



The Delhi Nari Niketan —Protection Worse Than Imprisonment

WHAT is the difference between "protection" and imprisonment? Do the inmates of women's "protective homes" have any rights of their own? Or are they at the mercy of their "protectors"? Recently, enquiries into the protective homes in Agra and Delhi, made clear that only too often such institutions become the Centres of brutal oppression and exploitation.

The functioning of Nari Niketan, the government protective home in Delhi, was set in motion by Ms Chinnammu Sivadas, who had for 18 years been working as central organizer with the Association for Social Health In India. She wrote a letter to the committee for implementation of legal aid, headed by Justice P N Bhagwati, and then filed a petition in the supreme court, against Delhi administration. She alleged that the women in Nari Niketan are denied basic amenities such as proper food and clothing, are not given any psychological help, rehabilitation opportunities or vocational training, are deprived of liberty, are abused and beaten, and are channelized into prostitution. She asked that an investigation be ordered into the affairs of Nari Niketan, and the inmates be interviewed, so that their right to human dignity enshrined in article 21 of the Indian constitution, could be ensured to them. Justice Bhagwati and Misra ordered that a panel consisting of Shri R.L. Gupta, and secretary of the Delhi board of legal aid, Ms Nandita Haksar, social worker and, Ms Sivadas, should visit Nari Niketan, conduct an enquiry into its functioning between April 1979 and April 1981, take charge of the records regarding admission and discharge of the inmates and interview the inmates. We print below extracts of the report submitted by the panel.

"AS per the directives of the supreme court, to ascertain whether the allegations made by Chinnammu Sivadas regarding the functioning of Nari Niketan have any basis, we visited Nari Niketan on May 9, 1981, and on subsequent days. Since no previous information was given about the first visit, the management seemed to be somewhat uneasy and taken aback.

Walking past the huge tin gates and the locked doors, we came face to face with the inmates. The girls gathered around us, pouring out their grievances, begging us to have them released, and complaining of various things. One girl showed us her breast which appeared to have an abscess oozing pus, and which has remained so for the past four months, we were told.

We went around the premises. It is a two-storey building which housed 84 inmates at the time of our visit, including 15 women in the mental ward, which is separated by a sliding iron gate. There were also two children below the age of seven. The kitchen is dark and grim without a bulb. There is no regular water supply in the kitchen and it is black with

soot from the *chulha*.

Upstairs, there are several poorly ventilated rooms with built-in cupboards. The rooms are bare. None of the latrines had been cleaned for several weeks. The latrines and the area around them were full of excreta and urine. The stink was unbearable.

Having inspected the premises, we went to the prayer room and talked to the girls. None of them were dressed properly. Some wore petticoats and blouses; others had a towel in place of a lungi. Nearly all of them were barefooted. They said that if the management had known we were coming, they would have been dressed up for the occasion. In the past, whenever visitors came, the girls were made to wear proper clothes but they were made to take off those clothes as soon as the visitors left. The following day, we visited the home again, and interviewed the girls individually. In the course of the interviews, the girls repeatedly requested us for pieces of paper on which they wrote letters narrating their grievances.

History Of Nari Niketan

The Nari Raksha Samiti, a voluntary

organization formed just after independence, set up the Nari Niketan to house and protect the helpless, deserted, seduced and raped women who were victims of riots in the wake of partition. This institution helped many women during that time. Then the Delhi administration took over the financial responsibility of running the institution, and its management was entrusted to a board of voluntary social workers and representatives of the directorate of social welfare, Delhi administration. This arrangement continued till December 1979 when the management was taken over completely by Delhi administration and the board was abolished.

In 1972 this institution was declared a protective home under the suppression of immoral traffic in girls and women act, (SITA) 1954. This act defines a protective home as an institution in which women and girls who are in need of care and protection may be kept. According to the act, state governments have the power to frame rules for the running of protective homes. All state governments have framed such rules. The Delhi administration has also framed such rules

but the Nari Niketan neither possesses a copy of these rules, nor does it follow them—as the superintendent admitted in her letter dated 25.7.81. The only rules they have are those framed by the board of social workers. Since this board has ceased to exist, these rules are redundant. But the staff of Nari Niketan is not aware of any other rules.

