



FOLLOW-UP

Retribution at Last

Delhi University Professor Dismissed for Sex Crimes

battle for years without much support from her colleagues, including women colleagues who themselves were being sexually harassed.

An important factor which helped her pursue this case, despite the indifference and hostility she met with in her efforts, is that her husband, Dr Javeed Ashraf, lent her full support. Most other women who could not put up with Bhatia's conduct quietly left the Department without making an issue of it. Perhaps this was due to their not having similar familial support as Merh did.

Quite a few women succumbed to Bhatia's designs for varying periods of time in return for special perks of career advancement. But even those women had to leave when his demands became more and more outrageous. For instance, he even tried to blackmail some women in order to prevent them from getting married. By 1992, only 2 out of the 22 women that Bhatia employed during his tenure as Head of the DACEE remained in the department, but they had to pay a heavy price in terms of their physical and emotional health. Merh was so traumatised by the experience that she suffered from insomnia, two nervous breakdowns, severe headaches, and developed high blood pressure which she believes was stress induced. Merh claims that her exasperation was aggravated by the fact that apart from the indignity of the sexual harassment, she felt helpless as she watched Bhatia destroy her academic career.

The saddest part of this story is the manner in which the DU establishment, including various vice chancellors (VCs) and their team members, went out of their way to protect Bhatia over a period of ten years. Merh began making official complaints in 1985 to the then VC Moonis Raza, but she met with total indifference from him. When Upendra Buxi became VC in 1990, her complaints were similarly ignored. In those years, even the teacher's union did not lend her any support. Finally in January 1992, she came to **Manushi** and narrated the exploitation and corruption in her department, seeking our help and intervention. **Manushi** carried out its own investigation and found that there was a strong prima facie case against Bhatia.

By this time many of the male employees of the DACEE had begun to lend support to Sushama Merh because Bhatia had arbitrarily dismissed one of them from service without any written notice, and assaulted another. Fourteen people testified in writing to **Manushi** corroborating Merh's version of sexual exploitation of women in the department and even added more details of how Bhatia used male employees to ferry women back and forth to his house and department.

Once **Manushi** published the story in the February/March issue, the matter could not be pushed under the carpet any longer and pressure built up at DU for a thorough investigation.

WE have some good news to share with **Manushi** readers. In Issue No. 68 of **Manushi**, we published a detailed report on the happenings in the Department of Adult and Continuing Education (DACEE) of Delhi University (DU) in which Dr Sushama Merh waged a decade-long struggle to get the conduct of Dr S.C. Bhatia, the Head of the DACEE, investigated for sexual harassment and exploitation of his women colleagues — all of whom he kept on a temporary basis to facilitate his being able to coerce them into gratifying him sexually. (See also follow up reports in Issues 69 and 70.)

On April 17, 1996, Bhatia's services were finally terminated from Delhi University through a decision taken by DU's Executive Council (EC). The credit for exposing the misconduct of Bhatia and demanding that the University take appropriate action goes to Sushama Merh, who at great personal risk fought this lone

Even after this, Buxi took over a year to appoint a committee headed by Justice Wad, retired judge of Delhi High Court, to conduct a probe. On June 7, 1993, Buxi, acting on behalf of the EC, framed a six-item chargesheet against Bhatia, including charges of sexual harassment, assault, and the withholding of salary, provident fund, and benefits such as leave.

On March 23, 1994, the Wad Committee submitted its report upholding all the charges levelled by Merh and other female employees. Two former women employees also came to testify. None of the woman employees came to defend Bhatia. However, even after such a severe indictment the VC took no action and Bhatia continued to function as head of the department as if nothing had ever happened.

