



Anjana Mishra

FIRST PERSON

A Landmark Victory Orissa Court Vindicates a Woman's Battle for Her Dignity

○ Anjana Mishra

THE verdict was finally delivered on the afternoon of February 2, 2000.

As the trial was heading towards its conclusion... I had an uncomfortable feeling, an increasingly suffocating feeling, that for most people, the verdict would be a judgement on my credibility rather than on the seriousness of the crime perpetrated against me.

In July of 1997, the ex-advocate general of Orissa, Indrajit Ray, had invited me to his residence for lunch under the false pretext of holding legal discussions on the dowry extortion and torture case I had filed against my husband, Subash Chandra Mishra, an Indian Forest Service officer. The punishment meted out to Indrajit Ray, for molesting and attempting to rape me on July 11, 1997 was three years of rigorous imprisonment and a fine of Rs. 5,000.

But for me the judgement seemed more like a verdict on my personal integrity. My husband's lawyer had gone out of his way to establish me as either insane or of bad character, accusing me of having had "amorous relationships with least

consideration for my chastity and dignity." At times, I could not help but be amused at my husband's attempt to portray me as mad or immoral, and at the way this issue was widely speculated upon, debated, discussed and analysed by certain sections of the media and by newspaper-reading Oriya society at large. As one monthly reported, my story had all the perfect ingredients of a *masala* Hindi movie, but doled out to me in really unfair proportion.

I was married on February 25, 1997, to an Indian Forest Officer, Subash Chandra Mishra, the boy of my parents' dreams, an Oriya Brahmin, I.F.S. and Orissa Cadre. He was thirteen years my senior. Dowry considerations, cultural differences and age gaps were all set aside. The reason for this is that my elder sister, an electronics engineer, had married a man of another caste, creating shock waves in the relatively small city of Bhubaneswar. I was the real victim. My sister's marriage could not be reversed, so to maintain status quo, I had to marry well.

To my shock and horror, I learned that a huge dowry had been paid after my wedding, before I was taken to my in-law's home. No dowry transactions had taken place in the marriage *pandal*, as I had threatened to walk out if such a transaction were

to have taken place. My entire married life was a saga of pain with very few moments of happiness. All my dreams of Prince Charming were shattered when I learned, two days after marriage, that my husband had created a love child with his own elder brother's wife - in wanton disregard of all societal norms.

As my husband's affair with his *bhabi* raged on, even after our marriage, the nightmare worsened. He began to demand increased dowry and threaten me with physical torture.

I stood firm and grim. Contrary to expectation, things became worse after we had a child, for I was trapped in a marriage out of which there was no escape. The birth of my son, Nisith, awakened my senses, which had long since remained dormant. I woke up with a start - with a taste of tears, I remembered the forgotten notes of a millions songs and tried to piece together the fragments of my shattered dreams. I was willing and determined to start life all over again.

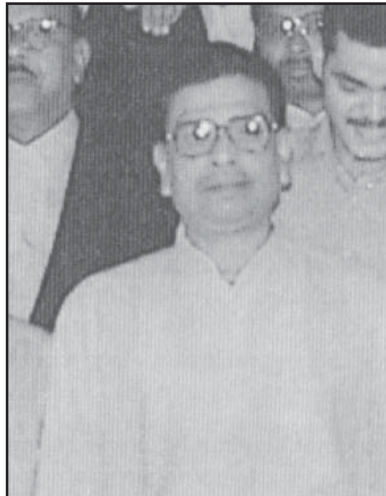
But as the nightmare continued, I fought against it with delicate persistence. Subash, recognizing my resistance, tried to break all ties with one word - divorce - and based it on what he mistakenly thought would be credible grounds for it - insanity.

Life took the final fatal turn when Rajalaxmi, Subash's *bhabi*, shifted bag and baggage to Subash's official residence at Sambalpur in 1994. At that time, I was at an advanced stage of pregnancy. My second bundle of joy, my son Nihit, was born on June 9, 1994, bringing a fresh wave of happiness.

Horror of horrors, a year later, I found myself in a psychiatric nursing home in Rourkela. Subash had admitted me forcibly after administering sedatives on April 4, 1995. One can only imagine my agony and helplessness. In a desperate bid to make a sane girl insane, I was administered six electric shocks. After each shock, I had "memory fade out" and could not even remember who I was. Heart broken, I found relief when my parents rushed to my rescue after receiving an anonymous call from a nurse who had sympathised with me.