Pretension And Reality

Before the SITA was passed, the central social welfare board had set up the Lady Rama Rao committee in September 1954. This committee drew up a list of suggestions and programmes for the education, training and rehabilitation of rescued women. One of the significant suggestions made by the committee was:

"No institution should be allowed to care for women and girls unless its bonafides and ability are tested. All institutions must be licensed and regularly inspected. Every institution must have an approved programme of training calculated to make every inmate self-reliant when she is released." (report of the committee, July 1959.)

Starvation Diet

We confirm the allegation made in the petition about the denial of basic amenities like proper food, proper clothing and proper bedding.

According to the girls, they are given half a glass of tea with one dry chapati in the morning; a little rice, two chapatis, a little dal and vegetable for lunch; half a glass of tea in the evening; two chapatis with a little dal and vegetable for dinner. They are supposed to be given a snack with tea in the evening, and fruit once a week, but this is rarely given. No special diet, not even milk, is given to sick inmates. The children are not given milk.

Many of the girls complained that they remain hungry all the time. Sushila from Gurgaon remarked that the food served for lunch and dinner together is hardly sufficient for one meal. They all said they need more rice at lunch and at least four chapatis for dinner, if rice cannot be provided. A few girls said their system had got adjusted to the food and they manage to survive on whatever is given.

When we visited the kitchen, we found that the quantity of food cooked was hardly sufficient for 84 inmates. We found a lot of karelas stored in the

kitchen. They were rotten and unfit for human consumption. The girls remarked that such vegetables were cooked every day, and very often, worms were found in the vegetable. "Maybe they are trying to compensate for our need for non-vegetarian food" remarked one girl. They also told us that the atta used for chapatis is full of worms.

The aluminium plates and tumblers used in the home looked miserable like begging bowls. There was no service spoon. Hands are used to serve all food, liquid and dry. There is no seating arrangement for meals. When the food is brought outside the kitchen, there is a mad rush. The stronger ones push the

clothes. Some of them bathed under the tap and dried their wet clothes by standing in the sun. Some managed to get old clothes from those who were leaving the home. One girl quoted the superintendent as saying: "Clothes are not issued to the newcomers." Everyone we interviewed complained of shortage of soap and oil. More than 90 per cent of them were bare-footed. Those who wore chappals said they had them before they were admitted into the home. Two or three girls said they were given chappals.

On checking the register which records the number of clothes issued to the girls, we found certain anomalies. Likhi was in the mental hospital,



The women show the kind of food they are given

weaker aside and grab the food. The shortage of food leads to fights, abuses and very often, friends become foes through fights over food.

The girls complained that the food cooked is tasteless and no ghee is used. They described the tea as "*phiki phiki chai*", and said that if anyone is slightly late, she is sure to miss the tea. The food is sent to the superintendent's office for tasting, everyday. We saw that the chapatis sent to the office looked properly cooked and soft, but the ones served were mostly hard and burnt.

No Warm Clothes In Winter

We were provided with a chart according to which each girl is supposed to receive four sets of clothing a year, and also be regularly supplied with underwear, towels, soap and oil. On admission she is supposed to be bathed, and her clothes, if filthy and verminous, are to be destroyed.

But the majority of girls said that for days after admission, and in some cases for months, they were not given any

Shahdara, from 23.7.80 to 10.3.81. During this period, she is shown to have received two salwar-kameez sets and a sweater. But she denied having received these and stated categorically that she wore only a petticoat and blouse during her stay in the hospital. So the record seems to be fabricated and articles allegedly supplied seem to have been misappropriated. Similarly, Sunita was admitted on 2.11.80. On 24.11.80 she was given an old sweater which she says was full of lice so she refused to accept it. She was not given any clothes till 27.2.81. Till then, she says, she wore the clothes she came in, and whenever she bathed, stood in the sun to dry herself. It may be pointed out that this was winter time. There is an entry in the register that she got a new sweater on 23.2.81 but she categorically denies having received a sweater.

Salma Khatoon was admitted on 6.6.79. The other girls told us that she was a favourite of the former superintendent. The register says that

she has been supplied with seven sets of salwar-kameez till date. Similarly, Prema and Shyamala were not supplied with any sweater even though they came in winter.

Worst of all, there is no provision for underwear, bras or sanitary napkins. It is stated that each inmate is supplied eight metres of long cloth every year to stitch banian and shameez. But these were not found in use. Neither cloth nor cotton is given in lieu of sanitary napkins. We attach a written statement of the superintendent that there is no provision of these items. We would like to point out that rule 23 of the Delhi rules under the SITA expressly provides for sanitary cloth. The consequence is that the girls are compelled to tear their clothes and use them as sanitary napkins. Those who do not have enough clothes steal those of others. The newcomers are badly affected as they are not supplied any new clothes for weeks and sometimes for months.