Seeing the irresponsible behaviour of the VC and his team, several women teachers and students joined together to form **Swabhiman**, a Committee For Action Against Sex Crimes, to campaign for the dismissal of Bhatia. At this point even though Bhatia continued getting covert support from various political groups at DU, no one dared support him openly. So strong was the sentiment in the University against his misconduct, Delhi University Teachers' Association (DUTA) and Delhi University Students' Union (DUSU) and other teachers' organisations staged various *dharnas* and protests to press for his dismissal. As this bad publicity mounted, the EC finally met to discuss the Wad Committee report on August 13, 1994. Once against the administration defended Bhatia. A motion for his dismissal could not be carried out because Buxi insisted that a two-thirds majority was required — something



Dr Sushama Merh

that was later discovered to be incorrect. Here, too, the teacher representatives played a somewhat dubious role. Dr K.P. Chhinda, owing allegiance to the BJP, absented himself from the meeting and Dr Badri Raina of the Democratic Teachers' Front which is aligned to the CPM, left the meeting just before the vote was taken, allowing the VC's team to defeat the motion for Bhatia's dismissal by a narrow margin.

The EC merely recommended a demotion for Bhatia, which was seen as a mockery of justice because Bhatia continued to be the boss by virtue of being the sole permanent faculty member of the DACEE. The decision caused an uproar at DU with both the CPM and the BJP representatives put in the dock for the role they played in covertly saving Bhatia. This became a major issue in the following EC elections for selecting teacher representatives. For once, all political groups felt compelled to distance themselves from the EC's decision against Bhatia's dismissal. **Swabhiman** and **Manushi** filed a petition in the High Court challenging the validity of the EC's verdict. Finally, various teachers' forums took the matter to the President of India (who is the Visitor of DU) and asked for his intervention. After a year's time, the President ordered the current EC to reconsider its decision given the gravity of charges against Bhatia.

In the meantime, Delhi University got a new VC, Dr V.R. Mehta. Since Mehta is an outsider who was not aligned to any of the existing



S.C. Bhatia, extreme right

university lobbies, he did not try to obstruct action against Bhatia. In a meeting of EC this April, the matter was taken up again and Bhatia was dismissed from service, along with three other professors who had been found guilty of various corruption charges.

Even though Bhatia has gone to court and got a stay order against his dismissal, what is important is that DU teachers and students have endorsed the charges levelled by Sushama Merh and the verdict of Wad Committee against Bhatia.

This is one of the rare cases of sexual harassment to have ended in punishment to the offender, not just in the legal sense, but more importantly, Bhatia has been condemned socially and morally. This occurred primarily because Sushama Merh was willing to come out into the open and fight for years to protect not just her own, but the dignity of other women colleagues as well. Bhatia, however, appears to be unfazed by the University community's moral indignation at his behaviour. Emboldened by the stay order he has successfully obtained, he has resumed his job and is still on the payroll, though he only occasionally comes to the Department. Like all criminals, he understands the flaws of our legal system and has used them to his full advantage. He knows that a case like this is likely to take years to be decided upon. In the meantime, he is enjoying all the benefits and privileges of his position. We hope the present VC will get the University to pursue the case vigorously so Bhatia is not allowed to get away with dragging it out even further. But most importantly, a permanent redressal machinery at DU must be installed to deal promptly with cases of sex crimes so that no woman has to go through the trauma that Sushama Merh experienced in seeking justice. □

Daughters

I

*It's sons they sow
only to see it's daughters who grow.
It's sons they water and nourish,
only to see it's daughters who flourish.
It's sons they push up to the height of Everest,
only to see the daughters on the crest.
It's the sons who tease,
and it's the daughters who cry.
It's the sons who err, in ways more than one,
and it's the daughters who come to the rescue again.
Promise you the world, it's for the sons to do,
wake you up to reality, it's the daughters who do.
Life? That's for the sons.
And who pays for it? The daughters are the ones.*

II

*In these last few years,
no one wished they'd have a daughter
and thus,
without a war, and without the final cataclysm,
we wished upon mankind its total annihilation
but for the daughters,
who put a stop to it
by being born nevertheless!*

III

*A daughter is one
who is born after a son,
before a son,
between sons, or
in place of a son.
For her to be born
instead of a son
is treachery.*

N.K. Hatwal

Translated from Hindi by Prajapati and Nalini Sah