

## Behind the Bars of Nepal Central Jail

THE four walls and the skies alone bear witness to the lyrical sentiments of women prisoners in Central Jail. Perhaps the winds carry it away. I too have listened to their wail. I kept the beat one Saturday evening. It was their song. Their dance. A reflection of their sorrows, frustrations, dissatisfaction. No joke this. 20 years in jail. But jokes are still made.

A whim, and the doors close behind them. Juveniles, young and elderly women. A total of 77, besides me. 39 charged with murder. 22 are mental patients. 12 serve the equivalent of life terms for abortion—treated as murder in our country. Two have been jailed for prostitution. One is a thief. Another a political prisoner with criminal charges against her — a Naxalite. I am there as a transferee. From detention under investigation at Hanuman Dhoka cell to Central Jail.

One more for company. I was watched with excitement as I was ordered to sit on the ledge facing the door to the headwoman's room and the jail doors closed behind me.

I watched, stunned, as women in various stages of undress were before me. I did not speak. I learnt to accept such nakedness along with the laughter and joy among them. A gesture, and I acknowledged their welcome. It struck six. I was taken to a room. Meena Khadka, a student from the local Padma Kanya Campus and two other women spending 10 and 16 years for murder are my cell mates. Meena was released two days after my arrival.

The jail bureaucracy is not much different from that one comes across everywhere else in Nepal. The difference

perhaps is that here one finds a formidable bureaucracy of sorrows. How else can one explain the bureaucracy prevailing among these women spending 16-year jail terms, barred from the world outside the prison walls? The chowkidarni, a woman guard who is a prisoner herself, and the prison matron can walk to the jailer's office in the men's section accompanied by a policeman.

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### **Among many others, Durga met 12 women undergoing life-imprisonment for having had abortions . . .**

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Eat lunch by eight in the morning. Dinner by four in the afternoon. Cook on separate firewood stoves provided for seven or eight in each room. One must, of course, cook for oneself. For a while, hence, there is a lot of smoke. Smoke that could kill by suffocation. The matron must grant permission to move out from the cell after six in the evening. Otherwise the penalty is severe. There are iron shackles as big as wheels. Legs are firmly shackled to it. And, for a few days, the offender is prevented from moving about. Torturous. And then there are punishments in the traditionally accepted manner too. Beatings, whippings...are a convention.

For us, the misuse of power and the suppression of inequalities is but a way of life, everywhere. Prevention of crime and social evils have been rendered difficult in the prevalent Nepalese environment. No remedy can be provided in the absence of a purposive process for reforms. But an environment for reforming criminals is a much more distant task when there are



Durga Pokhrel

many behind bars, spending lives in jail for crimes they have not committed but have been forced to confess. Who else but the police and the village headmen can enforce jail terms in villages? These victims of poverty do not possess the means to bribe.

Yes, they give their youth to the government in Nepal—and spend their lives cursing the village elite and authorities for their fate—these women of between 12 and 20 who serve life terms charged with murder. Noon Maya Gurung of Mai Majhua Ilam is 28. She has served 16 years already. A juvenile of 12 accused of murder and, surprisingly, convicted for life. Her sister-in law is said to have been the victim of homicide. She does not know who the killer was, nor did she ever get to see the dead body. She remembers one particular instruction: “You are a small child of 12. The police will keep you for four or five days. And then you can come back.” She left with the policeman. Her thumb prints signed a paper. She is unaware of what followed. She says the first few years were pleasant. Sometimes one jail, sometimes another. And, then, finally, it was Kathmandu. She had grown up by then. For her, it was a stunning discovery that she was serving 20 years for murder.

And then there is Nanda Maya Gurung of Sahu Gaon, Nuwakot. Her features at 33 give more than a hint of her good looks

in 1967. She was arrested for investigation in a case involving the murder of her cousin. The police found her attractive. Attempted rape. She resisted. And so the 20 year-old woman was deemed to have been guilty of murder. A 20-year life term followed.