In the dormitory, there were only 37 takhats on which mattresses were spread. The bedcovers were filthy and we saw some lice on them. In many cases, two girls share a bed. Most of the newcomers were made to sleep on the floor with or without durries. Many girls complained of not having beds.

There is no regular supply of water in the bathrooms, toilets or kitchens. The only regular supply is from a tap outside the building. There is no proper storage facility so the girls have to be accompanied by a worker each time they want water.

The Sick Not Segregated

There is no room or facility for segregating the girls when they are ill. They continue to sleep together.

We were astonished to learn that when some of the girls had chicken pox, they were made to sleep with the others and were not segregated. Since the practice of medically examining the inmates on admission is not adhered to, contagious diseases are noticed only when the symptoms become acute.

The TB patients present a very pathetic picture. Noorjahan was sent to the home from the TB hospital in 1965. She was sent to the TB hospital several times after that. On 13.7.66 she was discharged. She sat outside, crying and pleading for shelter inside. She was re-

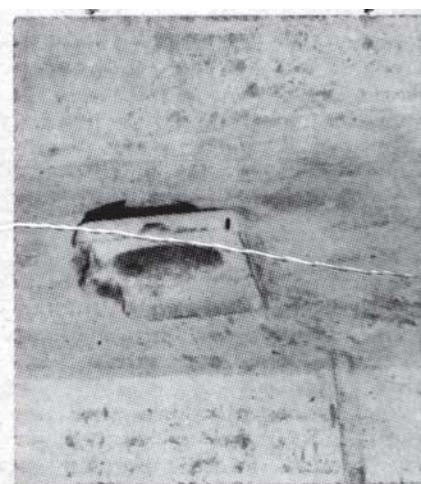
admitted on 24.7.66. Where did she live during those days? Surprisingly, though she was sick and not insane, she was put in the mental ward. No psychiatrist has certified her to be a mental case.

A letter dated 10.3.70, signed by Swam Lata, the then superintendent, addressed to Dr Bhagi of the TB clinic, Moti Nagar, reads : "It is not possible to separate TB patients from other healthy patients." Susheela was in the TB hospital for three months in 1980. Treatment for TB has continued till 3.4.81 and perhaps is continuing even now. Won't she pass on the infection to others?

Rule 8 of SITA clearly prescribes that women found to be suffering from venereal disease should be kept separate

not been done. We noticed that many rooms were left vacant and all the girls were made to sleep in one dormitory. Those suffering from contagious and infectious diseases, prostitutes, unmarried mothers, and girls discharged from the children's home are all put together. While there is a separate mental ward, many outside the locked gate of this ward did not look sane.

On October 27, 1970, a circular had been sent by the director of social welfare, forbidding anyone suffering from mental disease to be sent to Nari Niketan. However, according to the case worker's record, some girls who were in perfect mental health on admission, developed symptoms of neurosis and psychosis, during their stay in the Nari



The foul state of the toilets—broken and filthy

from the other inmates. But there is no record of the inmates' blood having been tested for VD.

Gulab Kaur, aged 80, is still in Nari Niketan since 14.11.80, though a noting in her file on 25.11.80 states that she should be sent to an institution meant for the aged and infirm. Despite the existence of deaf and dumb institutions in Delhi, the Nari Niketan has two young deaf and dumb girls with whom no one can communicate. This lack of classification of the inmates makes adequate treatment impossible.

The Sane Become Mad

Even though the Nari Niketan is located in a very spacious building, which should make it easy to classify and segregate the inmates according to their problems, we found that this has

Niketan.

The so-called mental cases are locked away in a separate ward, but in no case is there a certificate from the SDM or from any psychiatrist that these girls are incurable and should be locked away. This is a clear violation of sections 5 and 28 of the Indian lunacy act, according to which the certificate of a medical officer is required before an alleged lunatic can be admitted to any asylum.

Several girls have been sent to the mental hospital, Shahdara, a number of times. There is no record of their progress in between the visits. It can be presumed that when the woman was discharged the first time, she was fit to lead a normal life. Why mental cases should be kept in a correctional home is worth investigating. At present, there are ten

girls at the hospital and 16 in the so-called mental ward at Nari Niketan. We cite some of the worst cases.

