protect you,” he said.

Ms Asha Kumar, ACP, Crime against Women’s Cell, Nanakpura:

ACP Asha Kumar said it was good to see men and women across age groups participate in the meeting. She said there has been a lot of discussion on women’s issues; the time now is to discuss childrights issues. “Lot of violence and abuse is happening against children. Jagori should spread awareness on this. Education can go a long way in ensuring better rights for children. In Nanakpura police station we are getting a lot of complaints on childrights issues. It is important to be aware of rights and fight for them.”

Mr Sanjay Sharma, DLSA:

Mr Sanjay Sharma told the community about DLSA and the services it offers. DLSA is a legal institution to help poor and marginal sections get free legal aid. DLSA can help women claim maintenance, custody of children, right to residence. Labourers can seek DLSA help to get compensation in case of accidents. Mr Sharma said the community can approach DLSA at the court in for legal services. He offered that a legal aid cell can also be set up in the community if the community provides the space. “If you provide space we can give you a lawyer here who will come on fixed days and fixed times for people to get free legal assistance. People won’t have to come to court. We can bring the service to you in your basti,” he promised.

Acknowledging this, Moderator Khadijah said it will be very useful for residents to have a legal aid cell in the *basti*. It will also be good to have a crime against women cell here.

Dr Sunita, Valmiki Hospital:

Responding to the claim that doctors don’t give MLC, Dr Sunita said if a victim reports violence or the doctor feels it is a case of violence and the victims is hiding it, “the doctor will give an MLC, there is no question of not giving.”

She said people should know the days and times to access hospital services. Sometimes when people come outside of the service hours – for instance for ultrasound – we may admit them. “In some cases patients run away – we don’t know what to do.” She told the community about other services offered at the hospital such as health education lectures; regular check ups for pregnant women; family planning services; information on various government schemes people can access.

Mr Bakshiram, SHO, Narela thana:

Mr Bakshiram, police officer responsible for the area said it is important for people to know their rights. “How can the police help if people don’t see help. We will address issues wherever police intervention is needed,” he promised.

Khadijah added that Bakshiramji’s support has been critical – on many occasions he has gone beyond the call of duty to support the community whenever they have sought help.

Panelists’ recommendations:

Panelists’ recommendations include:

- Setting up a weekly legal aid clinic with DLSA support.
- Gender sensitization training for doctors in Valmiki Hospital.
- Sustained partnership with the police; Gender sensitization training for Outer District Police Stations.

Closing remarks

In her closing remarks Seema Srivastava, Jagori, acknowledged the active police support and partnership. “It is evident that your partnership and support has been very strong for the community. All the people who spoke have said so.” She lauded the courage of women who gave their testimonies. “It requires a lot of courage to speak publicly about these issues – we are always told to keep silence in regard of social tradition and family honour. Today, these women spoke so the community can discuss these problems.” She said Jagori intentionally asked women to focus on the larger issues and not personal matters. She reminded the community that violence has many forms – forced marriage, unequal distribution of food being among them as well. “We would have liked to hear from the community as well – men, elders of the community – what is your role and response in this. It is not that the victim alone should fight; the perpetrator also must be challenged.”

Follow up actions:

Jagori will continue to work with the survivor group in taking forward the recommendations and building women’s legal literacy and leadership. They will also continue to develop strategies with the youth and men to explore alternative masculinities and find ways to build a zero tolerance to violence.



A Jan Baithak on the issue of ending violence against women: in resettlement colony of Bawana, Delhi on September 30, 2009 from 2-5 pm
Organized by Jagori

Agenda

Time	Session	Presentations
2.10	Welcome and Key Remarks	Seema Shrivastav-, Asst Director, JAGORI
	Moderator of the session	Khadijah
3.00 – 4.00	Testimonies: Right to Residence	Qumrun Nisan
	Domestic Violence – Issues of maintenance	Shahnaz
	Unequivocal talaq vis-à-vis Right to residence, maintenance and custody	Naseem Bano
	Dowry cruelty and Streedhan	Husnara
	Sexual harassment at a public place	Sathi Samooh
	Lack of safe public parks for girls	Jaheda
	Drug abuse and its impact	Maqsooda Begum
	Summary of presentations	Sabra –Project associate Juhi- Field Animator
4.00- 4.45	Government response	Representatives of DCW, DCP, DLSA, Valmiki Hospital and NGO Forum, representative of GRC – Prayas ,Chandni Begum/
5 - 5.00	Vote of thanks	Sarita –Project coordinator