For ten months, I lived in my parents home and waited patiently for my two sons, whom Subash had promised to send to me. Haunted by memories of my children, I decided to go back to my husband, setting aside my sense of dignity and fear of what might follow. As a consequence of my decision, the final cataclysm did follow: I was forced to swear an affidavit against my parents. The obvious objectives were blackmail and the opening of a criminal case against my parents at the Human Rights Protection Cell (HRPC). Efforts were also made to convert me into a *brahmakumari*, by dumping me at their head-quarters in Mount Abu in 1996.

When all of these plans failed, Subash finally came up with the diabolical plan of abandoning me in the country's premier institute for lunatics, the C.I.P. in Kankey, Ranchi. Though seven days after



**Ex-advocate General of Orissa
Indrajit Ray**

having been admitted, the asylum authorities wrote back to Subash saying that I was perfectly sane and that he could take me back, he never turned up. As the HRPC neglected my father's cries for help, he himself turned to the *Utkal Mahila Samiti*, and I was finally rescued by them on April 27, 1997, after spending nine months and ten days in the gloom and horror of the asylum. Except for 100 rupees pocket money, Subash had not given me anything during the entire stay. For seven months, I was without basic necessities such as proper clothes, soap or toothpaste, and other personal items.

On April 27, 1997, I was brought from Ranchi to **Basundhara**, a home for destitutes and orphans. I filed the FIR against Subash, Rajalaxmi and other family members on May 30th 1997, registered under section 498 A. Subash and Rajalaxmi were arrested and remained in custody for four days.

And then on July 11, 1997, at the advice of my special prosecutor Mr. Pitamber Acharya, I went to the residence of the then Advocate General, Indrajit Ray, accompanied by Dolly, a staff member of

Basundhara. Ray molested me and attempted to rape me. There began my lonely fight against the establishment. The FIR was later torn up at the police station. On January 9, 1999, I was brutally raped by three men at Barang, on my way to Cuttack to meet my lawyer and journalist friend. The security personnel had refused to inform my security officer that day, despite repeated requests - such failure had become a daily occurrence.

With all the sensationalism surrounding the case, forgotten were the personal feelings of hurt, the agonizing trauma and helplessness of me, Anjana, against whom virtually the entire state administration had turned, rallying instead in favour of the accused, the Advocate General of Orissa at the time, with the active connivance and full-fledged support of Chief Minister J.B. Patnaik.

Cast aside was the debilitating pain caused by the daily harassment and humiliation I was subjected to - including being stripped naked on a chilly winter night and gang-raped. While I was being raped, I was told that this was the price I was paying for being stubborn in my stand against the Advocate General.

Forgotten was the fear of death that haunted me, and the threats that destroyed my peace of mind.

Ignored was the pain of a helpless Anjana who was deprived of even the shelter of her parent's home. My father, giving into pressure, petitioned the High Court for shift of my residence.

Erased completely from public memory was the pain suffered by me, Anjana, a mother separated from her two children for five years, denied visiting rights, even telephone conversation.

Forgotten was my suffocation in the security cordon, seemingly intended to humiliate and harass rather than protect me.

Set aside was the intense loneliness experienced by me, Anjana, who had committed the crime of protesting against crime.

Conveniently, I was temporarily forgotten by close friends, relatives and family who preferred to lead their own peaceful lives without getting entangled in controversies. These were, of course, hardly anything compared to the outrage that I suffered, against wild accusations that I was doing it either for money to blackmail people in high places or for political ambition.

For most people, the suffering of Anjana Mishra seemed to be a sensational real-life version of what they had been seeing on celluloid. For me, the flesh and blood Anjana, the sufferings were real and the memories haunting me nightmarish. Many may have sympathized with me, but sympathy was the least of what I needed. Support was what mattered; while sympathy poured in, real support came from only a few.

On the other side of the fence was the Advocate General, who continued to serve the as AG for about eight months after he was charge-sheeted by the CBI for attempted rape. My husband, Subash Mishra, was not only promoted, but he was assigned the plum posting of the Conservator of Forests in his native home town - despite having been held in judicial custody for four days.

On the other side ruled the present Chief Minister of

Orissa, J.B. Patnaik who asked us humiliating questions in court - "is it a case of super rape?" - and got away with it. Then there were the police personnel who lost no opportunity in harassing me. Premanjan Parida, who went scot-free with the IIC Nayapalli Thana, merely transferred his post, despite his failure to provide me security as per High Court orders, and despite being actively involved in the gang-rape case.