Shashibala was admitted on 11.7.75. She was first interviewed on 22.11.75, almost four months after her arrival. On 2.12.76, there is a noting by the medical superintendent of the mental hospital, Shahdara : "She is an epileptic. She has borderline grade of intelligence. There is no need to transfer her to the home for mentally retarded persons. She can be trained here." The file is silent thereafter. We made enquiries about her and were told that she was sent to the mental hospital on 15.4.80. There is no record of her state of mind during the three years between 2.12.76 and the date on which she was sent away.

Sone Devi Chandra was admitted on 24.1.81. She was seven months' pregnant. She had the baby in Lady Hardinge hospital and felt no attachment to it. She wanted to give it in adoption. The child died on 10.4.81. Sone Devi was admitted to the mental hospital on 23-3.81. There is nothing else in the file.

Nirasu was admitted on 23.9.76. She was interviewed on 4.10.76 at which time it was recorded that she was a calm and balanced person. On 23.2.77 she was sent to the mental hospital. There is nothing in the file to indicate that her mental condition was deteriorating during this period of five months. On 30.12.79 she was re-admitted to the mental hospital and discharged on 15.12.79. The order of entries is wrong which shows prima facie that they may have been written later.

Saroj Kumari was admitted on 14.12-75. She had been married twice. Her father refused to take her back. He wrote to the institution that as far as he was concerned, she was dead, and he was not willing to see her face. In September 1976, there is a noting that the doctor recommended psychotherapy for her. The diagnosis was epilepsy and depression. On 23.2.77 there is a noting that she is schizophrenic and has excessive sex drive. She was sent to her home under police escort, to claim her share in the family property. When she returned, she was sent to the medical hospital intermittently and discharged finally on 13.11.80. The file is silent thereafter. On making enquiries, we were

merely told that as per record, she is in mental hospital but there is no date of re-admission in the file.

Not Trained To Earn A Living

We also confirm that there are no facilities for vocational training and economic rehabilitation in this institution. There is a literacy class. Four girls state that they have learnt to read and write alphabets and a few words. However, the majority of girls we interviewed had visibly not benefited from these classes.

There is a music class and a sewing class. But these seem to be pastimes rather than aimed at enabling the girls to earn a living on discharge. Many of the girls have learned to sew but none of them were confident enough to do any cutting on their own. In other words, not a single woman in Nari Niketan will be in a position to earn a living by tailoring when she is discharged. It was reported that the needlework teacher was absent for a long time.

There was a time when the residents of Nari Niketan did vegetable and wheat cultivation. But this has been discontinued and what we see now is wild growth. Even the grass is not cut or trimmed properly. At present, there is no trade taught to the girls in the institution to enable them to lead an economically self-sufficient life when they are discharged from the institution. In many cases, their relatives are reluctant to take them back. How will they live ?

The girls expressed a very strong desire to learn some trade that would enable them to earn a reasonable livelihood. They repeatedly said : "Get us jobs", "Open a factory nearby and put us to work." Those who had bitter experiences in marriage stated that had they been economically independent, the



Mental ward at Nari Niketan

treatment meted out to them would have been different. It is very rarely that the Nari Niketan helps them to find employment. Those who are discharged and find employment, do not earn enough to live in hostels. The Nari Niketan seems to have ignored this problem. There are no subsidized hostels or half-wayhomes. How do they live? No one knows as the institution does not have any follow-up machinery.

Marriage—The Only Way To Get Out

The superintendent of Nari Niketan, in many of her letters to different people, has stated that "the ultimate aim of this institution is to rehabilitate the girls through marriage," During the period of enquiry, 29 marriages were conducted, though the release register recorded only 28. The files show that normally a meeting takes place between the groom and the authorities. What can be assessed in one meeting is anybody's guess. There is no evidence to show that the groom's family is taken into confidence, even when the girl is expected to live with them after marriage.

