

A RAPE AND A RETRACTION

The Saga of Dakshinpuri

On September 24, some newspapers carried an item recounting the torture and rape of a young woman Rajjo in the custody of the Dakshinpuri police chowki, P.S. Ambedkar Nagar. A large demonstration that took place outside the chowki to protest Against the assault on Rajjo, was also reported. On 25th September, however, many papers (including those which had not reported the earlier story) published a statement by Rajjo denying the earlier charges levelled against the Dakshinpuri police.

The following is an account of PUDR's fact-finding in Dakshinpuri.

Rajjo, who is in her thirties, is the second wife of Gyan Singh a scooter mechanic who runs a small repair workshop in Lajpat Nagar. Gyan Singh, his two wives and five children have been living in the resettlement colony at Dakshinpuri for some years. The family earns upto Rs 1500 per month from the workshop.

On September 17, Gyan Singh's brother Paramjeet Kake got involved in a brawl with a neighbour and stabbed him, non-fatally. In the course of their investigation into this stabbing incident, the Dakshinpuri police detained Gyan Singh for interrogation as Kake had in the meantime absconded. An hour later Rajjo too was picked up from her home and taken to the chowki.

The next day (18 September) another woman Kamala who was a close friend of Rajjo and knew Kake well, was also brought to the chowki. She was however released the same evening.

A visibly distraught Kamala contacted local activists of the Janvadi Mahila Samiti (JMS) the next morning (19 September) and told them of the harassment and humiliation she had suffered at the hands of the SI in charge of the Dakshinpuri Chowki, K.L. Yadav. She also brought to their notice the illegal confinement of Rajjo in the chowki.

Kamala was taken by the JMS activists to the DCP Neeraj Kumar at Hauz Khas to lodge a complaint.

On 20th September at around midnight JMS activists brought reporters of *Jansatta* and *Indian Express* to the chowki to locate Rajjo. Some constables told them that SI K.L. Yadav was out on an investigation and that there was no one being detained in the chowki apart from some drunks. Later the group discovered Gyan Singh in the lockup (Photograph published in *Jansatta*, Sept 24). His four year old son was also discovered sleeping on a bench in the thana. He had apparently been drugged. Finally, Rajjo was discovered slumped in an autorickshaw standing within the chowki premises. She was in a state of near collapse. She told the reporters that she had been brutally tortured and abused by the policemen. She had been hung by wires tied around her wrists on iron bars in the chowki and then beaten and mauled by some constables. SI K.L. Yadav used to take her with him upto Okhla, ostensibly to search for the accused Kake and molest her on the way. On being brought back she had been raped, more than once, by him.

At around 2.30 am K.L. Yadav emerged from within the chowki and sent the reporters away *without Rajjo*. He denied the allegations made by her.

Half an hour later, at 3.00 a.m. on 21st September, Rajjo was allowed to leave the chowki. No medical examination was done.

In the meantime the J.M.S. activists had been mobilising people in the locality along with the Democratic Youth Federation Of India. A dharna was organised outside the chowki on the morning of September 21. Unfortunately, none of the organisers was aware of Rajjo's release. There was some stone throwing and a lathi charge was ordered. The six persons who had gone into the chowki to press the demands have been charged with cases of incitement to violence and breach of peace.

Gyan Singh was presented before a magistrate on 21st September, and remanded to judicial custody. The charge he faces is now one of attempt to murder.

A vigilance inquiry was ordered and on September 24, the ACP in charge of this enquiry met Rajjo in the presence of K.L. Yadav and some reporters. Rajjo denied the earlier allegations while Kamala refused to say anything.

The fact that the victim was not willing to press charges and further since no medical examination had been conducted to confirm the assault on her body, meant an effective end to any attempt at prosecution of the culprits. The vigilance inquiry reached a dead-end.

Since then another incident of police excess under the Dakshinपुरi chowki has been reported. A young boy, Kailash was badly beaten up by the police. He had to be admitted to hospital. SI K.L. Yadav was transferred to the Operations branch (24 October). PUDR was told that this was a routine transfer and not a disciplinary measure.

This is one of the rare cases of custodial rape in which no action has been taken against the accused policeman. The absence of any such action is most inexplicable given the glaring irregularities that were apparent in the handling of the investigation of the stabbing incident:

1. Two persons had been illegally detained for more than 24 hours without being presented before a magistrate as is required by law. Other inmates in the chowki testified to the fact that both Gyan Singh and Rajjo had been confined in the chowki for more than one day. When questioned on this K.L. Yadav is reported to have told the investigating reporters (Sept 20, night) that Gyan Singh would be brought before a magistrate the following day and that his records would state his detention to have taken place only on 20 September.
2. Wrongful confinement of a woman in a chowki where no woman constables were present. The SI maintains that Rajjo had not been detained in the chowki. When the group of activists and reporters found her in the chowki she had just come in to give her husband food -- at 2.00 a.m. in the night!
3. No action seems to have been taken on Kamala's initial complaint alleging the wrongful confinement of Rajjo in the chowki. The police either disputed the veracity of the complaints that had allegedly been 'made at the instigation of JMS activists' or else simply refused to acknowledge the fact of a complaint having been made. In either case investigation was deemed unnecessary.

The police has been effectively vindicated and those taking up the cudgels on behalf of the violated woman are sought to be discredited. The police are now claiming that Rajjo was forced, by JMS activists, to sign the statement alleging rape on the false promises that it would help acquit her husband. The withdrawal of charges against the police by Rajjo has taken the wind out of the sails of those who had taken up the issue and agitated for the prosecution of the police. The 'rape victim' thus ceased to exist.

Rajjo, in the meantime, leads a life of formidable isolation. She had come to Delhi a few years ago as the second wife of a childless scooter repair mechanic. Her husband is now languishing in Tihar Jail for a crime he did not commit. Rajjo is now faced with the prospect of

bringing up five children in a hostile environment. For her neighbours she is an outcast. For her friend Kamala, the first person she turned to when she was released, she is someone who threatens the stability of her family. Kamala's husband does not want her to have anything to do with Rajjo or her case. The JMS activists who did not learn of her release until much later were also not able to give her any emotional support in the critical period immediately after she came out.

Given her loneliness and isolation it is hardly surprising that she chooses to remain silent. Especially since her husband's fate quite obviously depends on her reticence. An enquiry into the assault on her person by the Dakshinpuri police is meaningless as long as the authority investigating the stabbing incident in which her husband now stands accused is also being conducted under the same police station.

A rape victim invariably faces compelling pressures that impose a shroud of silence over her violation. Such pressures come from within the family and more pervasively through the norms and codes of society. Where the agents of the state are responsible for such violation the social power that men exercise over women is reinforced by the authority of the uniform. It is rare enough for the woman to press charges. When she does- all too often a variety of pressures are brought to bear on her to compel a retreat. Behind Rajjo's allegations, their repercussions, and subsequent withdrawal lies this not unfamiliar story of criminals appearing to be 'victims' of allegations so that the victim's cries can no longer be heard.

PUDR demands:

Suspension of the SI K.L.Yadav.

Transfer of the case against Gyan Singh to any authority other than the Ambedkar Nagar Police Station.

A magisterial inquiry into the torture and rape of Rajjo in the custody of Dakshinpuri P.S.

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For Copies: Dr. Sudesh Vaid, D-2, Staff Quarters, I.P. College,
Shamnath Marg, Delhi 110 054

Suggested Contribution: Re. 1