

The Difficulties of Redressal

An incident that occurred in Ramjas College last year demonstrates how hazardous it can be for women to make a public issue of sexual harassment and how difficult it is, under the existing machinery, to offer women any real protection against sexually exploitative men. Soon after the new academic year started in July 1991, a staff member of the college released a letter to the press alleging that during the course of ragging two or more first year women students were stripped naked in the boy's hostel. The college and faculty began by denying it. In the meantime the girls alleged to have been stripped were said to have disappeared. Though no official complaint had been sent to him, the Vice Chancellor of Delhi University, Dr Upendra Baxi, appointed a proctorial committee in the first week of August to examine the matter and report its findings within 10 days. Dr. Upendra Baxi, in a press release dated August 8, expressed his displeasure at the fact that the Principal had made "conflicting assertions and refutations". Baxi urged the Principal, who had gone on leave, to resume his duties and place the full facts before the Proctorial Investigations Committee. He also appealed through the press to "the concerned (women) students and parents" and urged them to come and meet him "in full confidence," indicating that whoever is guilty would be brought to book.

Because the women themselves were not forthcoming the event came to be shrouded in mystery and rumour. The Proctorial Committee reported that the most probable dates the incidents occurred were on July 18, July 25 and July 30. They did not release a

description of each of the events and the number of women who were the victims. The Committee has not released the full details of their Report to the public, indicating concern about violating the legal rights and privacy of those concerned. All that is known is that 14 boys were suspected to have been involved in the incident. There were six charges framed by the Committee: the major ones were molestation, intimidation, forcing the girls to go through a mock marriage and sexual harassment through the use of obscene words and gestures.

On the basis of their conclusion from the information they gathered, the Committee took a number of interim actions against the student suspects. Two boys were declared *persona non grata* and their entry into the University was barred. Four students were suspended, and a show cause notice issued to them, as well as to eight other students.

The University authorities have not yet completed their investigations into the incident. The fact finding Committee has only ascertained the facts of the case *prima facie*. Before deciding whether they should initiate further disciplinary action the Committee must still cross examine each student and hear their defence. Some of the students have been getting numerous lengthy postponements during these proceedings, some have failed to appear on due dates. Despite these incessant delays the Committee is said to feel that due process must both be followed and be seen to take place or else it sets a bad precedent for the University. Also, if the students are

punished without full evidence that they obtained a fair hearing, they could easily go to a court of law and challenge the decisions of the University committee. Professor Baxi states that he is extremely reluctant to hand over the case to the police or law courts because then the identity of the victimised women students can no longer be protected. The court will, he believes, insist on cross examining them publicly resulting in a good deal of unsavoury publicity through the press and otherwise. Once their identity and whereabouts are known to the "culprits" it's possible that they may even subject the girls to blackmail and threats of violence to withdraw the case.

This case could make even this limited progress because:

1. the Vice Chancellor is said to have taken prompt action and personal interest in the case despite resistance from some of the college authorities;
2. the alleged culprits were not powerfully connected; and
3. the women professors appointed to locate the girl students went out of their way to trace the missing girls and get their versions recorded.

Yet it has become a hush hush affair which is likely to be forgotten soon, as more current pressing matters take over. If this is all that can be accomplished in a University setup with a responsive Vice Chancellor one can well imagine the fate of those cases of sexual harassment where powerfully connected men are involved in inflicting sexual harassment and the administration is run of the mill.

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