



Kiran Singh

THIS is to bring to your lordship's notice an attack on and denial of fundamental rights to me, by my father Shri Dharamnath Singh, of Jayanagar, Bihar, by the pro vice chancellor and the vice-chancellor of Patna university, and by the police authorities of Patna. I am a 25 year old student of Patna university, currently working for my PhD in Zoology. I am a resident of Ganesh Dutt Singh women's hostel in Patna. I am maintaining myself on my research fellowship of Rs 400 a month, and for a year now, have not been taking any money from my father. On October 14, 1982, I and Anwar Ahmed, a fellow student, applied for registration of our marriage in Patna court.

On November 11, my father, Shri Dharamnath Singh, having been informed by an anonymous letter that I was planning to marry a Muslim, came to Patna from Jayanagar where he resides. At 2.15 p.m. he waylaid me on the road while I was in a rickshaw with my friend Kiran, forcibly dragged me into the car, locked the door, and immediately drove off at full speed. I kept resisting, saying that I did not want to go home. However, he insisted that I would have to immediately stop my research work, and return home with him for good. When I told him plainly that being an independent adult, I wanted to live separately and decide my own life, he declared that he would rather have me killed than see me married to a Muslim, since this would damage his family and

"It's Only A Family Affair"

We reproduce below a petition filed on November 18, 1982, in the supreme court, as a public interest litigation case, by Kiran Singh against her father Shri Dharamnath Singh, the vice chancellor and the pro vice chancellor of Patna university, the state government of Bihar, and the inspector general of police, Patna. Her letter was accompanied by a letter from Afanimala, and Madhu Kishwar. They argued that the way Kiran had been denied her basic right was typical of the way in which a majority of women throughout the country are denied their fundamental rights by their own family members, and therefore her case should be treated as a public interest case, involving the rights and interests of many women. The supreme court issued notices to all the respondents.

community honour, and his honour is dearer to him than his daughter. Taking advantage of an unguarded moment, I managed to slip out of the car and escape in a rickshaw. By taking a circuitous route, I was able to elude capture, and reached the hostel. However, at 10.30 p.m. the hostel superintendent came and called me, and insisted that I go to her quarters to meet my father and others who were waiting there to meet me. Even though I pointed out that this was not the time for visiting, and normally girls are not permitted to meet visitors at night, she insisted that I accompany her. When I went with her I found a number of relatives and goondas had come with my father who once again ordered me to go home with him immediately. I again refused to do so. Thereupon my father and another relative caught hold of me, with the intention of forcibly taking me home. I pushed them aside and ran out into the darkness, and somehow managed to hide myself in a filthy unused latrine. My father and other relatives illegally entered and searched the hostel, with the help of the superintendent, in violation of hostel rules. The search continued till 1 a.m., but fortunately, they failed to find me. They parked their car outside the hostel gate and remained there all night. Meanwhile, I went into the hostel and hid in almirah which was 3 feet high and one and a half feet wide. I sat in a crouching position inside this almirah from 3 a.m. on the 12th up to the morning of the 15th. For four days and

nights I was not able to visit the toilet. Due to nervousness, I was bleeding profusely. I also got fever and was unconscious for a day, due to fear and the lack ventilation in the almirah.

On November 12, my father, other relatives and goondas returned to the hostel, this time in the company of several policemen armed with a search warrant. The vice chancellor also came to the hostel and ordered the superintendent to see that no girl was allowed to step out of the gate that day. The police searched every room in the hostel, breaking the locks of those rooms which were locked. They also removed all my belongings, many of which had been purchased with my own money. These belongings included clothes, books, radio, toilet articles, research documents and notes, and cash. I was thus left without personal necessities. After the search, the hostel was surrounded by policemen and goondas. Rumours were spread throughout the city that I had eloped with a Muslim boy, and attempts were made to implicate me in false cases of theft.