ANNEXURE - 2

LIST OF PANELISTS

1. Mr. Atul Katiyar – DCP Outer District, Delhi
2. Mr. Sanjay Sharma – Delhi Legal Service Authority
3. Dr. Sunita – Medical Officer, Maharshi Valmiki Hospital, Pooth Khurd
4. Ms. Asha Kumar – ACP, Crime against Women Cell, Nanakpura, New Delhi
5. Mr. Bakshi Ram –SHO, Narela Police Station
6. Ms .Shahani Begum – Jagori *Nigrani Samiti* Bawana

ANNEXURE - 3

LIST OF PARTICIPATING NGOs:

1. Navjyoti Foundation
2. Prayas
3. Action Aid India
4. Gender Resource Centre, Bawana
5. STOP
6. Sajha Manch
7. Nirman Sangathan
8. RWA Bawana

ANNEXURE – 4: Concept Note



JAGORI's work in Bawana – five years of struggle for the community

In 2004, the community from Yamuna Pushta, a densely populated informal settlement, was demolished. About 3500 families were offered resettlement in Bawana, some 50 km on the border of Delhi and Haryana. The displaced families from Pushta found themselves in an unknown place with no access to food, water, electricity or health facilities; their very survival was under question. For months they lived under the open sky in the blazing heat of the Delhi summer, struggling to construct some kind of shelter for themselves with the bamboo sticks and straw mats provided as infrastructure by the Government.

A quick survey in 2005 of the impact of eviction on education of girls highlighted a high level of drop out of girls because of the sudden break in their studies, the burden on them take up employment due to loss of family income and caste and class discrimination practised by the teachers in local government schools. Over the years, these (and other) adolescent girls involved in the study organised themselves as an informal group initiated by JAGORI called the *sathi samooch*.

JAGORI has been working in two resettlement colonies in Delhi, Madanpur Khadar (in south-east Delhi) and Bawana. In 2006-07, JAGORI undertook a study in Bawana and published its findings in "*Swept off the Map: the Politics of Eviction and Resettlement in Delhi*". This study examined a range of socio-economic indicators to expose the impact of evictions on the community. The study highlighted that apart from the loss of their homes, evicted slum dwellers experience a reduction in their average income post eviction as well as increase in distance to the workplace. It noted that the relocation led to the loss of women's independent incomes as well as the community support that they had enjoyed at their earlier homes. Women and young girls reported that they were often harassed by attendants in public toilets and landowners in nearby fields who viewed the resettled families as encroachers and outsiders. They also face different forms of violence and harassment.

JAGORI set up a community counselling clinic in Bawana in 2005. It provides direct support to women and adolescent girls facing violence. Since its inception, around 100 women and young adolescent girls have taken help from the JAGORI team to find answers to their problems and seek solutions. Apart from counselling and working with families and the community on the issue of violence, the also team offers them referrals and legal aid services. Women have raised issues of domestic violence, rape, child sexual abuse and sexual harassment in public places and work places. The team intervenes through counselling (with individuals, families and neighbours – through *gully* meetings), referrals to shelter homes, legal aid and medical aid facilities and support to access the police system. Apart from direct support to women facing violence, the team also does advocacy with the police through meetings, training workshops and interactions.

Over the past few years of working with women survivors of violence in Bawana, it has been noted that the issue of ending violence and creating safe public and private spaces for women and girls is the responsibility of not only the community, but also of several stakeholders in the community, so that women can seek easy redress to justice and shelter when needed.

The *Jan baithak* is being organised to raise some concerns that women face and look for options by which they can be addressed by the community and other partners in this effort. By sharing their concerns with select government agencies and civil society working on these issues, the women will get an opportunity and a platform to interface with key allies. The women will thereon plan future strategies so that they can find effective solutions to address their concerns.