Budhamaya from Nuwakot has already served two or three years in jail but is merely 14 or 15. Her companions say she was but a child when brought to prison. The child-wife was unfortunate to have lost her mother-in-law while she was away visiting her parents. She was brought to her husband's house and blamed for the murder. A girl yet to attain puberty was made victim of a sinister plot. There are many more women with similar fates. A little legal aid could, perhaps, release them. But they are poor and any remaining initiative for freedom is killed when they are told that the date for pleading a review of their cases has long since passed.

There are other tales of woe in jail. For two old women over 80, a last and only wish is to die outside the jail compound. They say they have seen too many dead bodies rot inside the jail grounds. Many women are serving life terms for abortion. Quite a contrast this. Millions are being spent by authorities on family planning programmes. Pretentious meetings and conferences are held regularly where the legalization of abortion is a recurring theme. But there are still women who are jailed—accused of murder, of abortion.

Jarina says she was a cook in a well-established Kathmandu family household. Sexual relations with the family chauffeur resulted in a pregnancy. Her employers assured her that this was nothing serious. An eight-month-old baby was still-born. It was deemed that she was a murderer. A 20-year jail term was imposed. Ten years remained.

Says Shanti of Birgunj. Her husband and his other wife absconded after aborting a child. "I was severely beaten by the police, tortured at bayonet point." The marks remain on her body. She insists that she did not confess to what she had not done. She asked me to go through her papers and explain why she was serving a

20-year jail term. I read the papers and it was a confession that she, and no one else, had killed the child. The confession was signed in her thumb print. She is illiterate. Janaki Subedi of Syangja confesses to the abortion of a five-month-old foetus. But she was beaten until she confessed that the baby was not five but ten months old. She serves a 20-year jail term since 1976.

Bal Manjari Acharya, 25, says she has already served three and a half years in jail and admits to killing a former military man. The Subedar was known to prey on young women in the village. She hacked him to pieces with a khukri when he attempted to rape her. She collected two of her friends on the way to the police station to confess the killing and hand over the weapon. The police concluded that she killed on

single cell. One relieves oneself in a corner of the cell. There is no water provided. We avoid looking at this source of extreme nausea. The insane, hence, need not attempt a return to sanity. They would prefer more lunacy in these conditions. There are two or three who say they are not really mad. "We are not mad," they plead. "Free us." Such cries are interpreted as indicating that their sickness has worsened. They are beaten. They weep more. They are bound to the iron wheel outside.

Shanti Giri says she was deceived by her lover. She says she used to visit him regularly. She says the visits prompted her lover to have her locked up in jail. She is still in love with him and can think of no one else. 20-year-old Naxalite Gaura Prasai



—Jolly Rohatgi

purpose and that her two friends had conspired in the killing. All three were given five-year jail terms

How then, can one help sympathising with the lunatics when conditions prevalent make the sane insane? There are six or seven women locked together in a

has already served four and a half years in jail. She grew sick one night. We asked that she be taken to hospital. She was frail and weak. We concluded that she was nearing her end. Ultimately, a health assistant arrived and administered an injection to facilitate sleep. Gaura says she

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will never forget police cruelty while under custody at Jhapa. Four policemen marched on her back until she lost consciousness and vomited blood. She was asked to eat the policemen's left over food on a piece of dirty tin.

Lice and tics have coarsened the bodies of women in the lunatic section. It is not difficult to see this since they prefer to stay naked. Sanity is difficult when the sane and the insane must live in the same cell. Mad women shout, the sane inmates

learn to shout back in the same way to shut up the insane ones. The premises have not been disinfected properly. There is little provision for proper care of the mentally sick. I was privileged to have the opportunity of occasional conversation with the other inmates; They had concluded that I was a privileged person. I asked them to wait till a democracy is won in the country that it may enable the release of the innocents among them. They prayed for democracy. I assured them that

I would take up the cases of those in prison on abortion charges or those who had been imprisoned under-age and those who needed proper review of their cases.

They said in one voice that prisoners in the men's jail were released when the Queen gave birth to a son. They point out that ten men prisoners were released when the prince observed his rice-eating ceremony. "Are we the Prime Minister's step-daughter or something?" they ask me, "You must tell this when you are released."