The marriage rules shown to us do not provide adequate safeguards. In some cases the case worker visited the boy's home. But what about the grooms from outside Delhi ? There is no evidence to show that the assistance of the directorate of social welfare of that



Mentally deranged and sane kept together

particular state had been sought, to know the whereabouts of those boys. Follow-up too does not take place when the boys live in far-off places. Marriages are arranged between people who do not speak each other's language, often with disastrous results. For instance, Shyamala from Tamilnadu was admitted to Nari Niketan in 1978. In 1979, she was married to a man from Bikaner. She wrote several letters complaining of ill-treatment. A baby was born and her husband would not give money to buy milk for it. She had come from GB Road and the husband's family constantly taunted her about her past. The husband was a drunkard too. In October 1980, she wrote that she would run away to Madras, and soon after, a telegram came that she had actually run away. The records show that many girls returned after a month, or were brought back by their husbands and left in the Nari Niketan.

Before marriage, the girl is "shown" to the boy and the register records that "they liked each other." But what is the criterion of liking? Some files show that certain girls were shown to three or four boys and liked all of them. On July 20, 1981 we were informed that a court order had been obtained for the marriage of 16 girls. One of them, Shyamala from Kerala, had been shown to a boy from Delhi. When we asked her how she would communicate with him (since they speak different languages), her reply was: "This is the only way to get out of here." Since the institution has no follow-up programme, they just do not know what happens to the girls after marriage. The files are silent about this.

Between The Devil And The Deep Sea

In the dry, drab and sickening atmosphere of this institution, the only thought that persists in the minds of the girls is "how to get out" but when they get out, they are not fit for any activity which would enable them to earn a living. A look at the monthly report of admissions and release during the period related to the enquiry, reveals certain ghastly facts.

Most of the girls are released on their request when they become majors. From April to December 1979, 119 girls were released on attaining majority. In 1980,

184 were released and in 1981, till April, 37 were released. There is no data to show what happened to them, or why they chose to leave the home. During the period of our enquiry, one girl Puja was released to a police constable who was in no way related to her. A report in the Indian Express reveals that at least one girl has returned to GB Road.

Some girls are handed back to their "legal guardians." How the legality of guardianship is established is not known. Sometimes girls are released on *superdari*. Considering the poor background of the girls, it is surprising how any relative could come forward to offer *superdari*. For instance, Kamlesh from Himachal Pradesh had run away



No special provision for children

from home because her brother-in-law had misbehaved with her. Yet she was handed back to the same man. Though she is married, her husband did not come to take her back. Why did Kamlesh go with the same man who was responsible for her running away? Perhaps she made a choice between the devil and the deep sea.

There is a register in which notings are made about the follow-up of only a few marriages conducted by the Nari Niketan. But this is limited to either casual visits or writing letters, which cannot be called follow-up. When an institution fails to establish rapport with its inmates. While they are inside the institution, not much can be expected of it by way of enquiring after their whereabouts when they are away.

The record also shows that six girls have been discharged, having found

employment. Are they continuing with their jobs? One of them, Anjali, who got employed and married, has come back to Nari Niketan. She is four months' pregnant, has lost her job and been discarded by her husband.

Bonded Labour

While many of the girls who worked regularly for the former superintendent have been released, Prema, Lal Bano and Paro are still in the home. Prema stated that the superintendent Shanta Ratna used to call her to her house. She was made to wash clothes and clean the house. The superintendent did not give her any money for this work. She only casually gave her a cup of tea or a roti or rupee whenever she felt like it. She was expected to go back to Nari Niketan for her meals. She had to miss the classes as she was working at the superintendent's house during those hours. Paro also stated that she and a dozen other girls were made to work at the superintendent's house. Lal Bano also confirmed that the superintendent made girls work at her house without payment.

Anjali, who has lived in the Niketan for ten years, stated that about six girls used to work at the former superintendent's house. They were guided in their work by Pushpa and Satya, the workers of the home. One girl Gita Mundu, was forced to collect water from the latrine and sprinkle it in the superintendent's garden. If she refused, she was beaten up.

From the statements of these girls, we are of the opinion that many of the inmates of Nari Niketan were compelled by the former superintendent to work at her house without any wages. These inmates were also deprived of attending the literacy and other classes in the Nari Niketan.

Sold And Supplied To Men

The order by the supreme court states that some extracts from the Indian Express were handed over by Ms Sivadas to the court. These were reports of interviews with some girls who had escaped from Nari Niketan. Unfortunately, these girls are no longer available for an interview. They are neither in Nari Niketan nor are their present whereabouts known.

Anjali also stated that some innocent and ignorant girls were sold off by the

former superintendent. She did not mention the names of these girls. Some girls were also forced to marry old men of the superintendent's choice. She also states that under the pretext of sending the girls for employment, they were sold off.