Other inmates of the hostel who were known to be my friends, such as Kiran Aggarwal, Saroj and Manimala were threatened and harassed. They were told that if they did not produce me alive, they would be killed. Kiran and Saroj were interrogated at least ten times by the police with the intention of extracting a confession from them regarding my whereabouts. Kiran Aggarwal's family

was also threatened on two occasions. Goondas wandering about outside the gate kept shouting that they would kill Kiran Singh since she had dishonoured the community. Such an atmosphere of terror was created that till date many residents of the hostel, especially my friends, are unable to step out of the gate to attend their classes or pursue their professions because they fear for their life and safety.

On November 15, I managed to escape from the hostel and to catch a train to Delhi, where I sought shelter at Manushi. My friend Manimala helped me to escape. At grave risk to both our lives, we were compelled to flee like fugitives, hiding our identity lest we be recognized, and I be abducted and killed.

At present, I am staying in Delhi and still fear for my life. I have been subjected to acute physical and mental distress and discomfort, threatened with violence, and made the victim of two attempts at forcible abduction. I have been compelled to flee from my residence and to stop the pursuit of my studies as research scholar, for fear of abduction and murder. I also fear that my father will manage to get me and Anwar rusticated from the university. I have been treated like a wanted criminal and effectively denied the right to legal redress.

In all these ways, an attack has been launched on my life and liberty. My Constitutional right to freely live, reside and move in any part of the country and to peacefully pursue a lawful vocation, has been violently interfered with. My research material, documents and books have been illegally removed in an attempt to render me destitute and helpless. Consistent attempts have been made to defame and isolate me and attempts are being made to implicate me and my friends in false cases.

All this has been done in an attempt to prevent me from exercising my right to freedom of choice in marriage, even though I am a self supporting, sane, adult citizen.

Secondly, Anwar Ahmed is also in grave danger at present. He has also been threatened, and fears for his life. He has been compelled to hide himself, and is thus unable to pursue his studies or to move about in the city.

Thirdly, all the inmates of Ganesh

Dutt Singh hostel are being terrorized, threatened, intimidated and illegally harassed with the active help of the police and the vice chancellor of Patna university. Their right to life, liberty, mobility, and pursuit of vocation is being illegally obstructed.

My father Shri Dharamnath Singh is a wealthy landlord and a very influential member of the Bihar Pradesh Congress Committee. He is also a key office bearer of the Madhubani Zila Congress. He is closely connected through ties of family or friendship with various Congress (I) ministers and MLAs, numerous officials in the state administration and the university. For instance, the pro vice chancellor is a relative of his. He is misusing this wide influence to harass me, Anwar Ahmed and the hostel inmates, especially my friends Kiran Aggarwal, Manimala and Saroj. I have good reason to fear for my life because not only has he threatened to kill me but has also let loose several goondas on me saying that it is better that I be found dead than alive. He has twice attempted to forcibly abduct me against my will and inspite of my protests. He has illegally removed all my personal belongings with the intention of leaving me penniless. All these illegal actions on his part have been made possible because of the active connivance, aid and abetment of the pro vice chancellor, the vice chancellor, the hostel superintendent and the police authorities. All these parties are also contributing to the spread of communal tension and discord by openly opposing the marriage of a Hindu to a Muslim, on communal grounds.

The university administration and police have been responsible in several ways for this attack on my life and liberty. My father and goondas were illegally allowed to enter and search the hostel premises on the night of November 11, thus infringing the privacy of the women inmates, in defiance of all codes of decency. On November 12, the vice chancellor ordered that no girl should be allowed to step out of the hostel, thus trying to pressurize them to reveal my whereabouts. My friends have been waylaid by goondas pressurizing them to reveal my whereabouts. Thus, while on the one hand my father wished to

place me under house arrest in his house, the vice chancellor virtually placed all the inmates of the hostel under house arrest in the hostel. The police also played a vital role in this illegal pursuit of me, by treating me like a criminal with a price on my head, by coming to search for me, by interrogating and threatening my friends.