There was Bijoylakshmi Sahoo, the minister for Women and Child Development, who unhesitatingly brought the first compromise offer for Indrajit Ray. Following suit were Minister Kishore Patel, Jagannath Patnaik and Durga Sankar Patnaik, along with other emissaries of J.B. Patnaik - all of whom wanted to buy my silence.

There was Biban Biswal, the main person accused in the gang-rape case. He has yet to be apprehended.

In the atmosphere of chaos and terror, the power of the prevailing

system became heightened, due to the power of one mighty individual in particular -J.B. Patnaik, Chief Minister at the time serving as godfather to the accused.

Though the public's endorsement of my stand was surprisingly positive - I was voted Personality of the Year in 1998 by a private TV channel in accordance with subscribers voting - my case and my person became a public free-for-all. "Freedom of press" and "freedom of speech" found full expression in public pontification on the Anjana Mishra case. Sometimes I felt I had lost myself in the whole din of public discourse. Where was the chubby and effervescent Anjana of school days? Here was the militant Anjana who marvelled at her own patience, strength and tolerance, as other members of society did.

During cross-examination, my husband's defense was given every liberty to try to confuse me, by going round and around, or to embarrass me - hoping to disgrace me to the point where I would be unable to continue. The humiliation of the cross-examination was by no means less than the humiliation of the attempted rape, for here I was reliving it again and again and in a crude manner. The entire devastating process was facilitated by the insensitive legal apparatus, which gives every protection to the accused to prove that he has not committed the crime - in legal parlance, it is called "the benefit of doubt."

Another very interesting aspect of this case: the Chairperson of the State Commission for Women was cited as defense witness. I



was amused when my personal security officer, Sub-Inspector Arati Mishra, took the stand as my husband's witness and went on to make insinuations about affairs I had supposedly had way back in my college days. A DIG Police, S.N. Swain, tried to prove me insane in court in support of my husband.

I sincerely wish and pray that no woman ever goes through what I have experienced, but destiny being destiny, and fate determined by the unknown, for any woman who goes through such an ordeal I would wish:

- the courage to voice her protest and the strength to stand by her protest without cowing down to hooliganism.
- the moral support and good wishes of dedicated women social workers like Saila Behera and Kasturi Mohapatra, as I had and continue to have.
- the good luck of having sincere officials in the CBI discharging their duties sincerely, as I had in my particular case.
- access to lawyers, like Indira Jaisingh and Anuradha Dutt, who are dedicated to the cause of women.
- that the Police officers of our country behave true to their uniform - unlike in my case, in which, the Police assigned to protect me went out of their way to harass and humiliate me.
- that the media play as responsible a role in reporting on cases as the papers *Pragatibadi* and *Dharitri* did in my case.
- that dedicated politicians fight for her case and make an issue of the crime not the criminal.
- most importantly, that such unfortunate victims have the support of their families, for it is the family that forms the pillar of strength.

Lastly, I would wish the victim the courage to stand by her convictions. Courage is what gave me the immense willpower to continue fighting.

My story is a story of the shallow hypocrisy that camouflages most of the elite upper class society. To my family, my protest and my coming into the open about the violence committed against me was an unwelcome jolt to their calm existence. My protest was taken more as an exposure of things which should have remained untold. Unfortunately, my family identified more with the public ridicule and gossip than with the pain of their own daughter.

The struggle is hardly over as the accused will go on to appeal to the higher court. The atmosphere of terror

still prevails, and I am still unable to rent a house at Bhubaneswar.

Touching and affectionate letters of concern, appreciation and admiration from all parts of the country have given me the courage and determination to move forward in my struggle. Today, public support is my greatest source of strength. I only wish now my personal feelings and trauma would be less deliberated upon and trampled.

I seek relief, support and understanding.

There is still a long way to go and the struggle continues... □

Invitation Card

By the grace of God

And her destiny, destined to be

Given to given off in marriage by me.

Name tossed over the shoulder,

For a weightier name.

Gifted daughter gifting a daughter

Bride bridled

Beautiful beautified

Ornamented ornamental

Safety pinned safely pinned

Shrinking coy shrunken joy

Vermilion red enervated blood

Married to married off

I request your company at the Send-off

Any Day. Any Place

Your best wishes at the Ceremonial Cast-off.

Sunanda Mongia