She reported that since she used to speak out against the shortcomings of the institution, Shanta Ratna tried to get rid of her. She was declared to be a bad girl and was sent to Tihar jail for 15 days. When she was released, the superintendent refused to re-admit her so she went to GB Road with Noorjahan, a co-prisoner. When she found that GB Road was a redlight area, she escaped, went to the police station and got herself re-admitted to Nari Niketan.

Anjali also told us that the staff of Nari Niketan, especially one Mr Sehgal, used to arrange illegal meetings of the inmates with some visitors after 5 pm, without any lawful order from the court. She stated that Sehgal used to drink in the office, and also get non-vegetarian dishes cooked.

Prema, who has been in Nari Niketan for about one and a half years, told us that in January this year, she was shown to a boy and liked him. But the superintendent wanted her to marry an old widower. She refused, so one evening the superintendent took her to his house in Tilak Nagar, and left her there. After some time, the old man came there but she told him she would not marry him. He said that he had paid Rs 2,000 to the superintendent. On Prema's refusal, he took her back to Nari Niketan. The superintendent at that time refused to keep her and told her to get out at once. As she was going out of the gate, the superintendent called her back and told her not to disclose any information to the other inmates. Strangely enough, Prema's file does not disclose any trace of the proposed marriage.

Prema also stated that the superintendent had sold off three girls. Shanti, Sarathi and Coongi. They were sent out under the pretext of employment some time in April 1981. Shanta Ratna deceived those girls by telling them their parents had come to take them away. According to Prema, the superintendent forced many girls to marry men of her choice, and if they refused, she

threatened to throw them out. She also said that one girl Shabo was kept for two to three months for domestic work by the superintendent in one of the two huts outside her house. Paro confirmed that Prema had been taken out under the pretext of employment, and that on her return Prema told the other girls that the superintendent had been paid Rs 2,000 by the person who had taken her out.

Lal Bano told us that the superintendent wanted to marry her off to a painter who had no regular income and when she said that the boy should earn at least two to three hundred a month, the superintendent falsely told her that the boy was earning 900 a month. She also said that two girls Susheela and Kaushalya used to be shown to some boys, ostensibly for marriage. These girls were given money by visitors and boxes of sweetmeats were brought. Other girls used to feel jealous because they were denied these privileges and freedoms. The superintendent used to pacify them by saying that newcomers could not be sent out.

One thing that baffled the enquiry panel was the presence of two huts near the superintendent's house. These were locked when we visited Nari Niketan. Our enquiries revealed that they were not constructed with government funds but with the private funds of the former superintendent Shanta Ratna. The huts are occupied by two gardeners who are employed outside the institution, but who work on a part-time basis for Shanta Ratna. They denied that the inmates of Nari Niketan ever worked for Shanta Ratna, or that the huts were used for any immoral purpose.

On the other hand, Lal Bano, Prema and Anjali stated that many girls used to do domestic work for Shanta Ratna. Anjali said the girls working in the superintendent's house used to be left alone with her cook Saug Ram. She quoted the instance of one girl Sita who had conceived while in the institution and said that Saug Ram was responsible for her pregnancy. Sita's baby was sold out by Shanta Ratna to two women who came in a car one Sunday. Anjali heard the conversation between Shanta Ratna



and those two women. Shanta Ratna had demanded Rs 2,000 but the bargain was settled at Rs 1,000. Since the amount paid was less, Shanta Ratna asked the women to get a handpump installed in the Niketan. Some laddus were also distributed to the inmates. Anjali said that some years ago, Sita was transferred to the home for the mentally retarded, at Punjabi Bagh.

Another woman Tehaliya was admitted to Nari Niketan in August 1955. In 1977, Dr Kumar reported that she was four months' pregnant, and she was referred to Irwin Hospital. It is indeed surprising how this woman became pregnant. In December 1977 she was interviewed, and then sent to the mental hospital. The file is silent as to whether she delivered the child or not, or was aborted.

We are of the opinion that there is strong reason to suspect that the former superintendent might have been making money illegally by sending out the inmates of Nari Niketan under the pretext of finding them employment. The statements of Prema and Lal Bano also *prima facie* indicate that some of the inmates were being compelled by the former superintendent to marry men of her choice, against their will. The forcing of her will upon these girls may be a pointer that she was making some money out of the deals.