I beg to bring to the notice of your lordship that :

1. My fundamental right to life and liberty guaranteed by article 19 (l) (d) (e) and (9) of the Constitution, is under attack by Shri Dharamnath Singh, the police authorities of Patna, and the pro vice chancellor and the vice chancellor of Patna university.

2. My right to freedom of movement, freedom to live, reside and move in any part of the country, freedom to peacefully pursue a lawful vocation, to enter into legal contracts (in this case of marriage), to seek legal redress, are all under attack by Shri Dharamnath Singh, the police authorities of Patna and the pro vice chancellor and the vice chancellor of Patna university.

3. The life, liberty and freedom of movement of Anwar Ahmed are also under attack by Shri Dharamnath Singh, the police authorities of Patna and the pro vice chancellor and the vice chancellor of Patna university.

4. The life, liberty, freedom of movement, freedom to pursue lawful vocations, and the right to privacy of the residents of Ganesh Dutt Singh Mahila hostel are also under attack by Shri Dharamnath Singh, the police authorities of Patna, and the pro vice chancellor and the vice chancellor of Patna university.

5. Shri Dharamnath Singh, the pro vice chancellor and vice chancellor of Patna university, and the police authorities of Patna are making attempts to stir up communal disharmony and tension in Patna by violently resisting and opposing the right of two members of different communities to get married to each other.

I have been constrained to approach your lordship.

I earnestly pray your lordship to pass orders:

1. directing the state government of Bihar to ensure my safety of life and limb,

and to protect my fundamental rights to freedom of movement, residence and vocation, so that I may return to my residence and continue my research and exercise my civil rights as a citizen of the country;

2. directing the state government of Bihar to ensure the safety of life and limb of Anwar Ahmed, and protect his freedom of movement, residence and vocation, so that he is not compelled to remain in hiding;

3. directing the state government of Bihar to ensure the safety of life and limb and the fundamental rights of movement, residence and vocation of the residents of Ganesh Dutt Singh Mahila hostel, especially of Kiran Aggarwal, Manimala and Saroj ;

4. directing the state government of Bihar to protect me from violence and threats of violence by my father, Shri Dharamnath Singh, my brother, other relatives and goondas employed by them;

5. to set aside any orders, executive or judicial, which may be against the interest of justice or may abuse the due process of law, or may be used to harass me, Anwar Ahmed or the residents of Ganesh dutt Singh hostel.

In reply to this petition, Shri Dharamnath Singh filed a counter affidavit on December 16, 1982,

admitting that he had searched the hostel premises, but denying that he had in any way threatened or harassed Kiran and her friends. He claimed that his only intention was to advise her not to take a wrong decision under undue influence, but that he did not wish to obstruct her choice in any way. However, the police report filed by him on November 13 belies this claim, since in it he says that he apprehends that Kiran has been wrongfully confined or murdered by Anwar Ahmed, and by her friends Kiran Aggarwal and Saroj Kumari who "have not got good records and anything bad can be expected from them."

An alarming reaction to the case is that some Rajput men in Patna have got together and formed a Rajput association, with the avowed intention of preventing Rajput girls from mixing with non-Rajput boys. Several well known ruffians of the university are in the lead of their association. They are also continuing to harass and threaten the hostel girls, especially Kiran Aggarwal. Kiran's and Anwar's friends have warned them that it is not safe for them to return to Patna at present, since the Rajput men there are reacting in such a violently communal manner. Kiran and Anwar have now got married under the special marriage act and are living in Delhi.

NEW LOOK

*Sari pallav pulled over her face,
Downcast eyes fixed on the ground,
She stood in shy submission,
The girl that was to be his bride.*

*His bride.
His wife.
His.*

*Cut, trimmed, tailored
To be his.*

*His mangalsutra round her neck.
His bangles on her wrists.
His surname to her name.*

*Till they discovered that
Her name was Urmila.
His name was Ram, so
Urmilala was snipped to Sita.*

*Sita for Ram.
Ram is not Lakshman.
Besides, Urmila is only a name.*

*And
Desperately did her mother search
For traces of her daughter
In the new, new bride.*

-Joy Deshmukh