How The Girls Feel

Every woman seeking shelter in a correctional institution has a shattered personality. She is uncertain about everyone and everything around. She has been let down by everyone she trusted. She dreads truth for she has lost heavily by speaking the truth. So she never reveals the facts about herself. The normal procedure is that on admission, the trained case worker conducts a series of interviews with the woman. This therapy is known as counselling. The principle of basic respect for the individual is adhered to. Every interview should be recorded in a summary form. The progress of the girls should be specifically shown. However, no such notings are visible in the case files from April 1979 to April 1981. The files consist only of intake forms and the history initially told by the woman. In almost all

cases, the case worker has not even talked to the woman a second time, after admission.

The girls also confirmed that they have no contact with the case worker or the superintendent. The main contact they have is with the watch and ward staff who look down on them and treat them as problem women. In fact, Kumari, Pushpa and Aisha complained that the staff beat them. Lishat and Prema also said that girls are beaten up by the superintendent. The staff does not respect the girls. Every reaction of theirs is viewed as indiscipline or deliberate troublemaking.

The case worker has her own problems. There is only one case worker in the institution. She has to maintain over a hundred files, go to the court, take the inmates to the hospital, find out the details regarding the men applying for marriage, and so on. The superintendent, who is also a trained social worker, could have shared part of her burden, and established better rapport with the girls, but not a single file has any advice or guidance rendered by the superintendent.

If the superintendent had to function as a signing machine, why should the institution keep trained workers in this post and pay them high salaries? Surprisingly, though the Nari Niketan has a provision for two case workers, one post is lying vacant since July 1978. Why the post has not been filled is a mystery.

The girls are emotionally starved. They want love, attention, and patient hearing. During our visits to the institution, we observed how they longed to be heard. They came to us more than once and the moment they realized we had their welfare at heart, they were clinging on to us, and relating the stories of their misery. More than anything else, they wanted to be heard and appreciated. "Hear me", they went on repeating.

There are a number of girls speaking only Bengali, Tamil, Telugu, Kannada, Malayalam. How the case worker communicated with them is not known. The files do not indicate that assistance of people speaking those languages was sought to interview the girls. There is nothing to keep the girls occupied during

the long evenings. There is no radio, indoor or outdoor game, or library. There is one television set, which is reported to be out of order very often."

What The Panel Recommended

The panel summed up their report by saying that the enquiry had revealed a "pathetic picture" of Nari Niketan, and that "the situation calls for immediate rectification." Therefore, they submitted a list of 19 recommendations, in the hope of "restoring basic rights to the inmates of Nari Niketan."

Firstly, they recommended that SITA rules in respect of food, clothing and other facilities should be strictly adhered to. They specially mentioned that sanitary napkins should be immediately supplied to the women. They also recommended immediate classification of the inmates, closure of the mental wards, transfer of the mentally ill, the aged and the deaf and dumb to other institutions, and repatriation of inmates from other regions and other countries. They stressed the importance of a vocational training programme geared towards employment.

They asked the court to order examination of the inmates by a woman psychiatrist, and to arrange for free legal aid and advice to the inmates. The appointment of a resident nurse, a full-time psychologist and trained case workers in a ratio of 25:1 was suggested. Re-drafting of the marriage rules and planning of a follow-up programme were mentioned as essential to protect the girls.

The most significant recommendation was that a committee of people from different disciplines like psychiatry, law, medicine, social work, be appointed to guide and check the functioning of the institution. This committee should have statutory powers and be reconstituted every two years.

On September 14, 1981, the supreme court adjourned the case to give Delhi administration time to file a counter-affidavit. However, in the meantime, the court passed orders that all the inmates be provided basic amenities according to rules. To prevent prostitution under cover of marriage, an order was passed that while the case is in progress, no girl

is to be married without the prior permission of the supreme court.

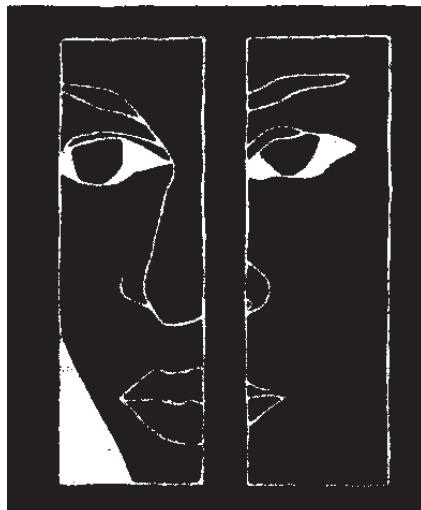
Self-Contradictory Self-Defence

Shanti Gupta, present superintendent of Nari Niketan filed two affidavits on behalf of Delhi administration—one in response to Ms Sivadas' petition, and another in response to the panel report. In the first affidavit, every allegation was categorically denied, including that the girls were ever made to do domestic service or were channelized into prostitution by the former superintendent. It was also claimed that "various activities are undertaken so that inmates can earn a livelihood after they are discharged from the institution."

However, in the second affidavit, the administration is forced to admit the truth of many of the allegations. They make a constant attempt to cover up by saying that various facilities such as psychiatric check-up, venereal disease check-up, segregation of the sick, transfer of the aged, recreational facilities, beds and sanitary napkins "will be arranged" or "have been arranged" after the court order. All allegations about shortage of food and clothing, unhygienic conditions or cruelty towards the inmates are categorically denied, by making statements like "Clothes are issued as per norms." There are also attempts to modify such statements by making remarks like: "The gulf of difference between the dressing habits of the affluent people from the cities and people from the villages should not be lost sight of."

Where the panel had referred to specific cases of discrepancies in the record, of clothing being issued when the girl had not received it, or discharge of an inmate without a noting, they calmly remark: "We have to rely on the record maintained in ordinary course," or: "If there is any error in not recording one marriage, it can be recorded now." About mental patients who seem to have disappeared without any record in the register, they cheerfully say: "There are minor discrepancies in respect of dates." No reason is given for not filling up the post of case worker since 1978. The only remark is: "We would be posting one more case worker for clearing up the arrears."

However, they change their stand-on vocational, training and say: "Music could be a good pastime for the inmates. Training in tailoring would at least help them to make garments for domestic consumption if not for sale in the market." On the question of marriages being conducted without proper enquiries, they seem to follow the principle that general misery justifies specific misery: "It is not understood what is meant by safeguards. Procedures followed by us are definitely more scientific and progressive than what we notice amongst the poorest classes of our society at large." In reaction to the allegation that girls are married to men who do not even speak the same



language, they sublimely remark, as if they are making a romantic film: "Non-communication due to language barrier cannot always be considered insurmountable, given a desire of love and understanding."

They rightly point out that magistrates and police are also involved in the negligent procedures of release: "Puja was ordered to be released and allowed to go with a police constable as ordered by the executive magistrate, Sadar Bazar. We do not know whether anyone has returned to GB Road...We would respectfully suggest to the panel to study the working of Nari Niketan in the context of working of other institutions and agencies like magistrates and police." In fact, the callous and irresponsible attitude of the state is summed up in their statement: "The state cannot assume a permanent liability for

a woman once she is admitted to Nari Niketan."

The exposure of Nari Niketan as a hotbed of corruption and exploitation of women and girls in the name of "protective care" is of vital significance because this is not just a question of one particularly bad superintendent. Nari Niketan is one of many such exploitative "homes"—both private and state-owned—all over the country. These homes are part of a network of institutional exploitation of women, which is linked to the highest seats of power. In her petition, Ms Sivadas had quoted a girl inmate who said: "The superintendent goes out of the home with a dicky load of vegetables grown in the institution and a car load of girls to the boss' home. He uses the girls not only for his pleasure but for that of his friends and benefactors. Girls are used as tools to get favours done. We are brought here because we sold our body. There we got a price. Here it is all free."

This is just another kind of prostitution—that sexual slavery which embodies the predicament of women in our society. Prostitution is perhaps the only "offence" for which the state so blatantly penalizes the exploited—the woman, and not the man who exploits her. A law which is so biased against the woman as to send her for "correctional treatment" can only end up acquiescing in her institutional imprisonment. Inside the institution, the woman is rendered as helpless as in the brothel where she is controlled by the pimps and madams.

It is because this form of exploitation is so widespread and many tentacled, that though from time to time, protective homes are exposed when an inmate manages to run away or commit suicide, yet no concrete changes take place. For instance, on October 19, 1981, newspapers reported the death of Zohra, an inmate of the government protective home in Lucknow. The post mortem revealed that she may have been poisoned and her body later hanged to make the death appear a suicide. However inspite of many such incidents and subsequent enquiries, protective homes continue to flourish in their present form all over the country. In today's situation of increasing destitution among women, this issue assumes greater importance. □